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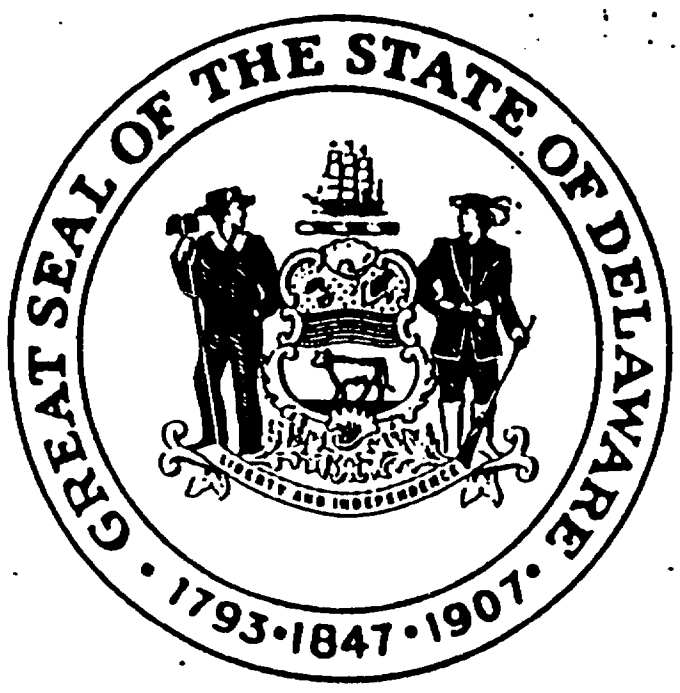

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LEGISLATIVE PAPERS
1731-1911

The General Assembly prior to the Revolutionary War consisted of just the House of Assembly and was overseen by the Governor of Pennsylvania who resided in Philadelphia. With the advent of the Revolutionary War and the separation from Great Britain, a new constitutional government was formed in 1776. This new government was composed of a President as the Chief Executive and a General Assembly made up of two distinct branches, the House of Assembly and Legislative Council. This form of government remained in place until revised by the Constitution of 1792. Under this new Constitution, which became effective the following year, the Chief Executive was renamed the Governor and the two branches of the General Assembly were retitled, the House of Representatives and the Senate.

Scope and Content

The primary function of the General Assembly was to administer the activities of the state for the greater benefit of all, through enactment's of laws, resolutions, and sound fiscal policies.

Legislative Papers are an invaluable source for the study of history, especially to those in the social and political fields. National issues of slavery and commerce are among the controversial subjects that were given consideration. Discussion of such local concerns as the damming of creeks, annulments of marriages and regulation of "swine running at large" exhibit the everyday lifestyle of the local inhabitants.

Arrangement

The Legislative Papers are arranged chronologically by year, and then subdivided by sessions or terms, held at least once a year and lasting anywhere from three weeks to three months. Under each term, the records are alphabetically grouped under subject headings. Included are: Accounts, the financial records of the State Treasurer and Auditor, receipts of the members of the General Assembly, and others providing services for the State; Acts and Bills, early drafts and amendments with deletions noted; Communications, correspondence of members, etc., especially from the President to the General Assembly; Elections, the announcements for holding elections, bonds of elections officials and messages from both Houses concerning election matters, e.g.: election disturbances; Petitions, a formal address to the legislature from a citizen, group of citizens or an organization to grant, deny or repeal requests for specific actions; Resolutions and Reports, resolutions of both houses and committee reports of members appointed to review particular matters; and Summons, official notices to General Assembly members to convene, or for inhabitants to appear before the General Assembly. The bulk of the collection covers the period 1775 to 1898.

Sources

Other related sources to consult are the Minutes of the Council, 1776-1792; Proceedings of the House of Assembly, 1776-1792 (two volumes); journals of both the House of Representatives and the Senate; and the Laws of Delaware.

LEGISLATIVE PAPERS

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1814 Jan. - Feb Legislative Acts

H. of Rep.
Jan. 11th 1814. Read 1st time
— 12th — Read 2d time
— 13 — Read 3d time
by paragraphs & passed

1814

An Act for the
relief of Elizabeth
Snow a non resident
insolvent debtor

In Senate Jan 7.
Read
8 Read 2d time
11 Read 3 time by
special order and
passed the Senate
Presley Ellis Clk
tmt for Con.

An Act for the relief of Elizabeth Snow, a non resident insolvent debtor. 1814 c 103

Whereas the said Elizabeth Snow hath represented by her petition to this General Assembly, that she is confined in the Public jail of Sussex County, at the suit of Mary Sorden for debt; and that she is willing to assign over all her property whatsoever for the benefit of her creditors; and it appearing to this General Assembly that the benefit of the insolvent laws of this State ought to be extended to the case of the said Elizabeth Snow – therefore, Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Court of Common Pleas ~~Chancellor~~ either of the Judges of the Supreme Court or Court of Common Pleas be and they are hereby authorized and empowered to receive the petition of the said Elizabeth Snow; and in hearing and determining which, the said ~~Chancellor or~~ Judge may direct the same proceedings to be adopted for the relief of the petitioner, and for the security of her creditors, as by the laws of this State are directed to be observed in the case of an inhabitant of this State, confined for debt, who prays to be discharged from imprisonment; but the said Elizabeth Snow shall not be adjudged to her creditors – And the determination

of the said ~~Chancellor~~ judge, in the premises, shall be as good and effectual to all intents and purposes, as the judgment of the proper Court to which the said petitioner might have applied, had the been such inhabitants - Any law, Custom or usage to the Contrary notwithstanding

Ar

An act to provide
for the relief of
Elizabeth Snow

In Senate, May 26, 1813
read
27, read 2d time
read 3 time by S.
order & passed the
Senate.
P. Allen, Clk

In the H. of Rep.
27. May 1813. read

An Act, to provide for the Relief of ~~Elizabeth~~ Betsey Snow. (cf. 1814, ch 4 (Laws V, p. 21))

Whereas Elizabeth Snow has represented, that she is imprisoned for Debt in the Prison of Sussex County and because of her residence out of this Government is not entitled to the benefit of the Laws made for the relief of Insolvent Debtors.

Be it therefore enacted, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the residence of the said ~~Elizabeth~~ Betsey Snow out of this Government, shall not deprive her of any benefit of the Act, entitled "An Act for the relief of Insolvent Debtors, within this Government; Nor of the Act Amending the said Act; Nor of the Act entitled "An Act for the better securing personal Liberty and for other purposes;" any thing in the said Acts to the Contrary Notwithstanding.

X

An Act for the relief of Carlton Hall & Associates without debt.

H. of Rep.
Jan. 11th 1814. Read 1st time
— 12. — Read 2d time
by special order by paragraphs & passed.
S. G. Brinsmade Clk

Sent for Con.

In Senate Jan. 12 read
13 read 2d time
14 read the 3d time by paragraphs and passed the Senate with an amendment.
P. Allen Clk

16 Jany. the Senate receded from their amendment
X P. Allen Clk

1814 c. 5

An Act for the relief of Nathan Hyde a non-resident insolvent debtor.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That when a petition being preferred to the Supreme Court or Court of Common Pleas or Court of Quarter Sessions in and for any county of this State by the said Nathan Hyde the said Supreme Court or Court of Common Pleas or Judge to whom the said petition may be preferred, shall make such order, and may proceed to discharge the said Nathan Hyde from his imprisonment in the Common Gaol of Sussex County upon the same terms and in the same manner as the Supreme Court or Court of Common Pleas may or can discharge insolvent debtors confined in the State by the laws; and the said discharge shall be available to exempt the person of the said Nathan Hyde

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from arrest or detention for any debt or debts which he may now owe and have the same effect and duration as if the person petitioning shall have a resident of this State and have discharged from his imprisonment by the Chenango County Court of Common Pleas.

0008

Amendment to the bill for the relief of N. Huffs.

H. of Reps.
Jan. 14. 1814. disagreed to

Senate
Jan. 14. 1814 receded from

0009

In Senate Jan. 14, 1814

Amend the said bill by inserting between the words Plea and may, in the 15th line, the words, "or judge".

Extract from the Journal,

Presley Ellis, Clk

Sent for Concurrence.

3

H. of Rep. Jan. 14. 1814.

Amendment disagreed to.

In Senate Jan. 14. 1814 Received from P. Ellis } Extract from the Journal J. G. Breckenridge

0010

An act authorizing Isaac Cannon to bring a negro into this State.

H. of Rep.
Jan. 12. 1814. Read 1st time.
— 14th. — Read 2d time.
— 17. — Read 3d time
& Passed.
J. P. Brim Ass. Clk

Sent for Con.

In Senate Jan. 27, 1814
Read —
22 Read 2d time
25 read 3d time by paragraphs and passed the Senate.

Presley Allen Ass

3

0011

bring ~~from the place where he is~~ a Negro ~~into this State~~

An Act authorizing Isaac Cannon to ~~bring with him into this State~~

1847 Ch. 7

Whereas it has been represented to this General Assembly that Isaac Cannon of the County of Sussex hath intermarried with the daughter of Elijah Fooks of Dorchester of the State of Maryland and that the said Elijah is desirous of giving to his daughter the wife of the said Isaac a Negro ~~Fellow~~ slave named Sampson provided permission be obtained from the Legislature of this State to remove him into the same Sir

Be it therefore enacted by the Senate and House of Representatives of ~~the State~~ of Delaware in General Assembly met, that it shall and may be lawfull for the said Isaac Cannon to take and bring into this State the said Negro ~~Fellow~~ slave named Sampson now the property of the said Elijah Fooks and to hold and detain him in his service by such right and title as the said Negro is now held and detained by his master in the State of Maryland any law usage or custom to the contrary notwithstanding

An Act for the
Relief of John Black
Armour & others

58

H. of Rep.
Jan. 12. 1814. Read 1st time.
— 22. — Read 2 time
— 25. — Read 3d time
by paragraphs and
Passed
J. G. Brinckle Clk

In Senate Jan. 27, 1814
Read
& read 2d time
& read 3d time by
paragraphs and
passed
P. Allen Clk
Sent for Con.

58

EN00 0019

(1814) Ch 8

An Act for the relief of John Buckhannon and others.

Whereas it has been represented to this General Assembly by John Buckhannon captain of the seventh Company of the fourth Regiment, that Judgment has been given against him by Thomas Price Esquire one of the Justices of the Peace for Kent county for a fine of thirty dollars incurred in consequence of his omitting to return an account of the fines imposed upon the officers, non commissioned officers and privates of his company according to law; and it appears to the General Assembly that the said John Buckhannon did return an account of said fines, by mistake, to Henry Molleston Esquire State Treasurer, instead of the county treasurer, and that this return was made in proper time. Therefore

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That John Buckhannon captain of the seventh Company in the fourth Regiment be and hereby is released and discharged of and from a Judgment given by Thomas Price Esq. at the suit of Philemon Green County Treasurer for Kent county against the said John Buckhannon for the amount of the fine accruing by reason of the omission of the said John Buckhannon to transmit a re-

0015

turn the ~~[illegible]~~ an account of the fines imposed upon the officers non commissioned officers and privates of his company — and that the said Philemon Green county treasurer as aforesaid do cause it to be entered on the docket of the said Judgment that the same is released by virtue of this Act.

Sec. 2. And be it enacted, that in all cases in which Militia Captains have made their returns in due time to the Brigadier General and have not made them to the county treasurer as required by the Act passed May 25. 1812 abolishing the office of commissary & transferring the duties thereof to the County treasurer, such returns may be made at any time before the first day of October next. and shall be good and available as if the same had been made in the time prescribed by law, to free and discharge such captains from all fines & forfeitures.

An Act to vest the Title to a Tract of Land in the Heirs of Philip Grofs. deceased.

H. of Repr.
Jan. 10th 1814. Read 1st time.
— 12th — Read 2d time.
24. — Read 3d time by paragraphs &
Passed.
J. G. Brinckle Clk
Sent for con.
In Senate Jan. 24 read
25 read 2d time.
Feb. 1. read 3d time by paragraphs and passed the Senate with sundry amendments.
Ousley & Mull
3

1814 ch. 13

An Act to vest the Title to a Tract of Land
2 in the widow and Heirs of Philip Gray deceased. —

Sec. 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly. That all right Title Interest or claim which the State of Delaware has in and to a certain Tract of Land situate in St. George's Hundred and Newcastle County in and by virtue of the said Tract of Land having escheated to the said State by reason of the said Philip Gray not having been a naturalized Citizen at the time of his purchase of the said Tract of Land, be and the same is hereby given up and surrendered to and for the use
13 of the widow and Heirs at Law of the said Philip Gray, in like &c. who shall hold the said Tract of Land fully discharged from the said Right Title and Claim forever —

In Senate February 1. 1814

Amendments to the bill

Sect. 1. line 13. insert between the words the heirs, the words "Widow and"

Same line, after the word Groff, insert, "in like manner as if the said Philip Groff, had died an intestate citizen of this State."

Sette. 2d line. between the words the heirs insert the words Widow and

Extract from the Journal

Presley Allen Clk

Sent for concurrence

agreed to

agreed to

agreed to

6.00

An Act to authorize the Owners & Possessors of the Marsh, Cripple & Lowgrounds lying upon the Main southwest branch of Duck creek, in Kent county in this State, between the Mill Gate of Joseph Nock dec^d. now of his heirs and Martin's Bridge to bank & drain the same.

H. of Rep.
Jan. 14. 1814. Read
— 17. — Read 2^d. time.
— 19 — Read 3^d. time by paragraphs and passed
Sent for Con. P. G. Brinckle Clk.

In Senate Jany 24 read
27 read 2^d time
Feb. 3 read 3^d time and passed the Senate with sundry amendments —
Agreed to P.S.B.
P. Allen, Clk

1814 ch 15

An Act to authorize the Owners and possessors of the Marsh, Cripple and Lowgrounds lying upon the main southwest branch of Duck creek, in Kent County in this State between the Mill late of Joseph Stock deceased now of his heirs and Martins Bridge to bank and drain the same.

Whereas it appears to the General Assembly that the banking and draining of the Marsh, Cripple and Lowgrounds lying on the southwest branch of Duck creek, in Kent county in this State between the Mill late of Joseph Stock deceased now of his heirs and Martins Bridge will be of public utility.

Sec. 1 Therefore Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That it shall and may be lawful to bank and drain the Marsh, Cripple and lowgrounds lying upon the southwest branch of Duck Creek, in Kent county in this State between the Mill late of Joseph Stock deceased now of his heirs (being on the Road from Dover to Smyrna) and Martins Bridge by making a Dam or Bank across said Marsh, Cripple and the Branch aforesaid at or ~~near~~ below the site of Martins Bridge and causeway and by cutting such ditches or ditches in or through the said Marsh Cripple and low grounds as may be proper.

Sec. 2. And Be it further enacted, That Edward Joy, Andrew Naudain and Jonathan Alston,

be and they hereby are appointed Commissioners and authorized and required to go upon and view

the said Marsh, Cripple and low grounds and make an estimate of the charges and expenses, which they or a majority of them shall deem requisite to sufficiently bank and drain the said Marsh Cripple and low grounds and to apportion, assess and tax the amount of the said charges and expenses, so estimated, among and upon all and every the Owners and possessors of the said Marsh, Cripple and low grounds, which will be benefitted by the said banking and draining thereof, according to the degree and proportion of benefit, which each owner and possessor will in the opinion of the said Commissioners or a Majority of them derive from such banking and draining of the said Marsh, Cripple and low grounds; and provided, that the said Commissioners in making such apportionment and assessment, shall consider and assess the lands and Marsh, which in the opinion of them or a majority of them will be actually and directly benefitted by such banking and draining and none other; and the said Commissioners or a majority of them shall make out ~~in~~ ~~two~~ Two Lists in writing under the hands of them or a majority of them, in which Lists shall be set forth the amount of the charges and expenses so to be estimated as aforesaid, the names of the persons, among and upon whom the said Commissioners or a majority of them shall have apportioned, assessed and taxed the said Amount, and the sum or sums, which the said Commissioners or a majority of them shall have thus apportioned to and assessed and taxed

upon each and every of the said persons of which lists one shall be delivered to the Treasurer hereinafter appointed and the other shall be delivered to one of the managers hereinafter appointed, or to the successor of such Treasurer or managers respectively.

Sec. 3. And Be it further enacted, That if the amount, which the commissioners aforesaid or a majority of them shall so as aforesaid estimate, apportion & assess, shall prove to be insufficient for the purposes of making and completing a Bank or Dam across the aforesaid Marsh, Cripple and Branch at or near below the aforesaid site and of cutting a ditch or ditches in or through the aforesaid Marsh, Cripple and low grounds, so as effectually to bank and drain said Marsh, Cripple & Cowgrounds, or if it shall at any time become necessary and proper for the amending or repairing of such Bank or Dam or the cleaning or scouring of such ditch or ditches or for cutting new ditches to raise a further sum of money, then and in either of those cases it shall and may be lawful for the commissioners aforesaid or a majority to go upon and view the said Marsh, Cripple and Cowgrounds and the Bank or Dam aforesaid and for them or a majority of them to make an estimate of the charges and expenses requisite either to make & complete such Bank or Dam and to cut a ditch or ditches in said or through said Marsh cripple and Cowgrounds so as effectually to bank and drain the same, or to amend and repair such Bank or Dam and clean & scour out such ditch or ditches or to cut new ditches, as the case may be; and that the said Commissioners or majority of them be and they are hereby authorized and required to apportion, assess and tax the amount of said charges and expenses so to be estimated among and

upon all and every the owners and possessors of the said Marsh Cripple and low grounds; which will be benefitted by such banking and draining in the same manner, upon the same principle and subject to the same proviso as mentioned and contained in the second section of the Act concerning the apportionment, assessing & taxing therein mentioned; and two lists shall be made out and delivered of the ~~same~~ like nature and in the same manner as required in said section.

Sec. 4. Provided always and be it further enacted, that if upon the death, removal, resignation, refusal or inability to serve of the said Commissioners or any or either of them, or of any commissioner to be elected as hereinafter mentioned it shall and may be ~~be~~ lawful for the managers ~~so~~ hereinafter appointed or chosen as hereinafter directed, or either of them to appoint some suitable and convenient time and place for the meeting of the owners and possessors of the aforesaid Marsh, Cripple and low grounds for the purpose of choosing a commissioner or commissioners in the place of him or them so dead, removed, resigned or refusing or unable to serve — of which time and place of meeting and the purpose thereof the managers or manager appointing the same shall give at least ten days notice by advertisements under their or his hand posted at Stocks Mill aforesaid, at one of the most public places in the village of Smyrna, at one of the most public places at the Fast Landing and at two or more other of the most public places in the neighbourhood of said Marsh, Cripple and low grounds; and the ~~commissioners or~~ owners and possessors of said Marsh, Cripple and low grounds meeting pursuant to said appointment and

notice may and shall proceed to elect by ballot a commissioner or commissioners in the place of him or them so dead, removed, resigned or refusing or unable to serve, and the commissioner or commissioners so elected shall have the same power and authority, as the commissioner or commissioners, in whose place or places, he or they shall be so elected, had, or could have under this Act, and all the acts of the commissioner or commissioners so elected shall be as valid and effectual to all intents and purposes, as the acts of the commissioner or commissioners, in whose place or places he or they shall be so elected, would or could have been.

Sec. 5. And Be it further enacted, That it shall be the duty of each and every the persons ~~and~~ to and upon whom the Commissioners under this Act for the time being, hereinbefore appointed or ~~to be~~ elected as aforesaid, or Majority of said Commissioners, shall in and by such apportionment and assessment ~~to be by~~ ~~such~~ as aforesaid to be made ~~shall~~ apportion, assess and tax any sum or sums to pay the said sums so apportioned to and assessed and tax-ed upon such person or persons respectively to the Treasurer ~~for the time being~~ under this Act for the time being;

Sec. 6. And be it further enacted, That Thomas Denny

be and he hereby is appointed Treasurer for the purpose of receiving, collecting and paying ~~the~~ over the sums which the commissioners under this Act for the time being ~~the~~ or a majority of them shall as aforesaid apportion, assess and tax — and that in case of the death, removal, resignation or inability or refusal to serve of the said Thomas Denny ~~[illegible]~~ or of the Treasurer elected as hereinafter mentioned, then and in such case, it shall and may be lawful for

the managers hereinafter appointed or chosen as here-
inafter mentioned or either of them to appoint a
suitable and convenient time and place for the meeting
of the Owners and possessors of the said Marsh, Cripple
and low grounds and call a meeting of such owners
and possessors in the same manner and by the like
notice, as is herein before provided by the fourth section
of this Act; and the said owners and possessors ~~of said marsh~~
meeting pursuant to said appointment and notice
may and shall proceed to elect by ballot a trea-
surer in the place of the treasurer so dead, removed,
resigned or unable or refusing to serve.

Provided always, That the treasurer before appointed
or ~~to be~~ elected as aforesaid shall before he enters upon
the duties of his office give Bond to the managers ~~for~~
under this Act for the time being with sufficient sure-
ty in a penalty double the amount assessed & taxed
by the commissioners conditioned for the faithful
performance of his duties according to the true intent
and meaning of this Act.

Sec. 7. And Be it further enacted, That it shall
be the duty of the Treasurer hereinbefore appointed or elec-
ted as hereinbefore mentioned, upon receiving a list as
aforesaid and giving bond as aforesaid, and such Treasurer
is hereby authorized and empowered to demand,
collect and receive from each and every the persons
~~sums~~ to and upon whom the Commissioners under
this Act either those hereinbefore appointed, or those e-
lected according to the fourth section of this act, or a
majority of said commissioners shall have appor-
tioned, assessed & taxed any sum or sums, the several
and respective sum and sums, so apportioned, assessed
and taxed to and upon the said persons respectively

and if any person or persons shall refuse or neglect to pay the sum or sums so apportioned, assessed and taxed to and upon such person or persons respectively, it shall be lawful for the said Treasurer and he is hereby authorized and empowered to recover and levy the said sum or sums in the same manner and by the same ways and means as are directed and provided by the Act of the General Assembly of this State entitled "An Act for raising county rates and levies", and the twenty sixth section of ~~an~~ the Act of the General Assembly of this State entitled "An Act for the valuation of real and personal property within this State" for recovering and levying the rates or assessments therein mentioned; and the Treasurer under this Act, ~~whether appointed or~~ hereinbefore appointed or elected as aforesaid, shall have the same powers as to recovering and ~~collec~~ levying all sums assessed and taxed by virtue of this Act, which a Collector of the public tax or assessment has by virtue of the said Acts for recovering and levying the said tax or assessment; Provided always that the said Treasurer shall advertise all sales at least twenty days before the time thereof; and provided further, That if the Treasurer hereinbefore appointed or elected as aforesaid, to whom any List may be delivered, shall happen to die, or remove, resign, or refuse or be ~~unable~~ become unable to collect ~~all~~ the sums contained in such List or any of them, it ~~may~~ may and shall be lawful for the next or ~~for~~ any succeeding treasurer elected as aforesaid to collect, recover and levy all the said sums remaining unpaid in the same manner and by the same ways and means, as the Treasurer, to whom such List was delivered could have collected, recovered & levied the same in and by; and every Treasurer elected pursuant to this Act shall have power and is hereby authorized to collect, levy and recover all sums apportioned, assessed and taxed before his election and remaining due at the time of his election in the same manner as any preceding Treasurer could have collected, recovered & levied the same.

Sec. 8. And Be it enacted, that it shall be the duty of every Treasurer acting under this Act to pay over to the managers for the time all and every the sums by him received and collected by virtue of this Act to the managers for the time being retaining only five ——— per cent. for his trouble in collecting; and also to deliver to the managers upon their request a fair Account of all monies by him collected; and upon his removal, resignation, refusing or inability to serve to deliver to the managers the List or Lists which may have been delivered to him noting thereon all sums collected.

Sec. 9. And Be it enacted That John Coungill and William Collins ——— be and they are hereby appointed managers for the purpose of banking and draining the aforesaid Marsh, Cripple and low grounds; and that they the said managers be and they are hereby authorized to construct and make a Bank or Dam across the said Marsh and Cripple and the Branch aforesaid at or below the site of Martin's Bridge & causeway aforesaid of such form and dimension, as they shall deem sufficient to effectually bank & secure the Marsh Cripple and low grounds lying upon the said Branch above the said Bridge and causeway and to cut and make in or through the said Marsh Cripple and low grounds such Ditch or Ditches as they may deem sufficient to drain the same and to keep the said Bank or Dam amended & in good repair, and to keep the said ditches scoured and in good order, and for the aforesaid purposes to employ such persons, workmen and labourers as they may deem proper and to pay them out of the monies so to be taxed & collected as aforesaid. Provided &c.

Sec. 10. And Be it further enacted, That in case of the death, removal, inability or refusing to serve of the aforeappointed or to be chosen under this Act or either of them said Managers, it shall and may be lawful for the acting manager, if there be one, or if not, for any three of the Owners and Possessors of the said Marsh Cripple and Low grounds to appoint a time and place suitable and convenient for the Owners and Possessors of said Marsh and Cripple and low grounds to meet to choose a manager or managers in the place of him or them, whose place or places shall be thus vacant; which meeting shall be called by like notice as provided in the fourth section of this Act for the meeting therein mentioned; and the Owners and Possessors meeting pursuant to such appointment and notice shall and may proceed to choose a manager or managers in the place or places of him or them so dead, removed, unable or refusing to serve; and the manager or managers so chosen shall have the same powers and authority and be able and capable of doing the same Acts, to all intents & purposes, as the manager or managers, in whose place he or they shall be so chosen had or could have or do according to this Act.

Sec. 11. And Be it enacted, That the managers and Treasurer acting under this Act shall keep fair and just Accounts of all receipts, payments & disbursements by them respectively made by virtue of this Act, which Accounts shall be always open to the inspection of the Owners and possessors of the aforesaid Marsh, Cripple and low grounds upon reasonable request.

Sec. 12. And Be it further enacted, That if any person

or persons shall throw down, ~~or injure the Bank~~ break or injure in any manner injure the Bank or Dam aforesaid or any part thereof or filt up or in any manner obstruct any Ditch or Ditches to be cut or made pursuant to this Act, such person or persons shall each forfeit and pay for every such offence to the Managers under this
7 Act for the time being ~~the~~ any sum ~~of~~ not exceeding twenty dollars
8 to be recovered with costs of suit before any Justice of the Peace in & for Kent county, to be applied to the constructing of the said Bank or Dam and the Cutting of said Ditches, or in repairing the said Dam or scouring of said Ditches; and the Managers for the time being shall also be able and capable in their own names to institute any suit in any Court of law of this State for any injury done to the said Bank or Dam above twenty dollars and prosecute such suit to Judgment and execution, wherein they shall recover such damages as a Jury may assess and the sum so recovered shall be applied to the repairing of the said Bank or Dam.

Sec. 13 And ~~Be~~ Be it further enacted That the managers for the time being shall cause a duly attested copy of this Act to be recorded in the Office for recording of Deeds in & for Kent County within one year from the passing thereof, and such Record or a copy thereof duly certified shall be received as evidence in any court in this State.

Sec. 14. And Be it further enacted, That every Manager and commissioner for every days service under this Act shall receive one dollar to be paid out of the monies to be raised by virtue of this Act; and that the said Managers shall be paid out of said monies all expenses by them incurred in performance

of their duties under ~~the same~~ this Act.

An act to change the name of Fast-landing to Vienna.

H. of Rep.
Jan. 25. 1814. Read.
—— 26. —— Read 2d. time
—— 28. —— Read 3d. time by paragraphs and Passed.
Sent for con. J. G. Brinckle Clk

In Senate, Jan 28 read
Feb. 3 read 2d time.
4 read 3d time and passed the Senate with amendments.
P. Allen Clk

H. of Rep.
Feb. 4. 1814. Amendments agreed to.

1814 ch 116

An act to change the name of East Landing to Vienna.

Sec 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in, in General Assembly met, That the Village, situate in Little Creek Hundred, in Kent County, now called and known by the name of East Landing, shall from and after the passing of this act, be called, taken and known by the name of ~~Vienna~~ Leipsic; and that all acts of the General Assembly of this State, deeds and other instruments of writing in which East Landing aforesaid is named, shall be construed and taken to relate to the said Village hereby called ~~Vienna~~ Leipsic; and that in all legal proceedings, which may have any relation to the said Village, or in which it may hereafter be necessary to use the name of the same, it shall be called ~~Vienna~~ Leipsic, instead of East Landing

In Senate Feby 4, 1814

Amendts to the bill

Sect. 1. line 7 strike out the word Vienna, and insert Leipsic.

— 11. make the same alteration

15. make the same alteration

Title. Make the corresponding alteration

Presley Ales Clk

Sent for Concurr

3

An act to prevent swine running at large within the Village of Seaford in Sussex.

H. of Rep.
Jan. 24. 1814. Read
—— 25. —— Read 2d. time
—— 26. —— Read 3d. time
by paragraphs and
Passed
J. G. Porter Clk
Sent for con.
In Senate Jan. 27 read
28 read 2

Feb. 11, read the 3d time
and passed the Senate
P. Allee Clk

3

00034

An act to prevent swine running at large within the Village of Seaford in Sussex County

1844 Ch. 17

Sec 1 Be it Enacted by the Senate and house of Representatives of the state of Delaware in general Assembly Met, that from and after the ~~future~~ first day of may next No swine hog or hogs shall be permitted or suffered to run at large within the Village of Seaford,

Sec 2 And be it further enacted that if any swine hog or hogs shall be found running at large within the said Village of Seaford after the time aforesaid it shall and may be lawful for any free person or persons to take up and secure such swine hog or hogs and proceed to sell them after giving at least five days Notice by one or more advertisements set up in the most public places in said Village and may retain one half of the amount of any such sale or sales for his trouble and pay over the other half to the recent owner or owners of such swine hog or hogs,

Provided nevertheless that the owner or owners of any such swine hog or hogs shall have them or any part of them delivered to him her or them again by applying to the person in whose care they are and paying or tendering in pay to him or them the following sales at any time before they are sold, to wit, for every hog or pig under three months old twenty five Cents, for every hog over three and not exceeding six months fifty Cents, for every hog over six and not exceeding nine months seventy five Cents, for every hog over nine and not exceeding twelve months one Dollar, and for ~~each hog~~ every hog over twelve months one Dollar and twenty five Cents.

Sec 3 And be it enacted that if any person or persons shall sell any swine hog or hogs under the provisions and restrictions of this act such sale or sales shall be good and available in law, and if they or any of them shall neglect or refuse to pay over one half of ~~the sale~~ the amount on any such sale or sales as before directed by this act they shall be as liable to prosecution as for any other debt.

An act to enable Lebdiel S. P. Fountain to bring into this State a negro slave and retain her as such

H. of Rep.
Jan. 22. 1814. Read.
— 24 — Read 2d. time
— 25 — Read 3d. time
by paragraphs and Passed
Sent for Con. J. S. Brinckle C'Clk

In Senate Jan 25, 1814.
Read
Feb. 3 read 2d time
14 read 3d time by paragraphs and passed the Senate.
P. Alley, Clk

1814 ch 19

An Act to enable Jebediah J. D. Fountain to bring into this state a Negro Slave and retain her as such

Sec. 1 Be it enacted by the senate and house of Representatives of the state of Delaware in general Assembly met that from and after the passing of this act it shall and may be lawful for Jebediah J. D. Fountain and he is hereby authorised and empowered to remove or bring into this state from the state of Maryland a certain Negro Woman [Slave] named Rachel Aged about seventeen years and retain the said Negro as a slave in this state any law custom or usage to the contrary notwithstanding

An act to authorize and empower Maria Townsend of Sussex County State of Delaware to bring into this State from the State of Maryland a negro woman & child & to retain them as slaves.

H. of Rep.
Jan. 26. 1814. Read.
——— 28. — Read 2d time
——— 29. — Read 3d time by paragraphs and passed.
J. G. Brinckle Clk

Sent for con.
In Senate Feb. 1. 1814
read
Feb 3 read 2d time.
It read 3d time by paragraphs and passed the Senate
P. Allee Clk

1814 Ch 20

An Act to authorize and impower Maria Townsend of Sussex County State of Delaware to bring into this State from the State of Maryland a Negro Woman & Child and to retain and hold them as Slaves

Be it enacted by the Senate and House of Representatives of the State of Delaware in General assembly met, that from and after the passing of this act it shall and may be lawful for Maria Townsend of Sussex County State of Delaware to bring into this State from the State of Maryland a Negro woman named Belinda and child and to hold and retain them in this State as Slaves, any law of this State to the contrary notwithstanding

An act making provi=
sion for the support of
government for the year
one thousand eight hun=
dred and fourteen, and for
other purposes.

H. of Rep's.
Feb. 4. 1814. Read
— 5 — Read 2d. time
— 9. — Read 3d. time
by paragraphs and
Passed
D. S. Brinckle Clk

In Senate, Feb. 11 read
12 read 2d time
14 read 3d time and
passed the Senate
P. Allen, Clk

1814 ch. 21

An act making provision for the support of Government for the year one thousand eight hundred and fourteen; and for other purposes.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the sum of twelve thousand five hundred dollars shall be raised and paid into the treasury of this State within the time and in the manner directed by an act of the general assembly, entitled, "an act making provision for the support of Government for the year of our Lord one thousand eight hundred and ten, and for the more effectual ordering assessing, levying and collecting all such taxes as may be granted by the General Assembly;" and shall be assessed and levied in the several counties of this State in the following proportions: That is to say for the county of New Castle the sum of four thousand seven hundred and sixty one dollars and ninety cents for the county of Kent the sum of four thousand one hundred & sixty six dollars and sixty seven cents and for the county of Sussex the sum of three thousand five hundred and seventy one dollars and forty three cents.

~~Vol. 4 chap. 111 p. 328~~

Sec. 2. And be it enacted, that the aforesaid sums of money shall be appropriated and applied to and in the following manner, that is to say, so much thereof as may be necessary shall be applied to the payment of the salaries due and to become due to the Governor, Chancellor, Judges of

the Supreme Court and Court of Common Pleas, Attorney General, Secretary, and Auditor of Accounts, up to the first day of January, which will be in the year of our Lord One thousand eight hundred and fifteen; and so much thereof as may be necessary shall be applied to the payment of the daily allowances of the members of the General Assembly, their clerks, and other expenses, and for printing the laws passed at this session of the General Assembly and the votes and proceedings of the two branches thereof, and the residue (if any there be) shall be applied to the payment of any sums of money due to the citizens of this State, for which provision shall be made by law.

0043

A supplement to the act entitled "An act to prevent swine running at large in the village of Laurel in the county of Sussex".

H. of Rep's
Jan. 27. 1814. Read.
——— 28. ——— Read 2d. time
——— 29. ——— Read 3d. time by paragraphs and — Passed.
J. Gordon Brinckle C'Ck

Sent for Con.

In Senate Feb. 1. 1814 read
11 read 2d time
14 read 3d time by paragraphs and passed the Senate
P. Allen Clk

House Bill
Passed 1814

1814 Ch. 22

A supplement to the act entitled "An act to prevent swine running at large in the village of Laurel in the county of Sussex".

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That from and after the passing of this act if any hog or hogs shall be found or suffered to run at large within the limits or bounds of the act to which this is a supplement, it shall and may be lawful for any person or persons residing in the said village to take up and secure all and every of such swine found at large as aforesaid, and shall give notice of the time and place where any such hog or hogs is or are secured, by setting up one or more advertisements in the most public places of said village or giving personal

notice to the owner or owners of any such hog or hogs in his custody; and if any such owner or owners of any ~~of any~~ swine as aforesaid shall refuse or neglect to take away any hog or hogs as aforesaid, and pay him, her or them in whose custody they are the rates hereinafter mentioned within five days after such ~~public~~ notice is given, he, she or they shall forfeit any such hog or hogs, and they or any of them shall be the right and property of the person or persons who secured them.

Sec. 2. And be it enacted That ~~if~~ any person or persons, who shall take up and secure any hog or hogs agreeably to this act, or to the act to which this is a supplement, shall have and receive from the owner or owners three dollars for every such hog by them or either of them secured and kept as aforesaid.

Sec. 3. And be it enacted by the authority aforesaid

said, That it shall and may be lawful for any person or persons residing in the village of Laurel to shoot or kill any swine or hogs running at large as aforesaid; Provided he or they give notice thereof, in three hours after such hog or hogs are shot or killed, to the owner or owners thereof, or leave notice at his or her dwelling if it be known and not otherwise; Provided also that no person or persons shall be subject to any fine or fines under the law that was passed on the fourth day of February one thousand eight hundred and twelve, entitled, "An act to prevent the discharging of fire arms within the towns and villages and other public places within this State, and for other purposes", for shooting any such hog or swine in the village of Laurel as aforesaid.

Sec. 4. And be it enacted, That nothing contained in this act shall be construed to extend

to

to the hog or hogs of any person or persons living without the limits and bounds of the act to which this is a supplement.

Sec. 5. And be it enacted That so much of the act to which this is a supplement as is hereby altered and supplied, be and the same is hereby made null and void; and each and every other part is hereby confirmed and made a part of this act.

004

1814 Ch 22

A Supplement to the act entitled an act to prevent Swine running at large in the Village of Lewes in ~~Sussex~~ the County of Sussex

Sec 1 Be it Enacted by the Senate and house of Representatives of the State of Delaware in General Assembly met That from and after the passing of this act if any hog or hogs shall be found or suffered to run at large within the limits or bounds of the act to which this is a supplement it shall and may be lawful for any person or persons residing in said village to take up and secure all and every such Swine found at large as aforesaid, and shall give Notice of the time and place where any such hog or hogs is secured, by setting up one or more advertisements in the most public places of said village, or giving personal Notice to the owner or owners of any such hog or hogs in his Custody, and if any such owner or owners of any swine as aforesaid, shall refuse or neglect to take away any hog or hogs as aforesaid and pay him her or them in whose Custody they are, the sales hereafter mentioned within five days after such public notice is given him her or them, shall forfeit any such hog or hogs and they or any of them shall be the right and property of the person or persons who secured them.

Sec 2 And be Enacted that any person or persons who shall take up and secure any hog or hogs agreeable to this act or the act to which this is a supplement shall have and receive from the owner or owners three Dollars for every such hog by him or either of them secured and kept as aforesaid.

Sec 3. ~~And be it further Enacted by the authority aforesaid that if any hog or hogs shall be found running at large within the limits and bounds of the act to which this is a supplement it shall and may be lawful for any person or persons to shoot or kill any such stray hog or hogs by giving the owner or supposed owner thereof notice in two hours after the hog or hogs is shot or killed.~~

Sec 4. And be enacted that nothing contained in this act shall be construed to extend to the hog or hogs of any person or persons living without the limits and bounds of the act to which this is a supplement.

Sec 5. And be it enacted that so much of the act to which this is a supplement as is hereby altered and supplied be and the same is hereby made null and void. And each and every other part is hereby confirmed and made a part of this act.

A supplement to the act entitled "An act to prevent running at large in the village of Lancaster in the county of Fairfield."

H. of Rep.
Feb. 27. 1814. Read
28. — Rd 2d time.
29. — Read 3d time
by hand & pass'd.
Pass'd.
J. Pollock Speaker pro tem.
Pass'd in Senate
to the House

Sec 3 And be it further enacted by the authority aforesaid, that it shall and may be lawful for any person or persons, residing in the Village of Lansingburgh, to shoot or kill any swine or hogs running at large as aforesaid, Provided he or they give notice thereof in three hours after such hog or hogs are shot or killed, to the owner or owners thereof, or leave notice at his or her dwelling, if it be known and not otherwise, Provided also that no person or persons shall be subject to any fine or penalty under the law that was passed on the fourth day of February one thousand Eight hundred and Twelve, Entitled an act to prevent the discharging of fire arms within the Towns and Villages, and other public places within this State, and for other purposes, for shooting any such hog or swine in the Village of Lansingburgh as aforesaid.

Amendment

Hon. Abel Cullen Esq.

An act to provide for the payment of certain instalments to become due on the stock held by this State in the Farmers Bank of the State of Delaware.

H. of Rep.,
Feb. 9. 1814. Read
— " — Read 2d. time by paragraphs and
Passed
J. Groom Brinckle Clk
Sent for Con:

In the Senate Feb. 11 read
14 read 2d time
15 read 3d time by paragraphs and passed the Senate
P. Allen Clk

181 4 C 25

0081

An act to provide for the payment of certain instalments to become due on the stock held by this State in the Farmers' Bank of the State of Delaware.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the State Treasurer shall on the first wednesday in the month of April next and on the first wednesday in the month of July next, pay out of any money in the treasury not otherwise appropriated such sum of money as may be necessary to discharge the instalments then becoming due on the shares held by the State in the stock of the Farmers' Bank of the State of Delaware.

Sec. 2. And be it enacted, That the Trustee of the Fund for establishing schools shall in like manner at the days aforesaid pay out of any money belonging to the said fund such sums as may be necessary to discharge the instalments then becoming due on the shares held by the said trustee in the stock of the said Bank.

Sec. 3. And be it enacted that the said Trustee at the days aforesaid shall transfer to the State Treasurer for the use of the State at the then market price so many shares of the stock of the said Bank as with the money belonging to the said fund at those times will be sufficient to discharge the instalments then due on the stock then held by him in the said Bank; and the said State Treasurer is hereby authorized and required to receive the said transfer and to pay the money therefor to the said Trustee.

Sec. 4. And be it enacted, That the State Treasurer be and he is hereby authorized to borrow from one or more of the banks in this State at the usual rate of Bank discount the sum of fifteen thousand dollars or such part of that sum as may be necessary to pay the said instalments; and that the faith of the State is hereby pledged for the payment of the interest of the said loan as it shall accrue; and for the annual reimbursement of one eighth of the principal sum borrowed.

An act to provide for the payment of certain instalments to become due on the stock held by this State in the Farmers' Bank of the State of Delaware.

H. of Rep's
Feb. 9. 1814. Read.
— " — Read 2d. time by paragraphs and Passed
J. Gordon Brinckle

Transcribed & Sent to the Senate.

0094

1814 ch 25

An Act to provide for the payment of certain Instalments to become due on the ~~day of~~ ~~on the~~ Stock held by this State in the Farmers Bank of the State of Delaware

Sec 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That the State Treasurer shall on the first Wednesday in the month of April next and on the first Wednesday in the month of July next pay out of any money in the Treasury not otherwise appropriated such sum of money as may be necessary to discharge the Instalments then becoming due on the Shares held by the State in the Stock of the Farmers Bank of the State of Delaware.

Sec 2. And be it enacted that the Trustee of the Fund for establishing Schools shall in like manner at the days aforesaid pay out of any money belonging to the said fund such sums as may be necessary to discharge the Instalments then

then becoming due on the Shares held by the said Trustee in the Stock of the said Bank

Sec 3. And be it enacted that the said Trustee at the days aforesaid shall transfer to the State Treasurer for the use of the State at the then marked price so many Shares of the Stock of the said Bank as with the money belonging to the said Fund at ~~that~~ those times will be sufficient to discharge the Instalments then due on the Stock then held by him in the said Bank; And the said State Treasurer is hereby authorized and required to receive the said Transfer and to pay the money therefor to the said Trustee,

0057

4 And be it enacted That the State Treasurer be and he is hereby authorized to borrow from one or more of the banks in this State at the usual rate of bank discounts the sum of fifteen thousand — dollars, or such part of that sum as may be necessary to pay the said instalments ~~due on the stock held by the State in the Farmers Bank of~~ And that the faith of the State is hereby pledged for the payment of the interest of the said loan as it shall accrue; and for the annual reimbursement of one eighth of the principal sum borrowed;

1814 c. 26

A supplement to an Act entitled "An Act for regulating the General Elections of this State".

1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the Electors of Brandywine Hundred, being the first district in Newcastle County, shall hold their General Elections and Special Elections at the Inn now known by the name of the Practical Farmer and occupied by Samuel Sharpless, in the said Hundred; and that the Electors in Christiana Hundred, being the second district of the said County shall hold their General Elections and Special Elections at the ~~Inn now occupied~~ Inn now occupied by Zenas Wells in the town of ~~by William Brinton called the Washington Hotel in the~~ Newport ~~town of Newport~~ in the said Hundred, and that the said Elections shall be carried on and conducted by the same Officers, in the same manner and form, and under the same regulations, and under and subject to the same penalties forfeitures modes of recovery, and according to all and every the provisions, as are directed, prescribed imposed and enacted in the act to which this is a supplement except so far as the said Act shall be hereby altered supplied or repealed.

2. And be it enacted that if any Inspector or freeholder called to assist such inspector in judging of any general or special Election shall at any general or special election wilfully or knowingly take or receive the vote of any Alien not then Naturalized according to law, or of any other person not entitled to vote at such general or special election or assent or agree that the vote of any Alien or other person not entitled to vote as aforesaid, shall be taken or received at such general or special election, every such Inspector and freeholder shall respectively forfeit for such offence

five hundred dollars to such person or persons as will sue for the same to be recovered with costs in any Court of Record in this State by Action of debt bill plaint or information or by a special Action on the case, commenced or sued separately and not jointly against such Inspector and freeholder or freeholders, or against such inspector or freeholder or freeholders. And on the Trial of any such Action no other proof shall be received, or evidence given of the Naturalization of such Alien, than a certificate under the seal of the Court wherein such Alien shall have been Naturalized previous to such general or special election.

3. And be it enacted that every such Inspector or freeholder, or alien or other person not entitled to vote at any general or special election as aforesaid, who shall hereafter be prosecuted or sued for any forfeiture given by this Act shall be obliged to give good and sufficient bail and security to the officer executing the Capias against him, to appear in the Court out of which such Capias shall issue, at the day and return of such writ, to answer such suit or prosecution; and shall likewise, at the time of such appearance give sufficient bail or security in the said Court, to answer and pay the forfeiture or forfeitures incurred for such offence or offences in case he shall be convicted thereof, or to yield his body to prison.

4 And be it enacted that whenever any suit shall be commenced or prosecuted for any forfeiture as aforesaid it shall be lawful for the Court in which such suit or cause is to be tried, in case the said Court shall determine that an impartial trial thereof cannot be had in the County

in which such suit shall be commenced, to change the venue, and to cause such suit or cause to be tried in any next adjoining County by a jury of such next adjoining County.

5 And be it enacted that no person who is or hath been an Alien, since &c, shall be entitled to vote at any such gene-
2 ral or special election unless such person shall produce and exhibit to the said Inspector and freeholders a certificate of his naturalization, under the seal of the Court wherein he shall have been naturalized previously to such general or special election. And no other proof or evidence of his naturalization shall be received or admitted at any such election, than such certificate of naturalization.

6 And be it enacted that every such inspector and freeholder in addition to the oath or affirmation to be taken or made by them respectively according to the provision of the Act to which this is a supplement shall at the place and time of taking such oath or affirmation as aforesaid take the following oath, or if he be conscientiously scrupulous of taking an oath, shall solemnly sincerely and truly declare and affirm as follows "And I do solemnly "swear on the holy Evangels of Almighty God (or solemnly "sincerely and truly declare and affirm, or qualify in "any other due form of law) that I will not wilfully or "knowingly take or receive the vote of any Alien, or ab-"sent or agree that the vote of any alien shall be taken "or received at this General Election (or special election "as the case may be) and that I will not admit or re-"ceive any proof or evidence of the naturalization

"of any alien other than a certificate of his Naturalization "under the seal of the Court in which he shall have been "naturalized previous to this General Election (or special "election as the case may be)" And in case any such Inspector or freeholder shall afterwards wilfully or knowingly take or receive the vote of any Alien, or assent or agree that the vote of any alien shall be taken or received at any general election (or special Election as the case may be) every such Inspector or freeholder shall be deemed guilty of wilful and corrupt perjury, and upon conviction thereof upon Indictment in the Court of General quarter Sessions of the peace and Gaol delivery for the County where the offence shall be committed, shall incur the same pains penalties forfeitures and disabilities as persons convicted of wilful perjury do incur by the laws of this State.

7 And be it enacted that the Clerk of the peace for each County shall write at full length and in due form upon the Alphabetical lists of the names of the white free male citizens of the age of twenty one years and upwards residing and assessed in the several election districts directed to be made out by him, by the seventh section of the Act to which this is a supplement, the oaths or affirmations, as the case may be required by the ninth section of the said Act, and by this Act, to be taken by the said Inspectors and freeholders, and the said oaths or affirmations, shall be signed by the said Inspectors and freeholders respectively with their proper names and certified by the said Inspector and freeholders who shall administer the same and when taken and made with their proper names as aforesaid; and the same so signed and certified shall be received in any Court of Record in this State as

sufficient evidence of the taking of such oaths or making of such affirmations. And the Chief Justice of the Court of Common Pleas is hereby required to furnish to the Clerk of the peace in each County on or before the first day of June annually in writing in words at full length the form in which such oaths and affirmations are to be written upon the said Alphabetical lists together with the form of the certificate to be made by the inspectors and freeholders who shall administer the same; and the same shall be written by the said Clerks upon said Alphabetical lists, and taken made ~~and~~ subscribed and certified by said inspectors and freeholders as aforesaid. And the Inspectors of the several districts in each County shall deliver to the Clerk of the peace of his county ~~of~~ on the Thursday next succeeding the day of Election the said Alphabetical lists together with the oaths or affirmations as the case may be written thereon by the Clerk of the peace and taken made ~~and~~ subscribed and certified as aforesaid undefaced and unmutilated.

8 And be it enacted that it shall be lawful for the said Inspectors, or freeholders, or any two of them, and they are hereby required either on their own suspicion or upon the allegation or request of any elector entitled to vote at any such general or special election to tender and administer to any one who shall present himself to give his vote or ballot at any such election the following oath, or affirmation if such person be conscientiously scrupulous of taking an oath, that is to say "You do solemnly swear on the holy evangels

"of almighty God, or solemnly sincerely and truly declare
"and affirm as the case may be, that you have not
"voted on this day, and that you will not vote on this
"day at any other district, or place of Election in this
"County or in this State" and in case any such person
shall refuse to take the said oath or affirmation
when so tendered to him, he shall not be permitted
to vote at such election.

9 And be it enacted that the said inspectors and free-
holders at every General or Special Election shall make
or cause to be made, by the Clerks or by one of them, an addi-
tional Poll list, on which the name of every elector as
the same is pronounced by the Inspector or one of the free-
holders on the receipt of every ballot or ticket shall be
entered in words written at full length, and the said lists
shall be carefully preserved, and delivered by the inspectors
of the several Districts in each County to the Clerk of the
Peace of his County on the Thursday next succeeding the day
of election undefaced and uninjured. And in case any
such Inspector or freeholders shall omit or neglect
to make or cause to be made such additional Poll
list as aforesaid, or shall keep the same falsely, by en-
tering the name of any person before his vote shall be
received as aforesaid, or by omitting to enter the name
of any person as aforesaid, as the same shall be pro-
nounced by the Inspector or one of the freeholders on the receipt
of the ballot or ticket of such elector, or if any such Inspector
shall refuse neglect or omit to preserve and deliver
such list to the Clerk of the Peace of his County on the
Thursday next succeeding the day of election undefaced
and uninjured, every such Inspector and freeholder shall
respectively forfeit for every such offence five hundred
dollars to such person or persons as will sue for the

same to be recovered, with costs in any Court of Record in this State by Action of debt, bill plaint or information or by a special action on the case, commenced or sued separately and not jointly against such Inspectors and freeholder or freeholders, or against such inspectors or freeholder or freeholders.

10 And be it enacted that if any alien, ~~or other person~~ not entitled to vote at any such general or special election shall vote or offer to vote at any such general or special election at any district or place of election in which such person is not entitled to vote every such alien, ~~or other person~~ not entitled to vote as aforesaid shall forfeit for every such offence one hundred ——— dollars to such person or persons as will sue for the same to be recovered with costs in any Court of Record in this State by Action of debt bill plaint or information or by a special Action on the Case. And on the trial of any such Action against an Alien, no other proof shall be received or evidence given of the Naturalization of such alien than a Certificate under the seal of the Court wherein such Alien shall have been Naturalized previous to such general or special election.

14 And be it enacted that the first second and third sections of an Act entitled "An Act to prevent Aliens from voting at Elections in this State and for other purposes" passed 23d January 1798 shall be and are hereby repealed

15. And be it enacted that so much of the Act entitled "An act for regulating the General Elections of this State" as directed the Electors of the Hundred of Brandywine to hold their General Elections at the Inn then known by the sign of the Blue Ball on the Concord road then oc-

A supplement to the act entitled "An act for regulating the General Elections in this State."

H. of Rep's
Feb. 2nd 1814 Read.
— 3. — Read 2d time
— 8 — Read 3d time
by paragraphs and
Passed
J. Gordon Brinckle Clk

In Senate, February 9. 1814
Read.
10 read 2d time
15 read 3d time by paragraphs and being amended passed the Senate.
P. Allen, Clk

enjoined by Force Military; and so much of the said Act as directs the Electors of the Thirteenth Election forever shall be construed to be and are hereby repealed made null and void: And that no Stone or other Clause or Article in said Act except what is hereby expressly repealed

In Senate Feb. 15, 1814

Amendments proposed to the bill

Sect 5, line 2, after the word Alien and before the word shall, insert since the twenty ninth day of January in the year of our Lord, one thousand seven hundred and ninety five.

" 10. line 1. Strike out the words or other person.

" 5. Strike out the same words

Add the following sections to the bill

"Sect 13. And be it further enacted, that all elections of Inspectors and Assessors in each hundred of the several Counties of this State, shall be held at the same places as the General and Special elections are directed to be held by this act, and the act to which this is a Supplement.

Sect. 14 And be it further enacted that each and every Clerk appointed by any inspector under this act or the act to which this is a Supplement shall have and receive one dollar per day for each and every day he or they are so employed by any inspector or inspectors as aforesaid

"Sect 15. And be it further enacted, That this act shall be read by the inspector in each district in the several Counties of this State, in the same manner and under the same penalty as the act to which this is a supplement is directed by the twenty fourth section thereof."

"Extract from the Journal

Presley Ellis, Clk

Sent for con.

H. of. Rep'ts
Feb. 15. 1814. Read & adopted

J. J. Brinckle Clk,

An act to authorize Richard Lawrence to remove his negro man Joshua from this State to the State of Maryland

H. of Rep.s
Feb. 4. 1814. Read.
— 5 — Read 2d time
— 7 — Read 3d time by paragraphs &
Passed
J. G. Bonnickell Clk
Sent for Con.

In Senate, Feb. 8, reads.
14 read 2d time.
15 read 3d time by paragraphs and passed the Senate
P. Allen Clk

1814 ch. 27

An act to authorize Richard Lawrence to remove his Negro man Joshua from this State to the State of Maryland.

Be it enacted by the Senate and house of Representatives of the State of Delaware in general Assembly met, that Richard Lawrence of Baltimore City in the State of Maryland, be and he is hereby authorized and empowered to remove his Negro man Slave named Joshua, from this State to the City of Baltimore in the State of Maryland, and by reason of such removal the said Negro man shall not be entitled to his freedom, Neither shall the said Richard Lawrence incur thereby any penalty, any law or usage to the Contrary Notwithstanding.

1814 Ch. 29

An act for the payment of certain claims and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the State Treasurer ~~of this State~~ be and he is hereby authorised and directed to pay to Jesse Green adjutant General one hundred and fifty dollars for services. To pay to General Thomas Fisher the sum of
6 Eighty four dollars and sixty four cents for services rendered when the Brigade of Sussex County was called out for the general defence of this State, and more especially for defending Lewis Town on the sixth and seventh of April last against
9 the Bombardment and cannonade of the British Squadron. To to pay to Armwell Long Lieutenant Colonel, Fifty seven dollars and ninety cents ~~for like services~~. To pay to Mitchell Kersham Lieutenant colonel thirty eight dollars and sixty cents ~~for like services~~. To pay to Benton Harris, major, twenty dollars ~~for like services~~. To pay to Jadock Aydelott, major, the sum of Twenty one dollars and forty four cents. To pay to Charles M. Cullen, major, the sum of Twenty eight dollars and forty seven cents. To pay to William Ellegood, major, the sum of twenty one dollars and forty four cents. To pay to Captain Philip Short the sum of twelve dollars and eighty seven cents. To pay to Jonathan Cullen quarter; Master, the sum of nine dollars and thirty three cents. To pay to Jacob Helm, adjutant the sum of nine dollars and thirty three cents. To pay to Benjah Watson, adjutant, the sum of four dollars and thirty three cents, for like services ~~and to~~ performed by them when the Brigade of Sussex County was called out as aforementioned.

seven dollars

27 To pay to John Dayton for storage and carting of powder. To pay to Clement Layton the sum of eighteen dollars and sixty cents, for provisions and forage furnished the militia at Little Creek in Kent County. To pay to William Dupray the sum of thirty dollars for raising a cannon which fell through the waste-gates in George Blacks Mill dam, on its way to Lewis-Town. To pay to Willard Hall Esquire late secretary of state the following sums, to wit, six dollars for copying the act of Assembly entitled "an act incorporating the Wilmington and great Valley turnpike company;" the sum of ten dollars for transmitting to Sussex and Newcastle Counties the laws of General Sessions of the Legislature; the sum of thirteen dollars and fifty cents for binding eighteen of the 4 vol. of the

29 Laws of this State; and the sum of one hundred dollars for making an Index to the fourth volume of the Laws of this State. To pay to William Burton Esquire, high sheriff of Sussex County, the sum of sixty four dollars and sixty four cents for bringing Henry Brereton from the jail of Prince's Ann, Maryland, to the jail of Sussex County. To pay to Augustus M. Scke the sum of four dollars for printing four juries blank Militia commissions. To pay to Maskaline Clark late armourer, the sum of thirty eight dollars, for preparing the arsenal and for his trouble in taking care of the arms and accoutrements belonging to this state. To pay to Doctor James McCalmont the sum of thirty dollars for the use of a lot of ground at the Town of Newcastle, on which batteries were erected for the defence of said place. To pay to James Wilson printer the following sums, to wit, seven dollars for advertising Henry Brereton, a fugitive from Justice,

the sum of sixteen dollars for printing ten quires blank for marriage licenses, and ten quires of bonds, and the sum of three dollars for inserting the Governors proclamation of the election of Representatives in Congress. That Joseph Haslet Esquire late Governor be allowed to retain out of the sum of one thousand dollars by him drawn from the State Treasurer, pursuant to the fourth section of an act of the General assembly intitled "an act providing for the General Defence "of the State of Delaware" passed at a session of the General assembly in April last, as stated in his account, exhibited to the General assembly at the present session, the following sums to wit. the sum of four hundred and ninety seven dollars and seventy seven cents being the amount of sundry expenses stated in said account, and also the further sum of fifty dollars and fifty five cents for discount by him paid the Commercial Bank of Delaware as stated in said account. And also the further sum of thirty dollars for postage on the Laws forwarded from other States to this State. And also the further sum of two hundred and twelve dollars by him paid for the apprehension of Henry Brewster, the said several sums amounting to seven hundred and ninety dollars and thirty-two cents. And leaving in the hands of the said Joseph Haslet Esquire of the said $1000. so by him drawn from the State Treasurer a balance of Two hundred and nine dollars and sixty eight cents to be by him refunded to the State Treasurer.

That under the second section of the act of the General assembly entitled "a supplement to the act entitled an "act for the appointment of escheators, and to declare and regulate escheats" passed February 1. 1806 there be allowed to James Snow Escheator of Newcastle county the sum of one hundred and sixty dollars and fifty nine cents ~~$~~ for costs of inquisition by him held, and the further sum of Eleven dollars and forty six cents ~~$~~ for commissions on rents by him received, the said sums amounting to $172.05 and that he retain this same out of the sum of $229.30 rents by him received arising from lands by him leased under the fourth section of the original act passed January 23. 1805 leaving in his hands a balance of Fifty seven dollars and twenty five cents to be paid to the State Treasurer—

14

Approved Feb. 15. 1814.

Read 1st time
" " 2d time
by unanimous consent
Read 3d time.

In Senate Feb. 15 1814
Read 1st time.
" 2d time
" 3d time by special order, and being amended
passed the Senate
P. Allen Clerk

An act for the payment of certain claims & other purposes.

In Senate Feb. 10, 1814

Amendments to the bill

Strike out from the word rendered, in the 8th line of the first page, to the word Squadron, in the ninth line, both words included.

Last page, line 7. Strike out from the word held, to the word and, in the ninth line, both words inclusive

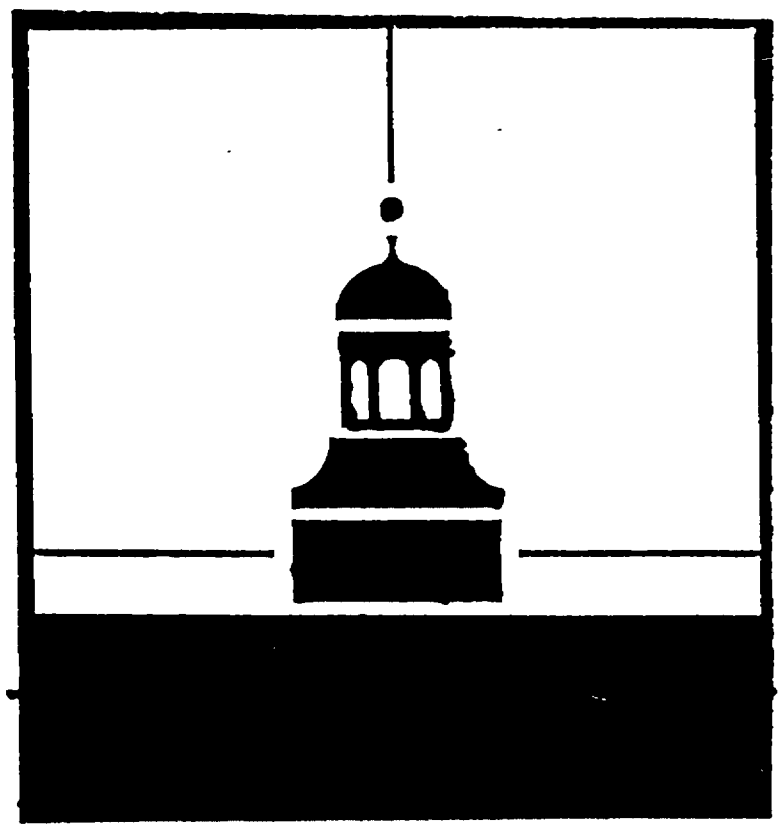
Same page, line 14. Strike out fifty seven dollars and twenty five cents, and insert in lieu thereof sixty eight dollars and seventy one cents

Extract from the Journal

Oneslay Allen, Clk

Sent for con.

0074



END FILE

1814 Jan.-Feb. Legislative Bills [redacted] Lost

An act to repeal the taxes laid on certain Banks in this State.

H. of Rep.
Jan. 21. 1814. Read.
—22— Read 2d time
—26— Read 3 time & repealed.

House Bill
Repealed
1814

R14 Leg
Bills not passed

An Act to repeal the Taxes laid on the Capital Stock of certain Banks in this State.

Sec 1 Be it enacted by the Senate and House of Representatives in general Assembly met — That all or so much of the law passed at Dover the fourth day of February One thousand eight hundred & twelve entitled "A supplement to an Act entitled "an Act to incorporate a Bank in the Borough of Wilmington in this State" And all or so much of the law passed at Dover the fourth day of February One thousand eight hundred & twelve, entitled "An Act to incorporate the Bank of Wilmington & Brandywine in the Borough of Wilmington" And all or so much of the law passed at Dover the seventh day of February One thousand eight hundred & twelve, entitled "An Act to establish a Bank and incorporate a company under the name of the accomodation Bank of Delaware" And all or so much of the law passed

at Dover the ninth day of February One thou=
=sand eight hundred & twelve; entitled "An act
to establish a Bank & to incorporate a ~~Bank~~
company under the name of the Commercial
Bank of Delaware" As provides for the
annual payment of one half per centum:
on the capital stock of said Bank respec=
=tively actually paid in; to the Treasurer
of this State: Be and the same is hereby
repealed made null and void —

An act to allow slaves to be brought into this State

H. of Rep's
Jan. 29. 1814. Read
Feb. 3. — Read 2d. time
— 4. — Read 3d. time
by paragraphs and
Passed
J. Gordon Brinckle C'lk
Sent for con.

In Senate Feb. 5, 1814 read
11 read 2d time
14 read 3d time and
non-concurred in by the
Senate P. Allen Clk

An act to allow slaves to be brought into this State.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That from and after the passing of this act, it shall and may be lawful for any person to bring any negro or mulatto slave into this State from any other State or territory of the United States for sale or otherwise, and that no negro or mulatto slave so brought into this State shall by reason thereof be entitled to his or her freedom, any law usage or custom to the contrary notwithstanding; and that so much of all or any act or acts of the General Assembly of this State as prohibit the bringing of slaves from any other State or Territory as aforesaid into this be and the same are hereby repealed, made null and void.

0079

An act to allow slaves to be brought into this State.

H. of Rep.
Jan. 29. 1814. Read.
Feb. 3. — Read 2d. time
— 4. — Read 3d. time
by paragraphs and
Passed
J. Brown Brinckle Clk
Sent for con.

Transcribed

0081

An Act to allow slaves to be brought into this State

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That from and after the passing of this Act it shall and may be lawful for any person to bring any negro or mulatto slave into this State from any other State or Territory of the United States for sale or otherwise any law usage or custom to the contrary notwithstanding; and that so much of all or any Act or Acts of the General Assembly of this State as prohibit the bringing of slaves from any other State or Territory as aforesaid into this State be and the same are hereby repealed made null and void.

and that no negro or mulatto slave so brought into this state shall by reason thereof be entitled to his or her freedom

0082

1814

A further supplement to an act, to incorporate a company for the purpose of cutting, and making a canal between the river Delaware and bay, or river Chesapeak;

Sect. 1. Be it Enacted, by the Senate, and House of Representatives of the State of Delaware, in General Assembly met. That if the United States shall subscribe seven hundred and fifty shares; The State of Maryland two hundred and fifty shares, and the State of Pennsylvania three hundred, and seventy five shares, in the Chesapeak, and Delaware Canal company, in such case the Governor of this State for the time being, is hereby authorised, and required, to subscribe in behalf of this State one hundred shares of stock in said Company, subject to such regulations as is herein after mentioned; and to be assigned, and paid for as is herein after ~~prescribed~~. — directed; Provided however,

Sect. 2. And be it enacted. That no such subscription, on the part of the Governor of this State, shall be made, untill five, or more

Persons agreeing shall have given, and executed to the said Governor in behalf of this State, a bond of indemnity with such security as he shall approve of; conditioned for the acceptance of the assignment of the said one hundred Shares, and for the payment of all sums of money thereon, which may from time, to time legally be claimed, and demanded of and for such subscription by the said Chesapeake and Delaware Canal Company

Sect 3 — ~~Sub. 3~~ —

Provided also, And be it enacted, That the Governor of this State for the time being, be, and he is hereby authorised when, and as soon as he shall have, made the aforesaid subscription for one hundred Shares of the capital stock of the Chesapeake and Delaware canal company, agreeably to the true intent and meaning of this act, to make transfer of the same by assignment to such Persons as shall agree to take the same, and give bond of indemnity with security as

(Mary's answer

0085

0086

1 Strike out the preamble of said bill

2 Strike out ~~the~~ all of the 1st and 2d sections after the enacting clause in the 1st section

3 Insert in the 2 line of the 3d section between the word "said" and the word "Canal" the words "Chesapeake & Delaware"

4 Strike out the words "And be it further enacted" in the third section

5 make sections 3 4 & 5 sections 1, 2 & 3

Annual income of school fund about ——— $8000. Capt. $119,788.84

Annual income. State fund ... about ——— $7000. Capt.e $72916.79

A further supplement to an act to incorporate a Company for the purpose of Cutting and making a Canal between the river Delaware and bay or river Chesapeake

In Senate Jany. 27, 1814 read 28th read 2d time.

0089

has heretofore been required, and directed: And such Person or shall agree to accept the same under, and according to the several provisions of this act shall have the power, and are hereby authorized, to vote at all Elections of the stock holders of the said Chesapeak and Delaware Canal company to receive toll in proportion to the number of shares held by each of them respectively, and to do, and perform all and every other thing which it might or could be lawful for them to do, if they had been the original subscribers to the aforesaid stock; to the extent, and amount of the sum one hundred shares.

Act 3 And be it further enacted, That when, and as soon as the Governor of the State for the time being, shall have subscribed for the aforesaid one hundred shares of the capital stock of the Chesapeak and Delaware Canal Company

0090

agreeably to the true, intent and meaning of this act, and in strict conformity to its several provisions; it shall be his duty, and he is hereby required to forward notice of such subscription to the President of the United States to be by him communicated to Congress, and also notice to the Governor of Pennsylvania, and to the Governor of Maryland, to be by them laid before their respective Legislatures.

A Supplement to the act entitled "An act to prevent injury by dogs in New Castle County."

In Senate Jan 13 read 14 read 2d time Feb 1. referred to Messrs Black Morris & Burton.

Found with 1914

A Supplement to the act, entitled "An act to prevent injury by Dogs in Newcastle County."

Sect. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met. That from and after the passing of this act, the several provisions of the act to which this is a supplement, which shall not by this act be repealed, altered, or amended; as well as the provisions of this act, shall be as well applied to the Counties of ~~Kent and Sussex~~, as to the County of Newcastle. as anything in the said act, to which this is a supplement, contained to the contrary notwithstanding.

Sect. 2. And be it enacted by the authority aforesaid, that it shall, and may hereafter be lawful for one Dog to be kept in each family within this State free, and exempt from assessment of Tax.

but if a greater number of Dogs shall at any time be owned and kept in any one family within this state, then, and in such case, the owner, or principle of such family shall be assessed, and pay a Tax, in manner and form as is directed by the act to which this is a Supplement, in amount as follows: For the second dog so kept the sum of dollars, and for every other dog more than two the sum of dollars.

S.1.3. And be it enacted, by the authority aforesaid that such parts of the act to which this is a Supplement, as is by this act altered, amended or supplied, be and the same is hereby repealed, made null, and void ——

An act to enable Spencer Williams to erect a dam across the head waters of Blackbird Creek in New Castle County & for the condemnation of one acre of land on the south side of said Creek, also the cripple or lowlands that may be overflowed by the erection of said mill and dam.

H. of Rep.
Jan. 8th 1814. Read 1st time
— 11th — Read 2d time
— 13th — Recommitted.

0099

An act ~~entitled~~ to enable Spencer Williams to erect a dam & clear the head waters of Blackbird Creek in Newcastle county, and for the condemnation of one Acre of Fast Land on the South Side of said Creek, also the cripple or lowlands that may be overflowed by the erection of said dam & Mill

Sec. 1 Be it enacted by the Senate and house of Representatives of the State of Delaware in general Assembly met, that it shall and may be lawful for Spencer Williams his heirs or assigns at any time from and after the passing of this act, to erect or cause to be erected a dam and Mill or Mills on the head water of Blackbird Creek on a point of land purchased of Joseph Webster, by said Williams, near a point of land called Hammy point and situated on the South side of said Creek.

Sec. 2 And be it enacted, that the Prothonotary of Newcastle County shall upon the application of Spencer Williams his heirs or assigns, issue a writ to the Sheriff of said County commanding him to summon five freeholders of the county of Newcastle who shall with the said Sheriff go upon the fast land on the South side of said Creek, where the proposed dam must join the fast land, and condemn one Acre and lay the same off in the most advantageous place for said dam and Mill, the said Sheriff and freeholder shall also adjudge and determine the true value of said land — and also to adjudge the loss and Damage that the owner or owner's of the Cripple and lowlands that may be

overflowed by the erection of said dam ~~and the~~ may sustain, and the said Sheriff and free-holders are likewise commanded by a certain instrument under their hands and seals to certify and return with a plot of the land so condemned together with their Verdict or proceedings thereon to the next Court of Common Pleas thereafter to be held in the County of Newberrie, and if approved of by the said Court the same shall be so endorsed and filed where it shall remain of record and forever transfer a good title in fee of the said land and cripple so condemned and valued as aforesaid unto the said Spencer Williams his heirs or assigns, provided the said Spencer Williams his heirs or assigns shall pay or tender the condemnation money before they shall erect the dam and Mill or mills as aforesaid, unto him his or they or to his heirs or their heirs executors or administrators from whom the said land and cripple shall be taken as aforesaid —

Sec 3 Provided always that before the said Sheriff and freeholders shall go upon the premises aforesaid the Sheriff shall give ten days Notice to the parties and each of said freeholders shall previous thereto be qualified by the Sheriff faithfully and impartially to execute and discharge the the duties prescribed him by this act to the best of his skill and Judgment, and the said Sheriff shall receive for each day he may be employed four dollars and the Juror one dollar each to be paid by Spencer Williams his heirs or assigns ——

And be it further enacted, That in case the meeting of the aforesaid dam shall raise the water in the ~~and~~ State road so as to ~~be~~ under the raising said road necessary, then and in ~~that~~ case the said Spencer Williams his heirs or assigns are hereby compelled to raise said road and bridge ~~two~~ feet above the water, ~~and~~ and put both road and bridge in as good a state of repair as they are or may be in before the raising of said dam;

And be it further enacted. That if the loaders of the said pond shall at any time after the passing of this Act, in the opinion or Judgment of the Commissioners of the Roads in Hundred in the said County of Newcastle for the time being be so raised by reason of the mill-dam aforesaid, so as to render the passage of the said Creek, where the State Road now crosses the same, dangerous or inconvenient, they shall give notice thereof in writing to the said Spencer Williams, whose duty it shall be forthwith, at his own cost and charge and under the direction of the said Commissioners to render the passage of the said Creek at the place aforesaid, safe and convenient, which shall forever thereafter be kept in repair as other Roads in the said Hundred, And that if the said Spencer Williams shall, on notice as aforesaid, neglect so to do, the said Commissioners of the Roads in Hundred aforesaid for the time being, shall without delay cause said Road ~~to be~~ so rendered dangerous or unsafe by reason of the Water of the Mill pond aforesaid, to repair the same — And the Amount thereof may and shall be recovered by the Commissioners of the Road aforesaid for the time being from the said Spencer Williams

his heirs or [illegible] admrs or assigns in any Court having competent Jurisdiction with cost of suit — And may and shall apply the same to the reparation of the Roads in the said Hundred. Any Law usage or custom to the contrary notwithstanding.

0098

An act authorizing the appointment of an additional number of Justices of the Peace in the county of Kent.

H. of Rep.
Jan. 22. 1814. Read
——— 25. — Read 2d. time

An Act authorizing the appointment of an additional number of Justices of the peace in the county of Kent

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met — two thirds of the members of each House consenting to and approving thereof — That the number of Justices of the peace shall be increased, so that there shall not be more than fifteen in the county of Kent at the same time in commission. ——

An act concerning executions issued by Justices of the Peace.

In H. of Rep

22. Jan. 1813 - read
26. " " read the second time by special order & passed the House.

A. Le Hays Clk

Sent for Concur.

In Senate Jan. 26, 1813 read 1st time and referred

27th read 2d time

Feb. 2 read 3d time by paragraphs in order to pass the Senate - and on motion, the same was postponed to the next sessions of the Legislature

C. Allen Clk

Jan 7, 1814 Reported

An act Concerning executions issued by Justices of the Peace

In Senate Jan 11. 1814 read 12 read 2d time

14 Rejected

25 reconsidered & Read

28 read 2d time.

An act concerning executions issued by Justices of the Peace.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that every execution issued by a justice of the peace in and for either of the County of this State, shall according to the tenour thereof be returnable to the justice issuing the same, on some certain day of the week and month in the body thereof to be set forth in words at length, and the return day shall not be more than ~~twenty~~ thirty days, nor less than ~~twenty~~ five days from the date of the execution.

Sec. 2. And be it further enacted that every constable to whom an execution issued by a justice of the Peace shall be delivered shall return the same when and where the same according to the tenour thereof shall be returnable with a certificate thereon under his hand of all his proceedings by virtue thereof, and of his costs and charges by the several items thereof; and if such execution shall not have been levied on goods and chattels the constable shall in such certificate so certify and set forth the reason why the same shall not have been so levied; and if such execution shall have been levied on goods and chattels which shall have been sold before the return thereof the constable shall in such certificate so certify and set forth the amount of the sale; and if such goods and chattels so levied upon shall not have been sold before the return of the execution the constable in such certificate shall set forth the amount of the value of the goods and chattels levied upon, and shall annex to the execution an inventory and appraisement of the said goods and chattels; and if the goods and chattels so levied upon shall not have been sold at the time of the return of the execution, then the justice may by direction of the plaintiff issue another execution commanding any constable to make sale of said goods and chattels according to law; which said execution shall be according to the tenour thereof returnable, as is provided in the first section of this Act; and the constable, to whom the same shall be delivered, shall return the same, when and where the same shall be returnable, with a certificate of his proceedings thereon, and the items of his costs under his hand.

Provided nevertheless that the issuing of an execution for the sale of

any goods and chattels shall not exempt any constable from any liability or responsibility which he may have incurred in consequence of any defect of return, or of his certificate of or upon the original execution, or of an Inventory and appraisement annexed thereto.

Sec. 3. And be it further enacted that if any constable to whom an execution shall be delivered, shall not return the same when and where the same shall be returnable, or shall not thereon certify his proceedings and costs according to the provisions of this act, or shall not annex thereto an inventory and appraisement, in cases in which the same ought to be thereto annexed, or shall not in all things comply with the provisions of this act, he shall be liable for the debt or damages and costs in such execution, in the same manner as if he had returned the same execution, and thereon certified that he had levied and received the full amount of the debt or damages interest and costs therein.

Sec. 4. And be it further enacted that if a constable shall by virtue of an execution commit the defendant or defendants therein to the common gaol, that he shall leave with the Gaoler a certified copy of such execution, which copy shall be deemed a sufficient warrant for the detention of the said defendant or defendants in gaol as the original would have been.

Sec. 5. And be it further enacted that if any constable shall not pay to the creditor or creditors in any execution any sum or sums of money which he may have levied or received in, or towards satisfaction of the debt or damages in such execution, and the interest thereof when demanded thereof by such creditor or creditors, or his her or their agent or attorney lawfully authorized to receive the same, such constable shall be liable to pay to such creditor or creditors together with the sum or sums so by him received or levied at the rate of fifteen ——— per cent. per annum upon such sum or sums to be computed from and after such demand; and the amount of such sum or sums together with such rate per cent. thereon shall be recoverable in the same manner as the original amount was recoverable.

Sec 6. And be it further enacted That all justices of the Peace in and for either of the Counties of this State shall keep a docket of every execution by them respectively issued, and therein shall set down the names of the parties, the debt or damages and costs in such execution, the time from which interest is computed, the name of the constable to whom such execution shall be delivered, and the return day thereof, and the certificates of the Constable of his proceedings and costs thereon, and the time of the actual return, and shall moreover file all executions to him returned, and shall endorse thereon the day when the same shall be returned; which docket shall be a public record, and a copy of the entry therein shall be delivered on demand of any person therein interested on payment of the fees of copying.

~~Sec. 7. And be it further enacted That this act shall commence in operation, and be in full force and effect from and after the first day of May next.~~

Sect. 7. And be it enacted that the fees to the Justices of the Peace for receiving, filing, and entering the return of every execution shall be twelve and a half cents and no more.

Sect. 8. And be it further enacted That this Act shall commence in operation and be in full force and effect from and after the first day of May next.

from EN

Action Thirsw

Eminge baugh

A. Hazlehurst Thirsw

T. C. Black

Hazlehurst

Hazlehurst

An act to empower James Eakin & Rachel Eakin to do certain acts therein mentioned.

H. of Rep.'s
Feb. 3. 1814. Read.
—— 4. —— Read 2d. time
—— 5. —— Read 3d. time by paragraphs and passed.
O. G. Brincklé Clk

Sent for con.
In Senate, Feb. 8. read

An Act to empower James Eakin and Rachel Eakin to do certain Acts therein mentioned

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That James Eakin Executor of the last Will and Testament of Alexander Eakin deceased and Rachel Eakin Administratrix of William Eakin also deceased, be and they are hereby authorized and empowered to make and ~~convey~~ confirm by conveyances good in the Law a Title to a certain lot of Marsh situate in the Red Lion Marsh unto Alexander Eakin of Newcastle County under and according to the rights under which he now holds

An Act against
forgery & false tokens
H of R.
14 Jany 1813 read
15 " " read
21. " " taken up &
recommitted to Clayton
upon Williamson
Burton
29th Jany 1813 read a 3
time and passed H. Hum
J. Barratt

Transcribed

0107

An act against Forgery and for other purposes

(postponed to 1874)

Preamble. Whereas by the Act entitled an "act against defacers of Charters, and counterfeiting hands and Seals" it is enacted "that the persons convicted of the crimes therein enumerated shall suffer the like pains and penalties as by the laws of that part of Great Brittain called England is provided against such offences for the time being: And it being doubtful how these crimes are punishable according to this Act, for remedy whereof.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That from and after the passing of this Act, If any person shall fraudulently forge, deface embezzle or destroy any Record of any Court of Justice within this State or the Record or Copy of any deed or other instrument of writing entered as of record in either of the Offices for recording of Deeds in this State or the record of any last Will and Testament or copy thereof entered as of record in either of the offices of the Register for the probate of Wills and granting Letters of administration, or any record of the Orphans Court or of the Court of Chancery, or other matter of public record, or shall advise to, or aid or assist therein, and shall be thereof convicted, such person or persons so offending shall ~~forfeit and pay to the party or parties aggrieved treble costs and damages, and shall moreover~~ be set in the pillory for the space of two hours and imprisoned for any term not exceeding three years and pay a fine to the State not exceeding

two thousand dollars, or otherwise suffer a part of the said ~~imprisonment~~ punish=ments as the Court in their discretion according to the nature and aggravation of the offence may determine.

Section. 2. And be it further enacted that if any person or persons shall fraudulently forge deface, make, alter or destroy any deed, for the conveyance or transfer of any Lands or Tenements, or any interest in or concerning the same or for the assignment of goods or chattels rights or credits, or any last will and testament or any bond, obligation, bill obligatory, letter of attorney bill of exchange promissory note or any note from any Incorporated Bank or any assignment or indorsement of or upon any such bond obligation, bill obligatory, bill of exchange or promissory note or any order for the payment of money or any acceptance of such order or of any bill or bills of exchange or any receipt, release or acquittance, or shall fraudulently counterfeit the hand and seal, or the hand or seal of any person or persons whatsoever, or the seal of any body corporate or politic, or shall fraudulently make or alter any writing whatsoever to the prejudice of the right of any person or persons, body politic or corporate, or shall

aid or assist therein, or utter or publish, or use as true any of the said matters or instru=ments above specified knowing the same to have been fraudulently made forged or altered, every person so offending shall ~~forfeit and pay to the party or parties aggrieved double costs and dama=ges, and moreover~~ stand in the pillory for the space of one hour, shall be impri=soned for any term not exceeding two years and pay a fine to the State not exceeding two thousand dollars, or shall otherwise suffer such part of the said punishment as the Court in their discretion according to the nature and aggravation of the offence shall determine.

Stricken out

Section. 3. And be it further enacted. That if any person or persons shall fraudulently personate any other person or persons, or assume or use any false name or character and by means thereof shall receive any sum of money goods or chattels or other property or shall use any false device or token and other deceitful means, and thereby shall induce any person or persons body politic or corporate to pay or deliver to him

him her or them any sum of money goods chattels or other property or shall aid or assist in, or advise to the committing any of the said offences every person so offending shall forfeit and pay to the party aggrieved double ~~damages~~ costs and damages and shall stand in the pillory, one hour, be imprisoned for any term not exceeding One year, and pay to the State a fine of Five hundred dollars, or shall suffer any part of the said punishment, as the Court in their discretion according to the nature and aggravation of the offence shay determine.

Section 4. And be it further enacted: that the said Act entitled an "Act against defacers of charters and counterfeiting "hands and seals" be and is hereby repealed made null and void.

An Act against
Forgery & for other purposes
In the H. of Rep.
14. Jan. 1813 read
15. " " read

29. " " read 3d time
and passed the House
John Barratt.

In Senate Jan. 29. 1813
read.

Feb. 1. read 2d time.
2 read 3d time and
postponed until the
next session of the
General assembly
P. Allen Clk

Jany 6. 1814 Reported
~~Not passed~~

An Act against Forgery and for other purposes.

Sect. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that from and after the passing of this Act, if any person shall fraudulently forge, deface, embezzle or destroy any record of any Court of Justice within this State, or the record or copy of any deed or ~~instrument~~ other instrument of writing entered as of record in either of the offices for recording of Deeds in this State or the record of any last will and testament or copy thereof entered as of record in either of the offices of the register for the probate of wills and granting letters of administration or any record of the Orphans Court or of the Court of Chancery or other matter of public record or shall advise to, or aid, or assist therein and shall be thereof convicted, such person or persons so offending shall be set in the pillory for the space of two hours and imprisoned for any term not exceeding three years and pay a fine to the State not exceeding two thousand dollars or otherwise suffer a part of the said punishment as the court in their discretion according to the nature and aggravation of the offence may determine.

Sect. 2. And be it further enacted that if any person or persons shall fraudulently forge, deface, make, alter or destroy any deed for the conveyance or transfer of any land or tenement, or any interest in or concerning the same

or for the assignment of goods or chattels, rights or credits, or any last will and testament or any bond, obligation, bill obligatory, letter of attorney bill of exchange, promissory note, or note of any incorporated Bank, any assignment or indorsement of or upon any such bond, obligation, bill obligatory, bill of exchange or promissory note or any order for the payment of money or any acceptance of such order or of any bill or bills of exchange, or any receipt, release or acquittance, or shall fraudulently counterfeit the hand and seal or the hand or seal of any person or persons whatsoever, or the seal of any body corporate or politic, or shall fraudently make or alter any writing whatsoever to the prejudice of the right of any person or persons body politic or corporate, or shall aid or assist therein, or utter or publish or use as true any of the said matters or instruments above specified knowing the same to have been fraudulently made, forged, or altered every person so offending shall stand in the pillory for the space of one hour, shall be imprisoned for any term not exceeding two years and pay a fine to the State not exceeding two thousand dollars, or shall otherwise suffer such part of the said punishment as the court in their discretion according to the nature and aggravation of the offence shall determine.

Sect. 3. And be it enacted, That the person or persons whose hand or whose hand and seal shall be forged and counterfeited as afsd. shall be and are hereby declared to be competent to give evidence against all offenders against the provisions of this act.

Sect. 4. And be it further enacted, That the said Act intitled "An Act against defacing of charters and counterfeiting hands and seals" be and is hereby repealed made null and void.

An Act to repeal in part an act entitled "An act to prevent swine running at large without rings or yokes in New Castle County within this government."

H. of Rep.:
Jan. 27. 1814. Read.
—— 28 —— Read 2nd. time
—— 29 —— Read 3d. time by paragraphs and Passed
Sent for con. J. S. Brinckle & Ch
In Senate Feb. 1. 1814 read

An Act to repeal, in part, an act entitled "An act to prevent swine running at large without rings and yokes in Newcastle County within this government."

Sect. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that the Act entitled "An act to prevent swine running at large without rings and yokes in Newcastle County within this government", shall not hereafter be deemed or taken to extend to White-clay-Creek Hundred, and the same, in so far as it relates to the said Hundred, is hereby repealed, made null, and void; Provided nevertheless that the said act shall still remain in full force with respect to swine less than three months old, and that the foregoing repeal thereof shall not include the villages of Christiana-bridge and Newark.

An act to prevent nuisances from being committed on the roads in New Castle County.

H. of Rep.
Jan. 14. 1814. Read.
——— 15. — Read 2d. time.
——— 27 — Read 3d. time
& rejected.

Transcribed & sent to Senate.

An Act to prevent nuisances from being committed on the roads in the County of Newcastle.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That if, after the passage of this act, any person or persons shall place, or having previously placed, shall, after notice given, as is herein after directed, refuse or neglect to remove ~~the same~~, any nuisance or obstruction on or by the side of any State, County or private road authorized by law in the ~~said~~ said County, or turn the same without first obtaining it shall and may be lawful for the Road Commissioners, or a majority of them of the Hundred in which the said offence may be committed, or for any private person, who may be aggrieved thereby, to make complaint hereof, to any Justice of the Peace of the said County, who shall issue a precept, directed to any constable commanding him to summon three judicious freeholders, to meet at a certain time, in the said precept to be mentioned, at the place in the said road which is complained of, of which meeting notice shall be given to the person or persons charged with committing the said nuisance or obstruction, and the said freeholders being then and there met, shall proceed to enquire into the matter complained of; and if they, or a majority of them shall find, and be of opinion that the nuisance complained of is really on the public road or a private road as aforesaid, and that the same tends to the

injury of the said road, or to impede the passage of travellers, they shall due return make ~~therof~~ to the said justice, by certificate under their hands and seals. And if the person or persons committing the ~~said~~ said nuisance as aforesaid, shall still neglect or refuse to immediately remove the same, he shall upon suit being brought by the said road commissioners or a majority of them, pay any sum not exceeding ten ~~a fine of twenty~~ Dollars, together with the costs of prosecution, and likewise all the expence the said road Commissioners, or a majority of them, may be subject to, in removing the said nuisance or obstruction (and the said road Commissioners, or a majority of them are hereby authorized and empowered to do so) for every such offence, and every such neglect or refusal, to remove the said nuisance or obstruction, to be recovered and collected in the same manner as debts sums of the same amount are recoverable, to be paid to the said road commissioners or a majority of them, or to their order, for the use of the hundred to which they may belong.

Sec. 2. And be it enacted. That if any person or persons shall place, or permit or suffer any person in his, her, or their employ, or permit any other person to place, any dead hog, ~~sheep, lamb~~, sheep, horse, mule, or other cattle, that may have died on his, her, or their property, on any publick ~~or private~~ road in the said county, or within two Hundred yards of the same, - the person or persons so offending as aforesaid, shall for every such offence pay any sum not exceeding ~~a fine of not more than twenty Dollars~~, ~~nor less than five Dollars~~ to be sued for and recovered by any of the Road Commissioners

of the hundred in which the offence shall have been committed, for the use of the said Hundred, to be recovered in the same manner as debts of the same amount, are by the laws of this State recoverable,

0127

0123

Dwmo's Paymaster's Office
Philadelphia Jany 6th 1814

Dear Sir

Amendments to the Bill. In line 9 ~~Strike out the words 'or private'~~ Any private road authorized by law;

in line 10 after the words same add: 'Without first obtaining an order from the Court of Common pleas of Muskingum County;'

line 25 Strike out the words 'or private' and as aforesaid.

2nd page line 7 Strike out the words 'a fine of twenty;' And insert the words 'Any sum not exceeding ten;'

Sec 2 line 6 Strike the words 'or private' & so forth.

Same section lines 8 and 9 Strike out the words 'A fine of not more than twenty, ~~twenty~~ Dollars and not less than;' And insert the words 'Any sum not exceeding;'

Same sent to the Book
Same sent for the Book

An act to prevent nuisances from being committed on the road in the county of Newcastle

H. of Rep's
Jan. 14. 1814. Read
— 15. — Read 2d. time
— 27. — Read 3d. time by paragraphs and Passed
J. G. Brinckle C'lk

Sent for Con.

Jan 28, 1814 read
Feb 3 — read —
4 referred
to Senate
14 Jan. 1814 read & referred.

(Transcribed)

An act to prevent nuisances from being committed on the roads in the County of Newcastle.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That if, after the passage of this act, any person or persons shall place, or, having previously placed, shall, after notice given as is hereinafter directed, refuse or neglect to remove any nuisance or obstruction on or by the side of any state, county or private road authorized by law in the said county, or turn the same without first obtaining an order from the Court of Common Pleas of Newcastle county, it shall and may be lawful for the road commissioners or a majority of them of the hundred in which the said offence may be committed, or for any private person who may be aggrieved thereby to make complaint thereof to any justice of the peace of the said county, who shall issue a precept directed

rected to any constable, commanding him to summon three judicious freeholders to meet at a certain time in the said precept to be mentioned, at the place in the said road which is complained of, of which meeting notice shall be given ~~to the~~ person or persons charged with committing the said nuisance or obstruction, and the said freeholders, being, then and there, met, shall proceed to inquire into the matter complained of; and if they or a majority of them shall find and be of opinion, that the nuisance complained of is really on the public road as aforesaid, and that the same tends to the injury of the said road or to impede the passage of travellers, they shall due return make thereof to the said justice by certificate under their hands and seals. And if the person or persons committing the said nuisance as aforesaid shall still neglect or refuse immediately to remove the same, he, she or they shall, upon

suit-

suit being brought by the said road commis-
sioners or a majority of them, pay any sum
not exceeding ten dollars together with the
costs of prosecution; and likewise all the ex-
pense the said road commissioners or a ma-
jority of them may be subject to in removing
the said nuisance or obstruction (and the
said road commissioners, or a majority of
them are hereby authorized and empowered
to do so) for every such offence and every such
neglect or refusal to remove the said nuisance
or obstruction; to be recovered and collected in
the same manner as sums of the same amount
are recoverable, to be paid to the said road
commissioners or a majority of them or to their
order, for the use of the hundred to which
they may belong.

Sec. 2. And be it enacted That if any person or per-
sons shall place or permit or suffer any per-
son in his, her or their employ or permit any
other person to place any dead hog, sheep, horse

mule or other cattle that may have died on his her or their property, on any public road in the said county, or within two hundred yards of the same:- The person or persons so offending as aforesaid shall for every such offence pay any sum not exceeding five dollars, to be sued for and recovered by any of the road commissioners of the hundred in which the offence shall have committed for the use of the said hundred to be recovered in the same manner as debts of the same amount are by the laws of State recoverable

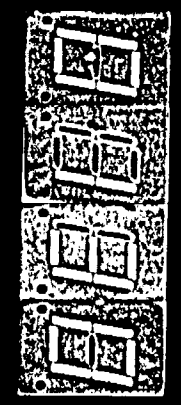
An act Repealing an act, entitled, an act to authorize the Governor to purchase arms for the Use of the State

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

That the act entitled an act to authorize the Governor to purchase arms for the Use of the State passed the 31 Jany 1809 be and the same is hereby Repealed

Mr. Lee (Westmoreland) moved an amendment to the last section, on motion of Mr. Williams, to strike out the words "shall not be in force until after the next meeting of the General Assembly" and insert the words "shall be and the same is hereby suspended until the next meeting of the General Assembly"

25. Read a third time



An act to authorize the sale of certain land therein mentioned

H. of Rep's
Jan. 28. 1814. Read.
—— 29. —— Read 2d. time.
Feb. 1. —— Read 3d. time by paragraphs, and Passed.
Sent for con. J. Brown Brinckle Clk

In Senate Feb 1. 1814 read & read 2d time.
11. taken up for a third reading by paragraphs and postponed until the next session of the Genl. Assembly
P. Allee Clk

An act to authorize the sale of certain land therein mentioned.

Whereas it hath been represented to this General Assembly that Levin Irving is seized in fee of and in a moiety of a tract of land situate in the County of Sussex, and near the town of Laurel; that the buildings and other improvements are in a very ruinous condition; that by reason thereof the said land cannot be rented, and is altogether unprofitable to the said Levin Irving; and that he is now an infant under the age of twenty one years and cannot by reason thereof sell or dispose of the same.

Be it therefore enacted by the Senate and House of Representatives of the state of Delaware in General Assembly met, That the Orphans Court when sitting in Sussex County, upon application for that purpose made by the guardian of the said Levin Irving, shall be and hereby is authorized to direct and order the sale of the said Levin Irving's land in the County of Sussex upon such terms and conditions as the said Court shall ~~think~~ adjudge reasonable; and

the said sale when confirmed by the said Court shall be good and effectual to transfer to the purchaser all the estate right title interest property claim and demand whatsoever of the said Levin Irving of in and to the said land and premises

And be it enacted that the said Court shall cause the said Guardian to enter into an obligation, or other security, with one or more good sureties for the payment of the money arising from the said sale after deducting all reasonable expenses to be allowed by the said Court attending said sale, — and shall and may make such further order in the premises as shall to the said Court seem necessary to secure the said Levin Irving.

A supplement to the act entitled "an act for the more easy, and speedy recovery of small debts."

In Senate Jan 14 read
15 read 2d time
21 read 3 time by paragraphs and passed
P. Allen, Clk

Sent for Con.
H. of Rep.
Jan 22. 1814. Read.
— 25. — Read 2d time
— 27 — Read 3d time
by paragraphs and passed.

A Supplement to the act entitled "An act for the more easy and speedy recovery of small debts."

Sect. 1. Be it Enacted by the Senate, and House of Representatives of the State of Delaware in General Assembly met. That from, and after the first day of June next ~~publishing of this act~~. All actions for debt, or other demands not exceeding in amount the sum of Fifty dollars, except such actions as are, by the act to which this is a supplement, especially excepted. shall be, and are hereby made, Cognizable before any Justice of the peace of any of the Counties within this State. in the County in which the defendant shall be, or reside: and the said Justices are hereby respectively impowered, and required, upon complaint to any person made for any such debt, ~~and~~ or demand to issue, and proceed, in like manner, as is provided for, and directed by, and in the several provisions of the act to which this is a supplement.

Sect. 2. And be it enacted, that in any, and every case of judgment, or award had, and obtained under this act, or the act to which this is a supplement, any Person, or Persons thinking him, her, or themselves aggrieved by any such judgment, or award, it shall and may be lawful for such Person, or Persons, at any time within the space of ~~fifteen~~ Thirty days next following the giving of such judgment, or award, but not after, to appeal therefrom to the next Court of common Pleas, to be holden for the county in which such suit shall be commenced. he, she, or they first entering into recognizance, with security as is directed by the 12 sect. of the act to which this is a supplement, any thing in the said act contained to the contrary notwithstanding.

Cut 3. And be it enacted.

That in all cases where a reference, to arbitrators shall occur under this act, or the act to which this is a supplement: the Justices of the peace, before whom such reference shall be made, shall write upon, as many slips of paper of equal size, the names of nine freeholders, good and lawful men of the neighbourhood, which slips of paper, shall be put into a Hat or box prepared for that purpose, and in the presence of the parties shall therefrom draw; and the first three whose names shall be so drawn; shall be the arbitrators, who shall be summoned, to hear and determine the cause, or referring, in such manner as is directed by the general provisions of the act to which this is a supplement.

Act. 3 And be it enacted

That so much of the act to

which this is a supplement as is by this act altered, amen=

=ended, or supplied, be, and the same is hereby repealed,

made null, and void. —

0138

BEST SHOT AVAILABLE

In the House of Representatives

read and Postponed to the sitting of the General Assembly in January next

10th February 1811 Post
J. Barratt

an act to incorporate the commissioners of the town of New Castle, & for other purposes therein mentioned.

H. of Rep.'s
Feb. 5. 1814. Read.
H. of R. Read 2d time
13. Jan. 1815. Read 1st time
4 Jan. 1816 reported among the unfinished business
6 Feb. 1817 postponed indefinitely
J. L. Hayes

BEST SHOT AVAILABLE

An Act to Incorporate the Commissioners of the Town of Newcastle and for other purposes therein mentioned.

Whereas the Inhabitants of the Town of Newcastle by their memorial have represented that the Act of General Assembly entitled "an Act to establish the Boundaries of the Town of Newcastle and for other purposes therein mentioned" and the supplement thereto have been incombrent to the good government and well ordering the affairs of the same and prayed relief in the premises.

Sect 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that the Commissioners of the Town of Newcastle and their Successors hereafter to be elected shall be one Body Politick and Corporate in deed and in Law by the Name and Style of "the Commissioners of the Town of Newcastle" and by Name shall be and are hereby made able and capable in Law to have take possess enjoy and claim to them and their Successors Lands Tenements Hereditaments goods chattles and effects of what kind nature or quality soever and the same to sell grant demise alien or dispose of to sue and be sued plead and be impleaded in all Courts of Law and Equity in any other place whatsoever and also to make have and use a Common Seal and the same to break alter and renew at their pleasure and generally shall have all the privileges and franchises incident to a Corporation or Body Politick

Relative

Sect 2 Be it enacted by the authority aforesaid that every white male Inhabitant of the Town of Newcastle who shall have resided therein twelve months and within that time have paid a State or County Tax and every other white male Citizen who shall be owner of some Real Estate within the said Town shall be entitled to Vote at all elections for Commissioners, Alderman, Constables, Treasurer Clerk of the Market and Town Clerk of said Town.

Relative

Sect 3 Be it enacted by the authority aforesaid that an election shall be held at the Court House in the Town of Newcastle on the First Tuesday of May next and annually on the same day thereafter for five Commissioners. Two Alderman Two Constables one Treasurer a Clerk of the Market and Clerk of the Peace for the Town of Newcastle at which Time and Place it shall be lawful for those who are qualified, to Choose by Ballot five Commissioners Two Alderman Two Constables one Treasurer a Clerk of the Market & Town Clerk for said Town the said election to be opened between the Hours of Ten and Twelve of Clock in the Forenoon and shall continue open until Six of Clock on the Afternoon of the same day having first appointed Two Freeholders of the said Town to be Judges of such election who shall as soon as the Poll is closed certify under their hands and seals the persons duly chosen at such election and within two days thereafter deliver over the same to the Town Clerk.

BEST SHOT AVAILABLE

Sect 4 Be it enacted by the authority aforesaid that no person shall be capable of being elected or of serving as Commissioner, Alderman, Constable or Treasurer of the Town of Newcastle, who shall not at the Time before his election be a Citizen of the United States and a Freeholder and Resident within the said Town, every person elected or appointed to any Office under the authority of this Act shall before he enters upon the duties of his office take an oath or affirmation to support the Constitution of the United States also an oath or affirmation to support the Constitution of the State of Delaware and to perform the duties of the office into which he shall be elected or appointed with Fidelity.

Sect 5 Be it enacted by the authority aforesaid that every person duly elected or appointed to any office under the authority of this act who shall neglect or refuse to accept and serve in such office to which he may have been elected or appointed, for the space of Ten days from the time of such election or appointment, shall forfeit and pay any sum not exceeding Twenty Dollars; Provided always that no person or persons shall be liable to a Fine or Fines for any Two Years in succession for neglect or refusal to serve in any of the offices established by the authority of this Act.

Sect 6 Be it enacted by the authority aforesaid that the Commissioners of the Town of Newcastle at their first meeting after the passing of this Act shall appoint one of their members as President and at the first meeting of the Commissioners of said Town annually, and on the absence of the President shall choose a President pro Tempore. Such President so chosen shall preside and keep order at the meetings of the said Commissioners agreeable to such Rules and Regulations as may be established from time to time by Ordinance. a Majority of members shall constitute a quorum to do and perform all manner of Business under the Authority of this Act. no Ordinance shall be passed unless the same shall have had two readings at the meetings of said Town shall cause minutes of their proceedings to be entered in a Book by the Town Clerk, all Ordinances shall be recorded by the Town Clerk in a Book to be kept for that purpose, and published by the said Clerk for the information of the said Town, the Receipts and disbursements of the Town Funds shall be published by the Town Clerk on the month of April annually ~~by posting up~~ on pain at least of the most public places the accounts of ~~same~~ disbursements & Receipts of the Funds of said Town

BEST SHOT AVAILABLE

Sect 7 Be it enacted by the authority aforesaid that the
Commissioners of the Town of Newburyport shall have power
Actions and authority to enact Ordinances to prevent the Introd-
=duction of Contagious or Infectious diseases into said Town
and for this purpose their Jurisdiction shall extend to every
distance within one Mile of the Boundaries of the same, and
in such Ordinances may organize a Board of Health for
said Town establish Rules and Regulations therefor and
for the Infliction of Penalties, to provide by ordinances for
Lightings the Lamps of the said Town, and the Lamps within
same, and to provide by ordinances for the Infliction of Penalties
or punishments on any person or persons who shall damage
or destroy any of the Lamps of said Town; to establish Wards
Wards and their Fees, to provide by ordinances for the
erection of Public Wharves, and Regulating of the same,
to provide by ordinances for extending wharves into the
River & Harbour within the said Town, and for the Infliction
of Penalties, to provide by ordinances Rules and Regulations for
Vessels Coming to lying at Loading or unloading within the
Harbour of the the said Town, and for the Infliction of Penalties
to appoint a Harbour Master and establish his fees to provide
by ordinances for establishing of Wharfs and appoint Wharfingers
and establish their fees, to provide by ordinances for Regulating
weights and Measures, and for the Infliction of Penalties on
those who use false weights and Measures, to Regulate the
weight of Bread and the size of Brick, to provide by ordinances
for the Cordage of wood and Bark, to establish what shall
be deemed Merchantable appoint Corders therefor and
establish their fees, to appoint Regulators to lay out the
foundations of houses walls or other Buildings on any
of the Streets of the said Town to provide by ordinances for
Infliction of Penalties on
Building without such foundations being laid out by
such Regulators and establish their fees, to provide by
ordinances for defining what shall be deemed Nuisances
in the Streets Lanes or alleys of the said Town or elsewhere and
for the Removal of such and for the Infliction of Penalties
to provide by ordinances for Regulating the Market of
said Town determining the market House or matching
establishing Rules and for the Regulating the fees of the
Clerk of the Market and for the Infliction of Penalties on
any person or persons who shall be guilty of any Breach
of the Rules established for the Market within the said Town
to provide by ordinances for sweeping of Chimnys appoint
to provide by ordinances for [illegible] for the Infliction of Penalties
to shall [illegible] or other Ordinances for supplying the citizens
of said Town with good and Wholesome water to provide
by Ordinances for the Infliction of Penalties on any person or
persons who shall damage or destroy the pumps or other
Aqueducts of the said Town to assess and Remove Tow
for the use of the same, to appoint Inspectors of Flour —
Inspectors of Salted provisions Inspectors and measurers of
Lumber and establish their fees, to appoint Gaugers and
establish fees, to provide by ordinances for weighers of Hay
weighers or measurers of Coal Lime grain or any other
matter
Salt within the said Town to appoint weighers or Measurers
and establish their fees. to provide by ordinances for the

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infliction of Penalties on illegal Venders of Spirituous Liquors —
within the said Town, to provide by ordinances for the Infliction
of Penalties on any person or persons who shall deal Power or
Bantin with any Servant or Slave without an order from
the Owner or employer of such Servant or Slave except it
be in the Public Market to provide by ordinances to effect
a Tone on every Flag Running out Large without the Bulwarks
of the Owner thereof within the said Town, and for the Collection
thereof to provide by ordinances for the Infliction of Punish=
=ments on Negroes or Mulattoes assembling within the said
Town without an order from the Owner or employer of
such Negro or Mulatto to provide by ordinances for the
Infliction of Penalties on the Person or persons shooting
within the Limits of said Town, except on days
of Public Rejoicing or Military exercises, to provide by ordinances
for Infliction of Penalties on any person or persons who
shall Bombard or Injure the Houses or Homes of any person
or persons within the Limits of the said Town

Provided always that the Powers and
Authority given in this Act shall and authorise the
Commissioners of the Town of Newburyport to provide
by ordinances for the Infliction of a Penalty above
the sum of Dollars nor for punishments
at Hard Labour on the works of Newburyport Bounds —
exceeding Months —

Sec 3 Be it Enacted by the Authority aforesaid that the Commis=
=sioners of the Town of Newburyport shall meet at the Court House
in the Town of Newburyport on the Second Tuesday of May next
and on the Second Tuesday of May annually thereafter
or at such other place within the said Town as shall be
established by ordinance or within Ten days after the said
Second Tuesday of May next, or the Second Tuesday of May
annually in future and shall then and there estimate and
fix the sum or sums of money necessary to be raised on the
persons and Estates within the said Town for the Public uses
of the Ensuing Year which sum or sums shall be levied and
assessed on the Ratio of the persons and Estates within the Limits
of the Town of Newburyport, made by the Assessors of Newburyport Town
for the Ensuing Year as soon as the sum or sums shall be fixed
by the Commissioners aforesaid the Clerk of the said Town shall
make out the List thereof with his the said Clerk Certificate thereof
and the President of the said Commissioners or Treasurer
shall direct the same to the Treasurer of said Town requiring
the said Treasurer to demand and receive from the persons
and Estates Rated and assessed within the said Town the
sum or sums so assessed and in case any person or persons
shall neglect or refuse for the space of Ten days after demand
shall be made by the Treasurer aforesaid it shall then be
Lawful for the said Treasurer to proceed to the Recovery
of such Taxes assessed as aforesaid in the same summary
mode that County Rates and Taxes are collected by Law
and when any Owner or Owners of any Grounds or Buil=
=dings or estates or the Executor Administrator or Attorney
of such Owner be found within the said Town or the

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shall neglect or refuse to pay the Taxes assessed as aforesaid
shall be lawfull for the said Treasurer to make
application to one of the Aldermen of said Town who
is hereby authorised and required upon such applic=
=ation being made to issue his warrant to the Sheriff of
Newcastle County or any one of the Constables of said
Town commanding the said Sheriff or Constable after
giving Public Notice by posting up at least four of the
most Public places in the said Town to sell for the highest price
& time in which the Rents and profits will pay the Taxes and
Costs all such Sale so made with the warrant shall be
returned by the Sheriff or Constable who made the same
in Twenty days thereafter to the Alderman who shall be
named in the said Sheriff's Warrant. The same
fees and the same Costs for selling and paying over as the
Treasurer receives for the Treasurer of said Town shall receive for his
services in collecting and paying over for Contingent expenses

Sect 9 Be it enacted by the authority aforesaid that the
Alderman of the Town of Newcastle shall be and
are hereby Constituted Conservators of the Peace
within the Limits of the Town of Newcastle and are
authorised invested and required to do and perform
all such acts and things within the Limits of said
Town which Justices of the Peace may or can lawfully
do

Sect 10 Be it enacted by the authority aforesaid that the
Constables elected under the authority of this act
shall have the same powers with the authority of County
Constables within the Town of Newcastle they shall
before the entering upon the duties of their offices give
Bond in the Name of the State of Delaware in
the sum of one thousand Dollars with one or more
sufficient sureties to be approved of by the Alderman
of the Town of Newcastle conditioned for the faithful
performance of the office and duty of a Constable
for said Town

Sect 11 Be it Enacted by the authority aforesaid that the
Treasurer of the Town of Newcastle shall before he
enters upon the duty of his office give bond
in double the amount of the Taxes by him to be
[illegible] to be approved of by the President
of the Commissioners of said Town, conditioned
for the faithful discharge of the duties of Treasurer
of said Town

Sect 12 Be it enacted by the authority aforesaid that
when any Vacancy may happen by the death or
Resignation of any Commissioner of the Town
of Newcastle or Removal therefrom the Inhabitants
of the said Town whom Tax always Notice by the Town
Clerk may distribute sent Vacancy by a New
election Tender in case of the death Resignation
or Removal from the said Town the Treasurer in
any of the other offices established by this act

BEST SHOT AVAILABLE

Shall be Published

Sect. 13 Be it enacted by the Naval and Marine Recommendation authority aforesaid that all fines and forfeitures accruing under the authority of this act or by any collector of the Commissioners made in pursuance of the Powers in this act given shall be recovered before either of the Aldermen of the Town of Newburyport in the Name of the State as Debts not exceeding Twelve Pounds are recovered within this State and shall be applied to the use of said Town and all punishments inflicted by any of the Ordinances of the said Town to be inflicted shall be heard and Tried before the Aldermen of the said Town

Sect. 14 Be it enacted by the Authority aforesaid that the Commissioners of the Town of Newburyport shall hereby power and Authority to enlarge the Town of Newburyport from the Intersection of Union and South streets and from the Intersection of Market and North streets any Time hereafter in such manner as to include the Tract of Land known by the Newburyport Common within the Bounds of the said Town the said Commissioners of the Town of Newburyport shall not be permitted to include any other Grounds within the Bounds of the said Town other than those which lieth between the Newburyport Common and the Intersection of the streets aforesaid and the said Commissioners of the Town of Newburyport shall cause a Mark or plot to be made by a Skillful Surveyor for that purpose appointed by them and the said mark or plot of the Bounds of the Town of Newburyport being so made shall be Signed by the said Surveyor and a Duplicate of the said mark or plan shall be Recorded in the Office of the Recorder of Newburyport and the Plans when Recorded or a Copy thereof Certified under the hand of the Recorder and seal of his Office shall be deemed and taken in all Courts of Law and equity as the Bounds of the Town of Newburyport

BEST SHOT AVAILABLE

Sec 15 Be it enacted by the Authority aforesaid that the Commissioners of the Town of Newburyport shall not have any power or authority in making their annual Rate & Assessment for the Public use of the said Town to Rate or Assess any part of the Lands within the enlarged Bounds until new Streets shall be Laid out within the enlarged Bounds thereof and until such Streets shall be improved thereon by Buildings any thing in this Act to the Contrary notwithstanding.

Sec 16 Be it enacted by the Authority aforesaid that this Act shall be Deemed and Taken as a public Act and shall be Judicially Taken Notice of as such by all Judges and Justices and all other persons whatsoever without the same being specially pleaded

A Supplement to the Act entitled "An act to incorporate a ~~Company~~ number of Physicians of the State of Delaware."

In Senate, Jan. 13, 1874 read.
14 read 2d time.
Feb. 5 read & rejected
P. Allen, Clk

A Supplement to the act entitled "An act to incorporate ~~the~~ a number of Physicians of the Delaware State, and for other purposes therein mentioned". —

Whereas the act of Assembly heretofore passed incorporating a number of Physicians of this State, has been found insufficient to answer all the objects of the incorporation; and more especially for the preservation of the good Citizens of the State from the pernicious effects of ignorance, and Empiricism. therefore.

Sect. 1 Be it enacted by the Senate, and house of Representatives of the State of Delaware, in General Assembly met. That it shall, and may be lawful, for the medical Society of this state; or a majority of them when assembled annually, to elect by ballot. nine Persons of decided medical, and chirurgical skill, who shall be practitioners of medicine within the State. and who when so elected shall be styled "The medical board of examiners for the state of Delaware. Three of whom shall reside and practice, within each of the Counties of this State. and

who shall hold their appointments for one year from the time of such election, and no longer, unless reelected by the said ~~board~~ Medical society.

Sect. 2 And be it enacted. That when, and as soon as such board of examiners shall have been appointed it shall be their duty to convene at some convenient place within the State, previous notice of which shall be given in some public newspaper. for the purpose of granting licenses to such Medical, and chirurgical Gentlemen, as they. either upon a full examination, or upon the production of diplomas from some reputable College, may deem adequate to commence the practice of Medicine, and Surgery. each Person, so obtaining a certificate to pay a sum not exceeding in amount Ten dollars to be ascertained by the board. ~~Provided~~

Sect 3. And be it enacted, that a majority of the said board of examiners, shall constitute a board for examining such candidates as may apply for licenses, and shall for that purpose meet in the most convenient part of this state, at least once in every six months; giving previous notice as aforesaid of their intention, and upon the granting of such licenses shall affix thereto the name of the President of the board, countersigned by the secretary, and annex the seal of the corporation, upon the payment of the sum as aforesaid, to be ascertained by the faculty. And any one of the said board of Examiners may grant a license to practice medicine, and surgery, during the recess of the ~~board~~ meeting, to have effect only untile the ~~next~~ board shall be ~~convened~~, next thereafter, convened.

Sect 3. And be it enacted by the authority aforesaid.

That from and after the ~~passing~~ aforesaid boards of examining shall have been appointed, according to the provisions of this act, no Person, not already a practioner of Medicine, and surgery within this state, shall be allowed to pursue as a profession the practice of Medicine or Surgery; ~~to practice in either of the said sciences~~, and receive payment for his services, without first having obtained a licence, certified, as by this act is directed, under the penalty of fifty dollars for each, and every such offence, to be recovered in any court of record within this State where the like penalties in other cases are recoverable, the one moiety for the use of the faculty, and the other to be paid to the informer Provided however that nothing herein contained shall be deemed, or taken to prevent, any Person actually residing in any neighbouring state, and who shall by the laws of such state be privileged to practice Medicine and Surgery, from practicing within this state. and Provided also that this act with its several provisions shall be, and continue in force from ~~and after~~ the time of its passing

until the first day of January one thousand
eight hundred and twenty ~~five~~, and from thence
until the end of the next ~~January~~ session of
the General Assembly thereafter, and no longer
any thing herein contained to the contrary
notwithstanding.

~~Medical Bill~~

An Supplement to the act entitled "An act to incorporate a number of physicians of the State of Delaware" and for other purposes".

In Senate Jan. 11, 1814 read and referred

A Supplement to the Act ~~of a General of this State~~ entitled "An Act to incorporate a number of Physicians of the Delaware State and for other purposes therein mentioned".

Whereas the Act of Assembly heretofore passed to incor=porate a number of Physicians of this State has been found insufficient to answer all the objects of the incorpo=ration, and more especially for the preventing of the Citi=zens of this State from risking their lives in the hands of ignorant practitioners in pretendies to the healing Art therefore,

Sec. 1 Be it enacted by the Senate and House of Repre=sentatives of the State of Delaware in General Assembly met That it shall and may be lawful for the said Me=dical faculty or any number of them when assembled according to the rules and provisions of their incorporation to elect by ballot nine persons of the greatest medical and chirurgical skill ~~abilities~~ in the State who shall be styled the Medical board of examiners for the State of Delaware, of whom, one at least shall be taken from each of the Counties of this State, whose duty it shall be to grant licenses to such medical and chirurgical gentlemen, as they, either upon a full examination or upon the production of Diplomas from some respectable college, may judge adequate to ~~commence~~ the practice of ~~the Medical and Chirurgical~~ Medicine or Chirurgery

~~ated~~, each person on obtaining a certificate to pay a sum not exceeding ten dollars to be ascertained by the faculty - Provided nevertheless that nothing herein contained shall be construed to apply to any person who has been a regular practitioner of medicine within this State before the passing of this supplement

Sec. 2 And be it enacted that a majority of the said board of examiners shall constitute a board for examining such candidates as may apply within this state and shall subscribe their names to each certificate by them granted, which certificate shall also be countersigned by the President of the faculty, and have the seal of the faculty affixed thereto by the Secretary, on the payment into the hands of the Treasurer the sum of money to be ascertained as aforesaid by the faculty; and any of the said examiners may grant a license to practice until a board in conformity to this act can be convened.

Sec. 3 And be it enacted by the authority aforesaid that after the appointment of the aforesaid Medical Board, no person not already a practitioner of medicine or surgery within this State shall be allowed to practice in either of the said branches and receive payment for his services, without first having obtained a license certified as by this law

directed under the penalty of fifty dollars for each case in which he shall so practice or prescribe to be recovered in the ~~County~~ of General Quarter Sessions of the peace and gaol delivery Court, where the offence is committed by ~~bill of presentment and~~ indictment one half for the use of the faculty ~~and the other for that of the informer~~ Provided that nothing herein contained shall extend to prohibit any person during his actual residence in any other ~~of the United~~ State, and who by the laws of the State wherein he ~~dwells~~ may reside is authorized to practice physic or surgery ~~is not prohibited~~ from practising in this State within fifteen miles from the residence of such practitioner, and provided always that it shall and may be lawful for any person resident as aforesaid when specially sent for to come into any part of this State and administer and prescribe medicine or perform any kind of surgical operation for the relief of such to whom assistance they may be sent for.

A supplement to the act entitled "An act more effectually to prevent the profanation of the Lord's day, commonly called Sunday."

In Senate Jan. 13 read

14 read 2d time

Feb. 1. read 3 time by paragraphs in order to pass, and on motion postponed until the next January session of the General Assembly.

Crosley Allen, Clk

A Supplement to the act, entitled "An act more effectually to prevent the profanation of the Lords day, commonly called Sunday". —

Sect. 1. Be it enacted, by the Senate, and House of Representatives of the State of Delaware in General Assembly met. That from and after the first day of May next ~~[illegible]~~ If any Carrier, Hacker, waggoner, or any driver of any traveling stage-waggon, or coacher, carter, butcher, or drover, with any horse, pack, waggon, stage, coacher, cart, or drove, whether the property of himself, or any other person, except as is excepted by the first section of the act to which this is a supplement, shall travel or drive upon the Lords day; and shall thereof be duly convicted according to the provisions of the first section of the act to which this is a supplement. The Person, or Persons so offending, shall for every such offence, forfeit, and pay the sum of Ten dollars, shall be stopped, and detained with any such horse, pack, stage, coacher, waggon, cart, or drove, and upon

refusal, or inability to pay ~~them~~ the said fine with legal costs, shall be made to suffer the pains, and penalties inflicted by the second section of the act to which this is a supplement. any thing in the said act contained to the contrary notwithstanding. —

Sct. 2. And be it enacted, that all fines, and forfeitures incurred, and collected under this act, or the act to which this is a supplement, shall be applied one moiety thereof to the informer, or to the informers by whose evidence the offender, or offenders shall be convicted; and the other moiety thereof to the use of the Poor of the County where the offence shall be committed.

Sct. 3 And be it enacted, that so much of the act to which this is a supplement, as is by this act altered, amended, or supplied; be and the same is hereby repealed.

An Act to Incorporate Union School in New Castle County and for other purposes

22 Jany 1812 read 1st
23 " " read 2^d
28 " " read a third time & passed

Wm Hanna J. Barratt Clk

Sent for con:
In Senate Jan 29 read 3^d time
Feb. 4 was taken up for 3^d reading in order to pass, and postponed until the next session of the G.A.

C. Allen Clk

An Act to incorporate Union School, in New Castle County, and for other purposes.

In Senate Jany 25, 1814 read
26. read 2^d time & rejected on the reading of the first section.

cf ch 43, 1815 - Laws v. 5, p. 68

An Act to Incorporate "Union School" in ~~the County of Newcastle~~, Newcastle County and for other purposes.—

Whereas a certain Christopher Willet of the Hundred and County of Newcastle in the year of our Lord One Thousand seven hundred and ninety eight died seized of a certain Log House and Lot containing about half an Acre of ground lying on the Road leading from Newcastle to the Red Lion Inn and being about four Miles distant from the first named place without having executed any last will and Testament and without any Heirs or any known kindred who could inherit the same which said House and Lot escheated to the State of Delaware was taken into possession by the said Escheator according to the form and effect of the Act of Assembly in such case made & provided.

Sect: 1 Be it therefore enacted, that the Fee Simple of the said House and Lot be vested in the Trustees hereinafter named and their Successors forever, for the use of the said "Union School."—

Sect: 2. And be it enacted, That Samuel Moore, Hugh Gemmill Samuel Nivin, Jacob Ellville Ebenezer Morton and Abraham Forster shall be and they are hereby constituted a Body politick and Corporate by the name of the Trustees of the "Union School" in the County of New Castle

and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be impleaded in any Court of Law or Equity.

Sect 3. And be it enacted That the said Trustees & their successors by the name aforesaid shall be capable in Law to purchase receive and hold any lands tenements rents goods & chattels which shall be given conveyed or devised to them for the use of the said School and to sell rent & dispose of the same in such manner as shall seem to them most beneficial to the said School.

Sect 4. And be it enacted That the said Trustees or any three of them shall have power from time to time to make and establish such By-laws rules & ordinances ~~not contrary to the laws & ordinances~~ not contrary to the laws and constitution of this State as they shall judge necessary and proper for the good government of the said School, and to appoint a President Secretary Tutor or Tutors and Treasurer, the last of whom shall receive all monies accruing to the said School and property delivered to his care and pay or deliver the same as the order of the said Trustees. The said Treasurer before he enters on the duties of his office shall give bond and security in such sum as the Trustees shall direct, to them and their successors conditioned for the faithful discharge of the duties trust reposed in him, and that he will when required by the said Trustees, render

a true and just account of all ~~goods~~ moneys goods & chattels received by him on account of and for the use of the said School - which Treasurer shall receive such compensation for his services as the Trustees for the time being may think proper.-

Sect: 5: And be it further enacted, that the said Trustees & their Successors shall have power to take and receive subscriptions to the use and for the benefit of the said School: and in case any person shall fail to comply with his or her subscription, to enforce the payment of the same.- And in case of the Death Resignation or other legal disability of any of the Trustees herein named or of their Successors the vacancy thereby occasioned shall be supplied by the remaining Trustees.

Petition &c.
Union School
New Castle County

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met, The Petition of the Subscribers Citizens of the Hundred aforesaid County of Newcastle in the said State, respectfully represents, That a certain Christopher Willet of the hundred and County of Newcastle now deceased was in his life seized of a certain lot or piece of land situate in the hundred aforesaid containing about half an Acre, lying on the Road leading from Newcastle to the Red Lion Inn, and being about four miles distance from the former place, on which lot or piece of ground there was erected a small log house. - That the above named Christopher Willet departed this life about the year 1793, seized of the said log house and lot without having made any last will & Testament, and without Heirs or any known kindred, who could inherit the said property; That the said House and lot sometime in or about the year 1837 was taken into Inspection by the late John Hall Esq. then Escheator in and for Newcastle County, according to the form and effect of the Act of Assembly in such case made and provided, and rented by him to different tenants until the year 1810, when the House became untenantable, and was left by the then tenant. In this unknown condition, about in the month of December in the said year, the House was rented

by the ap.d Escheator to your Petitioners, and by them appropriated to the accommodation of a School, the rent for the said house to be accounted out the repairs which your Petitioners undertook to do to the said House. That the rent agreed upon was fixed at $5.00 and that in conformity to the said agreement your Petitioners expended upwards of Fifty --- Dollars in the repairs of the said House, so that they are now largely in advance to the said Escheator, who is now deceased without having left any minute of the above agreement which was merely a verbal one. That the said house is in a situation where a School is much wanted, in a thickly settled neighbourhood, and very advantageously placed for such a purpose. Your Petitioners therefore pray that a Law may be enacted to vest the said House and lot in Six Trustees (resident in the said neighbourhood) and in their successors by the name of the Trustees of the Union School. And &c:

Hugh Gemmell

Isaac Grantham

Samuel Stein

Jacob Belville

Alex.r Jimister

Ebenezer Morton

Union School in
New Castle County
Road White Mobee
14 Road

David Reeves

An Act authorizing the sale of the real estate of William Workman, deceased

H. of Rep.
Jan. 10th 1814. Read 1st time,
— 12. — Read 2d. time.
— 26. — Read 3d. time by paragraphs and Passed
Sent for con. S. G. Brinckle Clk
In Senate Jan. 27 read
28th read 2d time

Feb. 3, taken up for a third reading by paragraphs in order to pass the Senate, and unanimously rejected P. Allen, Clk

0168

An Act authorizing the Sale of the Real Estate of William Workman deceased

Section 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That it shall and may be lawful for the Orphans Court when sitting in the County of Newcastle upon Application to it made by Rebecca Workman widow of William Workman late of the City of Philadelphia deceased, Robert Black Husband of Rebecca Black late Rebecca Workman Administrator and Guardian of Jarnetta, Elizabeth Mary and Rebecca children of the said Robert Black and the said Rebecca his wife, and Samuel Workman and Jannetta Workman children of the said William Workman deceased, to order and direct the sale of the Real Estate of the said William Workman situate in the County of Newcastle in the manner as the said Orphans Court now direct the sale of the Real Estates of Intestates by the Laws of this State for the payment of Debts –

Section 2d. And be it further enacted by the

authority aforesaid that the said Orphans Court shall, and may upon the return of the said Sale being made and approved of by the said Court order and direct such person or persons as they shall have appointed to make such sale, and receive the proceeds thereof, order to pay over and distribute the money arising from the said sale according to the provisions and directions contained in the ~~said~~ bill of the said William Workman.-

An act to vest the title of a certain house and lot of land in the town of Newbastle in Michael Woolston.

H. of Rep's
Jan. 28. 1814. Read.
Feb. 1. — Read 2d. time
— 11. — Read 3d. time by paragraphs and Rejected.
J. G. Brinckle Clk

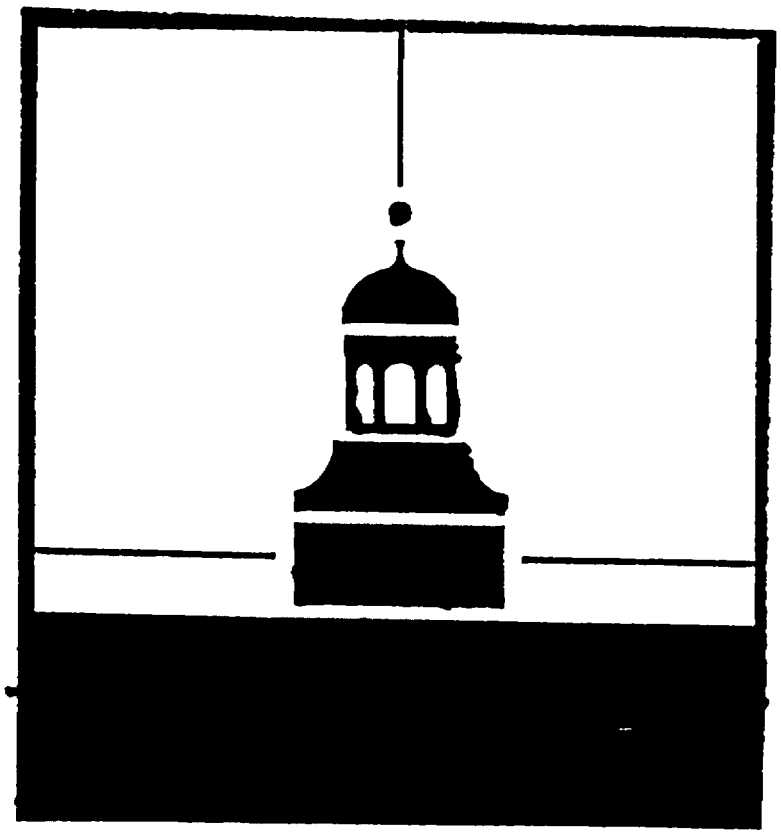
Sent up for concurrence

An Act to vest the title of a certain house and lot of land in the town of Newcastle in Michael Woolston.

Whereas it has been represented to this General Assembly by the petition of Michael Woolston that a certain house and lot of land situate in the town of Newcastle in the County of Newcastle, now in the tenure and occupation of a certain William Irwin late the property of Robert McSherrin deceased hath escheated and become the property of the State by reason of the said Robert McSherrin's dying intestate without heirs or any known kindred; and that the said Robert McSherrin in his last sickness did declare his intention, in the presence of witnesses, to devise the said premises to the said Michael Woolston, but died without executing any will.

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

lot of land aforesaid be and the same are hereby granted to the said Michael Woolston his heirs and assigns for ever, always, and not intending hereby to affect the rights of any other person or persons of in or to the said premises.



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1814 Jan. - Feb. Legislative Communications

0174

The hon. The Speaker of the House
of Representatives
of the State of Delaware

Lieut. to the Governor from
the Gov.'s Secy. of State

Sir,

Pursuant to a resolution of the Senate and House of Representatives of the State of Delaware adopted in General Assembly held in January last, I made an Index to the fourth volume of the Laws of Delaware and caused eighteen number of this volume to be bound. Of these, I have delivered one to the Governor, one to the Chancellor, one to each of the Clerks of the Supreme Court and Prothonotaries of this State, for the use of the Courts in the Counties in which they reside, three to the Senate and three to the house of Representatives of this State, and one I have transmitted to the Secretary of State for the United States, for the use of Congress; three remain in the Office of the Secretary of this State.

I am, Sir, very respectfully

Yours obedt. Servt.
Willard Hall
Dover 11 Jan 1814

The hon. The Speaker of the
House of Representative.

0178

Letter from the Secretary of State

The Hon. the Speaker of the Senate
of the State of Delaware

Sir,

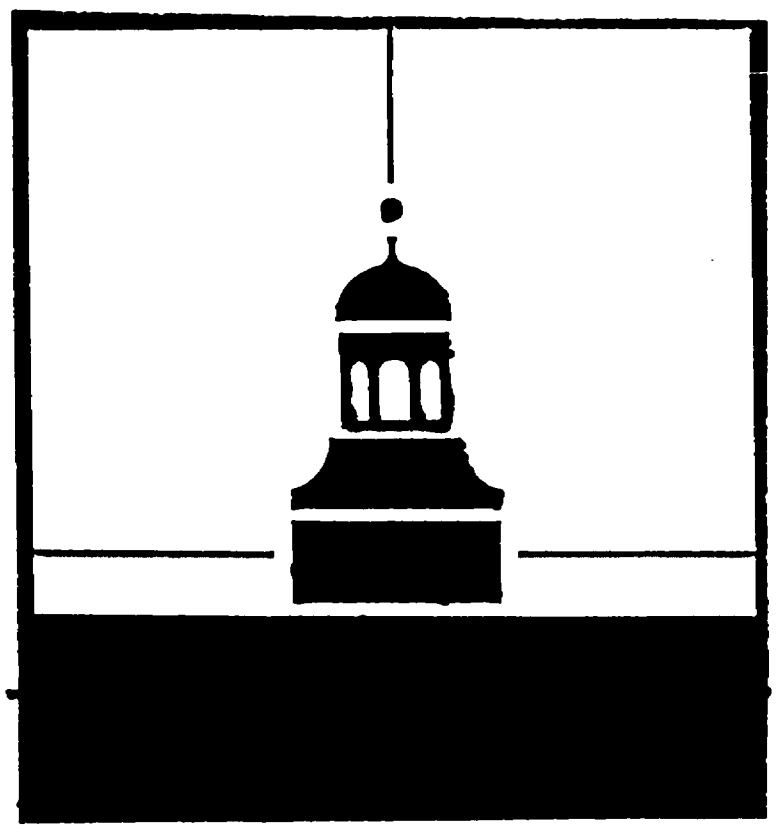
Pursuant to a resolution of the honourable the Senate and House of Representatives of the State of Delaware adopted in General Assembly held in January last, I made an Index to the fourth volume of the Laws of Delaware and caused eighteen number of that volume to be bound. Of these, I have delivered one to the Governor, one to the chancellor, one to each of the Clerks of the Supreme Court, & Prothonotaries, in this State, for the use of the Courts of the Counties, in which they respectively reside, three to the Senate and three to the house of Representatives of this State, and one I have transmitted to the Secretary of State for the United States, for the use of Congress; three remain in the Secretary's office, of this State.

I am, Sir, very respectfully,

your obed.t Serv.t Willard Hall

Secretary's Office - Dover. 11 Jan 1814

The hon. the Speaker of the Senate.



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1814 Jan. - Feb. Legislative Governor's Message

Gentlemen of the Senate and of
the House of Representatives —

Called to the Chief Magi=
=stracy of the State at this time of public difficulty, by the
voice of my Country — I feel the Obligation imposed upon
me, and am sensible of the gratitude due to my fellow
Citizens — In addition to their favor, and partiality, I have
to ask of them, and of you Gentlemen, a liberal indulgence
for such mistakes as may arise, either from the peculiar cir=
=cumstances in which we are placed, or from a misapprehension
of the Public Welfare —

In relation to the War in which we
are engaged it may be observed, that whatever dangers or dis=
=tress may befal us — whatever embarrassments may ensue from
the Novel and critical situation of the Country — it should be
remembered, that such dangers and embarrassments, will not
always be within the controul of the administration, nor with
=in the means of the State to prevent — Similar in Regard to our
Resources, We must look for protection, support, and relief to
the Government of the United States — On Congress is imposed the
duty, and to them is given the authority, of providing for the
Common Defence; and it is both hoped and expected, that the
States will be prepared, to meet any invasion, or hostile attempts
which may be made on our shores, ~~or Invasion~~ the ensuing
Season — At the same time my earnest ~~endeavors~~ exertions shall not be
Wanting, to employ in the most effectual manner, according to
the provision of the Laws — the Power and Energy of the State,
in Repelling the enemy, and in the Protection of our fellow
Citizens —

The most fatal calamities attendant on Republicks, spring from Party Struggles and from ~~Foreign~~ partialities to Foreign Nations — produced without a cause, and resting on no Rational Foundation — It is a political truth, Universal, and I believe without exception, that Nations never Love each other, and that they are just — in proportion to the Advantages they derive from Justice — If we consult the History of the ancient = ent republics of Greece, or the most powerful Republic of Rome, we shall find innumerable instances of their perfidy, under the Guise of Love and Friendship — And perhaps not a single case of disinterested Generosity — The former indeed sub= = mitted to the intrigues, and unbounded professions, of the cunning and yet ambitious Philip, of Macedon — The latter succeeded as much by her Arts as her Arms, in forging chains for the Nations of the Earth, and in Obtaining Universal Dominion

In Modern times our own Knowledge affords a sad confir= = mation of the Truth of Ancient History — The examples which Europe and the East furnish, of the Annihilation of the Weaker Governments, and the Subjugation of the Strong, by their more potent allies, and pretended Friends, should never be forgotten —

If it should be our Happiness to profit by the experience of others, and to learn Wisdom by their Misfortunes, we shall shun an alliance with an European Power — On this interesting Topick the advice of the Great Washington should ever be had in Remem= = brance, and it should dwell on our minds that the Patriots of our Revolution, who declared our right to assume among the Powers of the Earth, the separate and equal Station, to which the Laws of Nature, ~~and Nature's God~~ entitled us, Pledged

pledged their lives, their fortunes, and their Honor, to hold the rest of Mankind, Enemies in War, in Peace Friends — We exceed those bounds; if we unite our Destiny with any other Nation, if peace, or War, is made to depend upon the Ambition, Convenience, or Advantage, of any other State, Kingdom, or Empire — Then indeed shall we cast our happiness, and self Government, into the hands of those, who cannot, and will not, Feel for us in adversity, nor rejoice with us in prosperity.

In respect to our internal affairs, at this period of your Session it is not to be presumed, that I shou now in Office, should be prepared to propose many Measures for the good of the State — But considering how essential to our internal, improvements — Canals, drains, roads, and Bridges are, I submit to the Legislature the propriety of passing such General, or special Laws, as will promote and encourage those Objects — And as the safety ~~and~~ of our fellow citizens, and defence of our maritime boundary ~~the spring season~~ are of the highest importance, adequate and ~~permanent~~ suitable arrangements, should be made to meet the exigency of our Affairs —

The expences which we incurred, in our Military operations the last Spring, and Summer, and all other similar expences which may arise in the course of the war, ought to be sustained exclusively by the Federal Government — I therefore recommend to you Gentlemen, to make provision for keeping regular accounts, of all future disbursements, and for the preservation of those already made, or received, by the Commissioners heretofore appointed — I feel it incumbent on me to suggest to you, that application should be made to Congress, or to the President, for the Reimbursement of the last summers expenditures, and for such as may in future accrue — It is unreasonable that a section of the Union Exposed as we are, should be burthened exclusively, with repelling the attacks of the Enemy — We have heretofore

~~cheerfully~~

Chearfully bore our full proportion of the Charges of the General Government — and no one who knows the disposition of the people of this State, their attachment to the Constitution, and their patri=otic affection to their Fellow Citizens of the United States, will hesitate in believing, that they will acquiesce, in contributing their equal share, of all necessary Taxes, imposts, and Excises, imposed by Congress, both in War, and in Peace —

Should any Matters occur, proper for me to lay before you, during the remainder of your Session, they shall be made the Subject of a future communication — In the mean time I have no doubt, Gentlemen, your Labours will be directed, to the preservation of the Liberty, and the promotion of the Security, and Hap=pines of our Fellow Citizens; and in all your endeavours for the Public Good, I can assure you of my sincere and Zealous cooperation on all occasions requiring Executive Services

And Gentlemen, while with gratitude we ac=knowledge the many civil and religious blessings, we have enjoyed during a Peace of Thirty Years — Let us implore the favor of the Almighty Ruler of the Universe, to direct and assist us in this time of difficulty and War, and to enable us to procure a speedy, Honorable and Perma=nent Peace —

Dover Jany 18th 1814

Danl Rodney

11

Governor's Message

January 13, 1814

63

Fellow Citizens of the Senate
and of the House of Representatives,

I exhibit to you an Account shewing the sum, which pursuant to the fourth section of the Act of the General Assembly entitled "An Act providing for the general defence of the State of Delaware" I have drawn from the State Treasurer, and the manner and purposes, in and to which a portion of that sum has been applied. You will perceive, that the expenses, which I have defrayed amount to the sum of five hundred and forty eight dollars and thirty two cents. These expenses were incurred for the general defence of the State.

The Commissioners appointed by the sixth section of the abovementioned Act, by virtue of the authority vested in them by this Act, liquidated and settled the Accounts of persons having demands against this State for articles furnished and services rendered under my orders for the defence of the State. On the twenty seventh day of May last, they certified a statement of the Accounts, which they had liquidated, settled and passed. These amount to the sum of twenty five thousand, two hundred and eighty one dollars and thirty one cents. All the accounts have not been settled. The amount of those remaining unsettled, I believe to be not considerable. The aggregate of the expenses incurred for the defence of the State, which have been ascertained and defrayed, is twenty five thousand eight hundred and twenty nine dollars and sixty three cents.

This sum is exclusive of the expenses incurred by this State in purchasing arms and equipments for the quota of Militia detached pursuant to the requisition of the President of the United States. The entire sum

has been expended for the defence of the State against the common enemy of the United States. The territory of this State is small and its funds are very limited. Its situation exposes it to the enemy. I consider, that justice requires, that the United States should reimburse to this State, the sum, which it has thus expended for its defence against the common enemy; I can have no doubt, that the congress of the United States would deem this equitable and proper; and I submit to you the propriety of requesting our Representatives in congress to lay the claim before that honourable body.

Joseph Haslet

Governor's Message.

H. of Rep:
Jan. 13. 1814. Read.

0189

Fellow citizens of the Senate
and of the House of Representatives,

I exhibit to you an Account shewing the sum, which pursuant to the fourth section of the Act of the General Assembly entitled "An Act providing for the general defence of the State of Delaware" I have drawn from the State Treasurer, and the manner and purposes, in and to which a portion of that sum has been applied. You will perceive, that the expenses, which I have defrayed, amount to the sum of five hundred and forty eight dollars and thirty two cents. These expenses were incurred for the general defence of this State.

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This sum is exclusive of the expenses incurred by this State in purchasing arms and equipments for the quota of Militia de-
tached

tached pursuant to the requisition of the President of the United States. The entire sum has been expended for the defence of this State against the common enemy of the United States. The territory of this State is small and its funds are very limited. Its situation is exposed to the enemy. I consider that justice requires, that the United States should reimburse to this State, the sum which it has thus expended for its defence against the common enemy. I can have no doubt, that the congress of the United States would deem this equitable and proper; and I submit to you the propriety of requesting our Representatives in congress to lay the claim before that honourable body.

Joseph Haslet

Fellow citizens of the Senate
and of the House of Representatives,

Events the most extraordinary mark the age, in which we live. The horrors of war have visited every part of the civilized world, and all the powers of the nations of the earth are employed to cover it with wretchedness and ruin. The moderation and forbearance of the government of this country could not exempt it from this general calamity. While we are consoled with the reflection, that the war is just and necessary, that it was undertaken not to wrest from others their privileges but to maintain our own, we have the satisfaction to know, that if the conciliatory disposition manifested by the general government should fail of their object, the resources of our country and the spirit of its citizens are adequate to meet any events, which may occur, and to conduct the war by a vigorous prosecution of it to a happy and honourable termination. Our nation is blessed with plenty. The arts flourish. The wealth and enterprise heretofore engaged in commercial pursuits have been directed to the prosecution of agriculture and manufacture, & have thus laid a lasting foundation of prosperity and independence.

The possibility, that the war may continue through the present year will call you to a consideration of the means, which the peculiarly exposed situation of this State requires should be adopted for its defence and protection. The Militia must be our principal defence. The laws organizing the Militia deserve your attention. Whether these are not susceptible of improvements ~~des~~ is submitted to your determination.

The unanimity, which has every where manifested itself in this State respecting all measures for the common defence, has been in the highest degree grateful. Before this subject all party distinctions have disappeared, and the only inquiry has been, what do the honour and safety of our state demand?

By the Act of Congress entitled "An Act to lay and collect "a direct tax within the United States" approved August 2 1813, the proportion of this State of that tax is thus apportioned among the several counties - viz: on the county of Newcastle twelve thousand two hundred and eight dollars and

eight cents, on the county of Kent ten thousand six hundred eighty two dollars and seven cents and on the county of Sussex nine thousand, one hundred fifty six dollars and six cents. By the sixth section of this Act it is provided, that each State may vary by an Act of its legislature the respective quotas imposed on its several counties; and the seventh section of the Act provides, that each State may pay its quota into the treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum if paid before the ~~fi~~ tenth day of February next and of ten per centum, if paid before the first day of May next it being required that notice of the intention of such payment should be given to the Secretary of the Treasury one month prior to the making of the same. I lay this Act before you.

I submit to you the propriety of this State's availing itself of the terms offered by the above act for the payment into the treasury of the United States of its quota of the tax. The burden upon our citizens will in such case be considerably diminished. You will be enabled to devise the mode of raising the sum thus to be paid, so that it may be obtained with the least possible inconvenience to our citizens and the expense of the assessments, which will be necessary in order for the collection of the tax under the Act of congress will be saved.

The importance of education in a republican government is universally acknowledged. In this government all the citizens have equal rights and are under equal obligations. Education confers the power of exercising these rights and discharging these obligations to the greatest benefit of the individual and of the community. Good schools cannot be extensively established without public assistance. I submit it to your consideration, whether a ~~proste~~ portion of the income of the school fund could not be usefully employed in establishing schools in the different neighbourhoods of the State for limited periods in each year. Such a system would be attended with most important advantages, and in carrying it into effect the legislature might confidently

rely upon contributions of the neighbourhood in which schools should be established, which would be increased as the benefits of the system became better known and more sensibly felt.

The conditions of Bonds to be taken from Executors, and administrators upon the granting of letters testamentary, and letters of administration appear not to be so comprehensive as the nature of the cases requires. These conditions, the forms of which are prescribed by our Act of Assembly, concern only goods and chattels, rights and credits of the deceased, and if an Executor or administrator account for such goods and chattels, rights and credits and distribute the balance appearing on such account, it appears, he will thus perform the condition of his bond. But an executor or administrator frequently receives the rents and profits of the real Estate of the deceased for several years. A division of the real Estate of an intestate, unless a refunding bond be given for the benefit of an administrator, is required, cannot be confirmed. An Executor or administrator may also sell lands of the deceased under an order of the orphans Court. It is considered, that the bond of an executor or administrator, as the condition is now expressed, is no security for an account either of the rents and profits of the real Estate of the deceased, or of the proceeds of the sales of Real Estate under the order of the Orphans Court. You will determine, whether an alteration as to the present prescribed form of the conditions of these bonds shall be made so as to comprehend the rents and profits and the proceeds of sales of Real Estate. It may also be worthy of inquiry, whether it is not expedient to provide, that a sale made by an Executor or administrator by virtue of an order of the Orphans Court shall so operate as that a purchaser shall take the estate sold free from all judgments and recognizances suffered or entered into by the deceased in his life time: It is understood, that as the law is now established, the purchaser takes the Estate bound by the judgments against the deceased; this may have a tendency to embarrass sales, in cases, in which the interest of the deceased's Estate requires such sales to be made.

I have in former messages recommended to the legislature a revisal of the criminal code, the establishment of a State penitentiary, and legal provision for electing constables by the people. Reflection has confirmed the opinions, which I have expressed, on these subjects.

I have received and shall deliver to you certain Acts of the Legislatures of the several States, and journals of the House of Representatives and Senate of the United States.

I shall exhibit to you an account shewing all sums drawn from the State Treasury by virtue of the Act of the General Assembly of this State entitled "An Act providing for the general defence of the State of Delaware" passed at the session in April last.

The term of my office being about to expire, I avail myself of this opportunity to renew, through you, to my fellow citizens the assurance of my gratitude for their confidence expressed by electing me the chief Magistrate of this State. It has been my earnest desire and the object of my constant exertions to answer this confidence. The situation of our country and particularly of this State through the last year has rendered the duties of my office unusually difficult and embarrassing. In all my actions I have been solicitous for the honour of the State and the welfare of its citizens. That my administration has been free from error or that it has been universally satisfactory it would be presumption to hope. My errors, whatever they have been, have been unintentional; I have never failed, through want of inclination, to discharge the duties of my office with fidelity. It is ever has been and will be my prayer, that the prosperity of the State of Delaware may be perpetual.

Joseph Haslet

Governor's Message and other papers
5th January 1810

Governor's Message
15. Jan. 1814. Read.

59

0198

Fellow Citizens of the Senate
and of the House of Representatives,

Events the most extraordinary mark the age, in which we live. The horrors of war have visited every part of the civilized world and all the powers of the nations of the earth are employed to cover it with wretchedness and ruin. The moderation and forbearance of the government of our country could not exempt it from this general calamity. While we are consoled with the reflection, that the war is just and necessary, that it was undertaken not to wrest from others their privileges, but to maintain our own, we have the satisfaction to know, that if the conciliatory dispositions manifested by the general Government should fail of their object, the resources of this nation and the spirit of its citizens are adequate to meet any events, which may occur, and to conduct the war by a vigorous prosecution of it to a happy and honourable termination. Our country is blessed with plenty. The arts flourish. The wealth and enterprise heretofore engaged in commercial pursuits have been directed to the prosecution of agriculture and manufactures, and have thus laid a lasting foundation of prosperity and independence.

The possibility, that the war may continue through the present year will call you to a consideration of the means, which the peculiarly exposed situation of this state requires, should be adopted for its protection. The Militia must be our principal dependence. The laws organizing the Militia deserve your attention. Whether these are not susceptible of improvements is submitted to your determination.

The unanimity, which has every where manifested itself in this state respecting all measures for the common defence, has been in the highest degree grateful. Before this subject all party distinctions have disappeared and the only inquiry has been, what do the honour and safety of our state demand?

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ten thousand six hundred eighty two dollars and seven cents, on the county of Sussex nine thousand one hundred fifty six dollars and six cents. By the sixth section of this act it is provided that each state may vary by an act of its legislature the respective quotas imposed on its several counties; and the seventh section of the act provides, that each state may pay its quota into the treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum if paid before the tenth day of February next and of ten per centum, if paid before the first day of May next. it being required, that notice of the intention of such payment should be given to the Secretary of the Treasury one month prior to the making thereof. I lay this Act before you.

I submit to you the propriety of this state availing itself of the terms offered by the above act for the payment of its quota of the tax. The burden upon our citizens will in such case be considerably diminished; you will be enabled to devise a mode of raising the sum thus to be paid; so that it may be obtained with the least possible inconvenience to our citizens, & the expense of the assessments, which will be necessary in order for the collection of the tax under the act of Congress will be saved.

The importance of education ~~education~~ in a republican government is universally acknowledged. In this government all the citizens have equal rights and are under equal obligations. Education confers the powers of exercising these rights and discharging these obligations to the greatest benefit of the individuals and of the community. Good Schools cannot be extensively established without public assistance. I submit it to your consideration whether a portion of the income of the School fund could not be usefully employed in establishing Schools in the different neighbourhoods of the State for limited periods in each year. Such a system would be attended with most important advantages, and in carrying it into effect the legislature might confidently rely upon contributions of the neighbourhoods in which schools should be established, which would be increased as the benefits of the system become better known and more sensibly felt.

The conditions of Bonds ~~take~~ taken from Executors, and administrators upon the granting of letters testamentary or letters of administration appear not to be so comprehensive as the nature of the cases requires. These conditions, the forms of which are prescribed by Acts of Assembly, concern only goods and chattels, rights and credits of the deceased, and if an Executor or administrator account for such goods and chattels, rights and credits and distribute the balance appearing on such account, it appears he will thus perform the condition of his Bond; but an Executor or administrator frequently receives the rents and profits of the Real Estate of the deceased for several years, the division of the Real Estate of an intestate, unless a refunding bond be given for the benefit of the administrator, if required, can not be compelled. An Executor or administrator may also sell Lands of the deceased under an order of the Orphans Court. It is considered that the bond of an Executor or administrator, as the condition is now expressed, is no security for an account either of the rents and profits or the proceeds of the sales of the Real Estate of the deceased. You will determine, whether an alteration as to the present prescribed form of the condition, of these bonds shall be made so as to comprehend rents & profits and the proceeds of sales of real Estate. It may also be worthy of inquiry, whether it is not expedient to provide, that a sale made by an executor or administrator by virtue of an order of the Orphans Court shall so operate as that a purchaser shall take the Estate sold free from all Judgments and recognizances suffered or entered into by the deceased in his life time. It is understood, that as the law is now established, the purchaser takes the Estate bound by the Judgments against the deceased. This may have a tendency to embarrass sales, in cases in which the

interest of the deceased's Estate requires such sales to be made.

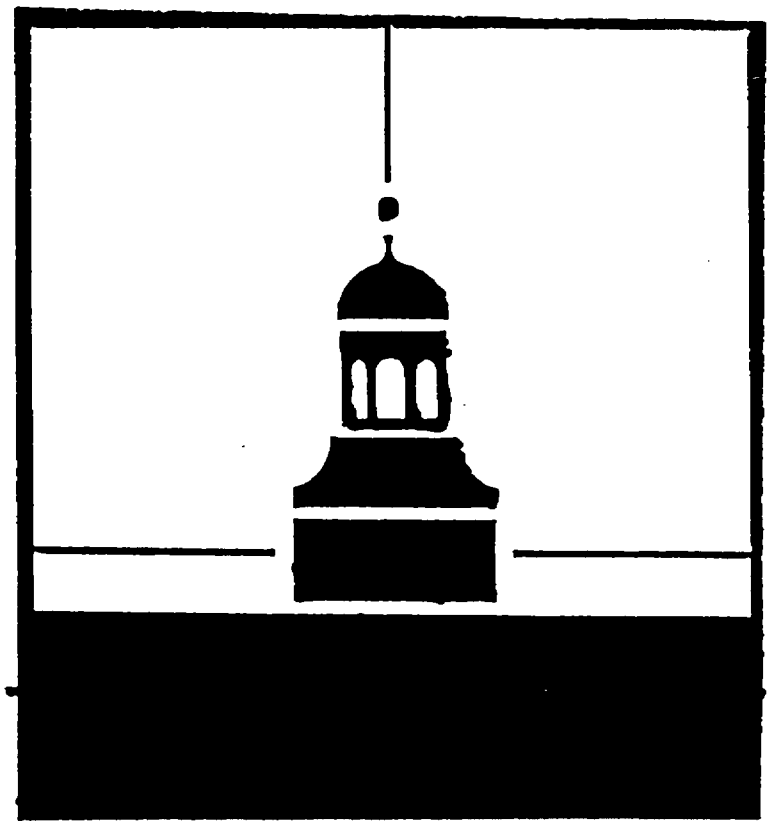
I have in former messages recommended to the legislature a revisal of the criminal code, the establishment of a State penitentiary, and legal provision for electing constables by the people. Reflection has confirmed the opinions, which I have expressed on these subjects.

I have received & shall deliver to you certain Acts of the legislatures of several States and journals of the house of Representatives & Senate of the United States.

I shall exhibit to you an account shewing all sums drawn from the State Treasury by virtue of the Act of the General Assembly of this State entitled "An Act providing for the general defence of the State of Delaware" - passed at the session in April last.

The term of my office being about to expire, I avail myself of this opportunity to renew, through you, to my fellow citizens, the assurance of my gratitude for their confidence expressed by electing me the chief magistrate of this State. It has been my earnest desire and the object of my constant exertions, to answer this confidence. The situation of our country and particularly of this State through the last year has rendered the duties of my office unusually difficult and embarrassing. In all my actions, I have been solicitous for the honour of the State and the welfare of its citizens. That my administration has been free from error or universally satisfactory, it would be presumption to hope. My errors, whatever they have been, have been unintentional. I have never failed through want of inclination, to perform the duties of my office with fidelity. It ever has been and will be my prayer, that the prosperity of the State of Delaware, may be perpetual.

Joseph Haslet



END FILE

1814 Jan. - Feb. Legislative Petitions - Education

Petition to incorporate the Brandywine Academy.

H. of Reps.
Jan. 11th 1814. Read and referred to Messrs Williamson, Clark and Polk.

Petition to Incorporate the Brandywine ~~Acad~~ Academye
H. of Reps
Jan 11th 1814
Read and referred to Messrs Williamson Clark & Polk

January the 6th 1814

To the Senate and House of Representatives of the State of Delaware in General Assembly met —

This Petition of Sundry Inhabitants (near the Brandywine Bridge) In Brandywine Hundred in this State Respectfully Sheweth

That at Considerable Expence & Care there has been Erected and set up a large and Con=venient Stone School house, in the flourish=ing Village of Brandywine, and near the Brine Mills, at the head of the tide, in said Hundred

and that heretofore and at this Time there is kept & Teaching in said house two Schools a male & a Female, Containing Eighty or more of Scholars, who are taught the different branches of Literature and Needlework —

and that the Trustees having the oversight and Care of said Schools have at times Experien=ced difficultys in the Transaction of their du=ties Relative to the Schools from Want of an act of Incorporation or Charter for the Same —

Your petitioners therefore Request that a Law may be passed Incorporating the Trustees ~~and Inspectors~~ of said Schools ~~Trust~~, with suit=able powers to Enable them to manage the affairs Relating to the said Institution in such Law=full way as will be best adapted to promote the design or Intention of so Necessary and Usefull Institution for which you will Receive the good wishes of the Subscribers —

over

Thomas Beeson

Alexander Draper

Charles Salem

John Elliott

William Smith

James Smith

Thomas Vandeuter

Jacob Hooton

Thomas Lea

Edward Tatnall

James Price

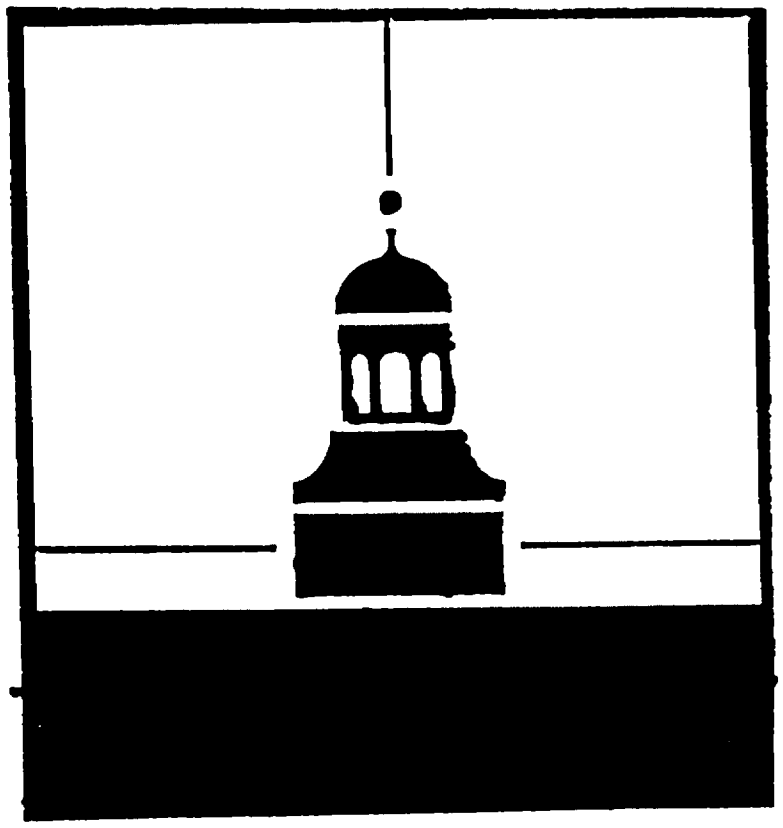
Parker Ashton

William Anderson

Thomas Leadbetter

James Carter

Joseph Shipley 16



END FILE

1814 Jan.-Feb. LEGISLATIVE PETITIONS - MISCELLANEOUS

Salt Springs petition

No. 4.

H. of Rep.
Jan. 25. 1814. Read & referred to Mess'rs Cullen Lewis & England.

Petitions
1814

Petition for Baltimore & others

39.

To The Honorable the Senate and House of Representatives of the State of Delaware in General Assembly Met —

The Petition of the Subscribers, Citizens of Sussex County, Humbly Sheweth, That the Beach on the sea Shore at the Lower end of Baltimore Hundred in said County Affords Salt Water of Great Strength, being from four to Six Times as Strong as that of the Ocean — from which Considerable Quantities of Salt have been made by the Citizens of the County — in times of Security of said Article — free from harm Molestation or hindrance from any Person whatsoever — And whereas, Certain Persons having Said Warrant on the most Productive parts of Said Beach, and Is said Obtained Patents for the Same, and who are Now endeavoring as it is understood to prohibit and prevent the Good Citizens of said County from Procuring Water; Altho it was stated by the Persons who have Taken up Said Beach at the time of Laying the Warrent or Warrents that was Only to prevent Foreigners and not to Bar the Citizens from Praving Water from said Beach — Your Petitioners Therefore humbly pray that your Honourable Body would Take the Subject into Consideration and Adopt such measures and Regulations in the Case as would enable them with other Citizens to Participate in so Greater Providential Blessing which particularly Appears to be given for the Good of All, free from harm or Molestation from any ones and your Petitioners as in Duty bound will Ever Pray &c

Subscribers Names	Subscribers Names

Subscribers Names

Jephtha Bredell

Wm Hall has signed only for the Barrels of Rum

Elias Jay

Jacob Clark

Jeremiah Mundwell

Chas. McHill

James Hill

William Powell

John Elles

Jabez Stevens

[illegible] Evans

Anthony Thompson

Nehemiah Hudson

Robert Hudson

Nehemiah Hudson

Ephrim Hudson

Philip Richards

John Hall

Samuel Hunter

Micajah Sumner

John Sumner

Wm. Hall

Thomas Dazey

William Hudson

Jaquish Hudson

Richard Jefferson

John Evans

Abraham Dazey

Moses Dazey

Samuel Taylor

George Johnson

Subscribers Names

William Richards

Elihu Bredell

Solomon Evans

mitchel Hudson

Parker Nichols

Peter Johnson

Thomas Smith Senr

Thomas Smith Junr

Petition of
Spencer Williams
for the condemnation
of land & cripple on waters
of Blackbird Creek in
Newcastle County.

6. January 1814. Read and
referred to Messrs Clark
Burton and Vandever.

0204

To the Honourable the General Assembly of the State of Delaware, now Sitting at Dover.

The Petition of Spencer Williams an Inhabitant of Kent county State aforesaid —

Humbly Sheweth, that whereas your Petitioner hath a very convenient Situation for erecting a Saw or Grist mills on the head waters of Blackbird creek in the county of Newcastle State of Delaware. and whereas he is unable to render his Situation advantageous to the publick by not being in Possession of a Small quantity of land & bridge adjoining whereon a dam might be fixed and where the pond must cover; Your Petitioner therefore prays the honorable the Legislature to grant leave to your Petitioner to bring in a bill, to be enacted into a law, for the condemnation of So much land and bridge as will be necessary for the above Purpose — and your Petitioner as in duty bound will ever Pray — Spencer Williams

January 6. 1814

Petition of the Stock=
holders of the Commercial
Bank praying a repeal
of the law imposing a
tax on their stock.

H. of Rep.
Jan. 11. 1814. Read and referred
to Mess'rs Stoughton, Hill
& Sutton.

To the Honourable the Senate and House of Representatives of the State of Delaware in General assembly met

The petition of the undersigned, Stock holders in the Commercial Bank of Delaware, Respectfully Represents to your Honourable Body, that since the passing of the law by the Legislature of this State, Incorporating the Bank aforesaid, by which a tax of one half p. Centum p. annum was imposed on the Capital Stock thereof great and important Changes have ~~been~~ been experienced, not only in this State, but in the United States, in consequence of the war in which we are engaged.

That in addition to the Commercial restrictions already felt, much greater are apprehended to be near at hand which taken into Consideration with the law of Congress imposes a heavy tax on all the Banks of the United States, and a Stamp duty on all paper passing in, or through the Banks, that is not of the nature of a Check, Cannot fail greatly to oppress, if not to Crush our infant Institution without Legislative Relief.

The public utility of the Banking System is now obvious to all, The great rise of lands, the improvements of our Villages, and farms, the happy union of the interest of the Merchant, Agriculturist, Mechanic, and Labourer, are arguments in favour of those Institutions, which carry conviction to the understanding of the good people of this State.

The undersigned, reposing Confidence in the justice and Wisdom of your Honourable Body, think it unnecessary to multiply arguments, to prove the justice of their Claims. They beg leave however to call the attention of your Honours to the just principle, that all taxes should

be as equal as possible; that the very large amount of Bonds and other debts due from Citizen to Citizen are exempted from taxes in this State; and also a large proportion of the Banking Capital thereof, That the law of Congress imposing a duty on Stamps is vastly more oppressive on Banks than other Capitals from the short loans and frequent renewals necessary for the security of those Institutions, This in addition to the tax on the Capital must be sufficiently burdensome on Banks without the additional tax of this State, and furnishes as your petitioners apprehends a strong ground for Relief.

The undersigned therefore prays your Honours to take their Case into your Serious Consideration, and grant us Relief, by Repealing that Section of the law of Incorporation of the Commercial Bank of Delaware at Smyrna and Milford by which a tax of one half per centum pr. annum, was imposed on the Capital Stock of said Banks, And your petitioners will pray &c

William Shockley
John Adams
John Williams
John Williams Son
Lowder Layton
Walter Sepple
Philip Hardcastle
Reuben Turner
Molton Rickards
John Wallace
Jacob Biddle

December 20th 1813.

Jno Mitchell
M W Rogers
Elias Shockley
Cutten Davis
Eas. Mitchell
Wm Satterfield
Sarah Maxwell
Samuel Blank
Samuel Neall

0218

Leonard Adkins
Joseph B. Sudler

Solomon Deputy
Purnal Hall
William Brinckle
Charles Watson
James Starr
Sally Sarden
Mary Shockley

0220

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met,—

The petition of the undersigned Stockholders in the Commercial Bank of Delaware, Respectfully represents to your honorable body, That since the passing of the law by the Legislature of this State, Incorporating the Bank &c. by which a tax of One half per Centum per Annum was imposed on the Capital Stock thereof; great and important changes have been experienced, not only in this State but in the United States, in Consequence of the War in which we are engaged;

That in addition to the Commercial Restrictions already felt, much greater are apprehended to be near at hand, which taken into Consideration with the Law of Congress, imposing a heavy tax on all the Banks of the United States, and a Stamp duty on all paper, passing in, or through the Banks; that is not of the nature of a Check, cannot fail greatly to oppress, if not to crush our infant Institution, without legislative relief.

The publick utility of the Banking System is

is now obvious to all, the great rise of lands, the the improvements of our Villages, and Farms, the happy union of Interest of the Merchant, Agri=cultorist, Mechanick, and laboring, are Argu=ments in favour of those Institutions, which car=ry Conviction to the understandings of the good people of this State, —

The undersigned reposing Confidence in the justice and wisdom of your Honorable Body, think it unnecessary to Multiply arguments to prove the justice of their Claims, They beg leave however to Call the Attention of your Honours, to the just principle, that all taxes should be as equal as possible, That a very large Amount of Bonds and other debts, due from Citizen to Citizen, are exempt from taxes in this State; and also a large portion of of the Banking Capital thereof. That the law of Congress, imposing a duty on Stamps, is vastly more oppressive on Banks than other Capital, from the short loans and frequent renewals, necessary for the security of those Institutions. This in addition to the tax on the Capital, must be sufficiently burden=some on Banks, without the additional tax of this State;

and

and furnishes as your petitioners apprehends a strong ground for relief

The undersigned therefore prays your Honors, to take their Case into serious Consideration and grant them relief, by repealing that Section of the law of Incorporation of the Commercial Bank of Delaware, at Smyrna & Milford, by which a tax of One half per Centum per Annum, was imposed on the Capital Stock of said Banks, And your petitioners will pray &c

James M Broom
John Ferris
Wm Collins
Geo: Witherspoon
Louis H Lane
" John Patterson
— " — "
William Robinson
Sam G McDowell

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly met —

The petition of the Undersigned Stockholders in the Commercial Bank of Delaware

Respectfully Represents

to your Honourable Body, that since the passing of the Law by the Legislature of this State, Incorporating the Bank aforesaid, by which a tax of one half Centum Annum was imposed on the Capital Stock thereof great and important changes and fluctuations have been Experienced, not only in this State, but in the United States, in consequence of the war in which we are Engaged.

That in addition to the Commercial Restrictions already felt, much Greater are Apprehended to be near at hand, which taken into Connection with the Law of Congress, imposing a heavy tax on all the Banks of the United States, and a stamp duty on all paper, passing in or through the Banks (that is not of the Nature of a Check) Cannot fail greatly to oppress, if not to Crush our Infant Institution, without legislative Relief.

The Public utility of the Banking System, is now Obvious to all, the great Increase of Lands the Improvement of our Villages and farms the Happy Union of Interest, to the Merchant, Agriculturist, Mechanick and Labourer, are Arguments in favour of those Institutions, which Carry Conviction, to the Understanding of the good People of this State.

The Undersigned Reposing Confidence in the Justice and Wisdom of your Honorable Body, think it unnecessary to Multiply Arguments to prove the Justice of their Claim, — they beg leave however to Call the Attention of your Honors, to the Just principle, that all taxes should be as Equal as possible, that the Very large Amount of Bonds and other debts due from Citizens, to Citizens, are Exempt from taxes in this State, and Also a Large proportion of the Banking Capital thereof. — That the law of Congress, Imposing a duty on Stamps, are Vastly more Oppressive on Banks than other Capital, from the Short loans and frequent Renewals, Necessary for the Security of those Institutions, this in Addition to the tax on the Capital, must be Unjustly burthensome on Banks, without the Additional tax from this State — and furnishes, as your petitioners Apprehend, a Strong Ground for Relief, . ——

The Undersigned therefore prays your Honors to take their Case into your Serious Consideration, and grant us Relief by Repealing that Section of the Law of Incorporation, of the Commercial Bank of Delaware at Smyrna & Milford, by which a tax of one half Percentum Annum was Imposed on the Capital Stock of said Banks.

And your Petitioners will pray &c ——

Rumsey
Christopher Vandegrift
Wm. H. Corbit
Sam.l Pennington
George Clark
Henry Burton
Jno. Jo

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met.

The petition of the undersigned Stockholders in the Commercial Bank of Delaware, Respectfully represents to your Honorable Body, That since the passing of the law by the Legislature of this State, incorporating the Bank aforesaid, by which a tax of one half per centum per annum was imposed on the Capital Stock thereof, great and important changes have been experienced, not only in this State, but in the United States, in consequence of the war in which we are engaged.

That in addition to the commercial restrictions already felt, much greater are apprehended to be near at hand, which taken into consideration with the law of Congress, imposing a direct tax on all the Banks of the United States, and a stamp duty on all paper passing in, or through the Banks; that is not of the nature of a check, cannot fail greatly to oppress, if not to crush an infant Institution without legislative relief.

The public utility of the Banking system is now obvious to all. The great lis of lands, the improvements of our villages and farms, the happy union of interest of the Merchant, agriculturist, mechanic, and labourer, are arguments in favour of those institutions, which carry conviction to the understandings of the good people of this State.

The undersigned, reposing confidence in the justice and wisdom of your Honorable Body think it unnecessary to multiply arguments to prove the justice of their claims. They beg leave however

to call the attention of your Honours, to the just principle that all taxes should be as equal as possible. That a large amount of bonds and other debts, due from Citizen to Citizen, are exempt from taxes in this State, and also a large portion of the Banking capital thereof. That the law of Congress, imposing a duty on stamps, is vastly more oppressive on Banks than other Capital from the short loans and frequent renewals necessary for the security of those Institutions. This in addition to the tax on the Capital must be sufficiently burdensome on Banks without the additional tax of this State, and furnishes as your petitioners apprehends a strong ground for relief.

The undersigned therefore pray your Honours to take their case into your serious consideration and grant them relief by repealing that section of the law of Incorporation of the Commercial Bank of Delaware, at Smyrna and Milford, by which a tax of one half per centum per annum was imposed on the Capital Stock of said Banks, And your petitioners will pray &c

John Clark
John Cummins
Leonard Degrift
John Lowber
Robert Patterson
Isaac Davis
P. Spruance Jr
Geo Walker
Joseph G. Loudan

Kennedy
E Needham
Benj. Coombe
Richd Van Dyke
Parker Cox
Jasper P. Mansfield
Jacob Raymond
Timothy Cummins
Thomas Rothwell
John Clark
Enoch Spruance

Subscribers for the
Heirs of Geo Kimmadee

Henry Hoffecker
Benjamin Hazel
Charlotte Lowery
Sobey Cummins
Abraham Pierce

Petition of the Farmers & Mechanics Bank praying a repeal of the tax on its stock

H. of Rep.
Jan. 20. 1814. Read & refer.d to the com. to whom was ref.d the petition of the Commercial Bank.

0288

To the Honourable,

the Senate and house of Representatives of the state of Delaware in General Assembly Met.

The Petition of the Undersigned Stockholders in the Farmers & Mechanics Bank of Delaware. Respectfully represents to your Honourable Body, that since the passing of the Law by the Legislature of this state Incorporating the aforesaid Bank, by which a tax of one half per Centum per Annum was imposed on the Capital Stock thereof, great and important Changes have been experienced Not only in this state but in the United States, in Consequence of the War in which we are engaged.

That in addition to the Commercial Restrictions already felt, much greater are Apprehended to be near at hand which taken into Consideration with the Law of Congress. Imposing a heavy tax on all Banks of the United States and a Stamp duty on all Paper passing in or through the Bank that is not of the nature of a Check, Cannot fail to oppress if not Crush our infant Institutions without Legislative Relief.

The public utility of the Banking System is now obvious to all, the great rise of lands, the improvements of our Villages and farms, the happy Union of Interest of the Merchant, Agriculturist, Mechanic and Labourer are Arguments in favour of those Institutions which Carry Conviction to the understanding of the people of the good of this state.

The Undersigned Reposing Confidence in the Justice and wisdom of your Honourable Body think it unnecessary

To multiply Arguments to prove the Justice of their Claims. they beg leave however to call the Attention of your Honours to the Just principles that all taxes should be as equal as possible, that the very large amount of bonds and other debts due from Citizen to Citizen are exempt from taxes in this State, and also a large proportion of the Banking Capitals thereof, that the law of Congress imposing a duty on Stamps is vastly more oppressive on Banks than other Capitals from the short loans and frequent renewals necessary for the security of those Institutions this in addition to the tax on the Capitals must be sufficiently Burdensome on Banks, without the additional tax of this State. and furnishes as your Petitioners apprehends a strong ground for Relief

the undersigned therefore pray your Honours to take their Case into your serious Consideration and grant us Relief by repealing that section of the law of Incorporation of the Farmers & Mechanics Bank of Delaware at Laurel by which a tax of one half per Centum per annum was imposed on the Capital Stocks of said Bank

And your Petitioners will pray &c

Matthew Hosea

James Dirickson
Mo Kelly
Kendall McLewis
[illegible]
Ephraim Collins
Manaen Bulp

Philip Matthews
Mishach Elliott
John Dashiell
Benjamin Hooks
George Hearn
Wm Kinney

Whittington Tull
Kinder Dashiell
John Morris
Charles Vaughan
John Collins
Thos Rivers
[illegible]
[illegible]

William Pownall
Attorney
Sarah Pusey
Peter Pusey
Executors
Amer Hollingsworth

Petition of the Bank of Wilmington & Brandywine praying a repeal of the tax on their stock.

H. of. Rep.
Jan. 12. 1814 Read and referred to Messrs Stout, Hill & Sutton.

0233

To the honorable the Senate and house of Representatives of the State of Delaware in General Assembly met —

The memorial of the undersigned President and Directors of the Bank of Wilmington and Brandywine, in behalf of the Stockholders of the same, respectfully represents, that by the act incorporating the said bank, passed on the 4th of February 1812, a tax is imposed of one half per centum per annum on the capital stock thereof, which threatens, in consequence of the war in which our country is involved and the present diminution of commercial prosperity, to become a serious and oppressive burthen to the institution.

That as a further consequence of this state of things, it has been deemed necessary by the congress of the United States to impose a heavy tax upon all bills or notes issued by banking companies and also upon all notes and obligations discounted by the same — an additional burden, which, when connected with the state tax, constitutes in the opinion of your memorialists, a just ground of application to the Legislature for relief.

The present crisis was not foreseen by the Legislature at the passage of the law, or they undoubtedly would not have anticipated the burdens which now operate so oppressively upon the interests of

of your memorialists. They are supported in this opinion by a reference to the law passed on the 22nd of January last, establishing at Wilmington a branch of the Farmers bank of Delaware, with an extensive capital, unincumbered with the tax to which their institution is subject. The Legislature acted in this instance with a due regard to the increasing difficulties of the times, and saw the impolicy of multiplying the hardships already occasioned by the deprivation of commerce, the main sources of the prosperity of banking companies.

If any additional reasons were necessary in support of this application, they might be found in the general policy of extending the legislative protection and encouragement to all institutions of public benefit & utility. Upon this point your memorialists deem it superfluous to insist. The aid they furnish to individuals of talent and enterprize by which they have enriched our country with the establishment of various valuable manufactures, the facility they afford to the merchant, the agriculturist & the mechanic in their different spheres, are manifest to all, in the general prosperity diffused throughout the State.

Under these impressions your memorialists pray, that your honorable body will

take into their serious consideration the propriety of re-pealing that section of the act incorporating the Bank of Wilmington and Brandywine, imposing a tax of one half per centum per annum on the capital stock of the said Bank — And your memorialists will pray &c

John Way
Joseph Robinson
Isaac O Dixon
James Brian
John Jones
Samuel Shipley
John Forbert
Washington Rice
Joseph Smith

0235

The Petition of the Bank of Delaware praying the repeal of the tax on their stock.

H. of Rep.
Jan. 12. 1814 Read and referred to Mess.rs Stout, Hall & Sutton.

To the Honorable General Assemble of the State of Delaware, Now setting

The petition of the President, Directors & Company of the Bank of Delaware respectfully sheweth; That since the passage of the act extending the Charter of the said Bank and requiring the annual payment of an half of one per Cent on the Amount of the Capital stock; Changes have taken place in the political and Commercial affairs, greatly injurious to the interests of the Banks, and such as could not have been Contemplated at the passing of the said Act. The Commerce of the Country having been suspended, the Circulation of Bank paper has been Consequently curtailed, While at the same time a tax has been laid by the General Government. Thus this Bank while it is labouring under its greatest difficulties becomes charged with taxes nearly double the amount which were expected to be paid at the time of passing said act, Your petitioners therefore pray your honorable body to repeal that section of the said act requiring the payment to the Treasurer of the

State

State of one half per cent on the amount of the Capital Stock. And your petitioners, will consider themselves in duty bound &c.

Witness the Seal of the Bank of Delaware

Joseph Baily President

Wilmington 1st Mo. 6th 1814

Petition of
John Booth &
Reuben Anderson
praying compensation for
military duties performed
at Lewistown

H. of Rep:
7. Jan. 1814. Read & referred
to Mess'rs Clayton, Hill
and Mafsey.
Feb. 2. 1814. Ref.d C. C.

60

0240

To the Honorable the General Assembly of the State of Delaware

The petition of John Booth, and Reuben Anderson Humbly Sheweth,

That in the Month of April last your petitioners (the said John Booth as Captain and Reuben Anderson as Lieutenant of a Company of the drafted Militia) received orders to repair to Lewistown; that on the seventh day of May following your petitioners together with Draper Vosdall as ensign, at the head of a Company of about seventy privates did March to Lewes in pursuance of the said orders; that they remained there until the second day of June following performing duty as Militia; at which time they were discharged by Adjutant General Green by Order of the Governor; that your petitioners for that service received neither rations nor pay; nor do your petitioners believe that the said Draper Vosdall, nor any of the privates under their command (excepting thirty seven who were ordered to join Capt. Redden's Company) have received pay for their services -

That the said Company during the time of the service aforesaid, never having been mustered or inspected by any Officer of the United States ~~have not been able~~ to form petitioners have not been able to obtain from the General Government any compensation for their said service.

Petitioners pray the General Assembly to take their case into consideration and grant them, together with the said Drosper Voshall and others of the said company who have received no pay, such relief as they in justice are entitled to—

And they as in duty bound &c

John Booth

Reuben Endsley

Petition for Hog Law in Seaford.

H. of Rep.
Jan. 21. 1814. Read and referred to Messrs Vickers Lewis & Sutton.

0242

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of the Subscribers citizens of the Town of Seaford Respectfully Represents,

That viewing with the most anxious solicitude the many disadvantages we labour under, arising from the freedom which Hogs have in our Town, exposing us to innumerable accidents, germinating among us the seeds of Diseases and as well also the several other exceptions, which are so justly taken to the freedom of those Animals, We confidently appeal to you, the Guardians of our Welfare, to extirpate from amongst this Evil by cruelly entreating you to enact a Law to prevent Hogs running at Large within the Limits of our Town, Should the Justice of our claim induce you to grant our Request, We actuated by Duty as well as Inclination will ever pray.

Seaford 15th January 1844

Julius Augustus Jackson
David Cook
John Martin Sen.
James Connell
Aron Swiggett
J. R. Saulsbury
Solomon Baton
Henry Harris
Robert Hopkins
William B. Cades
Mitchel Henderson
Henry W. Travers
Thomas Sergo
Ignatius Sergo
Bernard Ludy
Henry Little
Cornelius Todd
David Hughes
Johnson
William Anderson
Levin Cannon
William Connell
Jacob Wright
Nathaniel L. Raymond

John Wm. Warden
John Saunders
Abner Shanks junr
Thomas Reids
Jonathan Huffington
[redacted]
Thomas Evans
John Green Dun
Alexander Shields

0244

To the Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of the subscribers inhabitants of Little Creek Hundred in the County of Kent. ~~respectfully represent~~.

~~That the village called the C.~~ pray your Honours to pass a Law to change the name of the Village situate in Little Creek Hundred aforesaid in Kent County, now called and known by the name of Eastlandsing, so that the same may be called and known by the name of Vienna.

And your petitioners as in duty bound will pray

January 24. 1814.

Petition for altering the name of The Village of Fastlanding.

H. of Rep.
Jan. 24. 1814. Read and referred to Mr Stout, Vanderver and Burton.

0248

William Reeth.
Joseph Buckmaster
James Kirkby
John Fowler
John Tolhefft
Jona Hilton
Daniel Rubin
John Harden
James Daing
John Fletwood
Henry Williamson
Andew Vandorin

William Reith
John Hoffenter
James Conrad
John Lamb
Daniel Forbee
Philip Rasin
William Graham
Wm Hazel
Jesse Gomes
Thomas Fore
John Burt Ranard
Henry Taylor
Jamey Hart
Osborn Alston 26

024

Remonstrance

To the Honorable
General Assembly
of the
State of Delaware

Remonstrances of sundry persons against the petition of S. Williams.

H of Rep.
Jan. 17. 1814 Read & referred to the committee to whom was referred S. Williams bill.

To the Honorable the General Assembly of the State of Delaware. viz

The Remonstrance of the undersigned respectfully Sheweth

That the undersigned have since the commencement of the Session of the General Assembly been informed that Spencer Williams has petitioned your honorable body for an act for the condemnation of a piece of land to enable him to erect a grist or saw mill on Black-bird Creek; that the undersigned are owners of lands on the said Creek which will be materially affected by the erection of a dam at the place contemplated by the petitioner; that above two hundred acres of meadow land, some of which is already improved, will be covered, and rendered totally useless, by the ponds; that not only the waters of the Black-bird are to be stopped by the dam, but the waters of Saunders-town and Sylvan-town; that the pond which will be caused on Sylvan

0250

was passing through the farm of Dennis McCauley one of the undersigned, and will detach about eighty or ninety acres of land; that the said fence will divide the farm of Andrew McCrimphy one of the undersigned nearly in equal parts.

And they further represent that the public interest and convenience will also be very materially affected if the prayer of the petitioner is granted; because the waters of the Blackbird, in order to render the mill of any use to the petitioner, must be dammed up to such a height as to occasion a pond across the present State road where Blackbird bridge now is of the width of from one hundred and fifty to two hundred yards, and a pond on Saunders' run where the same crosses the State road of the width of fifty or sixty yards which will render very expensive bridges at those places necessary.

The undersigned further represent that the said Jonathan Williams cannot be injured in acting in a very small degree by a rejection of his petition, because they say that he runs at most but an acre & two

of land on the said Creek, for which he gave or is to give as they have been informed and believe but ~~one hundred dollars~~ Sixty Dollars

They further represent that the Village of Blackbird, which will be almost surrounded by the pond, will be rendered thereby very unhealthy.

All which premises the undersigned are ready to verify and prove before your honorable body if an opportunity is given them.

They therefore pray that the prayer of the said petitioner may not be granted.

Dennis McCready
Andrew McMurphey
William Wright jun
Evan Webster
Abram Taylor
William Donoho

Petition of
Nathan Duff
a non-resident insolvent debtor

H. of Rep:
Jan. 11th 1814. Read and referred
to Mess'rs Clayton, Vandeveer
and Vickers.

0298

To the Honourable the General Assembly of the State Delaware

The Petition of Nathan Huff Humbly Sheweth, That your Petitioner formerly a Citizen of the State of Delaware, but for the last two years Past a Resident of the City of Philadelphia, is now confined in the Public Gaol of Sussex County at the suit of Benjamin M'Ilvain, for a debt which he is entirely unable to Pay; That your Petitioner was taken on a bail piece in the City of Philadelphia and hurried to his Present place of confinement without allowing him one hour to prepare or arrange his Affairs; that his family, a wife and three Small Children, the eldest of whom is not Six years old, are now, at this inclement Season, in a State of Actual Want and Suffering; That your Petitioner has but very little Property and his family are wholly dependent on his Personal exertions for their Subsistance; that he has Sundry other debts due to the Citizens of this State, and of Pensylvania which he is entirely unable to discharge; that he is Advised under the existing Laws he must remain a Prisoner for life, (he being a Non-resident) unless the General Assembly will be pleased to take his case into Consideration and pass an Act in his favour Authorizing his discharge upon the same terms as if he were Resident in this State, & that he is willing to make a full Surrender of all his Property and effects to his creditors. He therefore Prays the General Assembly to take his case into consideration, and enact a Law whereby he may be enabled to Obtain his discharge from his Present imprisonment upon Such Terms as to them shall Seem Meet and Agreeable to Justice

And he as in duty bound will ever Pray &c.

Nathan Huff

Petition Samuel Evans for the condemnation of a small quantity of land &c for the erection of a mile.

6. Jan. 1814. Read & referred to Messrs Walters Molleston and Sutton.

Petition of Samuel Evans
To the H.C.
Legislature of the State of Delaware

To the Honorable the Senate and house
Of Representatives of the State of Delaware
In General Assembly met.—

The Petition of Lem.l Evans of Wm R.
Evans Dec.d Humbly sheweth that whereas
your Petitioner is seized in fee of a certain
Landed property in the County of Sussex
In Baltimore Hundred whereon there
Was some years past a Grist Mill Erected
Which through Misfortune the Mill has
Gone to Decay and never having and
Condemnation your Petitioner prays your
Honorable Body to take this his Petition into
your serious Consideration and pass a law
To Authorize him to Erect a mother Mill at the
Old Damm which was Erected by a certain
Joshua Hill together with a Condemnation
For two acres of such Land at Each end of said old
Damm, also Condemnation for what Land may
Contain the pond or Stagnated water by Virtue
Of Erecting said Mill ----

And your Petitioner is in Duty
Bound and will Ever Pray &c —
Lem.l Evans of Wm R.

NB your Petitioner holds the pond Exist.t
about 60 or 7 years on the South west side

Petition of S. Lyons relative
a petition presented by
Spencer Williams

H. of Rep.
Jan. 13th 1814. Read & referred
to Williamson, Molleston
& Burton.

0256

To the honorable the Legislature of the State of Delaware

The Petition of the subscriber respectfully represents that he has lately been informed that an application has been made by Shem Williams to your honorable Body for a law authorising him to erect a Mill dam on the Shacks Bridge Creek in the hundred of Appoquinimink & a short distance below the State Road leading to Wilmington that your petitioner is the owner of a Mill on said Creek above the Sd Road and has at a considerable Expense ~~[illegible]~~ in repairing the same that from the small Fall there is between the Mill of your petitioner and the one contemplated to be erected by the Sd Shem Williams he is of the opinion that his Mill would be partially injured in the water backing upon him in case the Sd Williams should be permitted to erect said Mills your petitioner therefore prays your honors to prevent the application of the said Shem Williams and in duty bound will pray &c

Jno C Lyons

Jan. 12th 1814

0257

Petition of
Betsy Snow

In Senate, Jan 9, 1814
Read and referred
to Messrs. Green
Staats &
Fish

H. of Rep:
Jan. 11. 1814. Read.

To the Honourable Senate & House of Representatives of the State of Delaware

The Subscriber at a Session of the Assembly in the Month of May last, sent Your Respectful Petition to the Legislature, praying a Law to be passed to authorize the Judicial Officers to take Cognizance of Her Case as an Insolvent Debtor. And by the Journal of the Senate it appears that a Bill of such a Nature was introduced into the Senate and Read, and that since Another Extra Session was held, without any final Act upon the application, and she is not informed, whether her Bill will or will not be brought forward as unfinished business. Your Petitioner is informed that her Creditor opposed the passage of such a Law, but upon what reasonable or weighty objections is unknown to Your Petitioner. It appears that in 1808, in 1809, 1811, and 1812 Laws were passed for the Relief of Non Resident Debtors, and Your Petitioner could not believe, that any person would ever object to the passage of such a Law at any time. If it be suggested, That Your petitioner Conceals property, or for any other Cause is not intitled to the benefit of the Insolvent Laws, the Legislature will not be afraid to confide the determination of the Question to the proper Tribunal, for the Investigation and decision thereof. The Interest in the Debt Interest and Costs, belonging to Mrs. Boden in her own right is not much exceeding twenty Dollars, and though this Small Sum, May be considered a Sufficient object, to justify her in insisting on a Rigorous Confinement of

your Petitioner as a Means of compelling your petitioner to Disclose property which she has not, your Petitioner can now hope that, the Age, affliction and long suffering, of her in the loathing walls of an old Condemned Jail, will induce him to give forth the situation of your Petitioner, and not further oppose the passage of the Law. And she flatters herself it will induce the Legislature to take up the Subject and afford to her the same Measure of Justice and humanity which has so often been extended to others in similar Situations.

And in duty bound your Petitioner will ever pray &c.

Betsey Snow.

Petition for the removal from office of Isaac Davis & John Way 2 ads.

H. of Rep's
Feb. 11. 1814. Read & ref. to Mess's Stout, Sutton & Moore

Senate Petitions

1814

0881

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly me

The Petition of Sundry inhabitants of Sussex County and State of Delaware respectfully represents

That your petitioners have learned from Good authority that the late Governour of the State aforesaid a short time before the expiration of his term of office as chief Magistrate of the said State did contrary to all the former usage and custom of and chief Magistrate of the said State appoint two additional Judges in the State one in each of the Courts now instituted by Law. It is with great surprise and regret that your petitioners see themselves taxed by an act of the Executive Ofs. with the sum of one thousand dollars annually without the least necessity for the appointment Ofs. or the least possible chance of affording to your petitioners in the smallest degree any facility in the administration of Justice - and more particularly when they are compelled to say that the Burthen of taxes heaped on them at this time by the General Government is intolerable

Your petitioners having examined the Constitution of the said State and finding a power vested in the Legislature to address the Governour of the state to obtain the removal of any Judge of the Court of Chancery, Supreme Court or Court of Common pleas for any reasonable cause which shall not be a sufficient Cause of impeachment, and also seeing that the Governour has power in his discretion to remove any

of the said Judges on the address of two thirds of all the members of each branch of the Legislature

Your Petitioners therefore prays your Honors to take the subject of the aforesaid appointments into your most serious consideration and present an address to the present chief Justice of the State aforesaid to obtain the removal of the supernumerary Judges appointed as aforesaid and your Petitioners as in duty bound will ever pray

Wm B. Cooper
John Handy
Wm Collins
Faustin Handy
Gilley Haone
Rob Hizey
Jd Phillips
George Jarman
James Ward Senr
John Dashiell
Jos Collins Jun
Wm Polk
Samuel Jacob
Thomas Hearn
Richd Phillips Jr
Job Sumner Senr
Joshua A. Ellegood
John Collins

Philip Jacob
William Moore of W
Wm A. Ellegood
George English
Thomas Townsend 23

Petition for the removal
from office of Isaac Davis
& John Way Esq.rs

H. of Rep.s
Feb. 11. 1814 Read & ref.d
to Mess.rs Stout, Sutton &
Moore.

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly Met

The Memorial of sundry Citizens of said State

Respectfully represents —

It is not the intention of your Memorialists to innovate or encroach on the delegated rights of Legislative authority — but are prompted to appreciate the unalienable and constitutional privilege in the attainment of [redacted] Conveniences

At no period since the adoption of our happy Constitution, and in the instance within the recollection of your Memorialists, has the exercise of this invaluable right, been more loudly called for, or less abused, than on the present occasion

The late Governor Joseph Hoblet Esquire at the moment when his term of service was about to expire (with views and motives, not within the province of your Memorialists how to conjecture) unadvisedly appointed an associate Judge for each of the Courts of Law of this State, to wit the Supreme and Court of Common Pleas

To Justify those two executive appointments it certainly cannot be sufficient to say, that the Constitution has provided for the case; When it is known, to almost every Citizen, that after the lapse of nearly twenty two years — experience has taught them that three Judges in each Court is sufficient in the distribution of Justice — While it is to be remarked, that until the present moment not a whisper of complaint has been heard or attended — On the Contrary they have given almost universal satisfaction

To urge this unreasonable and inauspicious crisis after the example of a contrary policy by his predecessor; When contending with adverse fortune, growing out of a State of War, in the payment of a host of Foes — The extraordinary and unavoidable State expenditures, draining the very vitals of our State finances, when the services of a fourth Judge (in consequence of the decline of business in the said Courts) was least wanted, —

At such a season to burthen the good people of this State with supernumerary salary officers

and adding another thousand Dollars to the current expenses annually, during the life or lives of our Judges, to say no more is an act of Gross impolicy, not warranted by the wants of the people, or the State of the Judiciary, and not only unlook'd for but unquestionably unnecessary —

To have the best qualified and blameless exceptionable character, our State would afford in the selection of a Chief Justice in case of vacancy in either Court is a consideration of primary importance —

It must be evident that the present management will produce serious inconveniences, if not totally prevent such a choice — The most spectacle of a Court of Justice, unable to decide on questions of Law in all cases where there may be a division of opinion, will be exhibited for the first time in this County

To correct such, and other abuses, which the framers of our Constitution anticipated

it is happily provided, that for any reasonable cause ~~from an impeachment~~ which shall not be a sufficient grounds for an impeachment, the Governor may in his discretion, remove any of the Judges on the address of two thirds of all the members of each branch of the Legislature —

That there is reasonable cause for the removal of those two Judges, appointed by the late executive of this State, must be admitted by every person, whose ~~minds~~ Judg=
=ment is under no influence, other than reason, and the good of the Citizens 3

Your Memorialists conceive from an honest=
conviction of their minds, that this subject, (involving consequences not of trivial import) ought speedily to become a question of legisla=
=tive remedy — For which purpose Your Memorialists have invited the attention of Your Honorable Body, and pray Your Honors 3

as the guardians of the peoples rights to apply the only constitutional correction, by addressing the Governor, for the removal of said Judges. and your Memorialists will ever pray —

Julius A Collins
Willm Paine
Joseph Dutton
Joseph Dutton Junr
William Yeaster
John Hay
Thomas McNeal
Henry Hendrickson
Christopher Evans
Elisha Bradford
Selby Bradford
William F. Lemong
Samuel Spencer
Joseph Bowen
Nathaniel Buckard
Reuben Simpson
Joshua Dyer

Andrew Allen Jun
John Simpson J.
George Dehority
Wm Pratt
Samuel Hattabough
Robt. Stafford
Jeremiah Depuitz

24

0269

Petition for the removal
from office of Isaac Darby
& John Way Esqrs

H. of Rep's
Feb. 11. 1814. Read & ref.d to
Mess's Stout, Sutton & Moore.

To the Honorable the Senate and House of Representatives of the State of Delaware in general Assembly, Met —

The Memorial of Sundry Citizens of said State respectfully represents —

It is not the intention of your Memorialists to innovate, or intrench, on the delegated rights of the legislative Authority — But are prompted to appreciate the unalienable, and Constitutional, privilege in the attainment of redress of grievances.

At no period since the adoption of our happy Constitution, and in no instance within the recollection of your Memorialists, has the exercise of this invaluable right been more loudly called for, or less abused than on the present occasion.

The late Governor Joseph Haslett Esquire at the moment when his time of service was about to expire, with views and motives not within the province of your Memorialists, now to inquire into, unadvisedly appointed an associate Judge, for

each of the Courts of Law of this State, to wit
the Supreme and Court of Common Pleas —

To Justify these two Executive appointments;
it certainly cannot be Sufficient to say that
the Constitution has provided for the case, when
it is known to almost every Citizen, that after
the lapse of nearly twenty two years: experience
has taught them that three Judges in each Court
is sufficient in the distribution of Justice.

While it is to be remarked that until this present
Moment not a Whisper of Complaint, has been
heard or utterred, on the contrary they have given
almost universal Satisfaction — To urge this
unseasonable, and unauspicious Crisis; after the
example of a contrary policy, by his predecessors:
When contending with adverse fortune, growing
out of a State of War, in the payment of a host of
Jaxes, — The extraordinary and unavoidable
State expenditures, drawing the very Vitals of
our State finances, when the services of a fourth
Judge in consequence of the the decline of business

in said courts, was least wanted. — At such a period to burthen the people of this State with supernumerary salary offices, and adding another thousand Dollars to the current expenses annually during the life or lives of said Judges, to say the most is an act of gross impolicy, not warranted by the wants of the people, or the State of the Judiciary, and not only unlooked for, but unquestionably unnecessary.

To have the best qualified and least exceptionable character our State would afford in the selection of a Chief Justice in case of vacancy in either court is a consideration of primary importance. It must be evident that the present arrangement will produce serious inconvenience if not totally prevent such a choice.

The novel spectacle of a Court of Justice unable to decide on questions of Law in all cases where there may be a diversion of opinion, will be exhibited perhaps for the first time in this Country.

To counteract such and other abuses, which the framers of our constitution anticipated, it so happily provides that "for any reasonable cause which shall not be a sufficient ground for an impeachment, the Governor may on his discretion remove any of the Judges, on the address of two thirds of all the Members of each branch of the Legislature" —

That there is reasonable cause for the removal those two Judges, appointed by the late executive of this State, must be admitted by all persons whose Judgments are under no influence other than reason and the good of the Citizens.

Your Memorialists conceive from an honest conviction of their Minds, that this subject involving consequences not of trivial import, ought speedily to become a question of legislative remedy — For which purpose your Memorialists have invited the attention of Your Honorable Body, and pray your Honors as the guardians

of the rights of the people to apply the only constitutional corrective, by addressing the Governor for the removal of said Judges, and your Memorialists will ever pray —

William Bradley
John Crosby
Isaac Watton
Richard Common
Wm Carpenter
John Tagell
Jeremiah Hutchison
George Fitzgarrell
George Black
[illegible]
Smith Taylor
James C Bayer
James Foster
William Roland
David Wilebore
Philip Wilebore
Anthony Cumbleson
Peter Morgan

William Stewart
Andrew Melven
William Lowry
David Watton
[illegible]
Lewis Richards
James Beach
Isaac Riggs
John Bowman
Wm [illegible]
James [illegible]
[illegible] Stevens
William Walker
Levin Dixon
Samuel Davis
James Collins
Lui Riggs
Paul Rolen
Clement Clifton
William Johnson — 37 Names

Petition for removal from office of Isaac Davis & John Way Esq.

H. of Rep.
Feb. 11. 1814. Read & ref.d to Mess.rs Stout Sutton & Moore.

0878

To the Honorable the Senate and House of Representatives of the State of Delaware now sitting in the town of Dover.

The petition of the subscribers Citizens of said State most respectfully sheweth. That they view with great surprize and concern the late appointment of two additional Judges in the Courts of Law of this State thereby imposing a burden on our Citizens of One thousand Dollars Annum over and above the ordinary expences of the judiciary. That the number of Judges heretofore has been always found amply sufficient for the purposes of justice, and that therefore this innovation on established usage is without the sleighest pretext of necessity or propriety to justify it. Your petitioners consider this appointment as more particularly reprehensible on account of the size and population of the State - The expences of the Civil list and the unexampled state of public pressure & private want produced by the War which unfortunately exists between this Country & Great Britain - Already have our funds dwindled into insignificance in providing for the defence of the State while our Citizens are burthened with heavy taxes imposed by the General Government. Precedent soon becomes practice. and your petitioners humbly concieve that this is the auspicious moment to crush an attempt to take from the Pockets of our Citizens, without their Consent, the annual sum of

0278

One thousand Dollars by the appointment of supernumerary and unnecessary Judges. Your petitioners forbear to enlarge upon a subject where multiplied reasons must present themselves to the wisdom of the Legislature. They therefore most humbly pray that your Honorable body will take the premises into Consideration and recommend his Excellency the Governor of the State to remove those Judges from Office.

And your petitioners will ever Pray &c

Thomas his + Cavender mark

James Coney

John his + Smith mark

Robert his + Fleming mark

Joseph his + Meredith mark

Nathaniel Stewart 6

James Roney affd

0279

0280

I James Roney do hereby Solemnly declare upon oath That after Moses Thompson had received the Summons which lately brought him to Dover, but prior to his Setting off, I Enquired from him what he Knew about E. I. Dupont's conduct at the last Election, That Moses Thompson answered he knew nothing about E. I. Dupont but what was perfectly right and correct and That he would be qualified as to that. he further added That on the said day of Election he heard E. I. Dupont say That this is a free Country, That every body is at liberty to Vote as he pleases; That he had with him the kind of Ticket he Intended to Vote; but That those who wished to Vote the other Ticket were welcome so to do.

James Roney

Newcastle County } ss Personally appeared before me Enos Walter one of the Justices of the in and for the County of Newcastle James Roney and swore to the above as therein stated

Enos Walter

January 25th 1814

Moses Reed aff.t

New Castle County ss.

Personally came Moses Reed of the Borough of Wilmington (Mason) before me the Subscriber one of the Justices of the Peace in for said County, who being solemnly affirmed deposeth and saith that he has personally known Moses Thompson of Christiana Hundred for Ten years past, during which time the said Moses Thompson has worked Breaking Stone &c. at the same Buildings with this deponent. – That he has frequently known the said Moses Thompson to circulate false reports to the injury of his Employers and others. – That this deponent knows of his own knowledge that the said Moses Thompson is an abandoned Liar and Drunkard, and has no hesitation in saying that he verily believes the said Moses Thompson might be prevailed on by designing Men to Swear to almost any thing

Affirmed & Subscribed this 25th Jany. 1844 before me

Francis O'Daniel

Moses Reed

Isaac Jones aff.

New Castle County ss.

Personally came Isaac Jones of the City of Philadelphia, Snuff and Tobacco Manufacturer, before me the Subscriber one of the Justices of the Peace in Aforesaid County, who on his solemn Oath affirmeth and saith, that he has known ~~the said~~ ~~the~~ Moses Thompson who kept a Boarding house near Mrs. Dupons factory on the Brandywine, that the said Thompson has worked several seasons for this affiant in Raising & Breaking Stone on this affiants Farm on the Brandywine and that he is a Notorious liar & Drunkard, & that he would swear to any thing whether true or false, without regard to consequence.

Sworn Subscribed this 25 Janry. 1814

Before me

Francis Daniel

Isaac Jones

Brundywine Hundred October 5th 1813

I George Miller think it is my duty to give evidence as far as I know from the time of opening the election held at my house to the close of the poll I do certify and declare that I saw no interruption untill I saw Thos Cowin and one of Mr Youngs men going a small distance from the house to fight, I called for the Justice and Constable but none of them appeared to me, Peter du Pont was the only person I heard call for the Justice and Constable to command the peace farther I heard Thomas Curson and many others express themselves in this way that they never were so far deceived in an election before they did not think there were so many voters in the Hundred and gave the inspector praise saying they thought he had done his duty and that he had conducted the election fair

George Miller

Sworn, Jan 17. 1814
before, Gi Monro

~~B. Hunt Jr.~~

Statement made
by J. Simons
C. Hunt
No. 6

Christiana Hundred

Capt.n Dupont ordered his Company to meet on the usual field of parade on the morning of the General Election, and there formed them in military order from which place he marched them towards the place of Election with colors flying — and hauled them by the way, and there put into the hands of each man a Ticket. then formed them under their respective Officers. from thence obliged them to march in their ranks to the place of Election then came forward two men clap and presented their Tickets under the eye and inspection of their Officers Then placed & appointed for that purpose — consequently there was no alternative left to any of the company to vote agreable to their own choice but to comply with the ~~demands~~ commands of their imperious Officers

The above can be proven by substantial evidence —

N. B. The above company was upwards of one hundred men —

Decr. 27, 1813

0287

John Simmons
deposition

Whereas it appears that a certain paper containing a statement of E. I. Dupont's conduct on the fifth day of October last, which was the day of Election, has been sent to the Legislature of this State, as a statement given by me in and running as follows

" Christiana Hundred

" Capt. Dupont ordered his Company to meet on the
" usual field of parade on the morning of the general
" Election, then formed them into military order from
" which place marched them towards the place
" of Election with Colours flying and halted them
" by the way, and then put into the hand of each man
" a ticket: then formed them under their respective
" Officers, from thence obliged them to keep their ranks
" to the place of election; then came forward two men
" at a time and presented their tickets under the eye and
" inspection of their officers there placed and appointed
" for that purpose, consequently there was no alternative
" left to any of the company to vote agreeable to their
" own choice; but to comply with the commands of
" their superior officers: the above charge proved by
" substantial evidence

" N.B. the above Company consisted of upwards of 20
" Armed men. dated December 29th 1813

with the following endorsement written on the

The back of the said paper

" Christiana hundred, Statement of John Simmons "

I do hereby Solemnly declare upon affirmation That I never did furnish or give to any body the foregoing Statement. I further declare That if my Name has been made Use of, as it appears, for the purpose of giving some Weight and entitling to some Credit the Statement aforesaid, it has been done Without my Authorisation participation or Knowledge

John Simmons

Newcastle County } Is Personally appeared the above Named John Simmons and ~~taking~~ tack his solemn affirmation to the above statement

Before Enos Walter

Janry 25th 1814

Joseph Matchett's
Deposition

1814

0291

I Joseph Matchet Undersigned do hereby
Solemnly declare Upon oath That on the fifth day
of October last past, day of the last Election, being
In the Employment of E I Dupont, I repaired To his
house, where I met a Number of Manufacturers;—
That I enquired from E I Dupont whether I had
a right to Vote, upon which he asked me how
long I had been in the County, and finding—
That the time of my Residence in the State was
Too shortly one or Two Months, he Told me
That I was not entitled to Vote and consequently
That I had better go to Work.

Joseph Matchet

Newcastle County } Ss Personally appeared Joseph Matchet who is
above named and was sworn to the above
as stated.

Before Enos Walter

Jany 24 1814

No. 3.

Certificates of
Joel Reed
French Rombo
Isaac Wilder
George Cartmill
Samuel Lodge
Edward Beeson
Henry Beeson

The Committee appointed to Enquire into the Illegal Proceedings at the late Election in this Hundred met on the 30th of October 1813. at the Practice farmer in B. wine Hundred, and Proceeded as follows —

I. William Cloud, Being at the general Election at the house of George millar in Brandywine Hundred on the 5th Instant. do Certify that in the Evening of that day Some person which I Supposed to be an Irishman made an attempt to Insult me & said that if I was not an Old man ~~he~~ I wold get a flogging, but I Escaped that tho. soon after a Considerable Riot blows & abuse was done by a number of persons, which appeard to be prepard with Clubs for the purpose —

Wm Cloud

I. Joseph B. Grubb, being at the said Election and I believe that Nathan Weir Voted at our Election in B. wine Hundred and I know at the same time he Resided in Christiana Hundred, and that about 3 o'clock in the afternoon of that day about Sixty men who were said to be Duponts men or men from or belonging to the factorys on the Brandywine, were marched to the Election in a body in military order with ~~with~~ musick in the front — and

and three different kinds of Colours or flags flying
with mottos on them which appeared to me very
Insulting, that said men I believe were all allowed
to pass their Votes or tickets without objection
or Enquiry by the board of Inspectors,
that in the Course of the Evening I observed that
several of the said men, which I took to be of Duponts
men. from their Cockades in their hats, seemd
to be much disposed to bring on a Riot by Insult
=ing and abusing peaceable Citizens, that in the
Evening after dark a great Riot and abuse took
place by these said persons with Clubs which
I believe they brot there for the purpose —
and that after the Riot had Subsided these men
with Victor Dupont amongst them Collected toge
=ther & they Hussed for Mr Dupont —

Joseph B Grubb

I Isaac Grubb Junr being at the said Election do say that the
above Statement made by Joseph B Grubb is True in
Each particular —

Isaac Grubb Jun

I, Adam Grubb, Being at the General Election lately held at Geo. Millars in this Hundred do say that in the Evening a Considerable Riot was got on by a large number of men, with Cockades in their hats which were Called Duponts men, and that several of our peaceable neighbours ware much abused & beaten (by them) with Clubs and that when in the act of beating George Cartmall I heard them damn him for a federal Tory, and that after the Riot had in some measure subsided they Collected together and Victor Dupont amongst them & some men, who had no hat on, stept near them when one of their Company struck him, the said man without a hat, with a Club, and several of them Damn'd him for a federal Tory —

Adam Grubb

I, Caleb Perkins being at the said Election and that in the Evening a Short time before the Riot commenced I saw a number of the men (Called Duponts men) Coming out of Geo. Millars Stable with Clubs in their hands and some after several of them set to beating Thomas Smith, & V. Dupont present, and then the Riot became more general when those men Exclaimd frequently Drive the damnd federals off the ground —

Caleb Perkins

I Joseph Perkins being at the said late Election do say that I saw Nathen Wier give in a ticket and Understood that he Resided in Cristiana Hundred whare I also Understood he Voted the same day — and in the Evening a Vary Considerable Riot was biot on by a set of men with Clubs who ware Called Duponts men and Victor Dupont amongst them, and several peaceable Citizens (particularly Thomas Gray & George Cartinale, ware Vary much beat & abused by them and after the affray was over they Collected together and Hussa'd for Mr Dupont ~~Joseph~~ Perkins

I Isaac Smith, do State that being at the said Election and in the Evening at the time of the Riot I was out from amongst them tho not far when one of the mob with a Cockade in his hat and of the Dupont party, attacked me and struck me several times with his Club, at the same time damning me for a Federal tory —

Isaac Smith

Proceedings of the Committee —

No. 2

I. Joel Reed being at the late Election in this Hundred do say that in the afternoon some alteration took place ~~between~~ with one or two men when Victor Dupont came up and said to one of them only keep quiet till after five o'clock and then you shall have wringing of noses plenty — but in the Evening instead of nose ringing it turnd out to be a Cudjeling match and the Clubs all in the hands of Duponts party

Joel Reed

I. French Rambo being at the said Election do state that in the Evening an affray commenced between an Irishman and Thomas C Smith & Victor Dupont present. that in the scuffle several of Duponts men fell on said Smith with Clubs in their hands and that in the act of Endeavouring to Relieve Smith I Received some blows from their Clubs and that with difficulty and the assistance of some friendly persons I Escaped without being much hurt. tho several of my peaceable neighbours suffered by them, and they frequently dam.d the Federalists and said they wud Clear them off the ground —

frequently Huzzawing for Mr. Dupont.

Frederick Rambo

I. Isaac Weldin, being at the said Election and present at the time of the Riot do & can state the same in Substance which French Rambo aforesaid has, and further that in the affray I Received several blows from the mob, and was finally Extricated by the assistance of some friends and got off as I thought tolerably safe seeing there was so many Clubs in the hands of the Dupont party—

Isaac Weldin

I. George Cartmall do Certify that I attended the late general Election at Geo. Millars in B. wine Hundred and that in the Evening & after night a Riot Com=menced & that a Considerable number of the men who Came in Duponts Company with Cockades in their hats & Clubs in their hands Ware in the act of beating Thomas Gray, when I attempted to Relieve him but at this time they had got him down and Several of them fell on myself with their Cudgials & beat me down also. broke one of my fingers & otherwise beat mee Severely so much so that I was almost lifeless— and

and altho I Consider ~~that~~ the same a most ~~most~~ Violent outrageous piece of Conduct yet I Consider myself fortunate to have Escaped from the hands of the Ruffins with life in me —

George Cartmell

I. Samuel Lodge, Constable Certify that I was present at aforesaid, the late Election, and that in the Evening & after night a most Violent Riot took place where a large number of men with Cockkades in their hats and Clubs in their hands, who were Call'd Duponts men, Did are Beating Several of my neighbours in a most Violent manner, and myself & Henry Lodge the other Constable Used our Endeavours to Suppress the Riot & much as possible to preserve the peace but to no purpose, I heard some of those men Call out several times. where are those peace makers and we'll Give them a beating & finding it Impossible to Stop the Confusion I thought best for me to Get out of their way ——

Samuel Lodge Constb

I. Edward Beeson Certify that I attended the late General Election in this Hundred at George Millars. That in the afternoon & a short time before the Close of the polls some altercation haveing taken place Concerning the Colours or flags brot thare by Duponts Party — I heard Victor Dupont say that if they would keep quiet till after the Election is Closed you Shall have a Royel Battle by god — and that in the Evening I frequently observed some of those factory men endeavouring to Insult peaceable people and among the Rest Wm Cloud. That Thos C Smith Endeavoured to prevent them, and they attacked him in a Violent manner when a Riot ensued which I Consider Disgracefull to a frenchman an Englishman an Irishman or an American

Edward Beeson —

I. Henry Beeson being at said Election do Confirm the aforesaid Certificate of Edward Beeson, Except the particular words of Victor Dupont which I did not distintly hear, but I did suppose that said Victor was accessary to the said Riot. — Henry Beeson

I Certify that I attended the General Election held at George Millars in Brandywine Hundred on the fifth of October 1813. and that in the afternoon of that day a large number or body of the factory men call'd Dupont's men Marched to the said Election in milatary order with different kinds of flags or Colours flying which appear'd vary Insulting to many people and that in the Evening of that day & after dark a Riot took place amongst some of the people some of which I took to be E Dupont's men and Victor Dupant was present whare I heard said Dupont say that they are all our men & dont let us fight amongst ourselves — and that some time afterwards in the Course of that Evening a vary great Riot took place at the said house and that altho I was not in the Croud at the Commencement of the Riot yet I stept up near them when some person or persons Struck me Several times with weapons which I Believe to be Clubs & which Strokes knock'd me down in the Road whare they beat me Severly haveing Cut thro my hat & cut my head in a most Shocking manner which thro the loss of blood weak=ned me vary much and that with the assistance of friends I Escaped from the hands of the mob with life I then discovered that those men who ware armed with Clubs were of Victor Dupont's party—

Witness my hand
November 13th 1813

Thomas Gray

I Isaac Stidham do Certify that David Hendrickson (who at the time of the late Election in Bowine Hundred did board with me) did on that day march to the Polls in Company with Dupont's men; and that the said David did afterwards declare to me that though mr Dupont's Influence he got to Vote & that at the time he was upwards of Twenty two years of age & had never paid any Taxes —
Witness my hand the 20th of December 1813 —

Isaac Stidham

Joseph Jackson states that amongst others, George Colwell, with whom he is intimately acquainted, and who work'd with Dupont at the time of our late Elections, was Compell'd to Vote their Ticket Contrary to his own wish ——

No. 4
Certification of
Isaac Stidham
Joseph Jackson &
Thomas Gray

Filed &
Isaac Stidham

I George Colwell do certify that I voted at the late election held at George Miller's Tavern and that having since heard it insinuated that I was biased in my choice of a ticket to vote by Victor du Pont — I think it is my duty solemnly to aver that it was not the case and that V. du Pont had no communication with me whatever concerning the election and never offered me a ticket —

George Colwell

Sworn, Jany 17. 1814.
before, Z. Moore, 1st Burgess
W. Morris —

Brandywine Hundred Jan. 15-1814

I David Hendrickson do Certify that at the last general Election at the house of George Miller in Brandywine Hundred, I was betwixt 21 and 22 years of age, and that I voted under no influence whatever but the dictates of my own conscience, and that I was qualified to my age and qualifications by the Inspection

David Hendrickson

Witness
Wm Allred
Adam Williamson

0305

David Hendrickson's
affidavit

0306

I, Isaac Dickey of Brandywine hundred, being duly sworn, do solemnly declare, that I was at the election held at George Miller's tavern on the 5th of October as a voter, and that in the evening I saw Mr V. Du Pont and Thomas Gray in conversation, and heard Gray aver that he could flog every gutter scraper in Du Pont's company — that about the same time Thomas Smith sprung from the porch and declared that he could beat any democrat in this hundred with much abusive language and insulting gestures — that as I stepped from the porch, without intending to accept the challenge, the said Smith knocked me down with a blow of his fist — that upon regaining my feet a battle ensued between us; which was ended by the interference of the standers by — and I do further swear, that previous to this circumstance, I did not observe any disturbance whatever — that I saw Mr Du Pont frequently during the day & in the evening and had opportunities of observing his conduct, and I solemnly believe that the said V. Du Pont exerted himself to the utmost to prevent any disturbances, and exhorted the manufacturers to keep the peace & not to resent any insult that might be offered to them — Isaac Dickey

Sworn, before,
J. Moore
Jany 17. 1824

I John Aldred of Brandywine Hundred do hereby Certify that I was at the last general election held at the house of George Miller in said hundred That about half after eight o Clock in the evening the people were getting very warm and shewed a disposition to quarrell, That a certain Wm. Cloud was standing behind Thos. C. Smith and encouraged him to begin fighting, saying if you'll begin we will soon have their heads where their heels are, That then I went away for some time, and hearing a noise I went back and enquired the cause, the Bystanders told me that Thos. C. Smith and Isaac Dicky were fighting, the Crowd seem greatly interested, and in a few minutes the fight became generall, which lasted about five minutes, That then Mr. V. Dupont came out and used very endeavour to make peace, And farther that I was in the room when the polls were counted out, and I heard Thomas Bewson give his entire approbation of the manner in which the Election was conducted

Sworn Jan.y 17. 1814 before, J. Moore.

John Aldred

I John Gallaher do certify that I was at the late election held at George Millers tavern in Brandywine Hundred and between the hours of 8 and 9 o'clock I heard Thomas E. Smith say that he could thresh any three of the brandywine Manufactures that then Isaac Dickey said he was not able to do it that the aforesaid Smith called Dickey a liar and stripped off his own coat and went out to the turnpike opposite George Millers door that then Isaac Dickey followed him and they immediately began to fight and that then Victor du Pont came out and endeavoured to make peace — and further that a few days after the election I heard Benjamin Sandeman say that any body who would vote a democratic ticket out to be shot

John Gallagher

Sworn Jan. 17. 1814
before, J. Monro

I, James Brady being duly sworn, do solemly declare, that after the late election in Brandywine hundred, about sunset, I returned peaceably home, with the banner and about 3/4ths of the men belonging to the manufactories — that I was standing at Mr Clifford's door, when I understood that James Miller had returned very much abused, with his coat torn &c — and that if we did not retuge back to the taverns Mr Dr. Pont and the rest would be treated like him: I accordingly determined to go to their assistance, but could only muster 11 or 12 of our men to return with me — When we arrived there we found Thomas Gray quarrel:ing with Mr Dr Pont, that we wished to interfere but Mr Dr Pont desired us to be quiet and told us he was in no danger — and afterwards represented Mr Gray as a friend of his — That a man whom I was informed bore the name of Smith, stripped & challenged the damned manufacturers — that many of us were willing to close with him, but Mr Dr Pont requested us to be quiet and take no notice — that the said Smith took hold of Isaac Dickey and a battle ensued — that after:ward when we had collected with Mr Dupont to go home, the stones began to fly among us and I was se:verely cut in the head by one — the blood running fast — that we then defended ourselves as well as we could —

James Brady

Sworn & Subscribed
this 17th of January 1814 —
before me — Gideon, Jr Burgh.
W. Burgh.

On the day of the last Election held at the blue bulle Theare
Victor du Pont say to some of the manufactures if they
did not promise to keep the peace and behave themselves
like men and their ighly to him was they were not
imposed on they would be civil; a few minutes after
an affray took place on the road opposite the tavern between
Mr Smith and Isaac Dicky — that Victor du Pont
came up and requested that the peace might be kept
and wished to know if there was no Justice of the peace
or constable that might interfere to keep the peace
that some person should he had better go into the house
and examine if there was any person who could command
the peace that he immediatly went into the porch and
return'd without being able to discover any person
endued with that power that it is my belief he
used every endeavour in his power to keep the peace

Sworn Jany 17. 1814 — Henry Fridham
before, Z. Mims. J.P.B.
W. Bourgh.

I, John Henderson aged 51 years, living at the factory of the Messrs Du Ponts, Bandary &c on the Brandywine, being solemnly sworn do declare, that on Tuesday the 5th of October last, I was at George Miller's tavern, where I usted as I have done before for upwards of 20 years in this country — that in the evening when Mr Du Pont was collecting the men belonging to the factory, for the purpose of conducting them peaceably home, I was holding Mr Du Pont's horse, and observed a great number of men collecting on the turnpike between the tavern and the corner of the road and picking up stones — that from their conduct toward the manufacturers during the day, I was convinced it was their intention to attack us, and urged Mr Du Pont to get off his horse, as I thought he would be a better mark for them in riding than while walking — that in a few minutes after he had dismounted the stones began to fly and amongst others James Brady received a severe cut in the head by one of the stones — I took Mr Du Pont's horse round the house for fear they might stab him, for I supposed they were capable of any mischief — As I was afterwards passing through the crowd, I was struck at by somebody as one of Du Ponts men, and deemed it prudent to effect my escape by jumping the fence and running off.

John Henderson

Sworn before
J. Morris, Ist Burgess.
Burgess of Wilmington
Jan 17. 1814.

I Patrick Quinn do certify that I was at the late election held at George Miller's tavern in Brandywine Hundred and Edward Thomas Smith say that those men were all Irish and Irish and damned them both and they say that were in my case into the County and I told him that I was not for them the country would not hold together and he swore he was as stout a man as any in the creek with that a certain person whom I did not know came up and attack at said Smith I then went into the house and told Mr du Pont that some of ~~the du Pont~~ the workmen were fighting he made answer to Mr that he could not be accountable for the errors of their men I told him that if he would go out he might prevent the Quarrell he then went out and beg'd of them to keep Quiet

Sworn, before
Gideon,
Jan 17. 1814.

Patrick Quinn
his mark

Brandywine Hundred Jany 17 – 1814

I Wm Aldred of Brandywine Hundred do hereby Certify, that at the last general election at the house of George Miller in said Hundred, a number of Manufacturers from Mr V. Dupont's cloth Factory, from Mr Wm Young's paper mill and some mechanicks in the neighbourhood, and in the afternoon of the Day of election in the road opposite Mr Youngs dwelling house, and proceeded to the election in an orderly and peaceable manner. carrying a flag of Blue Broad Cloth with the words on it "Jas Riddle expositor of his Countrys rights." a kind of banner with the words "Brandywine Manufactures Bees in Peace Hornets in War." and a paper stuck on a board with the words "Dont give up the Ship" That I was desired by Mr N. Clifford to tell the men to take no notice whatever of what might be said to them, to keep the peace, and even if any one spit in their face not to resent it, that we staid till the poll was over, when Mr Dupont desired me to collect our friends together and go home, that I did so, and proceeded to some distance from the electing ground taking the flag the with us, which was then to the home, I then returned to the election and staid till most when I went home, that no insult or affront was given by any of us that I know of during the time of election, notwithstanding the many insults and aggravations given by people of different political sentiment, and that their conduct was orderly and peaceable during my stay.

Sworn, Jany 17. 1814 before, G. Monro

Wm Aldred

I Richard Hambly do certify that Quesnotte I was at the election held at George Millis tavern in company with the workmen of Victor du Pont, and some of the neighbours who assembled at the gate opposite Mr Young's house there to meet the workmen of Mr Young in order to walk in company into the election with barn an & motto emblematical of the employments as manufacto which were "Bees in peace and hornets in war" "James Ridde domestic Manufactures" "the Manufactures on the brandywine" "dont give up the Ship" which were borne by the weavers spinners shearmen and dyers; that those men were not called together in military order or at beat of the drum that there was no muste of officers or roll of names called and that they were not assem=bled on the usual parade ground that the 1st Lieutenant Mr Garreschee was absent that the men walked in no regular order untill about to approach the polls that then they formed abreast for the sake of convenience in order that they might cause no disturbance there as each man gave in his vote when passing the polls; and that while the flags bearing the aforesaid mottos were hanging in the windows a bullying blustering fellow came up and swore that if any person would back him he would tear down those flags and trample them in the dirt upon which Charles du Pont began to remonstrate with him upon the impropriety of such conduct that the aforesaid fellow swore that he would pull that cocade out of his hat that then a number of Mr du Ponts workmen being much irritated stepped forward and at the same time Mr du Pont apprehending there might ensue some bad consequences persuaded the men to endeavour to keep the peace untill the election was closed and then if they felt disposed to offer any insults it would be proper for them to take their own parts.

0818

That after the election was closed ~~[illegible]~~ Du Pont Mr Aldred & Mr Collected, all the men ~~[illegible]~~ said that we could and proceeded towards home with the afforesaid banners that when about a ¼ of a mile from the polls the men halted and part returned to the tavern that we proceeded on towards home with what men remained that after we had got home word was brought by some person that some of Mr du Ponts men were getting very much drunk and then the rest repaired back to the tavern when the election was held

Sworn before,
E. Moore
Jan 17. 1814

Richard Hamby

I, Joseph Jackson, a voter of Brandywine hundred being duly sworn, do solemnly declare, that I was at George Miller's tavern on the day of election, that before the close of the election I heard a certain Thomas Smith declare that if they could prevent him from voting, they could not from fighting – that after the election was over, I went out of the house and observed the said Smith in the act of stripping off his coat, after which he went into the road striking his clenched hands together, asserted he could flog any three Democrats at the election, that shortly after I observed a young man, whose name I was informed was Dickey, engaged with the said Smith —— And I do further declare & swear that previous to this circumstance, I did not observe the slightest disturbance, that having been there from 12 o'clock until the close of the election, I had full opportunity of knowing the same ——

Sworn Jan. 17. 1844
before, Gillons.

Joseph Jackson

I John Rigby do certify that I was at an election held at George Miller's Tavern in Brandywine Hundred and do say that the first of the fray that I saw was in the dusk of the evening when Thomas Gray accosted Orator du Pont as they were crossing the road opposite the tavern where the election was held as the people began to crowd on them Isaac Anderson spoke aloud to let them alone that they were both Gentlemen, Joseph Perkins then spoke to Anderson and told him to stand back for that he would would smash him & he attempted to stir any nigher to them and shook his fist in his face that the said Joseph Perkins then turned round violently and with his shoulder violently pushed the two or three of the Brandywine Manufacturers without any provocation whatever on them, first he then whirled round and performed the same action with the other shoulder and further that Henry Buson sprung forward at the same time and caught one of the Brandywine Manufacturers by the shoulder and shook him violently asking him at the same time what he wanted there

* Jno Rigby

Sworn
Jany 17. 1814
before
G. Moore.

I Joseph Rigby do certify that I was at the late election held at George Miller's Tavern in Brandywine Hundred that you heard some person ask Thomas C Smith what brought him to the election as he had no legal vote; his answer to which was that he had come on purpose to fight and likewise said he could thresh any the democrats in Brandywine Hundred

Sworn before:
Jos Thomas
Jan 17. 1814.

Joseph Rigby

No. 5 –

Ben. Lenderman's
Certificate

Certificate
Benjn. Lenderman

October 1813 I being at a General Election held at the
House of George Miller In and for the Destrict of Brand-
wine Hundred & I there Saw a Company of men Call'd
Dupents, Come there In Some what of Millitary Order
with their Coulars or flags a flying of Different kinds
I also heard them found fault with And Appeard to be
Disgustful to a Number of the Inhabitants and I heard
a young Man finding fault with them And Peter Dupen
went to him And I heard him Say to him If you Stay
here till after the Election is Closed my men Shall
Beat you as fine as these Stone it Being on a part
of turnpike Stone that was Not Graveled

Benjamin Landreth
mark

The memorial of sundry citizens of Brandywine hundred on the subject of the late election in that hundred.

H. of Rep.
Jan. 19. 1814. Read & referred to the committee to whom was referred the memorial of sundry citizens of New Castle Co. on the subject of the election in that Co.

Papers in Relation to Election
1814

0998

To the honorable the Senate and house of Representatives of the State of Delaware in General Assembly met, the memorial of the undersigned citizens of Brandywine hundred in the county of Newcastle respectfully represents,

that your memorialists have respectfully seen a petition, which they understand has been recently presented to your honorable body, signed by Amos Grubb, Thomas Beeson, Harman Talley, Levi Ruran, John Robinson, Joseph C Handler & James Hamilton accompanied with affidavits alledging certain facts relative to the late general election and preferring charges against the conduct of individuals of a very serious nature. That your memorialists having been ignorant of the existence of the said petition until the present moment, are utterly precluded, if they were so disposed, from entering into a particular investigation of the various topics which it embraces, and are therefore under the necessity, at this time, of confining themselves to a general and absolute denial of the said allegations, pledging themselves, if sufficient time be allowed to prove to the satisfaction of your honorable body that they are most malicious and unfounded fabrications. With regard to what has been termed a military array, your memorialists would merely observe, that the company of men so styled, belonging to the different manufactories on the Brandywine, assembled in a peaceable orderly manner, and walked unarmed & without uniform to the hustings; that they offered no insult either by word or gesture to any person, and that no disturbance or riot occurred until a certain Thomas C Smith stepped from the crowd and in the most insulting terms challenged them to fight him. To meet the various allegations contained in the said petition, some time may be required

and when your honorable body consider the weeks and months occupied by this committee in preparing their charges, your memorialists trust the same exigencies will be extended to the accused to enable them to collect the evidence upon which they mean to rely for defence. They therefore pray that such time may be granted for this purpose, as the nature of the case may require — And your memorialists will ever &c

Adam Williamson
Joseph Dill
Robert Forwood
William Crabb
Charles Slater
David Penny
Joseph W. Day
William Ancrum
Wm. Aldred
John Smith
John Gallagher
William Elliott
Saml. M'Clintock
John M'Clintock
Saml. Smyth
John Aldred
Joseph Jackson
Thos. Bird

David Henderson
N. Clifford
George Miller
J. R. Martin
James M'Nelly
Valentine Robinson
John Scott
Elias Peirce
James Fitzgerald
Charles Broaden
John Gelleye
John M'Ree jun.
Thomas M'Kee
Jesse Peirce
James Todd
Adam Beff
Benjamin Ford
William Castlan
Saml. Snyder
John Israel

Thomas Smith
C. P. Bellinghurst
Jesse Snyder
S. du Pont
John Clark
G. Ward Jarrett
George Shepherd
Meser Scott
John Murphy
Robt. McCord
Thos. Stirling
Daniel McIntire
Robert Patterson
Thos. Moffitt
William Boyd
William Bradshaw
James Patterson
John Patterson
Collier Campbell
David Campbell
Charles Dougherty
Jonathan Rigby
Wm. McCall Jr.
John Rigby
John Husband
Daniel McBride Jr.
Richard Hamilton
Joseph Rigby = 66

0329

Writ & a test.ⁿ respecting
Newcastle election

Serv'd as within
Sam.l
Rich.d E. Lockwood
Sergent at arms

The State of Delaware to John Bird and Harry Williamson, Greeting: We strictly injoin and command you and each of you that all and every business and excuse whatever ceasing, you and each of you be in your proper person before our House of Representatives forthwith to testify all and singular those things you or any of you shall know concerning a certain matter now depending before our said House of Representatives and this do you nor either of you, in no wise omit. Witness the honorable Cornelius P. Comegys our Speaker of our House of Representatives, at Dover, this twenty first day of January in the year of our Lord one thousand eight hundred and fourteen.

Cornelius P. Comegys

Joseph Jackson
exportation

0388

Joseph Jackson a citizen of Brandywine hundred, being solemnly sworn, doth declare, that he never heard George Caldwell say, that Victor Dupont or any other person, compelled him to vote at the late election contrary to his own wishes, the Democratic ticket, nor does he know that said George Caldwell was compelled so to vote.

Joseph Jackson Jun'r

Sworn Jany 20 1844
before, J. Moore

0329

Justice Burns'
Certificate

0331

The deposition of Joseph Burr Esq. aged sixty nine years and upwards; Who upon his solemn oath saith That he was present at the Election held on the first Tuesday in October last in Mill Creek Hundred and heard the inspectors and judges of the said Election declare that it was lawful and that they would take the votes of Aliens who had resided in the State two years and within that time paid a tax; that in consequence of the said decision the following persons who he believes are aliens voted viz John M. Cleary Andrew Flavin Michael Gorty Charles Stuart Wm. M. Cowen Thomas Fleming Jas. McHolland John Boyle Andrew Thompson John Taylor & Thomas Ferguson; that the said votes were objected to by persons present and proof was demanded of their naturalization; this objection was overruled and the votes taken.--

Sworn to & subscribed
before the Com.ee
J. Clayton, Ch.

Writ ad test.m respecting
Newcastle election.
1814.

Sum.n as within Comd.
Nicholas Lockwood
Deputy at Arms

The State of Delaware to Archibald Hamilton Louis M. Lane, Jonas P. Fairlamb, John Simmons, William Boyd, Moses Thompson, William Baldwin, Levi Pearson, Thomas Gray, Joseph B. Grubb, Adam Williamson, Robert Forwood, Charles Paleon, Victor DuPont, Samuel Smith, Amos Grubb, James Hamilton, S. I. DuPont, John Warner, Cæsar A. Rodney, David Kirkpatrick, Paul McGinn, Charles Anderson, Joseph Chandler, Andrew Reynolds, John Dowell, George Springer, Robert Crawford, William Morgan and George Read Greeting: We command and strictly enjoin you and every of you that all and every business and excuse whatever ceasing, you and every of you be in your proper person before Thomas Clayton, George A. Magee and Robert Hill, a committee of our House of Representatives, forthwith, to testify all and singular those things you or any of you shall know concerning the matters referred to the said committee; and this do you, nor any of you, in no wise omit. Witness the said Thomas Clayton Chairman of the said Committee, at Dover, this fifteenth day of January in the year of our Lord one thousand eight hundred and fourteen.

Thomas Clayton

William Woodcock
deposition

New Castle County ss.

Personally came William Woodcock of the Borough of Wilmington before me the Subscriber one of the Justices of the Peace in for said County, who in his Solemn Affirmation saith, That he knows Mary Thompson of Christiana Hundred, That he worked with Mess Rea & Co. at the Soap & Candle business, this deponent being one of the Concern, That he was so ornery and Drunken that they in about a Month discharged him that this deponent considers him a worthless Liar, and that nothing he may say should be credited

Wm Woodcock

Affirmed Subscribed this 25th. June 1814

Before me, Francis O'Daniel

C. Hind Cowter
Report —

Report of the
Committee —
No. 1

0338

Agreeably to the resolutions of the Federal Republicans Meeting held at Eli Lambson's on the 23rd October last

We Joseph Chandler, John Simmons, and James Hamilton being Appointed a Committee to investigate the proceedings of the "late Election in this Hundred and to enquire" "as well as to the number of Alien Votes which" "were received and the manner of receiving them" "as unto the fact of Arraying Men in Military" "Orders upon the Election ground, and all other" "points whatsoever connected with the abuse of the" "right of Suffrage upon that occasion,

do make known that the Judges of the Election in this Hundred, did, decide that all aliens, and alien Enemies ~~otherwise~~ were entitled to the same rights of suffrage as the native born, or naturalized Citizen; and that in conformity to said decision, did receive their Votes.

And that public Notice in writing was painted up at the hustings informing all alien enemies they had a right to come forward and Vote

And further that a Company of Infantry commanded by E I du Pont (which has been raised for the purpose, as is stated, of defending the Manufactories on Brandywine) did March with a Standard in Military array headed by their Commander to the Polls of the Election a considerable number

of whom we have good reason to believe are now Alien Enemies to the United States —

We also make known that a number of Votes were received from persons who had not been Assessed more than fifteen minutes before they Voted

all of which we are able to prove by indisputable testimony if required

Wilmington
Nov 1813

Joseph Chandler
James Hamilton

William Shipley aff.

0999

New Castle County ss.

Personally came Capt. William Shipley of the Borough of Wilmington, before me the subscriber one of the justices of the Peace in and for the said County, who on his solemn affirmation deposeth and saith, That he personally knows Allen Thompson and that he the said affirmant hath had him hired at different times within three years that this affirmant knows that the said Allen Thompson is an abandoned liar and Drunkard, and has no hesitation in saying that he only believes that the said Allen Thompson might be prevailed on by designing men to swear to any thing, that by the said Thompson has kept a boarding house, lately near to Mr Lamb's factory

affirmed & subscribed
this 25th January 1814 } o William Shipley

before me of
Francis Daniel

Memorial from Christiana hundred respecting the late general election in that hundred.

H. of Rep.
Jan. 25. 1814. Read.

0101

To the honorable the Senate & House of Representatives of the State of Delaware in General Assembly met, the memorial of the undersigned,

Respectfully represents,

That it has been communicated to the good citizens of Christiana hundred, in the county of Newcastle, that a memorial signed by Thomas Beeson, Amor Grubb, Harman Talley, Levi Kearns, John Robinson, Joseph Chandler, & James Hamilton, has been recently presented to your honorable body containing a number of allegations relative to the late election in the said hundred and preferring certain charges against the conduct of respectable individuals which they believe to be totally void of foundation. That upon being apprized thereof, the said citizens in their hundred meeting held on the 18th inst: duly appointed the undersigned a committee to prepare and transmit to your honorable body, a memorial repelling the unfounded charges contained in the said memorial, and to collect testimony in support of their own.

In performing this duty, your memorialists beg leave to premise, that to them it appears truly remarkable that such occurrences should have happened, as are stated in the memorial of Thomas Beeson & others, without exciting the attention of the grand inquest of the county. It is scarcely to be supposed, that such transactions could have been passed over unnoticed. Nor could it be presumed that the individuals injured would have slept under their wrongs, when the laws provided ample redress and the courts of justice were open to their complaints. Our courts have uniformly maintained an unsullied reputation. The Attorney General of this State is known to be a vigilant officer, perfectly qualified to perform the important duties of his station, and always attentive to the punctual discharge of them. The language of —

of this memorial contains an indirect & unmerited censure on our judiciary and the prosecuting officer of the State. It contains indeed an undeserved libel on our laws.

These memorialists affect to come forwards without any party feeling and breathing a spirit purely disinterested, acting in the name of the people generally of Newcastle County; though in one of the papers annexed to the memorial, it appears to have emanated from a party source, a meeting of Federal Republicans. The undersigned are very far from attributing these proceedings, notwithstanding they wear that imposing garb, to the Federal party — because they do not believe the honest, intelligent and thinking men of that description have had any concern or agency in the business. It has no doubt originated with a few inconsiderate individuals, who have arrogated to themselves the character of a committee of that party. If in truth and in fact such transactions had occurred as are stated in their memorial, there are men of virtue & talents on that side of that question who would have been among the first to step forward and vindicate their violated rights. But this is not the case, and this circumstance alone is a complete contradiction of the allegations contained in the said memorial.

Perhaps the memorialists have fancied that because the legislature is a political body and composed of members of whom a large majority are federalists, they would lend a willing ear to their suggestions. In this idea, your present memorialists are persuaded, they will find themselves mistaken. They must be unacquainted indeed with the character of the Legislature, if they expect any partiality will be manifested towards them. This subject will be investigated with fairness & candor, and the decision will be founded on the basis of immutable justice.

Under these impressions, your memorialists will proceed to notice with as much brevity as the subject will admit of, the principal allegations contained in the memorial to which they have referred. And

I. It is alledged, that the votes of persons who were received who were not entitled by the constitution & laws of this State to vote.

(1). Because they were not born in the country & had not been naturalized (2) because they had not paid a tax that had been assessed 6 months before the election — and (3) because they had not resided in the State two years.

Your memorialists consider the constitution of this State as the supreme rule and the true guide in deciding on the qualifications of electors, and by the fourth article of that instrument, appropriated expressly and exclusively to describing and defining all the qualifications that electors must possess, it is declared — " All elections of Governor, Senators, & "Representatives, shall be by ballot; and in such elections every "white freeman of the age of 21 years, having resided in the "State 2 years next before the election, and within that time paid "a State or county tax, which shall have been assessed at least "6 months before the election, shall enjoy the right of an elector; "and the sons of persons so qualified, shall between the ages "of 21 & 22 years, be entitled to vote, although they shall not "have paid taxes."

It appears then that the constitution does not require nativity or naturalization as the qualifications of an elector. The language is clear and explicit — it is sufficient, if the person be a white man and a freeman, possessing the other qualifications of age, residence & taxation, to entitle him to the right of an elector. Aliens so far from being excluded from the privilege, are as completely vested with it as language can make them. And though the same instrument in speaking again of the persons by whom the Representatives, Senators and Governor shall be chosen, used

uses the term citizens, it cannot be inferred that its framers intended by any implication to deprive aliens of a right they had expressly clothed them with. The framers of the constitution undoubtedly intended that a residence of 2 years by an alien and taxation, should be a virtual naturalization, and that he should become ipso facto a citizen for this purpose. Those sages, actuated by the dictates of a sound policy, were early aware of the propriety & utility of encouraging the emigration to our thinly settled shores, of those whom the superabundant population of other countries might spare, and whose genius & skill might contribute to the general welfare and improvement. They justly imagined that no stronger inducement could be presented, than the privilege of participating in the rights of the citizen after a short residence. In stating their opinions upon this subject, your memorialists feel themselves warranted by the highest authority our state can afford. In the Declaration of rights of this state, adopted at the period when independence first dawned upon our country, that spirit of liberality towards aliens is displayed, which was afterwards introduced into the constitution. The 6th section declares "That the right in the people to participate in the "Legislature, is the foundation of liberty and of all free govern"ment, and for this end all elections ought to be free and "frequent, and every freeman, having sufficient evidence "of a permanent common interest with, and attachment "to the community, hath a right of suffrage."

It may be objected, that the Constitution of the United States has declared that "Congress shall have "power to establish an uniform rule of naturalization" — and that the act of congress requires a residence of five years in this country to entitle an alien to become a citizen of the United States. But the construction of this provision of the federal constitution, as settled by the Circuit Court of the United States is, that the right to naturalize an alien is not thereby taken from the individual States, but that each State possesses a concurrent jurisdiction with congress upon this subject

subject, and that a State may adopt citizens upon easier terms, than those which congress may deem it expedient to impose.

The construction which your memorialists have given to this section of our State constitution, appears to them to be the only one of which it is truly susceptible. And the practice which has usually prevailed under it, proves that the general opinion accords with this interpretation. It is believed that no doubt existed upon this point, until the act of 1798; an act passed at a period when party spirit was at its height, and in opposition, as your memorialists understand, to the opinions of professional men of talents and eminence. ~~It [illegible] the [illegible] of a law, is the [illegible] of our [illegible] of State. This [illegible], it is believed, has [illegible] [illegible], before the [illegible] of the [illegible]~~ — Your memorialists may be permitted to observe, that they view the constitution as the paramount and supreme law of the land, and that where any act of the Legislature clashes with or contradicts its provisions, the will of the Legislature must yield to that of the Constitution.

To the second point under this head, your memorialists have to observe, that the sacred charter to which they have appealed in their preceding remarks, is still the test to which they are willing to submit, and by which they wish this point to be decided. The words used are "every white freeman &c" "who shall have resided in "the State" "&c" "and within that time paid a state "or county tax, which shall have been assessed at least 6 "months before the election" — It appears very obvious here that the assessment here mentioned refers to the tax to be paid and not to the person — the word "which" being used instead of "who" places this beyond a doubt. The tax shall have been assessed at least six months before the election — that is the rate or proportion which such person is to pay shall be fixed and established.

And if any person whose name, from mistake or any other cause, may not previously have been enrolled by the assessor, should come forward within the six months, although it should be upon the day of election, and have his name enrolled and pay the tax, such person is, in the apprehension of your memorialists, a legal and qualified elector. And this would seem to be the construction of common sense as also of law. A contrary doctrine would vest in an assessor a power which might be exerted to very alarming purposes. To say that no person should vote whose name was not enrolled on the assessor's list at least six months before the election would enable the assessor himself to say "I will permit no man to vote but such as I may deem proper" because if he should purposely neglect to enroll the name, this would be the consequence, the elector would be deprived of his franchise. Is it reasonable, is it consistent with the genius of a republican government, that this most inestimable of the privileges of a freeman should rest upon so tottering a basis as the discretion of a single individual.

Your memorialists do not think it necessary to occupy the attention of your honorable body with many observations relative to the third specification of the charge. The memorialists have made the allegation, that the votes of persons, who had not resided in the state two years, were received, and it is incumbent on them to prove the fact. The undersigned aver, that they believe the assertion to be utterly destitute of truth, and that not a solitary instance can be produced of the reception of a vote from a person of this description, where objections were made and those objections substantiated.

II. It is alledged, that certain persons were assembled by military order & in military array within a mile of the place of election in this hundred, and in that order marched to the election ground headed by their commanding officer with a military standard flying, and were there

forced to vote a particular ticket.

The charges here stated are obviously designed to implicate the characters of two individuals, whom your memorialists are proud to class among the most valuable of their fellow citizens. They allude to Messrs E. I. & W. Du Pont. These truly meritorious citizens have resided in this county 10 or 12 years, and in the United States many more. Since their residence in this vicinity, they have uniformly distinguished themselves for the undeviating propriety of their conduct as members of society, and the genius & enterprize by which they have enriched our state with the most valuable manufactures of other countries. Of such men, it is scarcely credible, that malice itself could have invented a tale so grossly preposterous and unfounded as this. Fortunately, for the cause of truth & justice, these charges are susceptible of the most complete refutation. The affidavits which accompany this memorial, and which contain the solemn testimony of persons of respectability & veracity, shew — that there was no military order nor military array in this hundred — that the men who walked two and two (according to a practice which has always prevailed in this county) were a body of men partly belonging to the volunteer corps of manufacturers, and partly indifferent persons who lived in the neighborhood; that they assembled without any order from their commander, were unarmed and without uniform — that their officers were all absent except E. I. Du Pont who walked in the midst of them and not at their head. It is further shewn, that such was the delicacy of Mr Du Pont upon this subject, that he abstained from mustering his company for the purpose of exercise for two weeks previous to the election. It will appear also, that those men conducted themselves in the most decent, quiet and orderly manner, that receiving no insult themselves, they did not evince the slightest disposition to offer an insult to others. The standard which has been denominated a military standard is

is still in existence and ready to be submitted to the inspection of your honorable body — it is merely a colour handsomely designed with a motto and manufacturing emblems, calculated as we conceive to disgust no man who is a friend to this country and its interests. As relates to the last and most serious branch of this charge it will appear from the testimony, that so far was Mr Dupont from attempting to compel the vote of any man, that he stopped the men in the road & requested and encouraged them to exercise that discretion which as inhabitants of a free country they had a right to do. As if nothing were wanting to the complete refutation of this allegation, those very persons who are represented to have stated that they voted under compulsion have come forward and on oath deny that they ever made such statements.

III. It is lastly alledged, that a handbill was posted up at the late election in this hundred, inviting alien enemies to vote. And this is insinuated to have been done by the Democratic party.

Your memorialists admit, that a handbill to this effect was posted up as stated, but they deny that this contemptible transaction originated either with the judges of the election, or with the Democratic party: They believe it to have originated with some mischievous or inconsiderate individual, with a view of exciting ridicule against the proceedings of this election. That this was the impression entertained will appear from the annexed affidavitts, and particularly from those of Captain Abiah Sharpe & Samuel Stroud persons of unsullied veracity, the former of whom under this impression tore it from the place where it was posted.

Your memorialists have to apologize for thus
:passing so long upon the time of your honorable
body with statements which may possibly be deemed
superflous. But they conceived that they could not pro
:perly discharge the duty imposed upon them, without ex
:hibiting in its proper point of view every important fact
which could have a tendency to repel the unfounded accu
:sations which have been preferred in the memorial of
Thomas Beeson & others against the good people of Chris
:tiana hundred. And they would respectfully submit
to your honorable body that from the foregoing statements
it resultes — That the election in Christiana hundred
was fairly and peaceably and legally conducted —
because it does not appear that any votes were received
but from such persons as were entitled by the Constitution
and laws of this State to vote — nor that there was any
military array, nor any proceedings of a disorderly
or riotous nature, inconsistent with the peace of the
State or the law of the land —

And your memorialists &c

Wilmington Jany
22. 1844 —

Mord M Kinney
Thomas Richardson
John Forbert
John Dixon
James Gardner
Wm P. Robson

Writ of test.ⁿ respecting
New Castle election.
1814

Summ.ᵈ as within
Comm.ᵈ
Rich.ᵈ Coulthwood
~~[illegible]~~
Sergt. at Arms

The State of Delaware to James Grubb Joseph Perkins and Thomas Beeson Greeting; We command and strictly injoin you and every of you that all and every business and excuse whatever ceasing, you and every of you be in your proper person before our House of Representatives forthwith to testify all and singular those things you or any of you shall know concerning a certain matter now depending before our said House of Representatives, and this do you nor any of you, in no wise omit. Witness the honorable Cornelius P. Comegys Esquire Speaker of our House of Representatives, at Dover, this ~~fifteenth~~ twenty first day of January in the year of our Lord one thousand eight hundred and fourteen.

Cornelius P. Comegys

I Victor du Pont a Cloth Manufacturer living in Brandywine hundred do solemnly & sincerely Declare that on Tuesday the 5th day of october last, I did not call together the men belonging to the volunteer company composed of Manufacturers exempt by law from militia duty which I have the honor to command - that on the Contrary our usual parade & training days being every Saturday they were suspended for a fortnight the Saturday before & the Saturday after the election, That on the morning of the election some of the workmen of my factory requested leave to take some of the best superfine Navy blue Cloth to make some banners with appropriate mottos to carry with them to the election. I at first objected to it, but they offered to pay for the Cloth and said that some of the Workmen of Mr Young's factory had agreed to meet them on the road and join under their different banners, one of these banners being intended for the Weavers, one for the Spinners & one for the Shearers that on these banners there was some mottos, which were afterwards described by a certain set of men very much opposed to the Manufacturers, as being very insulting and aggravating to the peacable citizens present: These mottos were - Done - Give up the Ship - James Riddle - Domestic Manufactures - Manufacturers in the Brandywine Bees in peace hornets in War - and no other - and they certainly could not be insulting or aggravating but to a bitter enemy

2

of the manufacturers of this Country. I do further declare that when the manufacturers so collected, [not on the usual parade ground of my company as has been asserted, but on the road opposite the house of William Young Esqr.] they were not in military order or array, not under the command of any of their officers some of these officers being absent & some walking at a great distance behind that they had no uniforms, no arms, no drums, no colours that they were not all men belonging to my company but some farmers in the neighbourood & many workmen in William Young's, & Bradury & Garesché's factories — That I did not take any of these men to the polls, or made them vote or recommand their votes to the board of Inspectors, except when the said board of Inspectors did question me about their age or time of residence and that as to the age I generally denied giving any information, but requested the board to qualify them — I furthermore declare that during all the time I was on the election ground I found a disposition in many of the Citizens present to bring on quarrels by their continual abuse & threats against me personally, the manufacturers in general and those they called Dupont's Men that it made me very cautious to warn all the men on whom I could have some influence, as being ~~their~~ ~~[illegible]~~ their employer, not to be taken in the snare laid for them, as if any quarrel was to take place the whole

blame would be thrown on them; that for my part I was several times personally insulted and never resented it, and I do not remember any occasion in my life where I took so much pains to keep down my temper & remain cool - a man said in my hearing and certainly with an intention that I should hear him This is the horse of a damned rascal in seeing my horse led across the road - another by the name of Welden told me I was an agent of Bonaparte would sell this country to Bonaparte and that my coming into the hundred was the greatest misfortune that could ever happen - I took no notice of all this - a young man who was going up the road on a waggon stopped, jumped out and asked in my presence some body to assist him and he would trample under his feet in the mud these damned french Colours meaning our banners; my son Charles P. Du Pont told him he had better to try, the said fellow shook his fist at my said son Charles and said he would wring his nose and pull the cockade from his hat, the said Charles was squaring himself and raising his fist as if ready to strike when I stopped his arm and ordered him not to fight during the election, but that if the said fellow would stay till after the close of the polls and then attack him I would advise him to give him

a severe flogging for his impudence upon hearing which
the said man jumped in his waggon & drove off - I further
more declare that as soon as the polls were closed finding
that some of the men in my employ were getting warm
under the ~~above~~ provocations they had received all the afternoon and
the ~~proceed~~ abuse ~~they~~ in several newspapers & hand bills
circulated few days before the election & signed Thomas
Beeson & others in which we were called ~~a~~ Nice enemies
Friends to Bonaparte Marat & Robertspierre —
Imported Manufacturers - Scouring of the earth —
Scrapings of Gutters and many other as dignified
genteel & appropriate appellations; I prevailed on
them to go home with their banners & they departed
before Sun down - only two or three remaining; I staid
to take some dinner & know the result of the election -
I dined at the same table with the board of Inspectors
and in company with Thomas Beeson, and being informed
that he had brought between two and three hundred
dollars in his pocket to bet on the result of the
election, I told him that I would not gamble quite
so high but would take him up for fifty dollars -
he said he would have done it in the morning but was now
afraid to bet on a bare majority but wished me to allow
a certain number of votes above - at the same time
declared that the election had been fairly & honorably

conducted on both sides, but he did not think there
was so many inhabitants in the hundred — I further
more declare that I was very much surprised to send
to see about a dozen of the men belonging to my factory
return between 7 & 8 o Clock in the evening they told
me that they came to see me safe home that James
Miller had come to our place with his coat torn &
much bruised otherwise and had said that if they left
me there alone I should certainly be murdered as
he had been treated so on the road for no other reason
but his being one of Dupont's men — I told them
that there was no danger that I was there amongst
neighbours & friends and offered to treat them if they
would return home — and in the mean time requested
them to be quiet cool & peaceful — immediatly after
a man whose name I was told few minutes after was
Thomas Gray a respectable farmer but who I took
at first to be one of the bullies of the opposite party
took me by the collar in a very rude manner and
attacked me on some words he said he had heard me
make use off respecting My Men some Weavers pushed
on & offered to seize him & drag him from me, when
I interfered told them to let me alone with Mr Gray
that I was good to settle the difference if any with him

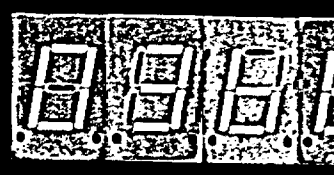
6

without their assistance and I walked acroll the road alone
with Mr Gray and after some altercations & explanations
on both sides & my representing to him that for a man
of his respectability it was not proper to pick up a quarrel
on an election ground, Mr Gray confessed that he had been
mistaken, that he was satisfied & perfectly so, that I was acting
right – We went to the bar took a glass together and I
introduced him to the men of my factory as a friend of mine.
Some times after a tall raw bony man by the name of
Thomas C. Smith began to abuse violently the
manufacturers before the door of the tavern saying that
he could flog any three of them at once and that they
could come on he pulled of his coat gave his hat to
some of his seconds and shook his fist, some of my
weavers answered that one of them was enough to
whip him and wished to engage, I interfered and
drew them back but at the same time he struck a man
of the name of Isaac Dickey, who does not work in
my factory, who does not belong to my company ~~as~~ but
who is one of William Young's men; Dickey closed
with him & they had several rounds, at any other place
I should have been the first to make a ~~round~~ ring &
see fair play, but my feelings were so much worked
up to the tune of peace, that I did my best to inforce it
I called for a magistrate looked for one & none were
to be found – a little after I with great deal of pains

MUTILATED DOCUMENT

collected together the nice living on my place and we agreed to go home together; I ordered my horse and we were starting when an old man named John Henderson who was at the head of my horse told me with a great deal of agitation Dismount Mr DuPont Dismount you are in great danger: I could not make out what he meant but in consequence of his repeated intreaties I dismounted, Don't you see says he these men on the turnpike there are between twenty or thirty of them with big stones in their hands ready to throw at us, immediatly the stones began to fly and amongst others a man by the name of James Brady a Dyer in my factory received a severe cut in his head by a sharp stone that cut through his hat, the men round me dispersed, some as they told me afterwards, run into the barn of George Miller, broke an old rack, armed themselves with the pieces and made a sally on those who were so unmercifully pelting them with stones — then a general battle ensued where both parties did their best for about ten minutes. On one side Mr Gray & Mr Cartmell were wounded on the other John Murphy & some other manufacturers and I believe a young McClintock for my part I escaped unhurt in my great exertions to keep the peace altho' the stones & the sticks were flying round my head in every direction, I furthermore

MUTILATED DOCUMENT



I declare that to my certain knowledge none of the men belonging to my factory or to my company came on the election ground armed with Clubs as has been maliciously represented, that on the contrary they had not even a Switch in their hands till they broke the rack of George Miller and that it was done in their own defence and at a time when the tide of both sides furiously running against them — In consequence of this affray taking place by the misconduct of Th. Smith & others and in spite of all our efforts to preserve peace I retired home between nine & ten o'Clock taking along wounded & all and did not wait as I intended to see the votes counted out —

I sincerely & solemnly declare that this statement of facts is to the best of my knowledge & remembrance the truth & the whole truth and I am ready to be qualified to it whenever required —

E. du Pont

Louviers Brandywine.
January 17th 1814

Affidavit of Proceedings at Brandywine election.

Thomas Beeson's
deposition
B. Wine St.

1814

0980

Dover Jany. 13th 1814

I the Subscriber aged 46 years & upwards & having had my place of Residence for 40 years past in Brandywine Hundred in the State of Delaware —

do affirm & say that I attended the Hundred Election in said Hundred in September last and gave Particular attention to the manner of Receiving the Votes at said Election and that the Collector and his assistants did then & there take & Receive thirty or more Votes from Aliens & other persons not Legally entitled to Vote, to the best of my knowledge and belief, altho Regular objections were made to them at the time —

That I also attended the General Election in said Hundred in October last, from the Commencement to the Conclusion thereof, and that Contrary to the invariable practice heretofore used at our Elections in said Hundred, the Inspector his assistants and Clerks were made up of men who Call themselves Republicans That in the afternoon of the day a party of Guards of Sixty men (who were Called Dupont's men) were marched in a Company in military form with music at their head & three different kinds of flags or Colours flying that they were attended by their Officers and arrived at the polls — in Rank two deep —

That the Votes or tickets of those men were taken & Received by the Inspector (altho objections were made & an Enquiry Urged by me) and the only Enquiry was made of Victor Dupont their Captain, who answered they are all very good Voters they have paid taxes —

That on the last mentioned day there were given and Received at said Election a very Considerable number of Alien & other Illegal Votes, more than twenty, to the best of my Knowledge & belief —

That

That among those illegal votes there were not only aliens, but persons who at that time had their place of Residence in Christiana Hundred & some out of this State some not of lawful age & others who had not paid Taxes —

That on the Evening of that day & after night a very Serious and Alarming Riot and Battle took place at the said Election house, when & where several of the peaceable native Citizens of said Hundred were severely & dangerously Beaten & wounded by the mob who were prepared and armed with Clubs & weapons on the occasion

That I do believe the said Riot was premeditated and brot on by the aforesaid Infantry men who were aided & Encouraged by their Officers & others, not of our Hundred, for I frequently heard them Huzza for Mr Dupont who was also in Company with them together with John Warner & Nicholas G. Williamson

Affirmed to & subscribed before the Com.er

J. Clayton Ch.:

Thomas Beeson

At a respectable meeting of the citizens of Brandywine hundred, held on the 15th inst; the undersigned were appointed a committee for the purpose of collecting evidence in support of the memorial of the said citizens, and to meet the petition & affidavits lately presented to the Legislature by Amos Grubb & others — they therefore pray that the annexed affidavits may be received as part of the aforesaid memorial, and also that time may be allowed them to procure such other evidence as may be necessary, but which from the shortness of the time they have not been able as yet to obtain —

Brandywine hundred
Jany 17th 1814 —

Joseph Dixon
Adam Williamson
Wm. Monde
Robert Norwood
Saml. McIntosh
V. du Pont
Charles Tatem

Samuel McM

affidavit

0919

I the Subscriber do here by Certify that I was the person that put up a Certain piece of writing on the Day of the Last general Election at the Buck tavern Specifying all alien Concerns to have a rite to vote at the Election after residing a certain time in the State &c —

Sam. Kirk

Buck Tavern May 3rd 1841

2

Deposition of Sundry persons,

0347

We the Undersigned do hereby Solemnly declare Upon Oath That on the 5th day of October last which was the day of the last Election, we were neither ordered nor requested by E. I. Dupont or any Body else In his behalf to go to the Hustings; That we then were In the Employment of E. I. Dupont and R Highlanty. But that neither of them used directly or Indirectly their Influence with us on that day and that knowing that we were Not entitled to Vote, We did Not offer to go to the polls and remained Working at the Hawkae of R Highlantys mill

John McVicker
Henry McVicker
Joseph Tourangeau
Robert McDonald
Edward Mills
Antoine + Gash
mark
Michael Gallagher
Hugh McNorton

New castle County } Appeared before me one of the Justices of the Peace in and for New-castle County the above Named of Christiana Hundred and County aforesaid Labourers and was sworn to the above

Geo Walter

January 24th 1814

No. 7 —
J. Burr's Certificate
and William Beale and
W. Wooster's Certificate

0389

Mill Creek Hundred Octob 3th 1813

To all Whome these presents may come, we the Under Sined as being appointed to Stand at the poles at our late Election, in order to object to illagel Votes as being not Naturillized, we belive the Names herein Mentioned be of that Description whoes Votes we belive ware taken in the face of objection

Voters Names

John mc Cleary
Andrew Oliver
Michal Garty
Charles Stwart
William mc Kown
Thomas Flemen
James Mc Holland
John Boyle
Andrew Thomson
John Taylor
Thomas Ferguson

Given under our hands

William Ball
Samuel Morrall

No. 19

Borough of Wilmington ss.

Personally came Samuel Stroud before me the Subscriber Justice of the Peace of the Borough of Wilmington who being solemnly affirmed deposeth & saith, That he was at the last General Election held at the Brick Tavern, that he arrived there at the time the Election Law was reading; that after the Election was opened, and the Judges had determined that Persons residing in Christiana Hundred and who had resided in the State two years & had the other necessary qualifications, should be entitled to vote, a paper was stuck up on the side of the House four or five feet from the Window where Votes were received stating that "Alien Enemies were entitled, and might come forward and vote" that the impression made on his mind by said Paper at the time, was and still is that the said paper was put up as a burlesque by some Person dissatisfied with the decision of the Judges of the Election. – That this deponent was on the Election ground when the Manufacturers of the Brandywine came, that they came up in a peaceable & quiet manner walking by two's, with a Person at their head bearing a Banner emblematic of the Manufactory on the Brandywine. – That he saw nothing like Military array in their proceedings, but that they behaved themselves in the most comfort Manner; That he left the Brick about Noon, while he was there the Election was as quiet & peaceable as any he ever was at.

Samuel Stroud

Affirmed & Subscribed this 19th day of Sept. 1814 Before me, J. Morris

No. 18,

Borough of Wilmington ss.

Personally appeared James Collins before me the subscriber first Burgess of said Borough who Solemnly affirmed that he was at the last Election held at the Brick Tavern on the first Tuesday in October last, that he was there about Noon tide there a short time before the Election was closed, that while there he saw nor heard of any quarrelling or fighting, that it was the most peaceable & quiet Election he ever saw. – And further this deponent says that to his knowledge it has been long a custom in Wilmington to form Walking Companies to go to the Elections, that it was customary for those who went down to Newcastle by water to land on the Wharves form themselves, with or leaves at their head & proceed in that order to the Poles.

James Collins

Sworn, Jan.y 20. 1814
before, J. Moore.

(No. 17.)

Borough of Wilmington } ss.

Personally came Captain Francis Leonard before me the Subscriber High Bailiff of the Borough of Wilmington, who being sworn, deposeth saith, that he attended the Election at the Brick on the first Tuesday in October last that being there early and having some business at Called Kirk Mill, that on going there, we met Samuel Rees he and the Manufacturer of Brandy spirits proceeding to the Election, that E. I. Dupont was walking about the Centre of them, they being formed in what has generally been called in Wilmington a Walking Company, that they had at their head a Person carrying a Banner, that there was no appearance of Military order no Musick but were like orderly Citizens proceeding toward the Election in a decent Orderly manner. And further this deponent says that to his knowledge it has for a long time been customary in Wilmington to form Walking Companies to go to the Election that this deponent has frequently been appointed by his fellow Citizens to lead such Companies and has attended to the appointment. – that it has been an uniform practice with both Parties, who went down to Newcastle in Sloops or Pinkeys, to land the Passengers on the Wharves at Newcastle to form them in file, with some respectable Citizen or Citizens at their head and

to

proceed in that order to the Grand Jury to give in their Bills. Further this deponent saith that he saw no Riot, quarrel or disturbance on the Election ground, but that it was as peaceable an Election as ever he was at.

Sworn 1. Sept. 20. 1814
before, J. Morris.

Frederick Leonard
his
+
mark

11

Documents accom-
panying the memorial
from Christiana H.d

H. of Rep.
Jan. 25. 1814. Read.

No. 1

I George Hodgson a manufacturer of iron on the Brandywine do solemnly swear and declare That on Sunday morning the 5th october last past, I repaired to the dwelling house of E I Dupont powder manufacturer on the said Brandywine, near the place where the general Election is held; That I met there a considerable number of Workmen belonging to the different factories, who had prepared a little Silk banner with Stripes, Stars, an Eagle and a beehive upon which was written, Manufacturers on the Brandywine. That we all walked together to the place of Election; That there was no military array, no call of officers, no mustering of Company in the usual style of parade or elsewhere; but that we assembled in E I Dupont's house and in the little yard before his door; That on the way to the hustings we halted a few minutes, and somebody enquiring for tickets, Mr Dupont said he had in his Pocket the kind of Tickets he intended to Vote; but that he had no Idea. That because the Manufacturers had done him the honor of meeting at his house they were to Vote all the same ticket; that the greatest blessing of our Country was to be free, that the first right of a free man was to Vote as he pleased, and that those who wished to Vote

The other tackies could find a plenty of them at the
Poll. I further declare that there was no officer
of the Volunteer Company under the command of
the said E I Dupont, appointed to inspect the
Votes of the persons so collected, or commissioned to
act as officers in any shape or form whatever —
That on the Contrary, the principal officers of the
said Volunteer Company were not present: R
Dupplanty first lieutenant, James Phelps second
Lieutenant & Charles Dalmas Ensign, the former
and latter of whom were then living at E I du —
Ponts house did not go with us to the place of election;
I further say that E I Dupont did not walk at
the head but about the center of the manufactory
so collected; that he did not in any shape display
the character of an officer on that day, and that
Neither he, nor any body else forced any man to —
Vote Contrary to his opinion.

George Hodgson

Sworn June 17. 1811
before J Moore.

We the undersigned do testify upon
oath that the facts aforestated by George
Hodgson are perfectly correct to the best of
our

our knowledge, and that they took place in our presence.

Sworn Jan 17. 1814 before, Z. Morrow.

John Weir
Hugh Flanagan
David Murphy

0378

No 2

I James Thelps a Cotton Manufacturer on the Brandywine Lieutenant of the South Brandywine Volunteers do solemnly declare That I received no Order from Capt Dupont of the said Company to meet in any military manner on the 5th of October last, being the election-day; but That on the 4th of the same month in the morning I received from E I Dupont a Note, the purport of which was to Invite me, in my Capacity of a Manufacturer to stop at his House, on my way to the place of Election, there to form a Junction with other Brother manufacturers who Intended to walk from there to the poll together, and I further declare That In consequence of some business, I did not avail myself of the said Invitation.

Sworn, Jan 17. 1814 before, Z Morris

James Thelps

No 3

I Raphael Duplanty a Cotton manufacturer
first Lieutenant of the South Brandywine Volunteers,
do solemnly declare I that I received No Order from
Capt. Dupont of the said Company to meet in any
military manner on the 5th day of October last, which
was the Election day; that I breakfasted with
E. I. Dupont on that day, and afterwards went
a shooting with some friends; I further declare that I
did not return to give my Vote, but after four o'clock
in the afternoon. had I received any military order
from Capt Dupont to meet with the Company on that
day, I would have obeyed, as I was acquainted with no
law prohibiting the same

R Duplanty

Sworn, Jan 17. 1814
before, J. Moore.

3

0380

No. 41

I Charles Dalmas Howden manufacturer Ensign of the south Brandywine Volunteers, do solemnly declare That I received No Order from Capt Dupont of the said Company, to meet in any military manner on the 8th day of october last which was the Election day; That had I received such order, I would have considered it my duty to obey: That After having breakfasted with Capt Dupont, I went out a gunning, and did not Come to the place of election to give in my Vote, but after four o'clock in the afternoon.

Sworn Jan 7 17. 1814
before, J. Moore.

Chas Dalmas

No 5.

I Horace Pease a Cotton Manufacturer Sergeant of the South Kingstown Volunteers do Solemnly declare that on the 5th day of October last, I repaired to the dwelling house of E & I Dupont, from whence I walked in company with the other manufacturers there collected to the place of Election: That I have read the affidavit of George Hodgson, that all the facts stated in that affidavit are perfectly true and correct respecting what passed at Mr Dupont's house & in the road from there to the place of Election; I further say that I saw no body inspecting the Votes, that I knew of no body having been forced to Vote contrary to his intention, and that I did not give in my Vote but in the afternoon long after the body of manufacturers collected at E & I Dupont's house as aforestated, had left the place of election.

Horace Pease

Sworn Jan 17. 1814
before, J. Mumford.

0382

No. 6

I Henry Smith a Cotton manufacturer
Who never belonged to the Volunteer company
Under the Command of E I Dupont do —
Solemnly declare that I repaired on the 5th
day of October last to the house of E I Dupont,
That I met there a number of manufacturers;
That I walked with them to the place of election;
That I never observed any thing of a military
appearance to take place either at E I Duponts
house or on the road to the place of Election; and
That I know of no man having been forced
to Vote contrary to his Inclination, either by
E I Dupont, or by any body employed by him.

Henry Smith

Sworn, Jan 17. 1814
before, Z Moore.

0389

I Anthony Campbell, (No. 7) Shoe maker By Trade do
declare upon oath that the South Brandywine Volunteer
Company Was Mustered for Two Weeks Immediately
preceding the 25th day of October Last: That on the 3rd & 4th
of the said Month of October, I was required by order of E
I Dupont Captain of the said Company not to put on my
military dress on the day of Election, and was also desired to
require the Men who were then living at my house to abstain
if they could, from Wearing their military dress on the
said Election day: That I received no Order from him E
I Dupont or any Body else in his behalf to repair to his
House on the 25th day of October last, which was the Election
day; but that his House being on my way from my
house to the place of Election, I stopped there, where I
Met a number of manufacturers, the most part of whom
Were then living at E I Dupont's place: That there
was no Military appearance in that meeting which
looked Nothing else but a Collection of Persons living in
the same Village: That there was no Member of
Company on the Usual parade ground or Elsewhere;
that prior to our Walking towards the place of
Election, E I Dupont addressed some of the persons there
Collected and said that if any one amongst them was not
entitled to Vote they had better not go to the Polls. I do
further declare that on our way to the Huntings we
stopped, and upon some Body enquiring for Tickets;
E I Dupont, after having observed that every body
was to Vote as they pleased, being summer, [illegible]
he had with him the Ticket he intended to Vote;

and

Hon. Thos. W. Minshew to Wit: The Affiant further
states on plenty of Thomas Huggolly.
Sworn, Jan'y 19. 1814
before, J. Monroe.

Anthony Campbell

0385

No. 8.

I Peter Shepard do declare upon oath that on the 5th day of October last I received the order of Captain E I Dupont relating to the Company of Dismissers in which I am a Sergeant; that on the Contrary our usual parade day being on Saturday the second October, the said parade did not take place and was postponed by the Captains order for Two weeks on account of the Election

Peter Shepard

Sworn Jany 16th 1814
before J. Morris.

0388

0387

No. 9

I John Blanchet do declare upon oath that on the 5th day of october last, E. I. Dupont told me, he wished the South Brandywine Volunteers to abstain, if they could, from wearing their military dress on the said day: that in consequence thereof I did not put on my military dress; that I communicated the aforesaid wish of Mr Dupont to several other Volunteers who were already dressed in their Uniform, and who put on their Cloaths immediately

Sworn, Jan. 19. 1814
before, Z. Moore.

John + Blanchet
mark

(No. 10)

I John Bradley do declare upon oath that in the Morning of the 5th october last, I called at E. I. Dupont's House; that I had on my military dress; that E. I. Dupont told me that no Military Dress ought to be put on on the said day; that in consequence thereof I went home and put on an other dress. I further declare that I sincerely believe there was not upwards of one or two persons in military dress, among the manufacturers who walked from E. I. Dupont's home to the poll; and that, if it had not been for E. I. Dupont's recommendation, there would have been a great number of them in regimental dress, as many of the Volunteers used to wear their military coat for their best dress.

Sworn, Jan. 19. 1814
before, Z. Moore.

John Bradley

No. 11

We The Undersigned do Declare Upon oath That, on the 5th day of October last in the morning, as we were going to the place of Election together with a number of manufacturers, we stopped on the road and heard E. I. Dupont say that he wished it to be well understood that Every one was to vote as he pleased, that he had only with him the kind of Ticket he intended to vote, but that those who wished to vote the other Ticket could find plenty of them at the polls.

Sworn June 19. 1814
before, Z. Morris.

Hugh Wilson
Edward Shirling
Edward + Bailey
mark
John + Scott
mark

No. 12

I Patrick Brady do Declare Upon oath That I have read the affidavit above, and perfectly recollect that what is stated in that affidavit as said by E. I. Dupont with regard to every man being to vote as he pleased, is substantially true & correct; I further declare that prior to our walking towards the place of Election, one William Mullen then being near the gate of Eden sports garden, Enquired whether his having been naturalized

entitled him to Vote although he had paid No Taxes,
C. I. Dupont answered he had better not go to the
Poll, as he wished none to go there, except such as were
fairly entitled to Vote.

Sworn, Jan. 19. 1814
before, J. Morris.

Polk Bradley

0389

No. 13

Borough of Wilmington ss

Personally Came Thos Dixon before me the Subscriber Chief Burgess of the Borough of Wilmington. Who being Solemnly Affirmed according to Law doth Depose and Saith. That he was at the last General Election at the Buck Tavern in Christiana Hundred that he arrived there about one hour previous to the Ending of the Election Law, Shortly after which a Considerable number of the Manufacturers from the Brandywine E. I. Dupont in Company with them came there, at the time of their arrival the Hustings were in much Row and they all remained in a Peaceable Orderly Manner for some time until they got an opportunity of Voting, after which in a short time the Principal Part of them returned home in a Peaceable manner without any appearance of a Military Parade either Coming to or going from the Election, and further this deponent Saith that he has attended the Elections in New Castle County for about fifteen years and that it has been the Uniform practice by both Parties

to

0390

to form Walking Companies to attend the Elections and very frequently the Fife & Drum at the Chairs and further this deponent saith that he was on the Election Ground nearly all Day and that it was as quiet & orderly an Election as he ever attended, & further this deponent saith not

Affirmd. July 20. 1814
Before, J. Monro

John Dixon
his
X
mark

No. 14.

Borough of Wilmington ss.

Personally came Abiah Sharpe before me the subscriber first Burgess of the Borough of Wilmington who being solemnly sworn, deposeth and saith, That on the first tuesday of October One thousand Eight hundred & thirteen, being the day of the general Election in Christiana Hundred, he was at the Buck Tavern the place of holding the said Election; and did see a paper stuck up as the deponent believes about four or five feet from the place of taking in the Votes, on which was written "Alien enemy's having resided two years in the State may Vote" or words to that effect, that his attention was first drawn to it by a Gentleman of the democratic party who observed that it was not possible that they Judges or Inspector could have had it put up, that this was about One O'Clock in the day to the best of this deponents recollection: that afterwards this deponent believing it must have been put up by some person with a View to stigmatize the Democratic party did pull it down, some time as this deponent believes between the hours of three and four O'Clock of the said day and further this deponent saith not

Abiah Sharpe

Sworn, June 19. 1814
before, J. Thomas.

No. 15

Borough of Wilmington } ss.

Personally appeared Captain David Bush and Captain William Milner before me the Subscriber and both of them being Qualified say, that for a number of years they have been Masters of Packets running between Wilmington & Philadelphia, that on the day of Election they uniformly (while the Election was held at Newcastle) took down Voters from this Borough, that on their arrival at the Wharvy, the Passengers landed headed by some Respectable Citizen or Citizens formed in file, and Marched in that order up to the Court House to Vote, frequently accompanied by the Drum & Fife.

Sworn, Sept 20. 1814.
before, J. Monro.

David Bush
William Milner

(No. 16,)

Borough of Hartington ss.

Personally came John Torbert before me the Subscriber Here Burgess of s^d Borough Who solemnly affirms that he went to the Buck early on the Morning of the last Election to attend to his official duties being at that time a Justice of the Peace for Newcastle County, that he was there before and at the time the Election Law was read, saw a Paper on the side of the House stating that Aliens & Alien Enemies might Vote or something to that effect that his belief at the time was and still is that said Paper was put up by some Person in derision of a decision just before made by the Judges of Election to take the Votes of free white Male Persons who had resided in the State two years, at the time in the Hundred, prior Twenty &c. — That this deponent saw the Manufacturers of Brandywine come on the Election ground, which they did in an orderly peaceable Manner, walking by Pairs headed by a Person bearing an elegant Banner, on which was an appropriate

Davis and Mullin, that the Manufacturers patiently waited until the crowd at the Poll was over when they voted, and then formed and left the ground in an orderly manner.

That there did not appear to be any Military order or arrangement in the business whatever, as to this deponents knowledge, two of the Officers of E. I. Du Ponts company, came to the Bank before the Election was opened, ~~been~~ left there and never returned until near 5 O'Clock, That the last Election at the Bank was as quiet and peaceable an one as ever this deponent recollects to have been at

Affirmed Jan 20. 1814
before, J. Monroe.

John Forbert

Memorial respecting the proceeding at the election in New Castle County for 1813.

H. of Rep.
Jan. 11th 1814. Read and referred to Messrs Clayton Massey and Hill.

Du Pont Gov

I Jany 1st 1814

To the Honorable Senate and House of Representatives of the State of Delaware:

The Memorial of the undersigned Citizens of of the said State and Inhabitants of New Castle County,

Respectfully represents,

That your memorialists were duly appointed a Committee by the Citizens in their hundreds respectively to investigate the proceedings of the late election in this County in their said hundreds, and were authorised (in case they should deem it expedient) by reason of the abuses found to exist) to bring the subject before the Honorable Legislature of the State, in such manner as in their judgment would most likely procure such redress as the case might require.

That your memorialists view the right guaranteed to them in common with their fellow citizens, by the Constitution of the State, to apply to persons intrusted with the powers of Government for redress of grievances or other proper purposes by petition remonstrance or address as essential to the preservation of all their other immunities, and as claiming the impartial consideration of the Legislature whenever they may be solicited to interpose their power.

Leaning upon the salutary provision of the Constitution, and fully impressed with the justness of the principles which as free Citizens of the State without regard to party

feeling they have experienced, and with the magnitude of the abuses of which they have to complain, your memorialists deem it their indispensable duty to apply to your Honorable Body for redress of grievances too glaring and pernicious to be tolerated by a free people.

They have to complain of outrages practised at the late Election in Newcastle County, ruinous to the rights and privileges of Freemen, destructive to the plain and important right of suffrage, contrary to the fundamental provisions of the laws and constitution of the State, and subversive of all free government.

Your memorialists view the right of suffrage as the dearest and most valuable franchise of Freemen, and as forming the only permanent basis of a Republican form of government, on which it rests as the rock of its foundation and from which it derives all its support as the source of its virtue. They consider the infecting of one as necessarily diminishing the strength of the other, and that from a source polluted and impure nothing virtuous can be derived.

The right of the elective franchise is a derivative from allegiance, and is a franchise given to the Citizen by a state for the allegiance which he owes to the sovereignty thereof, that all sovereignty is derived from the will of the people of the State or Society over which it presides, and owing it allegiance, and that it would be absurd to say that persons owing no allegiance and therefore making no component part of the

State as such, could have the right to constitute the sovereignty, unable to claim of its creators any allegiance.

Your memorialists consider it an axiom in Politicks that in the creation of sovereign power no one but a member of the state either by the original association, or some municipal or national provision, can have a right to a voice. If the Citizens and subjects of a foreign power, could exercise such a right, then these United States have gained nothing by their independence, since British Agents, and foreign emissaries would possess equal privileges with the hoary Veteran whose patriotick arm had fought her battles, and achieved his Country's sovereignty.—

Your memorialists have always considered that one of the highest blessings secured to the people of this State by the establishment of our independence, is the right to choose their own Rulers and to make their own laws, without the interference of the members of other Communities, and that nothing aims so vital a blow at their liberties as the disregard of this right. They apprehend the right no longer exists but in name, when the Alien in common with the Citizen—the Enemy of the Country in common with the friend; the non Resident, and person never having paid tax in like manner

with the duly qualified Electors are endowed with one and the same privilege — And in this way the vote of the citizen and patriot may be killed by that of an Alien, and foreign emissary — The case might well happen, in which the votes of the Native and Naturalized citizens might be nearly balanced upon a great question of publick policy, and where if Aliens were allowed the right of suffrage, it would be decided by the voice of unnaturalized foreigners, and the Subjects of a Country perhaps at War with our liberties.

It is only natural to extend the idea to a struggle for the Supreme power of the United States, and here if a case should exist, which well might be, in which the Country was involved in War with a foreign power, and depended for her honour upon its vigorous prosecution, the choice of a chief Magistrate might be so nearly balanced between these States that the votes of Delaware, or any other individual State, should decide the scale — if the Subjects of a foreign State were allowed to interfere, our Enemy might decide the contest, and choose our Magistrate for us — and thus put an end to the struggle.

The framers of our Constitution, the sacred charter of our liberties, aware of the Magnitude of this doctrine, and of the safety of these privileges to the permanence and stability of the government, and looking forward to the abuses to which the collisions of party

zeal might expose them, incorporated them with the great inducement they were called to form, and guarded their security with the strongest provisions.

They declared that "all Elections shall be free and equal."

They said that the "Representatives" composing the Legislature "shall be chosen annually by the Citizens residing in the several counties respectively."

That "no person shall be a Representative" who shall not have been a Citizen and an Inhabitant three years."

They provided that "the Senators shall be chosen for three years by the Citizens residing in the several Counties respectively," and that in order for any one to be a Senator, he should have "been a Citizen and an Inhabitant of the State, three years" &c.

They provided further, that "the Governor shall be chosen by the Citizens of the State having a right to vote for Representatives" &c. and a person to be eligible for the office of Governor should "have been a Citizen and an inhabitant of the United States for twelve years" &c.

When also they came to prescribe the mode of holding Elections, and directing them to be by ballot as the preferable mode, the same doctrine is held forth, and the use

confined to all white free men of the age of twenty one years, having resided in the State two years next before the Election, and within that time paid a State or County tax, which shall have been assessed at least six months before the Election" — and to the sons of persons so qualified between the age of twenty one and twenty two years though they shall not have paid taxes" — hereby clearly defining that a Voter should not only be a "Citizen" and "white free man" but also that he should possess besides these certain local qualifications identifying him with the State and its interests. —

The same knowledge of the right of suffrage and a like regard for the safety of the Republick, is to be found in the last and most important clause in this valuable instrument, in which a provision for its final abolishment is enacted. A Convention for this purpose is prescribed, and the question for or against a convention is to be decided at a general election of Representatives, and a majority of all the citizens in the State having a right to vote for Representatives voting for a Convention, the Legislature is bound to call one. A stronger illustration of the meaning of the framers of this Constitution in laying down the doctrine upon the subject, and in using the word "Citizens" could not in the opinion of your Memorialists have been well given. — For if they had not

meant to recognize the dependence of the Elective franchise upon the allegiance due to the Government of State, and by the term "Citizen" one who was either a Native or Naturalized member thereof, they would have put the Government and Constitution of the State at the mercy of unnaturalized foreigners and persons having no residence in the community! Your Memorialists humbly conceive that the framers of our Constitution had too much wisdom to empower Aliens to change the great tie of our confederation!

Your Memorialists respectfully beg leave to say that a correspondent feeling and a like understanding of the spirit and meaning of this great Charter have ever been evinced by the Legislature of the State, and in all instances the provisions of our laws have attempted to enforce those of the Constitution.

In all the Acts of the Legislature prescribing the times and places of holding Elections, the same qualifications of Electors, as required by the Constitution are referred to, and the expressive term "Citizen" used to give the most perfect intelligibility to their meaning!

To guard the freedom of Elections

and give security to the invaluable right of suffrage, the Laws of the State have in all instances preserved a twofold policy — to secure the right from the abuse of usurpation, — and to impress upon the Citizen himself the magnitude of the privilege, and in this manner by arousing his — patriotism and his pride, presenting a strong barrier to the artifices of the Demagogue —.

People of Colour are excluded from an Election ground, because having no right to the franchise themselves, and therefore unrestrained by the responsibility of an Elector they could only promote an unnatural mixture with — authorised Voters and cause Confusion Riot and disorder!

Booths and Halls are likewise excluded from an Election ground, not only to prevent Riot, disorder and Cabal, but also to diminish the opportunities to intemperance, the great weapon of all demagogues in perverting the reason and warping the judgement. A right so important is required to be exercised in the full — possession of a cool understanding and as the result of a deliberate conviction of a sober unbiassed judgement!

All conservators of the peace are obliged to exert their authority upon an Election ground to preserve order, and prevent confusion or force! The mind is not even allowed to be influenced by fear and

intimidation it is to be free as the Republick of which it is a member.

Breaches of the peace which at another time and place might be classed among the every day peccadilloes of human conduct and as scarcely claiming the notice of the Civil Magistrate, if committed on an Election ground, rise to the grade of high offences, and receive the weighty judgements of the Law! Nothing is more essential to the due exercise of the Elective franchise than the preservation of peace! the reason of the weak will ever yield to the encroachments of the strong; and force overcomes all right, and tramples upon all Law!

The same scrupulous regard for the safety of the right of suffrage, did not overlook the danger likely to arise from the intimidation produced by the show and parade of military force, and the laws of the State have solemnly prohibited all military parade "on any day during an Election, or within ten days previous thereto, or within three days thereafter, under a penalty of One thousand dollars!

On the day of an election the great day on which all power reverts to the people, and it becomes their duty to

delegate it to proper Agents, the soldier is to lay aside his military character and mingle with his fellow citizens; Civil Authority being the basis of all civil liberty, and the wise distribution of power the permanence of government, the insignia of military parade, are not suffered to be exhibited!- or even threatened!

In the face of so many illustrations of the spirit of our Government, and the wise and wholesome meaning of our Constitution and laws, experience alone could have given the good Citizen and patriot anything to apprehend from their violation; but we live in an age when we cease to be surprised at the strongest occurrences, and what would formerly have been considered the idle fears of a timid imagination, are now sound matters of fact claiming a conspicuous page in the impartial volume of History. It has fallen to the lot of your memorialists, to have reached an Aera in their political affairs in which the provisions of the Constitution and laws have proved utterly inefficient for their object, and too feeble to give any support to the right of suffrage!- In this County they have seen

"Corruption boil and bubble
"Till it o'er run the stew; laws for all faults;

But faulty so countenanced, that the strong statutes
Stand like the forfeits in a barber's shop,
As much in mock as mark!"

Your Memorialists beg leave to represent that the late election in New Castle County has demonstrated that the strong mound which the present provisions of the laws provide cannot resist the overwhelming torrent of party rage, and foreign usurpation; and that the rights of the Citizen are likely to be prostrated by Aliens and Alien Enemies!

They need only to state facts, to justify all their apprehensions; and they state the facts after the most deliberate enquiry into the whole case, without the hazard of Contradiction!

In many of the hundreds of this County, and particularly in Brandywine, and Christiana, the votes of unnaturalized foreigners were avowedly and openly received!

In Brandywine and Christiana the votes of unnaturalized Englishmen, then and now owing allegiance to the King of Great Britain were knowingly avowedly & openly received in common with the natives of the County in the face of a solemn objection and protestation!

In Brandywine and Christiana, Hundreds, persons having no right to vote by the Constitution as having never been assessed and having never paid a tax were

assessed at the Hovelings, their tax received at one window, and their ticket at the other!

In both the said Hundreds a corps of men ~~[illegible]~~ more than two hundred strong organized by certain Individuals in said Hundreds ostensibly for purposes of defence, and composed of aliens, Alien Enemies, Non Residents and persons who had never paid taxes, were assembled on the day of the election by the order of their officers, upon usual ground of parade within one mile of the place of election where they were obliged to take tickets of a particular description, and were thence marched in regular military order with flags, and musick, to the Hovelings, and all their votes indiscriminately taken, under the authority of their officers, without allowing to the Citizen the right to object!

In this corps of soldiers thus marched, your Memorialists aver, that there were many foreigners, who had not been in the State six months, who were Temporary labourers with the Officers who headed them, and who have been dismissed from their service at the approach of winter and left the State!

In Brandywine Hundred the aliens and alien Enemies composing the corps which been so paraded in military order were incited by their Officers and

particularly their leader, [redacted]

[redacted] to the commission of violence and outrage upon the Voters of the hundred, which led to a scene of battle and Confusion of a most serious and alarming character!

That this outrage was concerted and encouraged, for the avowed object "of punishing the citizens of Brandywine Hundred for opposing the right of the Manufacturers, as they were pleased to style themselves to vote"

In Christiana Hundred an advertisement was posted up against the side of the house and near the window where the votes were received stating "That all Aliens and Alien Enemies had a right to vote there if they had resided in the State two years and paid a Tax!"

Your Memorialists refer your Honorable Body to the documents accompanying this memorial for the truth of all these and many other facts therein set forth, facts which cannot fail to alarm them for the safety of their privileges, and induce them to call on the Legislature to guard the most valuable of their rights!

Your memorialists forbear to press these topicks further upon the time of the Legislature,

they rely upon the good sense of this Honorable Body to see many more evils resulting from these infractions, than are enumerated herein.

They humbly pray therefore that this Honorable Body will be pleased to take the subject into their consideration, and devise such ways & means as in their wisdom they may deem best to guard against similar infractions in future, and to secure the important right of suffrage guaranteed to every Citizen of the State by the most solemn provisions of the Constitution!

And your Memorialists will ever pray

Amer Gould Joseph Chadler
James Hamilton
Thomas Beeson

Harman Valley
Levi Keenan
John Robinson

0410

Petition of the Levy Court for Kent County praying an increase in their fees.

H. of Rep'ts
Feb. 2: 1814. Read & referred to Mess'rs Williamson, Lewis & Moore.

0410

To the Honourable the General Assembly of the State of Delaware —

The Memorial of the subscribers, members of the Levy Court of Kent County, humbly sheweth — That the compensation at present allowed by Law to the members of the Levy Court for their attendance is not sufficient to defray their daily expenses. Your memorialists do not wish that the fees should be increased further than to a sum sufficient to defray all their necessary expenses — If they give their time and services to the public (which they are willing to do) it is as much as can be expected. They do not desire to make money by their offices, nor do they think it reasonable that they should be losers by it. They therefore pray that the General Assembly would take the subject into consideration, and if they deem it proper to increase the fees to such a sum as will indemnify the members of the Levy Court for their expenses.

and they are in duty &c

Samuel Price
Thomas Stifle
Charles Timmey
Samuel White
Thomas Candy
Joseph G. Rowland

Commissioner's Report
on subject of accounts
accrued in defending the
States.

H. of Rep.
Jan. 22. 1814. Read &
referred to Committee of
claims.

71

0419

To the honorable the House of Representatives of the State of Delaware in General Assembly met.

The undersigned Commissioners appointed by an act of the Legislature of this State, passed in April last to investigate and settle the accounts of persons having claims against the State for articles furnished or services rendered under the orders of the Governor for the defence of the State, beg leave to report that in consequence of the honorable instructions in them they have called on, & allowed to give in, made or in part, all such claims as have been laid before them for articles furnished or services rendered for the defence of the State under the orders of the Governor except the annexed accounts numbered 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11, and which accounts, or so much of the respective thereof as they judge, under all the circumstances connected with those claims, to submit to the Legislature of the State for their decision. — Given, January 21st 1814.

Andw Bradford

Edw Dingle Junr

J. B. Black

Petition to incorporate the Com.ty of the town of New Castle

H. of Rep.
Feb. 3. 1814. Read & leave to bring in a bill.
H. of R.
Jan. 1815. Referred to Messrs Du Pont Jenkins & Hill.

Petition
New Castle
Presented

To the Senate and House of Representatives of the State of Delaware in General Assembly met

The memorial of the Subscribers inhabitants of the Town of New Castle; Respectfully represents, that, The act of Assembly intitled "An act to establish the Boundaries of the Town of New Castle" and for other purposes therein mentioned" and the Supplement thereto; have not answered all the good purposes thereby intended for regulating the Police of the said Town; Your memorialists pray that the Commissioners of the Town of New Castle and those hereafter to be chosen; may be erected a Body Politic and Corporate, by the name and Style of "The Commissioners of the Town of Newcastle" with power to enact and Ordain such Ordinances for the well ordering and governing, the affairs, of the Town of Newcastle and generally to have the privileges and Franchises incident to a Corporation or Body Politic and Corporate; a Bill for that purpose with suitable provisions are herewith presented which your memorialist pray may be enacted into a law or such other provisions as your in your wisdom may deem proper: — and your memorialists will pray —

Hugh W. Ritchie

Chas. Thomas — Wm. B. Sanders — Hez. Reynolds
John Crow — Benj: Marley — Evan Thomas
John Janvier — Enoch Anderson — Jeremiah Bowman
Rich. Fenton — John Aull
John Springer — Guy Stone
Thos. Janvier — Robert Blount — Thos. Newlin

David Morrison
Thos Bond
Earl McCullough
Edward Sturgeon
John Magens
Jonathan Kelly
Geo Dunn
Joseph Tindall
Samuel Speakman

James Welsh
John Stewart
John Mullin Jr.
Marion Benson
John Milton
Michael Doyle
Nat Turner
Neal Campbell
John Bullock
John M Lotz
Alex Duncan
Jas Duncan
Samuel Williams
Geo Turner

John T Mason
Robert Adams
Thos Hightson
John Barry
Jeremiah Ball
William White
Graham Gains
John Zimmerman
Christopher Zimmerman
Joseph S Cannon
Christ. Weaver
James Kennedy
John Gamble
John Tattoe
Langford Herring
Henry Thornton
Timothy Newman
Jacob Walsh
James Freeman
Daniel Lafferty
Thomas Coldwell
Andrew Russell
James Stand
John Willey
John Dixon

0418

[illegible]
Wm Carrigan
John Alexander
Jacob Colerbury
James Ross
[illegible]
Henry Coughlin
Peter Swinger

Petition of J. Dickerson & J. Robertson for a law to drain lands in Nanticoke Hundred in Sussex County.

H. of Rep.s
Jan. 13. 1814 Read and referred to Messrs Polk, Williams & England.

0419

To the honourable Senate & House of Representatives

your petitioners beg leave to represent that they have an interest in several tracts of land situate in Nantucket hundred & county of Sussex, which, in the opinion of your petitioners, might be materially improved by making a drain through said lands, to commence at the East side of a tract of land, late the property of Malin Dewaile, but now of one of your petitioners, thence running a Westerly course through the middle of said land, thence Northerly, along the course of a natural drain, through or near to lands the property of William Smith, Jonathan Dickerson, Zaccariah Nennels & Elisha Evans' 'til it intersects the main drain of the company lands & thence with & in said drain 'til it empties into Elisha Evans' mill-pond. And whereas without the benefit of said drain your petitioners conceive, that they would be deprived of nearly the whole benefit of their said lands; your petitioners humbly pray the Honourable Senate & House of Representatives to pass a law authorizing your petitioners to drain said lands in manner as above described or nearly so as in the wisdom of ~~the legislature~~ may be deemed just & right: and also that the expense of making & keeping open said drain may be proportioned among all who may be benefited thereby, in proportion to the expence & benefit resulting therefrom. Your petitioners further pray that provision may be made for collecting in the most expeditious mode, the money that shall become requisite for defraying the expence of making & keeping open the above proposed drain.

Jonathan Dickerson

Isaac Robertson

Petition of the owners of lands on Duck creek for a law to authorize the embanking thereof.

H. of. Rep!
Jan. 11th 1814. Read and referred to Mesrs Stout, Ryland and Moore.

0421

To the Senate and House of representatives of the State of Delaware in General assembly met

The Petition of the Subscribers inhabitants of Kent County respectfully represent

That your petitioners reside upon the waters of the main South west branch of Duck Creek, and are owners and possessors of the principal part of the Marsh and low grounds between the Mill, belonging to the heirs of Joseph Nock, Deceased. & (on the State Road leading from Dover to Smyrna) and Martins Bridge; containing by Computation one Thousand acres, That from the Mill to the Bridge aforesaid, a distance of about three miles, the channel is — narrow and shoal and unfit for the purposes of navigation, except in flat bottomed Boats; the Bridge is a fast one and obstructs the navigation intirely, except as to Scows and Canoes the low grounds on both sides the Creek, for a about two miles below the said mill, is covered for a considerable depth with a thick and valuable growth of ash and Maple wood, and the remaining distance, on both sides the said Creek, is Marsh.

Your Petitioners pray your Honours to pass a Law authorising and empowering the owners and possessors of the Marsh Cripple and low grounds aforesaid to drain the same and to make a Bank or Dam across said Marsh and Cripple on the Side of Martins Bridge and Causeway, with a proviso that no lands Marsh;

or other property belonging to any person or persons whatsoever than may be immediately benefited by such Bank or Dam shall in any wise be made subject to any tax or rate of assessment that may be levied and collected for stopping the said Creek and making repairing and keeping in good order the said Bank Dam and Sluices

And your petitioners as in duty bound will pray

Names	Names
Joseph Warren	Kennedy
Robert Denney	Elijah Christian
Chapman Snow	Robert Jamison
Benjamin Van Winkle	[illegible]
William Denny	
William Collins	
Abraham Ackerell	
William Denny Junr	
John Cowgill	
Thos. Denney	

Petition for the removal from office of Isaac Davis & John Way Esqrs.

H. of Rep.
Feb. 11. 1814. Read & ref.d to Messrs Stout, Sutton & Moore.

0999

To the Honorable the Senate and House of Representatives of the State of Delaware, now sitting in the Town of Dover.

The petition of the subscribers Citizens of said State, most respectfully showeth: That they view with great surprize and concern the late appointment of two additional Judges in the Courts of Law of this State thereby imposing a burden on our Citizens of One Thousand Dollars annum over and above the ordinary expences of the judiciary. That the number of Judges heretofore has been always found amply sufficient for the purposes of justice and that therefore this innovation on established usage is without the slightest pretext of necessity or propriety to justify it. Your Petitioners consider this appointment as more particularly reprehensible on account of the size and population of the State — the expence of the Civil List and the unexampled state of public pressure and private want produced by the War which unfortunately exists between this Country and Great Britain — Already have our funds dwindled into insignificance in providing for the defence of the State while our Citizens are burthened with heavy taxes imposed by the General Government. Precedent soon becomes practice. And your Petitioners humbly conceive that this is the auspicious moment to crush an attempt to take from the pockets of our Citizens without their consent the annual sum of One thousand Dollars by the

appointments of supernumerary and unnecessary Judges, your petitioners forbear to enlarge upon a subject where multiplied reasons must present themselves to the wisdom of the Legislature. They therefore most humbly pray that your Honorable Body will take the premises into consideration and recommend his Excellency the Governor of the State to remove those Judges from Office.

And your Petitioners will ever pray &c.

Philip Mauney
Stephen Watson
Thomas Sarrell
Hall Bonwill
Daniel Jackson
Isaac Jones Jr.

0488

A memorial
of a
Committee of the Med. Soci-
ety:

Jany 6, 1814 Read and
referred to Mess.rs Black
Morris & Burton.

P. Allen, Clk

3

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly met;

We your memorialists, a committee of the Medical Society of the State of Delaware, respectfully represent, that if medicine is, as few will doubt, an instrument of immense power, it becomes a question of no small importance in whose hands this instrument is to be placed: whether it is to be used for the advantage or for the disadvantage of the human race. It would be needless to point out to you the value of health, and equally so to suggest, that if medicine be not beneficially, it must be injuriously employed. It is not one of those things which, if they do no good, will do no harm. When a sick man commits himself to the care of a physician, he is in a situation where ignorance, rashness or neglect may soon terminate his existence; but where science, sound judgment and attention may ward off the stroke of death, and restore him to the enjoyment of health. Such considerations show how inestimable a blessing is a good physician; how great a curse an unskilful one; and how important it is to be able to appreciate the merits of medical pretenders. Your memorialists, convinced that it would be superfluous to exhibit any further reasons that might be adduced to manifest the expediency of their objects, request, with great deference, that your honours will pass a supplement to the act of Assembly of this State entitled "An act to incorporate a number of physicians of the Delaware State and for other pur-

poses therein mentioned".

Dover, 5. Jany 1814.

James Lyons

Arthur Johns

Allen McLane Jr.

0429

To the Honourable the Senate, and House of Representatives of the State of Delaware in General Assembly met. ——

The Memorial of sundry Citizens of said State Respectfully Represents ——

It is not the intention of your Memorialists to Innovate, or intrench on the delegated rights of Legislative authority — but are proud to Appreciate the Unalienable and Constitutional privilege in the attainments of Redress of Grievances — At no period since the adoption of our happy Constitution; and in no instance within the Recollection of your Memorialists; has the exercise of this invaluable right, been more loudly Call'd for, or less abused then on the present occasion.

The late Governor Joseph Haslet Esquire at the moment when his time of service, was about to expire — (with views and motives, not within the province of your Memorialists, now to enquire into) unadvisedly appointed an associate Judge, for each of the Courts of Law, of this State to wit, the Supreme and Court of Common pleas. To Justify those two Executive appointments it certainly cannot be sufficient to say, that the Constitution has provided for the case, when it is known to almost every Citizen, that after the lapse of nearly twenty two years experience has taught them that three Judges in each Court is sufficient in the distribution of Justice — which is to be remarked, that untill the present moment not a whisper of Complaint has been heard or uttered — on the contrary they have Given almost universal Satisfaction, to seize the

unseasonable, and inauspicious crisis, after the example of a contrary policy by his Predecessors when contending with adverse fortune, growing out of a State of War in the payment of a host of Tades — the extraordinary and unavoidable state expenditures, draining the very vitals of our state finances. when the services of a fourth Judge, in consequence of the decline of business in the said Courts, was least wanted at such a period to burthen the Good people of this State with supernumerary salary officers; and adding another Thousand Dollars to the current expences annually, during the life or lives of said Judges, to say no more, is an act of gross impolicy, not warranted by the wants of the People, or the state of the Judiciary, and not only unlooked for, but unquestionably unnecessary —

To have the best qualified, and least exceptionable Character, our state would afford in the Selection of a Chief Justice, in case of vacancy in either Court, is a Consideration of primary Importance — It must be evident the present arrangment will produce serious inconvenience, if not totally prevent such a choice — The novel spectacle of a Court of Justice, unable to decide on questions of Law, in all cases, where there may be a division of Opinion, will be exhibited, perhaps for the first time, in this Country —

To correct such and other abuses, which the Framers of our Constitution anticipated, it is happily provided, that for any Reasonable cause, which shall not be a sufficient ground for an impeachment, the Governor may in his discretion remove any of the Justices, on the address of two thirds of all the members of each branch of the Legislature —

That there is Reasonable cause for the removal, of those two Judges appointed by the late Executive of this state, must be admitted by every Person, whose Judgments is under no influence, other than Reason, and the good of the Citizens — your memorialists conceive from an honest Conviction of their Minds, that this subject (involving consequences not of trivial import) ought speedily to become a question of Legislative remedy — For which purpose your Memorialists have invited the attention of your honorable Body, and pray your Honours as the Guardians of the Peoples rights to apply the Only Constitutional Corrective by addressing the Governor for the Removal of Said Judges, and your Memorialists will ever Pray.

Jonathan Walton
Walter Sipple
John Davis
George Black
Peter Robinson
Cary Frazier
Cornelius Stokely
John Clendaniel
Thomas Poynter
10 J W Collins
David Nelegon
Charles D. Watson
William Williams of Milford
Daniel Clifton
Jesse Parks
Edmond Owins

Benjamin Covington
Joshua Davis (B Smith)
Thomas May
20 Ansley Whiff
John Armstrong
Wm Ratcliff
John Latchem
Joshua Wheeler
David Watson
Joshua Laws
Richard Hudson
Clement Houston
David Smith
30 Joseph Smith Jr
George McCoy

David Richards
Dave Sager
John Richards
Burnel Lafland Junr
George McCay
Absolom Hill
J. Chs Finch
Joseph Peterson
40 Nathaniel Coverdale
John McCulley Sr
John McCaulley Jr
Silgsman Layton
Hugh Wells
William Stephenson
Isaac Short
Benjamin Jewitt
John Hays
Lui Lester Jur
50 Peter Davis
Samuel Richards
John Brown
John Jones
John Hickman
Zadoc Richards
William Hill
Benjamin Elgin
Congdon Lodge
Jur Deputy
60 David Davis

John Morton
Dan'l Stinger
Salathiel Hamilton
Rattliff Pogster
Thomas Davis
Jeremiah Watson
Jacob Hickman
John Bennett Jr
Robert Davis
William Shockley
George Shockley
William Hickman
Ase Fowler
William Draper
William Watson
Anthony Ingram
Thomas Metcalf
James Reed
Thomas [illegible]
Isaac Watson [illegible]
David Jewitt
Samuel Hurdis
Thomas Collins
[illegible] Clifton
Eli Shockley
Joseph Jewitt
William Daniel
Daniel Laws
Nehemiah Daniel
Robert Ingram
John Willson
Jos Lafland
Hamilton Warren
Henry Davis

Petition for the removal
from office of Isaac Davis
& John Way Esqrs

H. of Rep's
Feb. 21. 1814. Read & ref.
to Messrs Stout, Sutton & Moore

Short Signers
Meshach Carpenter
Isaac Beauchamp
Thomas Hopkins
Wilson Shoop
Charles Robinson
Obediah Wells
Wattson & 102

Petition for the removal from office of Isaac Davis & John Way Esq.rs

H. of Rep.s,
Feb. 11. 1814. Read & ref.d to Mess.rs Stout, Sutton & Moore.

To the Honourable the Senate, and House of Representatives of the State of Delaware in General Assembly met.

The Memorial of sundry Citizens of said State Respectfully represents

It is not the intention of your Memorialists to innovate, or intrench on the delegated rights of Legislative authority — but are proud to appreciate the unalienable and Constitutional previledge in the attainment of redress of Grievancy — At no period since the adoption of our happy Constitution; and in no instance within the recollection of your Memorialists; has the exercise of this invaluable right, been more loudly call'd for, or less abused than on the present occasion.

The late Governor Joseph Hazlet Esquire at the moment when his term of service, was about to expire — (with views and motives, not within the province of your Memorialists, now to enquire into) unadvisedly appointed an associate Judge, for each of the Courts of Law of this State, to wit, the Supreme and Court of common pleas.

To Justify those two Executive appointments it — certainly cannot be sufficient to say, that the Constitution has provided for the case, when it is known to almost every Citizen, that after the lapse of nearly twenty two years

experience, has taught them that three Judges in each Court is sufficient in the distribution of Justice —

While it is to be remarked, that until the present moment not a whisper of complaint has been heard or uttered. — On the contrary they have given almost universal satisfaction. So seize this unseasonable, and inauspicious crisis (after the example of a contrary policy, by his Predecessors) when contending with adverse fortune, growing out of a state of war" in the payment of a host of Taxes — the extraordinary and unavoidable state expenditures, draining the very Vitals of our State finances — when the services of a fourth Judge (in consequence of the — decline of business in the said Courts) was least wanted. At such a period to burthen the good People of this State with supernumerary Salary Officers; and adding another — Thousand Dollars to the current expences annually, during the Life, or lives of said Judges, to say no more, is an act of Gross impolicy, not warranted by the wants of the People, or the State of the Judiciary, and not only unlooked for, but unquestionably unnecessary —

To have the best qualified, and least exceptionable character, our State would afford in the Selection of a — Chief Justice, in case of vacancy in either Court, is a — Consideration of primary Importance — It must be evident the present arrangement, will produce serious inconvenience, if not totally prevent such a choice — the novel spectacle

of a Court of Justice, unable to decide on questions of Law; in all cases, where there may be a division of Opinion, will be exhibited, perhaps for the first time, in this Country. —

To correct such, and other abuses, which the Framers of our Constitution anticipated; it is happily provided, that for any reasonable cause, which shall not be a sufficient ground for an impeachment, the Governor may in his discretion remove any of the Judges, on the address of two thirds of all the members of each branch of the Legislature. —

That there is reasonable cause for the removal of those two Judges, appointed by the late Executive of this State, must be admitted by every Person, whose Judgements is under no — influence, other than reason, and the good of the Citizens. —

Your Memorialists conceive from an honest conviction of their Minds, that this subject (involving consequences not of trivial import) ought speedily to become a question of — Legislative remedy, — For which purpose your Memorialists have invited the attention of your Honorable Body, and pray your Honours, as the Guardians of the Peoples rights to apply the only Constitutional correction by addressing the Governor, for the removal of said Judges; and your Memorialists will ever Pray.

Elias Shockley.
James B. Ralston.
Jno. Mitchell
Edward Stafford

Thos. Rees
Reuben Turner
James Clayton
Sam: Ratcliff

John Newcomb
John Bennett
Moses Rickards
Samuel Neal
Henry Hudson
Boaz Burrows
Ebenezer Mitchell
Wattman Boddy
William Burton
Samuel Lacey
John Williams
Ellers Sullivan
Wm Birnchaff
Thos Green
Joseph Sudler
Lowder Layton
Jonathan Milman
Isaac Jeffers
Robert Walker
Robert Ferney
Pottin Griffith
Outlin Davis

Belitha Glass
Jesse Watson
Robert Walker
William Metcalf
Samuel Truitt
Philip Boddy Jr
Daniel Mason
Benach Watson
Curtis Shockley
George Blackiston
John Ill
Elias Poynter
Samuel Morris
Thos Hamilton
John Potter
Daniel Reynolds Jun
John Lewis
William Davis Jun
John Whaley
Henderson Collins
Nathan Manuel
Samuel Lakewood
Jeremiah Long

Joseph Williams
Elkanah Arnott
George Wise
Solomon Fountain
Wm Collins
Joshua Griffith
Wm Williams Jun
George Hatton
Charles Spence
John Jeffries senr
William Bradford
Jacob Codney
James McCleaver
John C. Fowler
Nathan Davis
Edward Collins
Joseph Watson
Thomas Tyler
Noah Lofland
Thomas Collins
Henry Newcomb
Andrew Stitt

Thomas Carlisle
Edward Nedell
William Davis
William Sanders
James Lewis
Elias Williams
James Warrin
William Nolan
Walter Truitt
William Watson
Cyrus Fatman
John Cathell
William Abbott
Gallaudette Oliver
Samuel Stevens
George Elkins
Gabriel Ruley
George Clindaniel
John Steward
James Pennell
Pemberton Carlisle
John Robinson senr
Anthony White

John Draper
Collins Shepherd
Smith Milmon
Edward Shepard
Lewis Lofland
Joseph Argo
Andrew Collins Junr
Joseph Hudson
Nehemiah Truitt
Charles Cusey
John Collins
Benjamin Riley Junr
John Scott
Thomas Snowden
Benjamin Ryley Junr
John Frost
Joseph Oliver Sr
Aaron Shisel
Balaam Stafford
Andrew Collins
Jesse Patmon
Joseph Walton 120 rounds

Petition for the removal from office of Isaac Davis & John Way Esq.rs

H. of Rep.s,
Feb. 11. 1814. Read and ref.d to Mess.rs Stout, Sutton & Moore

0443

To the Honorable the Senate and House of Representatives of the State of Delaware, now sitting in the Town of Dover.

The petition of the Subscribers Citizens of said State, most respectfully sheweth: That they view with great surprize and concern the late appointment of two additional Judges in the Courts of Law of this State thereby imposing a burden on our Citizens of One Thousand Dollars annum over and above the ordinary expences of the judiciary, that the number of Judges heretofore has been always found amply sufficient for the purposes of Justice and that therefore this innovation on established usage is without the slightest pretext of necessity or propriety to justify it. Your petitioners consider this appointment as more particularly objectionable on account of the size and population of the State. The expence of the Civil list and the unexampled state of public pressure and private want produced by the War which unfortunately exists between this Country and Great Britain. Already have our funds dwindled into insignificance in providing for the defence of the State, while our Citizens are burthened with heavy taxes imposed by the General Government. Precedent soon becomes Practice. And your petitioners humbly conceive that this is the auspicious moment to crush an attempt to take from the pockets of our Citizens without their consent the annual sum of One

Thousand Dollars by the appointment of Superfluous unnecessary Judges - your Petitioners forbear to enlarge upon a Subject where Multiplied reasons must present themselves to the Wisdom of the Legislature, they therefore most humbly pray that your Honorable body will take the premises into Consideration and Recommend to his Excellency the Governor of the State to remove those Judges from Office -

And your Petitioners will ever pray &c

Charles Hemmey
Nathaniel Hays
Jos. M. Manlove
John Barnett
Wm Lewis
Thomas Ripple
S. Green
Thos. Simpson
Samuel Price
Thomas Candy
Samuel M. Wharton
Samuel White
Thomas George
Nathaniel Smithers Jr

John Anderson
Joseph Buckmaster
John Pearson
George Manlove
Wm Foster
Jonathan Griffin
John Gullett Jr John
Jonathan Griffin
Presley Ellis
Nath. Smithers
Ezekiel Anderson
Cruston Jamison
Philip Thomas

John McClary
John Ifluelwood
John Beckworth
Wm Rath
James Ruth
Solomon Truett
Joshua James
James Davis
John Fowler
Edward Layton
Daniel Morgan
Asham Alston 30.

0445

Petition for removal from office of Isaac Davis & John Way Esq.rs

N. of Repl.
Feb. 11. 1814. Read & ref.d to Messrs Hunt, Sutton & Moore.

To the Honorable the Senate and House of Representatives of the State of Delaware in general Assembly met.

The memorial of sundry Citizens of said State, respectfully represents.

It is not the intention of your memorialists to innovate, or intrench, on the delegated rights of legislative authority. But are proud to appreciate the inalienable, and constitutional privilege in the attainment of redress of grievances.

At no period since the adoption of our happy constitution, and in no instance within the recollection of your memorialists has the exercise of this invaluable right been more loudly called for; or less abused than on the present occasion.

The late Governor Joseph Haslet Esqr at the moment when his time of

Robert Young (Fifer)
David McKnitt
John Johnson Senr.
Whittington Johnson Senr.
Curtis Vinyard
John Jester
William Lyons
Reuben Harrington
Lasek Clarke
John White
George Jordan
Benj Harrington
James Morgan
Waitman Booth
Thos Booth
Curtis Calloway
Edward Ross
Reuben B Circle
" " Jr.
Truston Pilbeally
Thomas Marrel
David Riggs
Stephen Sturgis

Charles Parmer
Jesse Turner
James Ratliff
William Winsmore
Henry Spence
Aaron Williams

Frc. Robinson Senr
Isaiah Welch
John Switzer
Boaz Marlow
Daniel Shockley
Solomon Pritchett
Silgerman Johnson
William Cannaman
Robert Bailey
Benjamin F. Parsons
Edmund Bailey
James E. Coe
Charles Mason
Jacob Carman
Lidekiah Davis

0441

The selection of a chief Justice in case of vacancy in either Court, is a consideration of primary importance — It must be evident that the present arrangement will produce serious inconvenience if not totally prevent such a choice.

The novel spectacle of a court of Justice unable to decide on questions of Law, in all cases where there may be a division of opinion, will be exhibited perhaps, for the first time, in this country.

To correct such and other abuses, which the frames of our constitution anticipate, it is happily provided that "for any reasonable cause which shall not be a sufficient ground for an impeachment the Governor may in his discretion remove any of the Judges on the address of two thirds of all the members of each branch of the Legislature.

John Brown
James Johnson
Elias Morris
Joshua Yates
Wm Calloway
John Anderson
W Hamilton
Jesse Eckles
Shadrach Roley
Emery Graham
Joshua Cecil
Joseph Booth
Michael Hickman
Peter Barrington
John Booth
James Midcap
Isaac Vinson
Stephen Anderson
Clement Anderson
Ralph Coalsott
Samuel Graham

John M Morris
Abriel Coalsott
David M Morris
William Todd
Henson Graham
Joel Lee
James Anderson
William Masten
James Hamilton
Thos Fatfield

That there is a reasonable cause for the removal of those two Judges appointed by the late executive of this State, must be admitted by any person whose Judgment is under no influence other than the good of the citizens.

Your memorialists conceive from an honest conviction of their minds, that this subject involving consequences not trivial in====portance, ought specially to become a question of Legis=lative remedy. For which purpose your memo=rialists have invited the attention of your Hono=rable Body, And pray your Honors as the Guardians of the people rights to apply the only constitutional corrective by addressing the Governor for the removal of said Judges.

And your memorialists will ever pray

Service was about to expire (with views and motives not within the province of your ministerials now to enquire into) unadvisedly appointed an official Judge, for each of the Courts of Law of this State, to wit the Supreme and Court of Common Pleas.

To justify those two Executive appointments (certainly) cannot be sufficient, to say) that the constitution has provided for the case. When it is known to almost every Citizen, that after the lapse of nearly twenty two years experience has taught them that three Judges in each court are sufficient for the distribution of Justice. While it is to be remarked that until the present moment not a whisper of complaint has been heard or uttered: on the contrary they have given almost universal satisfaction —

To seize this unseasonable & unauspicious crisis

John Carey (of Wm)
John Thurston
James Johnson
James Jeffries
John Johnson Esq
Daniel Godwin
Thos Powell
William Loflands senr
John Hill
Salathiel Rawley
William Cutt
Isaac Harrington
Ely Prichett
Jacob Hickman
Marlova Smith
Caleb Pordee
Daniel Harrington
Ab Taylor
Evan Morgan
Thomas Rawley
Daniel Cain
Samuel Harrington jr

Major McKnatt Lanier
Thos Nethel
George Cutlage
Benjamin Jump
Solomon Right
Ezekiel Gullett
James Finshwick
Thomas Humphrey
Wm Watts
Isaac Jones
Thomas Mattox
William Wise
John Willoughby
Philip Jump
John White of Ewe
Major Baptist
William Morgan
Thos Griffith
Nathaniel Pool
Elias Jester
John Merredith
Holaday Smith
Jaymes Sordwing
Lefe Minnor

0499

after the example of a contrary policy by his predecessors. When contending with adverse fortune growing out of a state of War: in the payment of a host of taxes — the extraordinary and unavoidable state expenditures drawing the vitals of our state finances — When the services of a fourth Judge (in consequence of the decline of business in said Courts) was least wanted — At such a season to burthen the good people of this state with supernumerary salary officers, and adding another thousand Dollars to the annual current state expenses during the life or lives of said Judges, to say no more is an act of gross impolicy, not warranted by the wants of the people, or the state of the Judiciary. And not only unlooked for, but unquestionably unnecessary —

To have the best qualified and least exceptionable character our state would affer in

Boaz Hamilton
Jonathan Hamilton
John Hamilton Senr.
John Hamilton Junr.
Joseph Price
Hosper Hopkins
Solomon Townsend Junr.
John Stafford
Edward Barrack
William J Davis
Preston L Davis
Daniel Baiven
Eli Bain
Anthony Lane
William Truitt
John Davis
Samuel Spencer Jr.
John Truitt
Jon. Simmons
Hezekiah Lofland
James Russell

14 names

Petition for the removal from office of Isaac Davis & John Way Esq.rs

H. of Rep.s
Feb. 11. 1814. Read & ref.d to Mess.rs Stout, Sutton & Moore

0488

To the Hounrable Senet and house of Representives in General aseembly met your pretitianors the inhabetence of Sussex County prays your honorable Body to take into your Serious Concideration the heavy Burthen that we the Citysons of this Stat Labour under at this Dificult time Labouring under the Levy with additional Taxes and we your pretitianors pray your honours to advise Means with his most Excellency the governer of the State of Delaware to Remove from our Courts such a Number of the Judges as you honours may think proper to Lessen the Expences We Labour under and We your pretitianors Wide Ever pray yours &c

Elias Jenings

William Carlisle
Thomas Rhodes
Pierce Linder
Eli Pepper
John Fluetwood
John Kollock
John Martin
John Hill
Noah Kipnick
Wm Ellegood
Wm Fulcher
John Neen
Peter Dickerson
Stephen Warrington
Josiah Marvel
Edmond Dickson
Joseph Swan

William Sammons
Eli Walls
John Griffith
Thos Smith
John Sharp
Jesse Dutton
Samuel Walls
William Joseph
Perry Pool
Eli McCauley
Isaac Willis
Curtis Spicer
Burton Pepper
Ebenezer Pettyjohn

Joshua M Tally
Jas Carlisle
John Lidwell
Robt McCauley
John Stockley
Levin Stuart
Levin Phillips
Samuel Elliott
Thos Rider
Jacob Cannon
Lawrence Reily
Thomas Kearny
George Hearn

11 Names

BEST SHOT AVAILABLE

0988

To the Honorable the Senate and House of Representatives of the State of Delaware now sitting in the Town of Dover The petition of the subscribers citizens of said State most respectfully sheweth: That they view with great surprise and concern the late appointment of two additional judges in the County of Kent of this State thereby imposing a burden on our citizens of one thousand dollars per annum over and above the ordinary expences of the judiciary. That the number of judges heretofore has been always ample and sufficient for the purposes of justice and that no reason for this innovation on established usage is shown – the slightest pretext or necessity for its existence justify it. Your petitioners consider this appointment as more particularly reprehensible on account of the size & population of the State – the expence of the civil list and the impoverished state of public finance and private wealth produced by the war which unfortunately exists between this country & Great Britain.

BEST SHOT AVAILABLE

0999

already have our funds dwindled into insignifi-
-cance in providing for the defence of the State
while our citizens are burthened with heavy taxes
imposed by the general government. Precedent
soon becomes Practice. And your petitioners
humbly conceive that this is the auspicious
moment to turn the to take from the
pockets of the our citizens without their consent
the annual sum of One thousand Dollars by
the appointment of supernumerary and unnecess-
ary judges. Upon petitioners forbear to enlarge
upon a subject where multiplied reasons must
present themselves to the wisdom of the Legislature
They therefore most humbly pray that your
honorable body will take the premises into
consideration and recommend his excellency
the Governor of the State to remove those
~~supernumerary and unnecessary~~ judges from office
And your Petitioners will
ever pray &c

BEST SHOT AVAILABLE

0480

Cornelius Battell
Francis A. Boyer
James Fisher
Robert Giles
Robert McClymonds
Thomas Lambdin

John Burton
Henry Burton
Benjamin Cox
Thos. Ricketts
David Mason
Caven Miller

Micajah Greenfield
Jonathan Rolands
Thomas Gilbert
Absalom his + mark Flemming
William Spencer
Thomas Lee
Mark Goforth
Geo. Peoff

Richard Norris
Andw. Caldwell
John Connell
Amy Bradley
Benjamin Hairgrove
G. Gillet Warnock
Warner Mifflin
Saml. Mifflin

John Hinsley
Mathias Cox
Aber Jenkins
Hughitt Taylor
Jonathan Veale
Andrew Green
James Cox
Isaac Register
[illegible]
Joshua H. Mifflin
Jonathan Jenkins
Joseph Hutchesson
Caleb Barrett
Benjamin T. Hamm
Geo. D. Register

BEST SHOT AVAILABLE

Benedict Anderson
Matthew McFlinning
William Hoy
Edward Bailey
Shedrick Shorter
Mason Wyatt
Ld Pennington
Hayson

Michl Lockwood
Jany Williams
Jacob Furbee
Richard Harrington
Geo R Gilchrist Jr
Wm Lockwood
Thomas Jenkins
Robert Nichols
Wm Allen
Robert Collin
James Nelson
Stanton Morris
Patk Crumlin
Martin Rash
Micha Farlowe
Robert Bruff

Samuel Edmondson
Martin Ford
John Ratledge
Morgan Williams
Richard his + mark Smith
Aaron Kenzes
William Thomas
John his + mark Benson

John Linda
Nathan Green
Abraham his + mark Fisher
Erik mark Hume

Daniel George
Johnt his + Cubbage mark
Lincen his + mark Dees

Joseph Jenkins
Geo his + mark Dukes

Hickly Simmons
William Polley
Thomas Paine

John Ross
Edward Edmondson
George Carter

Thomas McKenzie
John Gordan
Stephen his + mark Bairfine
Isaiah Shradley
Wright Charles
William Cohee
Robert Patten
David Lewis
John Wallace
George Paine
Thos Buchmaster
John Hull

Petition for mount of P.D. Davis & D.J. Way.
N. Rep. Feb. 11. 1818 rejd.
Lots Thomas

102

M. Woolston's Petition.

To The Honorable
The Legislature of the
State of Delaware
Dover

M. Woolston's Petition.

H. of Rep.
Jan. 20. 1814. Read & referred to Mess'rs Massey, Williams & Walter.

Indefinite

To The Honorable, the Senate and House of Representatives of the State of Delaware In General Assembly Met; The Petition of the Subscriber, a Citizen of New Castle County

Humbly Sheweth; That Whereas your Petitioner having ~~become Sazed of~~ had left to him a Small House and ~~Garden~~ Lot in the Town of New Castle & State of Delaware, Late the property of Robert Mc Ilhering Dec., by Virtue of a Nuncupative, or Verbal Will in In the presence of Two Witnesses (both Sin[illegible]) And your Petitioner, having on the ~~[illegible]~~ 15th of January 1813 Informd His Excellency, the Governor, The Situation of Said property; And His Excellency having Informd Doctr. James Snow, Escheator for New Castle County ~~State~~, to Proceed in Such Cure as the Law might Direct; He on the 3rd Day of August Last had an Inquest of Twelve Men held for that purpose, Who after obtaining all the Information they Could get Give in as their Verdict, Escheatable to the State of Dellaware.

Your Petitioner begs leave to Inform your Honorable body, that the Said R. Mc Ilhering Dec. having lived With me for a considerable

Considerable length of Time before his Death In the State of New Jersey, he, in the Latter part of his time in the year 1807 become Very Expensive to me — In Consequence of Which he Left me this property as above Stated: — Stating at the Same time that there Was No other to Heir it. —

And further your Petitioner begs leave to Represent to your Honorable body, That the Escheat Law prohibits the Sales of Such property from being made for Seven years after found Escheatable; — Also that Such Sales, are only one fifth to go to the Informer; And that the Said Robert McIlhering Was Indebted to me at his Decease in the year 1807 $23.42½ and Since that time, have Paid on his Said a/c $10.55/100 which makes $33.97½ Which if, Ever got at all, Will be attended With Considerable more Expence, and must Wait for it Seven years more, Making the Whole time 12 years; And, that the property When Sold; the one fifth Will not pay ~~my~~ Expences & Interest of the Money Expended — And that it Will be, but as a Grain of Sand on the Seashore, to the State of Delaware, and to me, your Petitioner, May be of Some Consequence; —

— and

and Will pay me R. McIlhenny Dec.d Debts; and fulfil his Last Requests. —

Your Petitioner Therefore Prays that your Honorable Body Would pass a Law to Grant your petitioner A Title for Said House & Lot In the Town of New Castle, Late the property of Robt. McIlhenny, Dec.d aforesaid, on Such Terms, and Conditions, as you In your Wisdom may think proper to Direct. — —

And your Petitioner, Will as in Duty bound forever Pray. — — —

January 15th 1814

Michael Woolston

To the honorable the Legislature
of the State of Del.

Dover

Petition
Representation in
favor of Seth. Moore &c
petition.

H. of Reps.
Feb. 28. 1844. Read & To
the committee to
whom was referred
the petition of Seth
Moore &c.

Jan.y 25th 1814

To the honorable the Senate and house of Representa=
=tives of the State of Delaware in General assembly
Met — We the undersigned subscribers being acqu=
=ainted with Michael Woolston and having had
some Knowledge of his business since he came to live in
New Castle County — We believe him to be an upright
Man in his dealing, keeps a fair book and has supported a
Good Character generally; and it would in our
humble Opinion be but reasonable to Grant the
Prayer of his petition, respecting the house and
lot in the Town of New Castle late the property of
Robert Mc. Kherring Decd. — We believing that he has
Stated nothing in his petition addressed to Your honor=
=able body which are not facts — but which the
lapse of time has put out of his power to prove
as clearly as would be desireable.

John Wm
George Rupel
Samel Hopkins
Wm Shannon
George Pratt
Jeremiah Lewden
Charles Allen
James M. Bain
Nathaniel Nelson
Levi Freeman
James Booth Junr.

David Nivin
Jesse Dwoe
Joel Lewis
Samll Barr
Ebn Reynolds
Evan Thomas

The abovenamed Michael Woolston is an inhabitant of Newcastle County; and has, as far I know, during his residence in the county, sustained a fair and good Character.

Ed. Booth
Ed. Booth
G. Read

Petition of
Geo^y Manlove &
David Johnson
for lands - Jan 21
Read and referred to
Messrs Green Morris
and Healy.

To the Honourable the General Assembly of the State of Delaware,
the petition of the Subscribers, Coroners of Kent and Sussex Humbly
Sheweth,
that the duties of the office which they hold are much more
troublesome than is generally apprehended, that the fees at present
allowed are a very inadequate Compensation for the Service,
that from long Custom the fees of Jurors summoned on inquests
have been relinquished to the Coroner, but latterly much dif=
=ficulty has arisen with the Levy Court, and in some instances the
fees have been withheld, Your petitioners therefore pray the
General Assembly to take the Subject into consideration and
grant fees to the Coroner in future as may be deemed a
just Compensation for his Services,

George Manlove
David Johnson

Petition for the removal of
from office of Isaac Davis
& John Way Esq.rs

X

H. of Rep.s
Feb. 12. 1814. Read & ref.d to
Mess.rs Stout, Sutton & Moore.

0970

MUTILATED DOCUMENT

0444

To the Honourable the Senet and house of Representives in General Assembly Met your Preticianors The Inhabetance of Sussex County Preays your honorable Body to take into your Curious Consideration the grevious Burthen that the Citizens of this State Labour under at this Critical time growing under the wate of hevy with additional taxes allmost to Intolerable to be Born therefore we pray your honours to advise means with his ~~met~~ Excellency the governer of the State to Remove from our Courts the Number of Judges whome your honours may think proper to Lessen the burthen of Expences that we your Citizens Labour under and your preticianors Will Ever pray Yours &c

John Carlisle
Thomas Ladman
Clement Sharp
William Turner
Zacharah Cosy
George H Walsh
John Welch
Fisher H Willis
Nutter Marshler
Shadrick Hudson
Jacob Cedendale
Curtis Falsnad
Elisha Sharp
Jonathan Dickerson
Brinsby webb
John Fishburne

Isaac Polk
Richard H Willey
Jams todd
Stephen todd
Isaac Ingram
John Ingram
Thomas Sharp
Tobe Sharp
Selby Sharp
Jams Lofland
Ingram palmer
Ely Linch
Richard Hudson
John Lain
John Sharp
William Lofland Jr.

Petition of N. Van Dyke
for an act to enable
him to bank his marsh
on Red-lion creek.

H. of Rep's
Feb. 14. 1814. Read
Jan. 5. 1815. Read & referred
to Mess'rs Crow
Clarkson
Cullen

In Senate
10 Jan. 1815 read

To the Honorable Senate and House of Representatives of the State of Delaware in General Assembly met.

The memorial of Nicholas Van Dyke of New Castle County Respectfully shews.

That your Memorialist owns and possesses a large portion of the Tract of Marsh called the Red Lion Marsh lying upon Redlion Creek situate in New Castle and Redlion Hundreds now subject to a general Company Law under ~~which different~~ which a Company Bank has been often erected for banking out the waters of the River Delaware, and has been as often broken and destroyed by storms & high tides. That the said Bank is now in ruin, and the whole marsh has been for many years past, inundated. That the Company are about to try one more the experiment of rebuilding the said Bank on the Delaware shore, for which your Memorialist appears to pay and contribute his full proportion of the expense as an owner, and to the completion of which he will give his aid. But past experience induces him to doubt whether the Bank if rebuilt will long stand, he is therefore desirous of securing a part of his marsh against the repetition of loss ~~which~~ that must otherwise follow the frustration of the Company Bank. This he thinks he can do by erecting an Inner Bank upon his own marsh enclosing and stopping the Redlion Creek or the Company Canal, tho' at a considerable expense.

He therefore prays that a Bill which accompanies this memorial, may be passed into a law, which he deems necessary for his security in the event of his making the contemplated improvement.

N. Van Dyke

New Castle July 8th 1814.

Petition of 338 inhabitants of Baltimore & vicinity for water springs on the S. side of town in Baltimore Co.

No. 1.

H. of Ref.
Jan. 25. 1814. Read
Referred to Mr Gilmor
Lewis Deneufville

Petition for
Dagsborough
Hundred

55

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly met

The Petition of the subscribers, Citizens of Sussex County, Humbly Sheweth, that the Beach on the Sea Shore at the Lower end of Baltimore Hundred in said County affords Salt Water of great Strength being from four to six times as strong as that of the Ocean, from which considerable Quantities of Salt has been made by the Citizens of the said County, in times of Scarcity of said Article, free from harm Molestation or hendrance from any Person whatever — and Whereas Certain Persons having laid Warrents on the Most Productive parts of said Beach, And is said have Obtained Patents for the same, and who are Now endeavouring as it is understood to prohibet and prevent the good Citizens of said County from Procuring Water, As the it was stated by the Persons Who have Taken up said Beach at the time of Laying the Warrents or Warrent that it was Only to prevent foreigners, and not to bar the Citizens from Procuring Water from said Beach — Your Petitioners, therefore Humbly pray that Your Honourable Body would Take the subject into Consideration and Adopt such Measures and Regulations in the case, as would enable them with other Citizens to Participate in so great a Providential Blessing which Particularly Appears to be given for the Good of all, Free from harm or Molestation from any one — And Your Petitioners will Ever pray &c

Subscribers Names	Subscribers Names
Joseph Betts	Brother Ellingsworth
John West	Wingat Short

Subscribers Names	Subscribers Names
John West Jun	North Shorte Ver
William Burton of Jacob	Lindley Morris Vorder
John Phillips —	Francis C Reynolds
William Thoroughgood	Philip Short Jun Vorder
William Lehwee	Henry Reynolds
Robert morris	Thos Poynter
Isaac Wharton	Noah Pusey
John Jarman	Josiah Truitt
James Todd	James Jones
Spencer Phillips	Wixson McIlvain
Isaac Burton	William Fitcher Toomey
Miller Thoroughgood	Wras Watson
Jonathan Betts	James Truitt
Curtis Stevenson Vorder	John Workman
Nicho Burton	Robert Morris
Henry Dickey	Aaron Manuel
William Wharton Vorder	Pemberton Brinton
John Bailey Vorder	Thomas Robinson
Jos Ingram —	Nobsey Burton
William Carey	Jonathan Cullen
John Morris Smith	Isaiah Wharton
Coard Burton	
Wm Jefferson	
William Barker Vorder	
Joshua Finigate	
Curtis Spicer	
Robt Harris	
John Thoroughgood	
Walter Melling	
John Ridley	

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly Met

The Petition of the Subscribers, Citizens of Sussex County Humbly sheweth - That the Beach on the seashore at the Lawrence of Baltimore Hundred in said County afors. Salt Water of Great Strength being from four to Six times as strong as that of the Ocean, from which considerable Quantities of Salt has been made by the Citizens of the County, in times of Scarcity of said Article free from harm Molestation or hendrance from any Person whatsoever - And whereas certain Person having laid Warrents on the most Productive parts of said Beach and Sir Said. Obtained Patents for the same - and who are now endeavouring as it is understood. to prohibit and prevent the good Citizens of said County from Procuring Water, At the time it was stated by the Persons who have taken up said Beach at the time of Laying the Warrent or Warrents that it Was Only to prevent foreigners and Not to bar the Citizens from procuring Water from said Beach

Your Petitioners therefore, humbly pray that your Honourable Body would take the Subject into consideration and adopt such Measures and Regulations in the Law as would enable them with other Citizens to participate in so Great a Providential Blessing which. Particularly Appears to be given for the good of all free from harm or Molestation from any one

And Your Petitioners as in duty bound will Ever Pray &c

Subscribers Names

Joshua Jones
Job Reynolds

Subscribers Names 2

John Hill
Thomas C Hopkins

Subscribers Names

Peter Hall
Isaac Mosley of Jos.
Eli Carey of Com.
John L. Coffan
Lewis Prettyman
Lewis Bairdon Order
Phillip W. Mariner
Wm Burton Joyner
Joseph Warrington
Thomas Carey
John Warrington Jr.
Phillip Short
Robert Waples
Samuel Collin
Elias Steel
Wm Dickerson
L. L. R. & M.
Isaiah Cliff
Cannon Prettyman
Ephraim Dickerson P. C. Order
William B. Burton
Peter Waples
Robert McClain
Geo. Robinson
Robert Burton
John H. Burton

Subscribers Names

Thomas Warrington
John Stockley
Liston A. Houston
Jacob Lessner
William Burton L. R. & M.
William Fletcher
David Gordon
John McCord
John Fallon
Benjamin S. Holland
Thomas Collins Order
J. S. J. Holland
John Garno
Seth Hazzard
Wm Wolf
Henry McCrohan
Simon Edwards
Wm Jeffers
Jeremiah Stillings
John H. Hazzard
Wm Hazzard
John M. West
Thos. Rodney
James Thompson Lewis
Richard Paynter
Jacob West
John Milby
John Annell

0448

Wm Paynter
Bailey West
Wm Marshall
James Rowlone
John Ware
James Clifton
Thomas Houston
[illegible]
Wadley Wadley
Billy Hickman
John Clampitt
David Connell
John Davis

Richard Breeden
William Lewis Senr
Robert Thornton
Jno Jeffries
David Walker
Daniel Clifton
James Marsh
John Reynolds
Dan'l Wolfe
Joshua Bell
Matthew W. Marsh
Peter Marsh
Thomas Steele
Isaac Steele Senr
Eli Steele
John Little

Burton Johnson
Robert Jennite
Thomas Virden
George Orter Senr
James Carpenter
Benjamin White
John Mullain
Samuel Davis
John Goodman Senr
Isaac Turner
Kendal Batton
Elisha Ricords
Daniel McCallister

David Holland
Daniel Burton
Luke Sr Lamb
W. Harris
R. Harris
James Burton of Luke
John Shark
George Melock
William Burton
Jacob Mariner
Peter Parker Senr
Samuel Brewster
William Lewis Senr
Caleb Mazzard
William Toomer
Job Barker Senr
Wm Parsons Senr

Wm Walker
Robert Frazier
Joseph Waples

Petition for
Indian River
Hundred

120

Salt Springs petition
No 2
H. of Ref.
Jan. 27. 1874. Read
& referred to Messrs
Bulloch, Lewis and
Engram.

Salt-springs petition

No. 6.

H. of Reps.
Jan. 25. 1814. Read & referred to Messrs Cullen Lewis & England.

Petition for Indian Reservation

12

To the Honourable the Senate and House of Representatives of the State of Delaware in General Assembly Met

The Petition of the subscribers Citizens of Sussex County, Humbly Sheweth, That the Beach on the seashore at the Lower end of Baltimore Hundred in said County affords Salt Water of Great Strength being from four to six times as strong as that of the Ocean from which considerable Quantities of Salt has been made by the Citizens of the County, in times of Security of said Article free from harm Molestation or hindrance from any Person whatever — And Whereas Certain Persons having Laid Warrants on the most Productive parts of said Beach, and Sir Said Obtaining Patents for the same — and who are Now endeavouring as it is ~~said~~ Understood to prohibit and Prevent the good Citizens of said County from procuring Water — Altho it was stated by the Persons who have Taken up said Beach at the time of Laying the warrant or warrants that it was only to prevent foreigners and not to bar the Citizens from procuring water from said Beach — Your Petitioners Therefore humbly pray that your Honourable Body would Take the Subject into consideration and adopt such Measures and Regulations in the Case as would enable them with other Citizens to Participate in so great a Providential Blessing which Particularly appears to be given for the good of all free from Molestation

from any one

And your Petitioners as in Duty bound will Ever pray &c

Subscribers Names	Subscribers Names
Benjn Prettyman	
Isaac Prettyman	
Jacob Richards	
Benjn Richards	
Joshua Richards	
David Richards	
William Prettyman	
Jacob Prettyman	
John Field	
Samuel Burton	
Thomas Burton	
John Burton	

The Petition of thirty five inhabitants of Kent County praying that the number of the justices of the Peace in the said County may be increased.

H. of Rep.
Jan. 17 Read & referred to ~~the Comm~~ Mess'rs Clarke Polk & England.

0999

To the Honorable the Senate and the House of Representatives of the State of Delaware now Setting at Dover

The Petition of Sundry Inhabitants of Kent County, Humbly represents that there is a large district of Country laying between Kenton and the Black-Swamp, (a distance of twenty five miles or more) that labour under considerable inconvenience owing to the time in office expiring of the Justice of the Peace in the neighbourhood of Georgetown and the bacancy being filled by a person entirely out of the neighbourhoo

Your Petitioners therefore prays ~~that~~ you will pass a law authorizing the Governor to Commission some Suitable person residing in the neighbourhood, as it will be central, and there having been a Justice for fourteen years past

And your Petitioners will ever pray &c

George Howard Senr
John Lockwood
Thomas Bedwell Senr
George Howard Jun
Daniel Green
Timothy Lyons
Philip Jones
Layton Jones
James Manwel
Richard Moore
William Waller
James Williams
Jacob Furlee
Ezekiel Anderson
D. Green
Rich. Moore
James Hemmy
William Hugg
Keziah Haslem

Thomas Yorth

John Hutchinson

Cornelius Ballard

Reuben Harrington

Richard Lockwood

Nathan Burroughs

Garrat Sipple

Aaron Williams

Thomas Green

Wm Whitby

Nathan Green

Allen Lorum

Obadiah Thompson

David Wallace

Wm Price

Moses Jones

Petition of Thomas Barnett

In Senate Feb. 9. 1814
read & referred to
Mess.rs Hardy
Cummens
Fisher

0487

To the General Assembly of the State of Delaware

The petition of Thomas Barnett Humbly Sheweth

That Sarah Blackshaw an infant of about the age of Eleven years is the owner of a tract of land in the County of Kent which for want of proper care is going to ruin; that the said Sarah now is in Green County in the State of Pennsylvania and is there detained by Ebenezer Blackshaw a very distant relation who will not permit the said Sarah to come into this State; that your petitioner is the Grand father of the said Sarah and has been very anxious that the property of the said Sarah should be taken care of; that he applied to the Orphans Court to have appointed guardian of the said Sarah, and that his application failed, because, as he was informed and believes, of the residence of the said Sarah out of the jurisdiction of the said Court, and the said County concerning itself not authorized by the existing laws to appoint a guardian in such case.

He therefore prays the General Assembly to enact a law authorizing the Orphans Court to appoint a guardian for the said Minor

And he, as in duty &c. Thomas Barnett

Salt-springs petition

No. 5.

H. of R. Rep.
Jan. 25. 1814. Read &
referred to Mess'rs Cullen
Lewis & England.

Petition
for
Baltimore Lunches

97

To The Honourable The Senate and House of Representatives of the State of Delaware in General Assembly Met —

The Petition of the Subscribers Citizens of Sussex County, Humbly sheweth, That the Beach on the Sea shore at the Lower End of Baltimore Hundred in said County affords Salt Water of Good Strength being from four to Seven times as strong as that of the Ocean, from which considerable Quantities of Salt has been made by the Citizens of the County, in times of Scarcity of said Article free from harm Molestation or hindrance from any Person whatsoever — And Whereas Certain Persons having Land Warrants on the Most Productive part of said Beach — and Viz said Obtained patents for the same — and who are Now endeavouring as it is understood to Prohibit and prevent the good Citizens of said County from Procuring Water — Altho it was stated by the Persons Who have Taken up said Beach at the time of Laying the Warrant — or Warrants that it Was Only to prevent foreigners and not to bar the Citizens from procuring Water from said Beach Your Petitioners therefore humbly pray that your Honourable Body would take the Subject into Consideration and Adopt such Measures and Regulations in the Case as would enable them with other Citizens to Participate in so Great a Providential Blessing which Particularly appears to be given for the Good of All, free from harm or Molestation from any One and Your Petitioners as in duty bound will Ever Pray &c

William Powell
John Jacobs Senr
Luke Jacobs
Quilling Layton

James Barnet
Jackson Rodgers
Joseph Long
William Morres Senr
William Morres Junr
Kendel Morres
John Philips
Annanias Hickman
John Hickman Capt
Nevel Hickman
Selby Hickman
James Hickman Junr
Joshua Bull
Cornelius Coffin
John Hickman Capt
Jesse Mege
James Howell
Isaal Howell
Thomas Howell
Elezah Howell
Rubin Linch
John Linch
Banester Turner

Elijah Taylor
William Taylor
Elisha Howell
Caleb his X mark Pingule
Levi Linch
Edward D. Linch
Ebe Cammell
Isaac Williams
Gilbert Lynch
Joseph Lynch
Stephen Ellis
Laddock Evans
Robert McGoon
Samuel O'Neilgus
Levy Howell

William Hutchins
Jesse Long
Ruth Brooks
Caleb Hickman
Mathew Lewis
Zene Long
Selby Hickman Junr
Robert Cammel
Wm Cammell Jr
Wm Cammell Sen
William Shepmard
John Long
James Murray Senr year
Richard Murray
Cornelus Welden
Sovern Murray
Elisha Murray
David Murray Junr
William Murray
Eber Long
David Murray Senr
Nathaniel Murray
Jacker Murray
John Murray
Arthur McCabe
Amos McCabe
Ely Cammel
Elsy Cammel
Warren Mecabe
Edward Mecabe
Collins Mecabe
Samuel Tuct
Jonathan Bunten
Jackson Bunten
Samuel Hutson
Mersel Cammel
John Cammel
William Layton
Benjamin Hutson
Peter A. Hudson
Seth Hutson
James Morres
Aydolt Hutson
Andrew Williams
William Moore Son of Wm.

David Moore

William Morgan

William Jacobs

Jonathan Jacobs

John Jacobs

0493

Salt Springs petition

No. 3.

H. of Rep.
Jan. 25. 1814. Read & referred to Mess'rs Cullen Lewis & Englund.

Petition for Daguerreotype Franchise

15

To The Honourable the Senate and House of Representatives of the State of Delaware in General Assembly Met —

The Petition of the subscribers Citizens of Sussex County Humbly sheweth, that the Beach on the sea shore at the lower end of Baltimore Hundred in said County, affords salt Water of great strength, being from four to six times as strong as that of the Brine from which considerable Quantities of salt has been made by the Citizens of the County in times of Scarcity of said Article free from harm Molestation or hindrance from any Person whatever, And whereas certain Persons having Lead Warrents on the most Productive parts of said Beach, and Lie said Obtained patents for the Same, and who are now endeavouring as it is understood to prohibit and prevent the good Citizens of said County from procuring Water — altho it was stated by the Persons who have Taken up said Beach at the time of Laying the Warrent or Warrents that it was only to prevent Foreigners; And not to bar the Citizens from procuring Water from said Beach Your Petitioners therefore humbly pray that Your Honourable Body would Take the subject into consideration and adopt such Measures and Regulations in the Case — as would enable them with other Citizens to Participate in so Great a Providential Blessing which Particularly appears to be given for the good of all, free from harm or Molestation from any one — And Your Petitioners as in Duty bound will Ever Pray &c — —

Subscribers Names	Subscribers Names
Abraham Jacobs	John W Dickerson
William Freeman	

Subscribers Names	Subscribers Names
Joshua Robinson	
Nathaniel Robinson	
Thos. C. Mitchell	
Stanton Adams	
John Mitchell	
Robert Houston	

Memorial of
John Welds
In Senate Jan 28, 1814 read

0997

To the Honorable the Senate of the State of Delaware

The memorial of John Wilds of Kent County in the said State respectfully represents,

That Jesse Green Esquire as Chairman of a Committee of the Senate, under date of January 22nd 1814 communicated to your Memorialist certain Resolutions adopted in the Senate January 21st 1814 concerning your Memorialist and requested him to attend at Dover on Tuesday the 25th of the same Month with the documents required in those Resolutions the tenor of the Resolutions thus communicated to your Memorialist follows —

In Senate January 21st 1814 —

Resolved that a Committee of three members be appointed to inquire into the official Conduct of John Wilds, as Justice of the Peace of the County of Kent in Duck creek Hundred and that the Committee are hereby authorized to send for such persons and papers as they may think necessary and of the examining such persons or Persons to report to the Senate the testimony at large together with such papers as they may obtain relative to the subject,

Resolved that the Committee shall give notice thereof to said John Wilds and inform him of the time and place when and where the said Examination will take place and to call before them all such Persons as the said Wilds may think necessary to vindicate his Conduct

Resolved that the said John Wilds lay before the Committee so appointed the Docket of all his transactions for the use of the Committee and the Senate

Your Memorialist attended at Dover on Tuesday the 25th instant in the forenoon according to the notice and immediately by letter informed Mr. Green that he was in attendance and should be ready to meet the Committee in the afternoon of that day or that if the Committee should not claim a postponement of the proceedings till the afternoon

Reasonable that he would meet them at any hour which they should appoint; your Memorialist at the same time communicated to Mr. Green a request, that the Committee would permitt your Memorialist to employ Counsel to assist him in the examination of the witnesses produced before them your Memorialist understood by the Resolutions above mentioned that the Committee appointed by the Senate were to examine witnesses and report their depositions as he would be informed of the time and place of the examination and as witnesses whom he might name were to be called before the Committee he concluded that upon the depositions thus reported a Definitive Opinion might be formed he was therefore anxious that the depositions taken should be full and perfect. The difficulty of taking depositions is universally known and admitted a witness when his testimony is reduced to writing as he delivers it will frequently lose the chain of facts and then omit to mention them these forgettings and illsuitable questions be proposed to him; the interrogatories again will frequently suggest to persons conversant with the examination of witnesses questions which would not occur to a person not conversant with such examinations must often be unable so to frame questions as to be perfectly understood by the witness and obtain a full disclosure of his knowledge under these disadvantages your Memorialist was solicitous that his request of permission to employ Counsel to assist him in the examination of the witnesses produced before the Committee should be granted. thought that his request was reasonable and proper agreeable to former precedents and according to the prominent in the 7th section of the first article of the Constitution that in all criminal prosecutions, the accused hath a right to be heard by himself and his Counsel your Memorialist is aware that the Court is not a Criminal Prosecution within technical meaning of the terms the above principal is not made by the Constitution

Constitution for a particular description of Cases; it is declared by that Instrument as a principal of Justice and applies with full force to all proceedings in which the Guilt or innocence of a Citizen must be established. In the present proceeding, altho' the object or ground of it are not stated to your Memorialist, the persons the Enquiry will be, whether he has not been guilty of some misconduct in office he therefore does not consider and with deference submits that he ought to be heard by himself and his Counsel. But your Memorialist learned with regret that according to the opinion of the Committee his request could not be granted.

Your Memorialist also requests of the Committee a Specification of the Charges against him he did this because without such specification he could not know what was expected to be proved or against what he must prepare to defend himself, he thought that he was warranted in making this request by the Provision in the Nature of the Constitution before referred to, that in all Criminal prosecutions the Accused hath a right to be plainly and fully informed of the nature and Cause of the Accusation. The Committee do not deny to your Memorialist any Specification of the Charges against him but they require them to produce the Dockets mentioned in the resolution of the Senate which it will be allowed are the dockets of all his Transactions at the port of Ship in the Proceedings against himself. Your Memorialist says nothing as to the propriety of requiring him to produce his dockets to establish a Charge against him, he would produce them without hesitation but he does insist and he submits to the judgment of the Senate, that he ought not to be required to produce the dockets of all his transactions not for the purpose of establishing a Charge against him for your Memorialist has no knowledge of any accusation against him, but as the origin of a Charge of which he may hereafter be informed.

It is well known that your Memorialist is decently

Low

Law to prevent transcripts of her doctrines should be refuse he would not only incur the penalties provided by law, but it would be a proper subject for complaint to the honorable the House of Representatives if any person were aggrieved by the conduct of your Memorialist in office. They could procure the transcripts and bring their case of a proper one before the general assembly, but the primary of the transcripts were doubtful the original might be demanded

Your Memorialist did produce one of her doctrines to the Committee and transmit to his office for the other. But he insists that the same ought not to have been demanded till a specification of the charges against him were delivered to him and that he ought to answer that specification before further proceedings

Your Memorialist views the determination of the Committee as above mentioned with deference and thought he feels hesitation and reluctance in insisting that they are erroneous, but merely believing them to be so, his duty to himself requires him to submit them to the consideration of the Senate,

Your Memorialist requests the attention of the Senate to the fifth article of the Constitution by which article it is provided that the house of Representatives shall have the sole power of impeaching, and all impeachments shall be tried by the Senate, and that the Governor and all civil officers shall be liable to impeachment for treason bribery or any high crime or misdemeanor in office. The house of Representatives are thus constituted the grand inquest of the state as to the official conduct of all civil officers they have the sole power of impeaching and as a necessary consequence the exclusive right to determine in the first instance what official conduct of a civil officer is a proper subject for impeachment as the ~~grand~~ grand inquest will be guided in the official conduct of a civil officer

Respectfully

properly belongs to them and they are in the first Instance to decide whether any Proceedings ought to be Instituted against such officer and if any whether those Proceedings ought to be by Impeachment or by any Different Course — In no other Way, Can the house of Representatives have the sole power of Impeaching, the Senate are constituted the Judges of all Civill officers and their official Conduct They therefore Cannot be the accusers, nor in the first Instance inquire whether there be Ground for accusation Your Memorialist knows not what is laid to his Charge but the present proceedings is against him as a Civill officer and concerns his official Conduct In this ~~this~~ Stage of the Proceedings the Senate Cannot determine — Whether your Memorialist be Guilty or Innocent or if Guilty what is the nature or Degree of his Guilt. If your Memorialist have been Guilty of any Misconduct in office it may ~~be~~ amount to a high Crime or Misdemeanour have not the House of Representatives therefore the sole power in the first Instance to — Determine this, It Cannot be said that the Proceedings against your Memorialist ought not to be by impeachment but of a Different nature for this Cannot be Determined till all the facts are Disclosed and when disclosed the House of Representatives have the Exclusive power to — Decide as to the nature of the proceedings, which such Delicate Mystic Require,

Your Memorialist denies not to Minute Inquiry he is willing to meet the Fullest one he has Commited it to be his duty to Submitt the foregoing Considerations to the Senate he shall Submitt with Chearfulness to their Determination

And he prays the Senate to take such order in the Premises as they may deem meet

John Wilds

January 28th 1814

The Hon.ble

The Legislature of the State

of

Delaware

Petition of Leah Irving

for the sale of land, &c.

H. of Rep.

Jan. 27. 1844. Read & referred

to Messrs. Clayton, Walker

& Warnden.

Hmmd

Petitioner

1844

To The Honorable The Legislature of the State of Delaware.

The Petition of Leah Irving, guardian to Levin Irving, both of Somerset County and State of Maryland, humbly sheweth:

That the said Levin Irving is seized in fee, of, in, and to, a moiety of a tract or parcel of a piece of land lying and being in Sussex County in the state of Delaware near the Town of Laurel; that your Petitioner is far removed from said property, and that it is with considerable difficulty she can rent it for a very small sum, which sum is not equal to the interest of the purchase money for which the same could be sold: That the house thereon is in almost total decay: That the Legislature of said State did at their November session in the year 1810. pass a law authorizing the Orphans Court of Somerset County to appoint a trustee to sell all the real estate of the said Levin Irving lying and being in the State of Md.: That by virtue of said act the property aforesaid has been disposed of by said trustee, and the money accruing from said sale, and justice must to the advantage of said Levin Irving: Therefore your Petitioner prays that your Honours will pass an act for the disposition of the said property in the State of Delaware near the town of Laurel, on such terms, and such conditions, as you may deem most expedient and most to the advantage of the said Minor, and your Petitioner as in duty bound will ever pray &c &c

Leah Irving

Somerset County Md.
December 1813

Petition from Laurel respecting swine.

H. of Rep.
Jan. 24. 1814. Read
Preferred to Messrs
Moore, Williams &
Ryland.

The Hon.

The Senate & house of Representatives of the State of Delaware

The underwritten Inhabitants of the village of Laurel. begs Leave Humbly to Represent to your Honours. that a Law Passed in the year 1799 — to prevent Swine from Runing at Large in the village aforesaid. Allee conceive insufficienty to produce the ends proposed —

Therefore beg your honours to devise such Means and Instructions. as in your Wisdom may appear most condusive to prevent such nuisance

& your Petitioners as in duty bound Will ever Pray —

John Dashiell
Samuel Jacob
Wm. Dashiell
George Phillips
Robt. Elzey
William Moore Jun.
John Collins
Philip Jacob
Samuel Jacob Junr.

Wootten Lloyd
Wm. Polk
Thos. Mears
Wm. Ellegood
Jno. Collins Jr.
Matthias Williams
Benj. Fooks
Azel. Hearn

James Dickerson
William Ramsey
Matthew Hosea
Isaac Williams
Isaac Morris

Jacob Moore
Kendall M. Lewis
Thos. Purnell
Mathew Elliott
Isaac Cooper
Wm. B. Cooper
Esqr. Collins

To the Honorable, the Senate and House of Representatives, of the State of Delaware, in general Assembly met, the petition of the undersigned subscribers, citizens of White-clay-creek Hundred;

Respectfully sheweth, - That by the operation of the existing laws of this State, in the Hundreds of White-clay-creek, all Hogs found running at large, are permitted to be killed, by the owners of such lands, as they are found trespassing on. Your petitioners, are of opinion, that the operation of those laws, far from answering any valuable purpose, tends to the injury of the farmers, who have large ranges of their own, uninclosed; and abridges the interests of the poorer classes of the people, who could otherwise raise the the greater portion of their meat, from the common pasturage, — serves to encourage certain careless individuals, in the use of such fences, as are not calculated to keep

Hogs from their enclosures, and affords malicious persons with an opportunity of indulging them-selves, in a wanton destruction, of the property of their neighbours—

Your Petitioners therefore pray, your Honorable body, to pass a law, authorising the owners of Hogs, to permit them to run at large, in the Hundred of White-clay-creek

And your Petitioners will pray—

January 1814

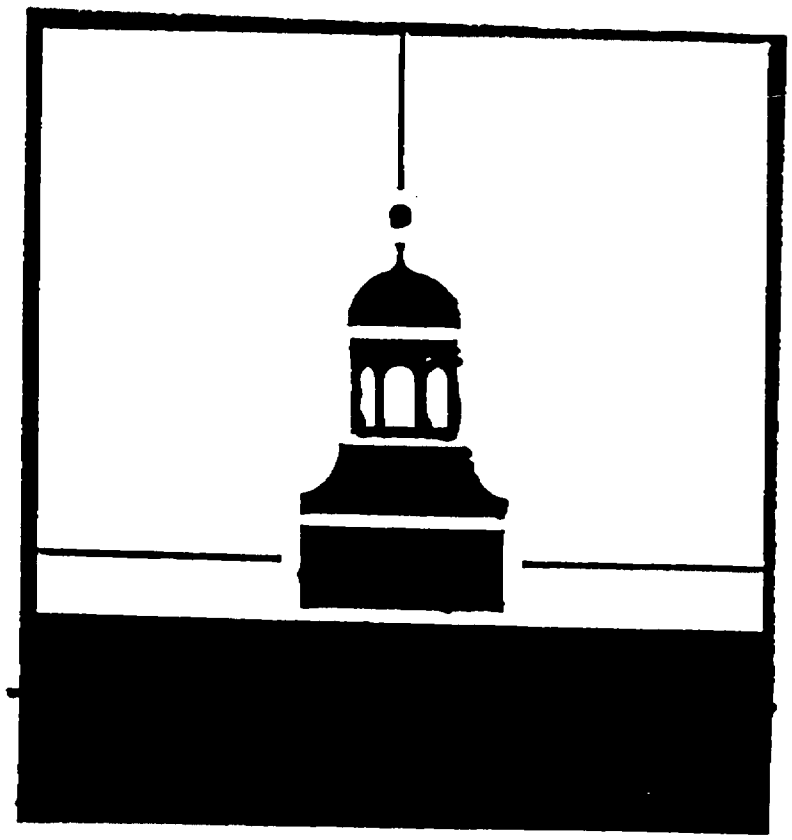
Petition for top law within Mill Creek Hundred.

H. of R. Feb. 21. 1814. Read twice & lay'd on table. Mr. Huffington, Mr. Williams, & Mr. Moore

Wm Hawthorne	Pierce Manee
Thomas Hawthorne	Thomas Fulton
David Morrison	John Baxter
Robt. Morrison	Nathl. McCoy
Douglass Morrison	Thomas McCullion
Isaac Monagh	Thomas Manee
Saml. Hoffman	John Redman
John Francis	James Hall
John Darragh	William Medill
Wm. McIntire	James McCoy
Moses Baxter	

William Hillman
William Baxter
Elijah Mafsey

0908



END FILE

1814 Jan.-Feb. Legislative Petitions - Negroes + Slavery

Petition of
Wm D Waples

In Senate Jan 25. 1864
Read and referred to
Mess. Green
Cummins
Black

0999

To the Honourable the Senate and House of Representatives of the State of Delaware, in General Assembly Met.

The Petition of the Subscriber Respectfully Sheweth, That he is the owner of the following Negroes now Slaves in Sussex to wit, Sarry a Negro Man, Kate a Negro Woman, and her child named Easter

and also of the following Negro Slaves in Maryland, a Negro Woman named Ab Stanley

That those in Sussex were Bequeathed to your Petitioner by last will & Testament of Lydia Wise reserving a life Estate to Anne Waples Mother of your Petitioner. That Samuel Waples in right of said Anne his wife, hath transferred their right and Title to your Petitioner. That the Negroes in Maryland, ~~are~~ the property of your petitioner by Purchase, which he was induced to Make, on account of the good Character given to her ——— for Industry, Honesty and good behaviour, and on account of the Difficulty of obtaining such Negroes in Sussex County.

Your Petitioner therefore prays the General Assembly to grant him leave to introduce a Bill before it, and that the same may be passed into a Law, enabling your Petitioner, to bring said Negroes into this State, or such part of them as may be thought proper; And your Petitioner in Duty bound will ever pray.

Wm D. Waples

The petition of
Thos. M. Lowman

In Senate Jany 11, 1814
Read and referred
to Messrs. Green
Black
Morris

0512

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met, the petition of Thomas Marsh Forman of the State of Maryland humbly sheweth.

That your petitioner a citizen of the State of Maryland is the owner of certain Slaves, which he became possessed of by inheritance, their natural increase, and some few of them by purchase made more than Twenty years past. And, being also possessed of considerable landed property in the State of Delaware, where he is desirous to pass a portion of his time, not only that he may attend to his interest in the said Lands, but that he may better improve the same, he is desirous to obtain under the sanction of a law of this State, the privilege of removing his Slaves aforesaid (not only Labourers but domestics) from Maryland to Delaware and from Delaware to Maryland, when and as often as his convenience may require. That cheerfully consenting that the Legislature may annex the most rigorous penalty, in case any of the said Slaves shall be brought in for the purpose of Sale, and limiting the privilege to the Slaves owned by the petitioner on the 20th August 1812 and their natural increase. And your petitioner will ever pray &c

T. M. Forman

Dover 11th Jany. 1814

Isaac Cannon's Petition to bring a negro into the State.

H. of Rep:
7. Jan. 1814. Read & referred to Messrs Burton, Lewis & England.

0519

Sussex County in
State of Delaware } The Petition of Isaac Cannon of Somr
an inhabitant of the County aforesd to your honours humbly
Shewith, that he hath married a wife, the Daughter
of a certain Mr Elijah Fookes, living in worcester County
In the State of Maryland, & that the said Mr Fookes wishes
To give to his Daughter my wife, a Negro Boy by the Name
of Sampson but he says that I should not be safe in fetching him
out of the State of Maryland into the State of Delaware
without an act passed by the Legislature of the State of Delaware
Therefore your humble petitioner prays the your honours to
Take the Case into Consideration, & that if your honours think
It Necessary & right to pass an Act for me to move him, I shall
Ever hereafter hold my self in Duty bound, your honours
To Ever thank & pray — NB in which petition my Dear
Fathers in Law & Mother in Law prays with me, in
Manifestation whereof they have hereunto Subscribed their
Names with Me this 31 day of Decr 1813.

Elijah Fookes
Hetty Fookes
Isaac Cannon

Petition of L. Fountain to bring a negro into the State.

H. of Rep.
Jan. 20. 1814. Read & referred to Mess'rs Vickers, Clarke & Ryland.

05 15

To the Honourable the Senate and House of Representatives of the State of Delaware.

The Memorial of Isabel S. P. Fountain humbly represents,

That your petitioner a native and former Resident of Caroline County, State of Maryland, having moved to this State in the year 1812. and having lately married here, intends to make this, the place of his future residence; That he also is possessed of a Negro female Slave, named Rachel, about 17 years of age, a present which his Grandfather Solon Fountain late of Caroline County deceased made him about eight years ago. which Negro is now in said County and State,

Your petitioner most respectfully requests that you will allow him the privilege of moving the said Negro Rachel from the State of Maryland to this State, and he as in duty bound will ever pray.

Isabel S. P. Fountain

Seaford. Sussex. Delaware
January 17. 1814

Petition of Maria Townsend to bring a negro woman & child into this State.

H. of Reps.
Jan. 24. 1814 Read and referred to Meljah Moore Clarke & England.

0517

To the Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of Maria Townsend of Sussex County State of Delaware most respectfully sheweth.

That your Petitioner is the Owner of a Negro Woman named Belinda and child in Worcester County State of Maryland that was assigned to her as part her fathers Personal Estate. That at the time of her Fathers death your Petitioner resided in Worcester County aforesaid but has since removed to and now resides in the County of Sussex and State of Delaware; and being desirous to bring the above named Negro Woman & Child into the State of Delaware. prays your Honors to pass a Law authorizing and impowering your Petitioner to remove the above named Negro woman and Child into the State of Delaware and to retain her as a Slave and your Petitioner as in duty bound will ever pray &c. Maria Townsend

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of Richard Lawrence of the City & County of Baltimore State of Maryland respectfully sheweth That your Petitioner moved from Sussex County in the State of Delaware in the month of October Eighteen Hundred and nine, at which time he held a negro man named Joshua a slave for life, whom he had previously hired out for a certain term which had not expired when your Petitioner moved as aforesaid on which account the said negro man Joshua could not be brought into the State of Maryland at the time your Petitioner moved. And Whereas under the existing laws of the State of Delaware the said negro man cannot be brought out of the State without the special Permission of this Honorable Body. Your Petitioner therefore humbly prays that your Honors would take the Premises into consideration & grant your Petitioner leave to bring the said negro man Joshua into the State of Maryland without Prejudice to his claim or property

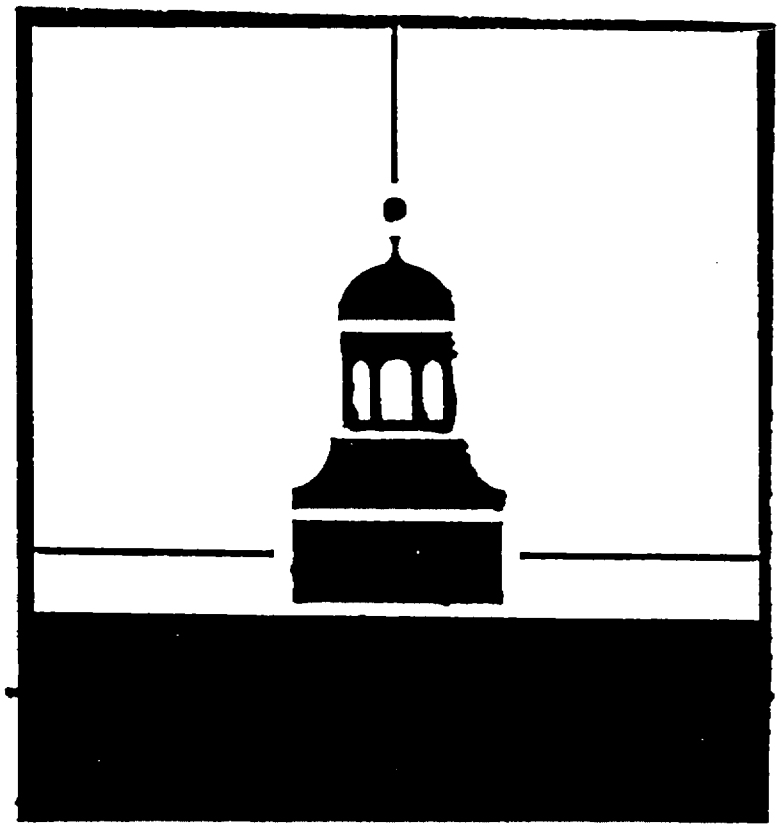
in the said negro or such other relief as the nature of the case will warrant. And Your Petitioner as in duty bound will ever pray &c.

Baltimore January 18th 1814.

Richd. Lawrence

Petition of R. Lawrence to Court of Appeals of the State.

Ex. of Depos. Feb. 2. 1814. Mead & Hughes to Hughes Nichols Charles and Rufus.



END FILE

[redacted] 1814 Jan.–Feb. Legislature Petitions - [redacted] Transportation

Petition of Christiana & Elkton Turnpike Co.

H. of Rep.
Jan. 27. 1814 Read & referred to Messrs Williamson, Clark & Burton.

Report

Mr. Speaker, Mr. Speaker
of the Senate of the
Legislature of the State of
Delaware -

To the Honble the Legislature of the State of Delaware now in Session — the Petition of the Subscribers, Managers of the Elkton & Christiana Turnpike Company, beg leave respectfully to Represent —

That your Petitioners understand, that the Supplement your Honble Body is about to pass, to the original Act, "Incorporating a Company to make an artificial Road from Elkton to Christiana Bridge" Contains the following Provisions — "That "the Company aforesaid shall have leave to erect a Toll Gate & receive a proportionate "Toll when they shall have Completed Two Miles of said Road within this State"

"And that there shall be no let or Hindrance, or Stop Toll rec^d of Travellers passing on said Road from Newark toward Middletown" — of the propriety of these provisions, the Petitioners beg leave respectfully to call the Attention of your Honble Body —

They beg leave to observe, that on the Route of the turn pike Road between Elkton & Christiana Bridge, Two very considerable Hills, present themselves — The one called Greys Hill in the State of Maryland — The other called Iron Hill in the State of Delaware —

To remove the Inconvenience to the Traveller, those Hills presented, was the first object the Managers had in view, in the Commencement of their Undertaking. And in doing this, the Managers will have expended two thousand five hundred Dollars more of their Capital, than they need have done — had they Selected two other Miles of the said Road —

From this Statement, in hand your Honble Body will perceive, that the Company have not been so far influenced by interested Motives, as not to have had a due regard to the Public Convenience

We therefore hope your Honble Body will grant us the Privilege of erecting a Toll Gate & receive a proportionate Toll, when we shall have made a good Road at the place above named, provided the distance shall be two Miles —

With Respect to the other Provision embraced in the Supplement — "That there shall be a free Intercourse on the Company Road from Newark, toward Middletown"

The Subscribers beg leave to Remark — That the free Use of the Company's Road, for the Short distance between the points above named, is no object with the Managers — But your Honble Body will please to observe, That, in that Short distance, the Managers are obliged by

by Law to erect a very expensive Bridge over the waters of Christiana Creek. We beg leave further to State, That the Intercourse between Lancaster County, & the Country adjoining, Viz Newark. towards Middletown. is at times very Considerable —

And will the Legislature of the State of Delaware — say. That the Managers of the Elkton & Christiana turnpike Company shall erect a Bridge, for the Safety & Convenience of those who travell on their Road — And that those who make use of our Bridge travelling in a different direction — shall pass free? — Will the Legislature impose a Contribution on one part of the Community & give Relief to another — at the injury of those, Who have expended their Moneys for the Accomodation of all? We believe not — We believe, that your Hon'ble Body, will at the first blush see the reasonableness of our request — And will so frame the Supplement. That all Travellers passing over the Company's Bridge at Christiana Creek (Persons going to, or from places of worship in carriages or otherwise excepted) shall pay a certain Toll — The quantum of which we Submit to your Hon'ble Body ——

The Subscribers are Sorry, they feel themselves obliged again to beg the Attention of the Legislature on this Subject — But their duty to the Stockholders will, we hope be a sufficient Apology — More especially as we believe your Hon'ble Body will think with us. That our Petition is but Reasonable — For granting of which your Petitioners as in duty bound will ever pray —

0534

Wm Cooch — Secy

Adam Wharton
Jancy Nicoll
John Partridge } Managers
Wm Hollingsworth Jun.
David Nunn
Abraham Egbert
Sylvester Welsh
Charles Allen

The Hon.b the Speaker
of the ~~Legislature~~ Senate of the
Legislature of the State of Delaware

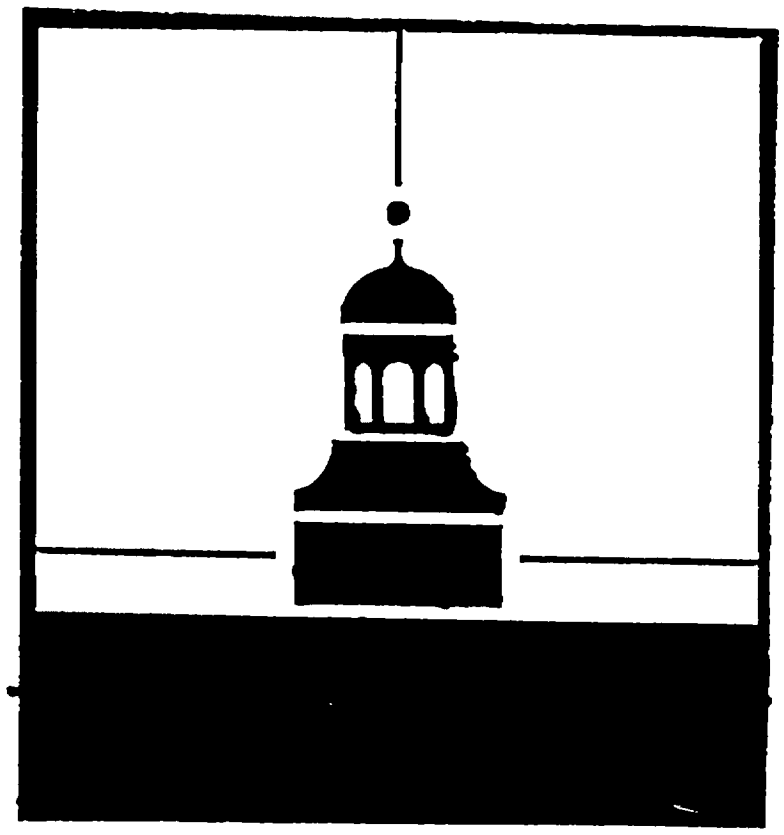
Sir

I am directed by the Managers of the Elkton & Christ.n Turnpike Company to transmit to you the preceding Petition — with a request — That you will have the goodness to lay it before the Hon.b Body over which you preside —

I am very Respectfully
Your most ob.t Hum.l Serv.t —

Wm Cooch

Jany. 1814



END FILE

1814 Jan. – Feb. Legislative Reports [redacted]

Report of Committee
appointed to examine
State Treasurer's ac-
counts.

H. of Rep's
Feb. 4. 1814. Read.

The committee appointed on the part of this house, to act jointly with the committee appointed on the part of Senate for the purpose of examining the account of the State Treasurer, and counting the cash on hand,

Report,

in the hands of the State Treasurer

Samuel Paynter Sent. Esq. this day, the following sums, to wit,

	Dol.	Cts
Deposited in the Farmers Bank at Dover	7871	33½
Do ——— do New Castle	4000	00
Do ——— do George Town	3287	84½
Doll.	15159	18

of this sum of fifteen thousand one hundred and fifty nine dollars and eighteen cents, there is in the hands of the said State Treasurer, as Trustee of the school funds, the sum of $3736 29 properly belonging to that fund ——— 3736 29

Doll. 11422 89

Leaving in the hands of the State Treasurer the nett sum of Eleven thousand four hundred and twenty two dollars and eighty nine cents, in favor of the State, and the nett sum of three thousand seven hundred and thirty six dollars and twenty nine cents in favor of the funds for the support of schools —

And whilst reporting

upon the subject of the finances of the State, the Committee beg leave to remark, that from the statement of the Treasurer, to the Committee, upon the subject of the current expenses of the last year, it appears evident that the appropriations made by law has not been sufficient to meet those expenditures, and that a sum, of at least five thousand dollars, remains to be provided for in the appropriations for the current year.

0527

Report of the committee to whom were referred the petitions of the Bank of Delaware of Wil. & Br. of the Com. Bank & of the Farmers & Mechanics' Bank

N. of Rep.
Jan. 21. 1814. Read and referred to the H. of R. adopted

The committee to whom was refered the petitions of the President, Directors and Company of the Bank of Delaware. of the President & Directors of the Bank of Wilmington and Brandywine on behalf of the Stock holders of the same ~~and~~ of the Stock holders of the Commercial Bank of Delaware — And of the Farmers and Mechanics Bank of Delaware.

Report — that the Petitioners have leave to bring in a Bill agreeable to the prayer of their petitions — But that your committee do not by this report pledge themselves to vote for such Bill on its final passage by the House.

Report of the Committee of Revisal & unfinished business.

10th Jan. 1814. Read.

0530

The Committee of revisal and unfinished business; report

That they have examined the Journals of the several sessions of the Legislature held in the months of January April May and August last and find thereon the following business which appears unfinished to wit of the January Session

1st The Petition of Elizabeth White

2d An act regulating the practice of Physic and Surgery within this State read third time and passed.

3 A bill entitled an act for the promotion of learning within this State.

4. A Bill entitled an act for the building a State prison or penitentiary house in the State of Delaware read once.

5. A bill entitled an act to prevent swine from running at large within the village of Cantwells Bridge and the Districts therein described read once

6 A petition and remonstrance respecting the alleys lanes and streets in Dover..

Of the May Session:

1 The Petition of Jesse Green Adj. General praying for remuneration for extraordinary services rendered in defence of the State. Read and referred to the Committee of Claims.

2 The Account of James Wilson for printing done for the State. referred to the Committee of Claims

0598

Ends of the August Session.

1 A Petition of Sundry Inhabitants of Kent County praying a repeal of an Act of the General Assembly of the 13th of January 1813 authorizing the owners and possessors of the Cove grounds known by the name of Hartshorn Hope to detach and devise the same.

2? A Petition of Luke Warrington praying to be divorced from his wife Polly Warrington

Report of the committee to whom was referred J. Cannon's petition.

H. of Rep.
11. Jan. 1814. adopted.

0999

The Committee to whom was referred the petition of Isaac Cannon praying a law to be passed to to authorise him to bring into this State from the State of Maryland a Negro boy by the name of Sampson,

have taken the subject into their consideration and are of opinion the petitioner ought to have leave to bring in a Bill, agreable to the prayer of his petition.

See Laws 1814, ch 7

0599

Report of the
Committee of Elections

H. of Rep.
Jan. 20. 1814. Read.

The committee to whom it was referred to inquire into the Elections and qualifications of the members of this House, report —

That so far as your Committee have been informed, all the Representatives chosen and returned as members of this House, at the late General Election in the several counties of this State, were duly elected and returned as such, and are now constitutionally qualified to hold their seats as members of this House

Report of Com^e. on Dr. McCallmont's claim

H. of Rep^ts.
Jan. 25. 1814. Read.

Report of the Committee on S. Dickerson & S. Robertson.

H. of R.
Jan. 25. 1814. Read & adopted.

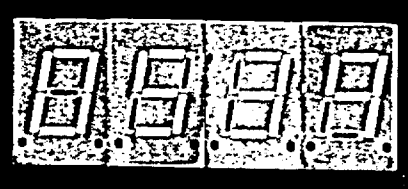
The Committee to whom was referred the Petition of Jonathan Dickerson & Isaac Robinson praying in law to be paid a certain sum of money that is due to them from Salem County New Jersey of opinion that the Petitioners have a right to bring in a Bill agreeable to the prayer of their petition

The Committee to whom was referred the Petition of Doctr. James M Callmont Report,

That they are of opinion that the claim stated in the said ~~opinion~~ Petition is a meritorious one, and ought to be referred to the Committee of Claims —

Further Report of the Committee of Claims

H. of Rep.s
Feb. 10. 1814. Read.



The Committee of Claims by leave further to report.

That from the account presented by James Snow Escheator of New Castle County it appears he has heretofore received for rents of property in said County the sum of two hundred and twenty nine dollars and thirty cents and that in performing the duties of escheator, for costs and expenses incurred and for commissions allowed he has expended the sum of one hundred and seventy two dollars and five cents leaving a balance in his hands of fifty seven dollars & twenty five cents. That there be allowed to James Wilson printer the following sums of money to wit the sum of seven dollars for advertising Henry Brereton a fugitive from Justice, the printing sum of eighteen dollars for printing ten sures blank marriage licence and ten sures bonds, also the sum of three dollars for inserting the Governors proclamation of the Election of Representatives to Congress. That the account of Dr Francis A Boyer for services allowed for reasons assigned in a report heretofore submitted by your Committee and that Caleb Rodney Esquire and Thomas Bell have leave to withdraw their petitions

Report of Committee
respecting the official
Conduct of John Wilde
Jan. 1814

0940

The committee charged with an investigation of the official conduct of John Wilds Esq.r a justice of peace in and for Kent county, have made some progress in that inquiry, and believing from the lateness of the season, and the press of other business on hand, that it will not be prudent, now to proceed further with that investigation; in their present

Therefore they leave to report, [redacted] the several depositions which they have taken; together with the Documents which have come into their possession, in pursuance of the authority vested in them by the Senate.

The Committee to whom was Reffered that part of the Governors message Respecting paying this State quota of the Direct Tax - offer maturely Considering the Same beg Leave to Report ###

5 That The amount of this States quota is ——— $ 32118 · 21
Deduct 15 p Ct for prompt payment ——— 4817 · 70
$ 27300 51

The above amount to be Borrowed of the Banks — 27300 51
Interest on the above one year - - - - - - - - - - - - - 1638 3
Compound Interest on the above ~~day~~ one year - - - - - 98 · 28
Stamp paper if the Money Can be Borrowed for 6 Month at a time - - - - - - - - - — 30
Commission for the Collection of the above agreeable to the Existing Laws 11 pr Cent — 3193 · 96
$ 32260 78

by the above Statement this State will Lose one hundred and forty two Dollars and fifty three Cents - but shold the State Direct by Law that Land and Slaves Speedy to the act of Congress shold be assessed for the payment of the money so Borrowed there wold be Expence of assessing and Surveying the Same which wold be at least $624.95 · to be added in the whole wold be a Loss of $767 · 46 Cents

your Committee further State that the Tax is only Laid on Land and Slaves & Case fall on the Rich and those able to pay - but ~~but~~ shold this tax be assessed by our present Law the poor will pay a Greate part for poll Tax and on other personal property Including · Carriages ~~and~~ Stills &c &c.

Which are already heavily Taxed by the General Government -

30 = your Committee are of an opinion

That there is no funds belonging to the State that Can be applied for that object — What Can be Spared has Been applied for the General Defence against the Enemy of our Country - besides a heavy Debt of Twenty Thousand Dollars Incurred - Borrowed of the Banks

your Committee ~~after Consideration~~

38 ~~Deliberation~~ ~~are~~ therefore are of an opinion - that it is Inexpedient for this State Interfere but Leave the General Government to ~~Lev~~ assess and Collect her own Taxes

Report of Committee respecting the direct tax Jan. 1814

Report of Judge
Booth on the Penitentiary
System

January 1814

To the Senate and House of Representatives of the State of Delaware, in General Assembly met.

In pursuance of a resolution of the General Assembly, of the 22d. of January last, requiring a report on the subject of the Penitentiary System, as applicable to this State; and an opinion as to its tendency to prevent the commission of crimes — the following report is respectfully submitted:

~~[illegible]~~ :

The nature and severity of the punishments established by our present penal code, seem to require reformation, if reformation can be made without impairing the public security.

The laws designating these punishments were formed in a State of Society, different from that which now prevails, and partake in some degree of the character of those times; being perhaps sanguinary and severe beyond what Policy or the Public Good requires.

Although in limiting punishments the public security will be the primary object; yet the principles of Justice and Humanity, as well as Policy, render it necessary —

1st.

1. That the punishments prescribed should be, as far as is practicable, proportioned to the crimes committed.

2. That they should with certainty follow the offence; because it is not the severity so much as the certainty of punishment, that destroys the hopes of impunity, and prevents the perpetration of crimes.

3. That the end of punishment should be the public security; — and, where it is practicable, the reformation of the offender.

Under the present system, it is conceived, that punishments are not so graduated; that they do not follow the crime with the requisite certainty, of course, that they do not sufficiently conduce to the general security; and that no means are afforded to the reformation or amendment of the offender. The crime of Murder is punishable with death; but there are many other offences, inferior in malignity, which are also made capital. This seems to be contrary to natural justice, and has a tendency to confound the Moral Sentiment of guilt; for, as an eminent writer has observed, "Where men see no distinction made in the nature and gradations of punishment, the generality will be led to conclude, there is no distinction in the guilt." It is also impolitic. It increases the number of offenders, because it inlists the sympathy of the injured individual, who ought to prosecute,

of

of Jurors, and of Mankind generally, on the side of the unfortunate offender, and thus always cherishes the hope of impunity, without which few persons ever deliberately committed a crime. The excess of severity in punishment, therefore, defeats the end for which it was instituted.

In cases of inferior offences, for which corporal punishment is inflicted, the public security does not appear to be better obtained, nor does sufficient encouragement seem to be afforded for the reformation or amendment of the offender. Where he has been punished by the loss of his ears, by pillorying, or being publickly whipped, he becomes infamous in the eyes of all; every motive to exertion to overcome his vicious propensities, and to retrace his steps towards a life of virtuous exertion and honest industry, is destroyed; and he is thrown upon the World a more confirmed and more experienced villain, better fitted than before to perpetrate successfully other criminal violations of the laws of his country.

If then the punishments established by the present Penal Code, be not conformable to the principles which ought to pervade a system of punishing Justice, and do not answer the great ends for which they were instituted, is it not worthy of the consideration of the Legislature, whether the System shall be amended, if an amendment can be made consistently with the public good?

No

No mode can, perhaps, be adopted so likely to attain general security, and provide for the reformation of the offender, as the establishment of a Penitentiary, in which solitary confinement and hard labour shall be substituted generally for the present sanguinary and corporal punishments.

By the Penitentiary System, the gradations of punishment can be made more correspondent to the various violations of law, than is practicable under the present penal code. It is conceived too, that they will be more efficacious in deterring from the commission of crimes, and consequently afford more security to the public. The execution of a criminal makes probably a deep impression upon the spectators; but the impression, like all violent emotions, is but momentary. But the man confined in a Penitentiary affords a constant admonition to all who knew him, to avoid his crime.

If it be objected, that the punishments to be established by such a system will be more mild, and consequently of less efficacy in deterring from the commission of crimes; it ought to be remembered, that they are, from the advance of knowledge and civilisation, more in accordance with the general sentiment of Justice among Mankind, and will probably follow the crime with more certainty; that those

who

who are injured will not from compassion forbear to prosecute; nor will juries from compassion, as they sometimes do, where death is the punishment, feel that sympathy for the unfortunate ~~[illegible]~~ offender, which will insensibly bias their minds, and incline them to acquit, or to mitigate the nature of the offence.

There are other considerations that recommend the adoption of the Penitentiary system. In this country, the means of comfortable subsistence are easy, and without adverse events, are attainable by the exertions of honest industry. But settled habits of idleness, producing an aversion to labour, and united with extravagance; may be considered as the immediate causes of those depredations upon property, which compose the greater part of the crimes that prevail in our country. The offender, who feloniously relieves his wants, or supplies his vices, from the property of others, ought to make reparation by labour, as far as may be practicable, to the injured individual, and to the Society; whose laws are violated by his acts. Reparation can only be, in some degree, accomplished, by the produce of his labour in a Penitentiary. During this period, there is some prospect that he may repent of his vices; that finding honesty to be his best policy, he may form resolutions of amendment; and, as Man is the mere creature of habit, he may from being

enured

0590

inured to labour, acquire habits of industry; and Humanity will induce us to cherish the hope, that at the expiration of his confinement, he may be restored an useful member to Society.

From these and other considerations relating to this subject, the subscriber respectfully submits to the General Assembly his opinion, that the Penitentiary System will have a tendency to prevent the commission of crimes, and he knows of no reasons why it ~~cannot~~ may not be applicable to this State.

JAS. BOOTH

January 10. 1814.-

Committee of
accounts

Report. 1814.

In Senate.

The Committee of accounts Report the following allowances to 1871

	days	Miles	$ Cents
To Andrew Barrett Esq. Speaker		11	
John Way Esq.	17	50	56.00
Samuel H. Black Esq.		36	
Abm. Staats		23	
George Cummins Esq.		10	
James Morris Esq.		12	
John Green Esq.		50	
Thomas Tucker Esq.		33	
Benj. Burton Esq.		45	
Alexander L. Hayes - Clerk of the Committee of Inquiry			30.00

0559

Report of the
committee of claims

H. of Rep's
Feb. 4. 1814. Read

0996

The Committee of Claims to whom have been referred sundry petitions and accounts ask leave to report in part

That by an act of the General Assembly of this State passed in April last, commissioners were appointed to liquidate and settle the accounts of persons having demands against the State, for articles furnished and services rendered under the orders of the Governor for the defence of the same, That sundry claims submitted to the said commissioners, were by them rejected, and referred to the legislature for their decision, your Committee after duly weighing every circumstance connected with such rejected claims and considering the importance of the crisis that gave rise to them, submit that it is but just and reasonable they be allowed. That is to say to General Thomas Fisher the sum of Eighty four dollars and sixty four cents, to Adjt General Jno Gunn the sum of 160 ~~seventy three dollars and twenty cents~~ To Lieutenant Col Cornwell Long fifty seven dollars and ninety cents to Lieut. Col Mitchell Kershaw the sum of ~~forty seven~~ thirty eight dollars and ~~twenty eight~~ sixty cents, To Major Benton Harris the sum of twenty dollars, To Major Yadon Aydlett the sum of twenty one dollars and forty four cents, To Major Charles M. Cullen

The sum of twenty eight dollars and forty seven
Cents to Major William Ellegood the sum of twenty
one dollars and forty four Cents. To Captain
Philip Hoot the sum of twelve dollars and eighty
seven Cents. To Jonathan Cullen quarter master the
sum of nine dollars and thirty three Cents, To
Adjut. Jacob Helm the sum of nine dollars and
thirty three cents, To adjut. Benial Watson the sum
of four dollars and thirty three cents. and to
John Poynter for House and carting of powder to
and from Lewis Town. the sum of seven dollars
Your Committee ask leave
further to report that there be allowed to Clement
Layton the sum of Eighteen dollars and ninety Cents
for sundries furnished the Dover Apportion, To
Captain Robert Dill the sum of twenty dollars
and twenty five Cents for clearing markets belonging to
the State, To William Dickey representations the sum
of thirty dollars for Raising a common wheel broke
made fall through the bridge on the mill dam of George Black
on its way to Lewis Town, Also that there be paid
out of the incidents fund collected in Kent County
if any in the hands of the treasurer. To John Thomas Bond
Esqr Mayor to the 2d Regiment ~~in Kent County~~
the sum of forty four dollars. To Andrew Caldwell
the sum of ten dollars & fifty Cents for musick furnished
the second company 2d Regiment Delaware Mili
tia Kent County, and to Captain Joseph Buchanan
the sum of Eight dollars and fifty Cents

for musick for the eighth company fourth Regiment Militia in said County —

Your Committee ask leave further to report. That by virtue of an Act of Assembly of the State of Delaware passed on the day of A last entitled an "Act providing for the defence of the State" Joseph Haslet Esquire the then Governor of the State on the twenty ninth day of April Eighteen hundred and thirteen drew from the State Treasury by two checks on the Farmers Bank to the sum of one thousand dollars: That the said Joseph Haslet Esquire be allowed the following sums of money viz four hundred and ninety seven dollars and eighty seven Cents amount of sundry expenses incurred and defrayed by the said Joseph Haslet Esquire. The sum of fifty dollars and fifty five cents, discount paid the Commercial Bank on money borrowed to furnish the Commissary. The further sum of two hundred dollars for extraordinary expenses incurred since the first of March last in consequence of the threatened invasion of this State by the enemy and other services, rendered necessary by the situation of the State during that time. The sum of thirty dollars for postage on the laws forwarded from different States to this State and on letters on public business. The sum of two hundred and twelve dollars paid for the apprehension of Henry Brereton according to proclamation of the seventh of August 1812. The various sums to be retained

0997

by the said Joseph Hurlet Esquire out of the amount drawn as aforesaid by him from the State Treasury, leaving a balance in his hand due the State of Delaware of nine dollars and sixty eight Cents. That there be allowed to Millard Hall Esquire late Secretary of State the sum of six dollars for copying the act of Assembly entitled an act incorporating the Wilmington and Newcastle Turnpike company also the sum of ten dollars for transmitting to Sussex and Newcastle Counties the laws of several sessions of the legislature together with the sum of thirteen dollars and fifty Cents for binding 18 of the 4th Volume of the laws of the State. And that the said Millard Hall be allowed for making an Index to the fourth Volume of the laws the sum of ninety dollars

That there be allowed to William Burton Esquire High Sheriff of Sussex County the sum of sixty four dollars and sixty four Cents for bringing Mary Brinton from the Gaol of Kent to Sussex County to the Gaol of Sussex County. To Augustus M. Schee the sum of four dollars for furnishing four quires blank Militia Commissions. To Maskaline Clark the sum of ninety eight dollars — — — for purchasing a place for the arms and accoutrements belonging to the State and for his trouble in taking care of them. To Doctor James McCalmont the sum of

thirty dollars for the use of a lot of ground in the vicinity of the Town of New Castle on which has been erected a battery for the defence of said place. That the accounts presented by Peter Parker Lieut. Joseph Parsons Captain Benjamin Burton and an Item in the account of Col Armwrd Lay for two months and eighteen days service as Lieut. Col. Comt. of the detached Militia of John Rudolph & Captain John Booth and Lieut. Reuben Anderson be disallowed, your Committee beg leave to remark that they were induced to the opinion this formed from a consideration that the several Items which compose said accts were charges properly by against the general government, and not the State of Delaware, the same being for services rendered in that part of the militia of said State detached by order of the general government, and to articles furnished said detached Militia, and that they have disallowed them in full confidence that upon application to Congress provision will be made for their payment.

Report of the Committee of accounts.

H. of Rep's
Feb. 16. 1814.

~~The house [illegible] the following~~

To John Barratt, Clerk for transcribing the Journals for January April May and August Sessions ~~and Stage for Journals to Georgetown~~ in Super — $149-34

To Joshua G. Brickle Clerk of the House for his attendance transcribing &c ingrossing &c — 199-63

To Richard Lockwood door keeper & Sergeant at arms for his attendance summoning witnesses furnishing articles &c — 139-72½

0569

the committee of accounts allowed the following allowance to the members and officers of the house

	Miles	Days	
Cornelius P. Comyn Speaker	5	46	$161.50
Jo. Nicholas G. Williamson	50	44	137.00
" Peter Vandevier	52	40	125.20
" George Read Junr	45	38	118.50
" George R. Mapes	44	44	136.40
" Joseph England	45	41	127.50
" Ahich Ryland	~~30~~ 26	46	136.60
" John Sutton	32	44	135.20
" Thomas Clayton	0	46	138.00
" John Clark	6	46	138.60
" Spencer Williams	20	45	137.00
" Jacob Stout	6	46	138.60
" Henry Molleston	3	46	138.30
" Lewis Lewis	25	42	127.50
" Robert Hole	22	46	140.20
" Nathan Vickers	50	46	143.00
" Joshua Burton	51	42	131.10
" Charles M. Cullen	45	46	142.50
" Ebe Walters	61	46	144.10
" Charles Polk	35	39	120.50
" Solomon Moore	52	46	143.20
~~" John Burnett~~			~~144.30~~

Report of Committee appointed to draught rules.
H. of Repr.
7. Jan. 1814. Read & adopted

0589

The committee who were appointed to draught Rules for the government of this house

Beg leave to report that the rules adopted in the January session [redacted] one thousand eight hundred and twelve be [redacted] adopted this session except the fourteenth Rule for the following words to wit; All communications and messages from this house to the senate shall be conveyed by the Clerk of this house

0514

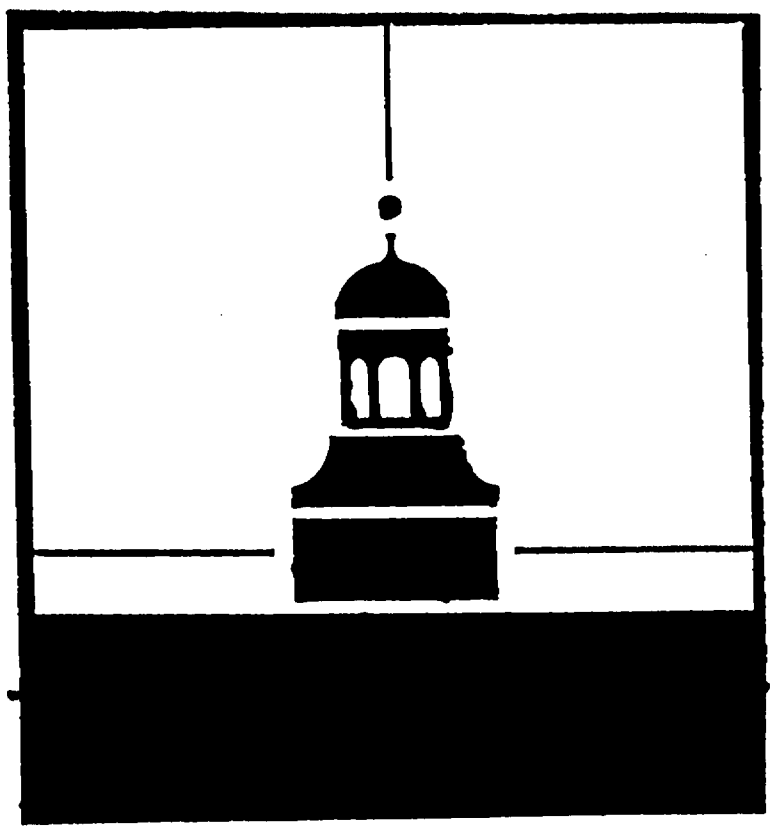
Report of committee on Salt springs.

H. of Rep's
Feb. 4. 1814. Read & adopted.

The Committee to Whom were referred the Several petitions Signed by Three Hundred & Twenty eight inhabitants of the County of Sussex on the Subject of the Saltwater Springs in Baltimore Hundred & in said County Beg leave to Report as follows —

Your Committee having had the subject under their advisement and so far as they are informed or Can Judge are of Opinion that it is not a fit subject for Legislative interference . .
and that the petitioners have leave to withdraw their petitions

0566



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1814 Jan.-Feb. Legislative Resignations

Resignation of
John Hay Esqr
1814.

Andrew Barrett Esquire
Speaker of Senate

Dover January 18th 1816

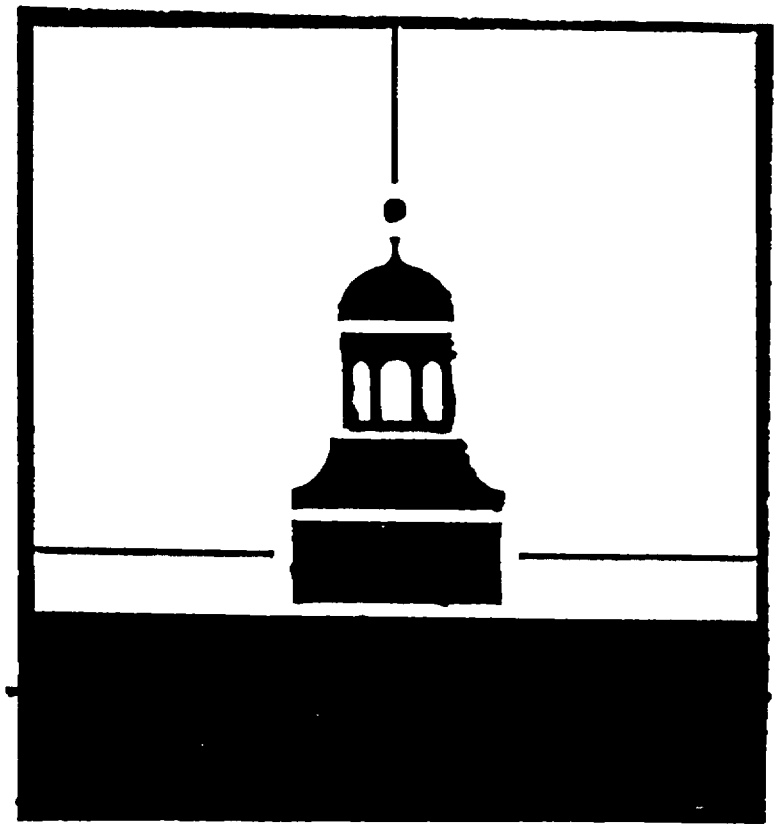
Andrew Barratt Esqr
President of Senate

Having received from his Excellency the Governor of the State of Delaware, a Commission to act as associate Judge of the Court of Common Pleas, by which appointment I consider myself Constitutionally disqualified from any longer holding a seat in your honorable body —

I embrace the earliest opportunity of communicating to you this circumstance, and of tendering to you and to the members of the Senate individually the consideration of my best respects

I remain &c &c

John Way



END FILE

1814 Jan. - Feb. Legislative Resolutions

Resolution to authorize the Governor to appoint military commissaries.

H. of Reps.
Feb. 16. 1814. Read & adopted.
J. Gordon Norris Cl. Clk
Sent for con.

In Senate Feb. 16, 1814
read & concurred in
P. Allen Clk

H. of Representatives
February 10. 1814.

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly Met, That the Governor be and he is hereby Authorized to appoint in each County a Commissary of Military Stores, whose duty it shall be to obey and carry into execution all Orders and regulations of the Commander in Chief of the Militia of this State, issued for the Safe keeping, cleaning, and transportation of the public Arms and accoutrements and all other property of the State belonging to the Military department of the State. That the said Commissary before entering on the duty imposed on him, shall give Bond in the name of the State of Delaware, with two sureties to be approved by the Governor, and in the Penal sum of five Thousand

dollars, Conditioned for the true and faithful performance of the duty of his office

Resolved by the Authority aforesaid, That the said Commissary shall keep an account of all expenditures in executing the duties of his office and present the same to the General Assembly at their next Session, which shall be settled and allowed, together with such other sum as in the opinion of the General Assembly may be deemed a Compensation for his services.

Read & adopted. Extract from the Journal.

J. Gordon Brinckle Clk

Sent for Concurrence.

Resolution requesting the Governor to remove from Office John Welds, Esq a Justice of the Peace.

0572

In Senate Feb. 11, 1814

Whereas an investigation hath taken place by the General Assembly as to the Official conduct of John Wilds Esquire, a Justice of the peace for the County of Kent, and it appearing that the official conduct of the said Justice is such that he ought to be removed from the office of Justice of the Peace.

Therefore, resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Governor of the State be and he is hereby requested to remove from office the aforesaid John Wilds, a Justice of the peace, in and for the County of Kent.

Extract from the Journal

Presley Allee Clk

Sent for concurrence

0579

Resolution to enquire
into the official
conduct of J. Wilson Esq
Jan. 1814

0999

Resolved

that the committee appointed to enquire into the official conduct of John Webb a Justice of the peace be discharged from that duty and that the business be brought before a committee of the whole Senate, and that all the persons summoned and all the papers and all other documents ordered to be obtained by the committee discharged as aforesaid be laid before and turned over to the Senate or committee of the whole House

and that all persons summoned by the committee so discharged be bound to attend before the Senate or committee of the whole House, and that the said John Webb Esq. be directed to appear before Senate or a committee of the whole instead of appearing before the committee so as aforesaid discharged—

Resolved - that a committee of three members be appointed on the part of this house to act jointly with such committee as may be appointed on the part of the senate to wait on the governor & inform him that a quorum of both houses of the General Assembly are convened and ready to receive his communications.

Read
~~Hopkins~~, Molleston & Hill were appointed.

J. P. Brinckle

Resolution to enable the committee on the subject of the late election of St. Carlos county to send for persons & papers.

H of Rep.
Jan. 15. 1814. adopted.

0577

Resolved, That power be and is hereby given to the Committee to whom was referred the Memorial of sundry citizens of Newcastle County on the subject of the late election, to send for persons and papers —

0578

Joint resolution to appoint a Committee to wait on the Governor

Read and adopted.

J. G. Brinckle C.C.

Messrs ~~Hafsey~~, Read Molleston and Hill were appointed.

J. G. Brinckle Clk

In Senate Jan 15, 1814

Read and concurred in and Messrs Black and Burton were appointed members of that committee on the part of Senate

P. Allen Clk

House of Representatives Wednesday morning 5th of January 1814.

On Motion,

Resolved, That a committee of three members be appointed on the part of this House to act jointly with such committee as may be appointed on the part of the Senate to wait on the Governor and inform him that a quorum of both Houses of the General Assembly are convened and are ready to receive his communication.

Read and adopted.

And Messrs ~~Stafney~~, Molleston, ~~and~~ Hill & Read were appointed.

Extract from the Journal.

S. G. Brinckle Clk

0580

Resolution appointing a committee to revise unfinished business.

6th Jan. 1814. Read & adopted.
Messrs Williamson, Stanton and Walter are appointed.

Williamson

Resolution that the subject of the McCastle election be examined into at the bar of the House.

H. of Rep.
Jan. 19. 1814. adopted.

Resolution to appoint a committee to enquire into the law of nuisance in N.C. county.

H. of Rep.
Jan. 13. 1814. Read & adopted.
& Messrs Mcafey, Williamson & Vickers appointed.

Resolution to appoint Samuel Paynter State Treasurer

H. of Rep.
Jan. 21. 1814. Read
Feb. 4 — adopted

Resolution to adjourn

H. of Rep.
Feb. 4. 1814. Read.
— 9 — adopted
J. G. Brinckle Clk

Transcribed & Sent to the Senate.

1850

Resolved by the Senate and house of Representatives that the Speaker of the Senate and the Speaker of the house of Representatives be and they are hereby authorised to adjourn their respective houses on Friday next without days.

Resolved by this House with the Concurrence of the Senate that Samuel Paynter Esqr be and he is hereby appointed State Treasurer -

0582

Resolved That a committee of three members be appointed to enquire whether any, and if any what alterations, are wanting in the existing laws of this state in relation to the nuisances committed on Roads, and publick high ways, in the several hundreds of the county of Newcastle, with leave to report by bill or otherwise.

Resolved, that the committee to whom was referred the memorial of sundry Inhabitants of Newcastle County, complaining of the violation of the Constitution and Laws of the State of Delaware at the late general election for that County - be discharged from any further consideration thereof - And that the witnesses summoned ~~by the said Committee~~ or that may be summoned under the authority of this House ~~be~~ shall be examined at the bar of this House -

Resolved that a committee of three members be appointed to review the journals of the several sessions of the Legislature held in the months of January, April, May and August last and report to ~~[illegible]~~ the unfinished business thereof to this House -

Resolution for appointing Directors of the Farmers' Bank

H. of Rep.
Jan. 26. 1814 adopted.
J. G. Brinckle Clk
Sent for con.

In Senat Feb. 7, 1814
Read and Concurred in
P. Allen Clk

House of Representatives
Jan. 20. 1814

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met that the following persons be and they are hereby appointed Directors of the Farmers Bank of the State of Delaware on the part of the said State agreeably to Acts of Assembly of the said State in such case made and provided viz: Thomas Clayton, Andrew Naudain and Jonathan Jenkins for the Principal Bank. - James Reddle Geo: R Mapes and David Nivin for the Branch Bank at Newcastle. - John Warner John Clachton and Alexander Gooster for the Branch Bank at Wilmington, and Curtis Jacoby David Hall and Tehu Stockley for the Branch Bank at George town.

Read and accepted.

Extract from the Journal.

Sent for concurrence. J. Gordon Brinckle Clk

Resolution to appoint a committee of elections.

6. Jan. 1814. Read and adopted.

Messrs Mafsey, Ryland, Lewis, Moore and Hill are appointed

Mafsey

0589

Resolved That a Standing committee of elections, consisting of five members be appointed, whose duty it shall be to examine the returns of the election of the severale members in this house and to take into consid-ration all such matters as shall come before them relative to such elections as wele as to the qualifica-tion of the members respectively, and thereupon to make report.

Resolution for committee of conference on the Appropriation bill.

House of Representatives
Feb. 16. 1814.

Resolved, That a committee be appointed on the part of this House to confer with a committee of the Senate on the subject on error which has been discovered in the enrolled bill entitled "An act to provide for the payment of certain claims & other purposes"

The members appointed are Mess'rs Clayton Hill & Moore.

Extract from the Journal
J. S. Brincklee Clk

In Senate, Feb. 16, 1814

Read and Concurred in and Mess'rs Green & Cummins appointed on the part of the Senate.

P. Allen, Clk

Resolution respecting the printing of the laws of the present session.

H. of Rep's
Feb. 16. 1814. Read & adopted.
J. Gordon Brinckle Clk

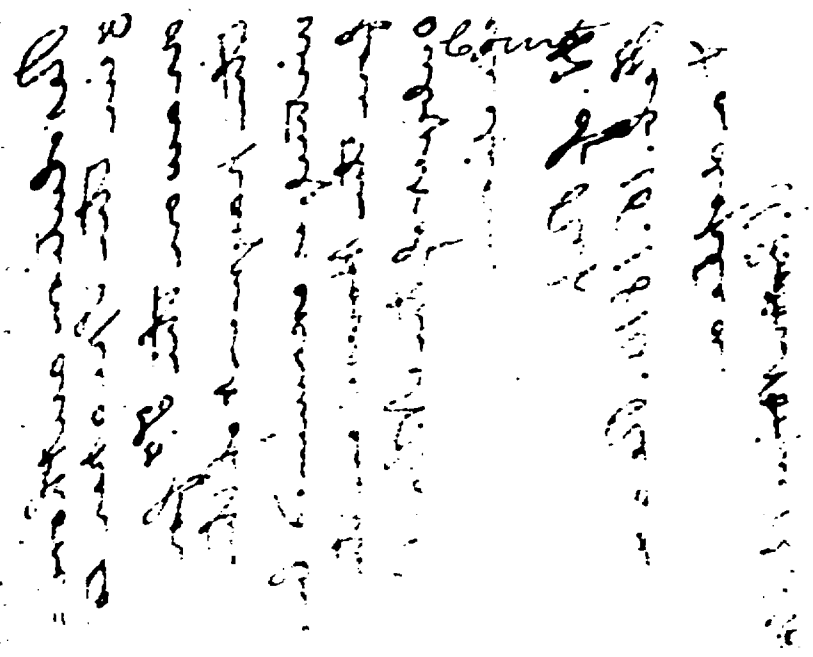
Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met: That the secretary of state cause three hundred copies of the laws of this State, passed at the present session, to be printed, exclusive of the number necessary for the members of the Legislature and the civil officers of the State, and shall transmit one hundred copies thereof to the prothonotary of each of the counties of this State, to be by them sold and disposed of for the use of the State, at twenty five cents for each copy, and the said prothonotaries shall respectively account with the State Treasurer therefor, half yearly, after retaining five per centum for their trouble.

Resolution authorizing the Speaker to draw on the Tr. for the payment of the witnesses examined before the House on the subject of the N. Castle election.

H. of Rep.,
Feb. 16. 1814. Read & adopted.

J. Sutton Brinckle Clk

Ordered That the Speaker draw orders on the Treasury in favour of the Witnesses examined at the bar of this house relative to the Election in Newcastle County; and that there be allowed to each Witness the same fees with mileage as are allowed by law to Witnesses examined in



Resolution directing the clerk to furnish the P.r with a copy of such military accounts as have been disallowed.

H. of Rep.
Feb. 16. 1814 Read & adopted
J. Podon Brinckle Clk

BEST SHOT AVAILABLE

0998

Resolved That the Clerk of this House furnish to the Governor a copy of all the accounts which have been presented to this House for Military services, and which have been disallowed on the ground that the said claims ought to be paid by the United States

Resolution that ~~the~~ it is expedient to pay this State's quota of the direct tax and to appoint a committee to draught a bill providing for the same.

H. of Rep.
7. Jan. 1814. Read

0599

Whereas by an act of Congress passed on the second day of August one thousand eight hundred and thirteen entitled an act to lay and collect a direct tax it is among other things provided that each State may pay its quota into the treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum if paid before the fifteenth day of February next, and of ten per centum if paid before the first of May in the same year, provided that notice of the intention of making such payment be given to the Secretary of the Treasury one month previous to such payment.—

Therefore Resolved

That it is expedient for the State of Delaware, to pay its quota of the direct tax into the treasury of the United States, pursuant to the provisions of the before recited act and that a Committee be appointed to draught a bill providing for the same.— 1814.

Resolution appointing
Samuel Paynter Esq.
State Treasurer.

H. of Rep's
Feb. 4. 1814. Adopted.
J. Gordon Brinckle Clk
Sent for Con.
In Senate Feb. 5. read
& read and concurred
in.
P. Allen Clk

3

Resolution
1814

House of Representatives
February 4. 1814.

Resolved, By this House with the concurrence of the Senate, That Samuel Paynter Esquire, be and he is hereby appointed State Treasurer.

Extract from the Journal.

J. Gordon Brinckle Clk

Sent for Concurrence.

0598

Resolution for issuing a writ against the Sheriff of New Castle County

Filmed with 1814

Resolved

1 That the speaker of the Senate be and he is
2 hereby authorized and empowered to
3 issue his warrant directed to the sergeant at arms
4 or his deputy commanding him forthwith
to bring before the Senate the body of William
Moore the Sheriff of New Castle
County, to shew cause if any he hath
why the Returns from the County of
New Castle ~~County~~ for Governor, are not
made ~~to~~ to the Speaker ~~of~~ the Senate
according ~~to~~ to the Constitution of this State
in such case made and provided

Resolution for opening the returns for governor.

In Senate, January 10, 1814
read and adopted

Presley Allen Clk

3

H. of Representatives,
Jan. 11th 1814

Read and concurred in and Mr Williamson was appointed teller on the part of the House of Representatives.

J. G. Brinckle Clk

In Senate January 10, 1814

Resolved

that the members of the Senate and House of Representatives do meet in the Senate chamber to-morrow at twelve o'clock (Midday) for the purpose of opening and Publishing the Returns of the Election for Governor agreeably to the constitution of this State; and that the House of Representatives be informed that the Senate have appointed an Assistant Thomas Fisher to sit at the Clerks table to take down the Number of Votes as they shall be declared from the respective Returns

Resolved

that upon opening and Publishing the said Returns by the Speaker of the Senate, in the presence of the members of the two Houses of the General Assembly, a Certificate of the Election shall be made out and signed by the Speakers of the two Houses respectively, which certificate shall be as follows

Be it Answered that the General Assembly of the State of Delaware, being convened at Dover, the Undersigned Speaker of the Senate, on the eleventh day of January 1814 in the presence of the members of the Senate and House of Representatives did open and Publish the Returns of the Election holden in the several Counties in this State on the first Tuesday

of October last for governor by which it is manifest that was duly elected agreeably to the Constitution of this State to the office of Governor to hold the same for the term of three years from the third Tuesday of this present month agreeably to the said Constitution

Resolved

That the said certificate be deposited by the Speaker of the Senate in the office for the recording of Deeds in and for Kent County, and there be recorded; and that a Duplicate thereof signed by the Speakers as aforesaid, be transmitted by the Speaker of the Senate to the Governor Elect

Resolved That the Speaker of the Senate do inform the Governor Elect that the members of the Senate and House of Representatives, will attend him on Tuesday the eighteenth instant, in the Senate Chamber whilst he is taking the oaths required by the Constitution of this State and of the United States

Extract from the Journal

Presley Allee Clk

Sent for concurrence.

0609

Resolution for
examining the State
Treasurer's accounts

H. of Rep
Jan. 24. 1814. Read
& concurred in
& Messrs Vickers,
Stout & Sutton ap=
pointed on the
part of this House.
J. G. Brinckle
Clk

In Senate, January 21, 1814

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That a Committee to consist of two members on the part of the Senate, and three members on the part of the House of Representatives be appointed to examine into the accounts of the State Treasurer, and to Count the Cash on hand, and make report thereof to this General Assembly.

Read and adopted, and Messrs. Cumming and Black were appointed members of the Committee on the part of the Senate.

Extract from the Journal,

Presley Allee, Clk

Sent for Concurrence

Resolution for the safekeeping of the books & papers belonging to the General Assembly

Found with 1814

Resolved that a Committee of Three members of Senate be appointed to act jointly with such number of members as may be appointed on part of the House of Representatives — to take into Consideration the Expediency of Building and Erecting a press or presses sufficient to Hold and Contain all the acts of assembly Journals and other Books of Every Description - that belong to Either Branch and provide for the safe keeping of the Same - and to Report to their Respective Houses - by bill or otherwise

Resolution respecting the Direct Tax.

Whereas, by an act of Congress passed upon the 2d day of August 1813 entitled "an act to lay, and collect a direct tax within the United States, and apportioning to this state, of that tax, the sum of Thirty two thousand, one hundred and eighteen dollars, and twenty one cents.

And Whereas, By the said act, it is provided that the several states shall have the privilege of paying into the treasury of the United States, on or before the 18th day of february 1814, by (such intention being signified to the secretary of the treasury one month previously thereto,) the amount of such apportionment and in consequence of such payment obtain a deduction of fifteen pr centum.

And this ~~senate~~ Legislature, being deeply impressed with the importance of unanimity amongst themselves; and a hearty cooperation with the General Government in the measures which it has thought advisable to adopt, for the honour and safety of our beloved Country, at this awful, and momentous Crisis! — a Crisis, apparently pregnant with the destiny of all the Nations of the Earth! a Crisis at which our peaceful and happy Country, altho' so remote from the bosom of political corruption, Tyranny and usurpation with their concomitants, wretchedness and misery, of the old world; is yet near enough to feel that we are still sufficiently within the rays of their deadly influence, to cause us to dread their destructive effects; and make us alive to every possible means by which safety, honour and respect can be secured to our native, and sacred soil.

And, believing moreover that by the assumption, and payment of this states proportion of the aforesaid Tax, it will be within the power of the General assembly, to levy the amount thereof equally, and impartially upon the citizens of this state, in such manner as to insure equal advantages to all.

Therefore Resolved by the Senate, and House of Representatives of the State of Delaware ~~in General Assembly met~~ That this General assembly deems it expedient to avail itself of the opportunity offered by the Congress of the United States, to assume this states proportion of the direct tax according to the act of Congress passed, and approved upon the 2d day of August one thousand Eight hundred and thirteen.

Resolved

That the Governor of this State be requested, ~~immediately~~ Gratuitously to the 10th of this Instt. ~~Therefore~~ to Certify the Secty of the Treasury of the United States of the foregoing Resolution.

0610

Resolution to adjourn
on Friday next.

H. of Rep.
Feb. 4. 1814. Read.
— 9. — adopted
J. G. Trowbridge Clk
Sent for con.

House of Representatives
February 9. 1814.

Resolved by the Senate and House of Representatives, That the Speaker of the Senate and the Speaker of the House of Representatives be and they are hereby authorized to adjourn their respective Houses on Friday next, without day.

Read and adopted

Extract from the Journal.

J. Gordon Brinckle Clk

Sent for concurrence.

0612

Resolution for printing the laws passed at their Session

February 1814.

H. of Rep'ts. Read & ~~adopted~~ concurred in & J. S. Brinckle Clk

In Senate Feb. 10, 1814

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, that the Secretary of State cause three hundred copies of the laws of this State, passed at the present Session, to be printed exclusive of the number necessary for the members of the Legislature, and the Civil officers of the State; and shall transmit one hundred copies thereof to the prothonotary of each of the Counties of this State, to be by them sold and disposed of for the use of the State, at twenty five cents for each copy; and the said prothonotaries shall account with the State Treasurer therefor, half yearly, after retaining five per centum for their trouble.

Extract from the Journal

Presley Allen, Clk

Sent for concurrence

06 14

Resolution for issuing a writ to the Sheriff of New Castle Co. for holding an election to supply the vacancy occasioned by the resignation of John Way Esq.

Found with 1814

Resolved

That the Speaker of the Senate be, and he is hereby required to issue a writ to the Sheriff of New Castle County, commanding him to cause an Election to be held on ~~Tuesday next the 31st day of this instant (Jan.)~~ Thursday the third day of February next, in the several districts of the said County, according to the constitution and the several Election laws of this State, for the election of a Person to supply the place of John Way Esq. late a Member of the Senate, Resigned

0618

Resolution appointing a committee to wait on the Governor elect.

In Senate, Jan 17, 1814 read and adopted and Mr. Green & Mr. Black were appointed members of that Committee on the part of the Senate.

P. Allen Clk

H. of Rep.
Jan. 18. 1814. Read and adopted and Messrs Clayton, Cullen and Maxsey appointed on the part of this House.

J. P. Brinckle Clk

1814

In Senate, Jan 17, 1816

Resolved, That a committee of two members be appointed on the part of the Senate, to act jointly with such committee as may be appointed on the part of the House of Representatives, to wait on the Governor elect and inform him, that the Senate and House of Representatives have convened in the Senate Chamber, for the purpose of attending him whilst he is taking the oaths required by the Constitution of this State, and by the Constitution and laws of the United States.

Extract from the Journal

Presley Allen Clk

Sent for Concurrence

Which Seat has become vacant by accepting the appointment of the office of one of the Judges of the Court of Common Pleas

Found with resolutions to which attached

0818

Resolution for
Adjournment

H. of Rep's,
Feb. 15. 1814. Read.
& concurred in.
J. G. Porter Clk

0620

In Senate Feb. 15, 1814

Resolved

That the Speaker of the Senate, and the Speaker of the House of Representatives, be, and they are hereby authorised to adjourn their respective houses upon Wednesday next the 16th Inst. without day. —

Extract from the Journal

Owsley Allen Clk

Sent for concurrence

3

Report of the committee to whom were referred the petitions for the removal from office of the two judges lately appointed by Gov. Haslet.

H. of Rep's
Feb. 12. Read & adopted by two thirds of all the members.

J. G. Rencklé Clk

Sent for Con.

In Senate Feb. 12 read and concurred in by two thirds of all the members of the Senate

Presley Allen

Res. Filed with 1814

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, two thirds of all the members of each branch of the Legislature concurring, that the appointment of an additional Judge in the Supreme Court, and of an additional Judge in the Court of Common Pleas by the late Governor was unnecessary, inexpedient and improper. For when Judges of the Supreme Court and Court of Common Pleas were first appointed under the present Constitution it was not deemed necessary to commission more than three in either of the Courts. An experience of more than twenty years has confirmed the wisdom of this determination. At that time the suits in Court amounted to a number that would now be deemed incredible. This was produced by the bad organization of the former Courts. ~~When~~ The new Courts ~~[illegible]~~ ~~[illegible]~~ adopted, such regulations ~~[illegible]~~ as enabled them very soon to diminish the number of suits that had for a long time awaited a decision, and such has been the despatch of business in those courts that a cause rarely, if ever, remains on record, undecided, for more than three terms. This despatch and consequent diminution of business, and the general satisfaction which has been manifested throughout the State at the manner in which justice has been administered, show that three Judges are fully competent to discharge every duty which

which is required from the Courts. None of the predecessors of the late Governor found it necessary to appoint a fourth Judge ~~in either of the Courts~~. Nor did he, until the moment he was going out of office. That moment was peculiarly unfortunate. The people are now less able to bear the burthen of additional salaries than at any former period. The War has increased the taxes in a fourfold proportion whilst it has diminished the means of payment. Heavy expences have been incurred by the State and it has already been obliged to resort to loans. Under these circumstances this General Assembly is at a loss to conceive what motive of public good could have influenced the late Governor to make these appointments; Or why if he had the public good in view he delayed the appointment to almost the last hour of the last day of his administration. The only event which would render it expedient to ~~warrant~~ ~~the~~ appointment ~~of~~ a fourth Judge has not occurred. The constitution authorized the appointing of four Judges in each ~~county~~ court; because in case of the death removal or resignation of a Chief Justice it was necessary that the Governor should have the selection of a person qualified to fill the office from any part of the State. It made it necessary that a Judge should reside in each County and if the power to appoint a fourth Judge had not been given the appointment of a chief Justice must necessarily have been conferred to the County

in which it was originally made, unless a successor properly qualified could be found among the associates

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, two thirds of all the members of each branch of the Legislature concurring in this address, That the Governor be and he is hereby addressed and requested by the said two thirds of all the members of each branch of the Legislature, that Isaac Davis Esquire a Judge of the Supreme Court of this State, be removed from the said office of Judge of the Supreme Court of this State.

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, two thirds of all the members of each branch of the Legislature concurring in this address That the Governor be and he is hereby addressed and requested by the said two thirds of all the members of each branch of the Legislature that John Way Esquire a Judge of the Court of Common Pleas of this State, be removed ~~from~~ from said office of Judge of the Court of Common Pleas of this State.

an ~~[illegible]~~

Resolved further that a copy of the foregoing address be signed by the Speakers of the two houses respectively ~~and~~ and attested by the [illegible] be transmitted to the Governor

In Senate Feby 8, 1814

Whereas, since the declaration of War, considerable sums of money have been expended by this State in defending it against the common enemy of the United States;

And whereas this State in every attempt at such defence, has as far as limited resources would admit, had in view, as well the general honour and safety of the Union as their own individual security; and deeming it but just and proper that money thus expended should be refunded by the General Government, and assessed in equal proportions upon all the Confederate States and Territories.

Therefore, Resolved Unanimously by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Governor be and he is hereby requested to forward to the Secretary at War of the United States, an account of all Monies which have been expended

by this State against the Common enemy of the United States, with a request that the same may be laid before Congress;

Resolved, That a copy of the foregoing Resolution be made out by the Clerk of the Senate, signed by the Speaker of each House of the General Assembly respectively, and forwarded immediately to the Governor.

Presley Allee Clk

Leave for concurrence.

Resolution for reimbursing this State for certain expenditures

H. of R. Resd.
Feb. 9. 1814. Read
3 — 12 — concur.
concur.
S. P. Brinckle Clk

0628

MUTILATED DOCUMENT

Resolution that the military expenses of this State be laid before Congress.

H. of Rep.
Jan. 29. 1814. Read & adopted.
Gideon Brinckle Clk

Sent for Con.

In Senate Feb. 1. read & read and rejected
P. Allen, Clk

95

MUTILATED DOCUMENT

0880

House of Representatives
Jan 29. 1814.

Resolved unanimously by the Senate and House of Representatives of the State of Delaware in General Assembly met That the Governor be and he is hereby requested to forward to the Secretary at War an account of all sums of money expended by this State in calling into service the Militia for the defence of the State against the Enemy — and that he request that the same may be laid before the Congress.

Read and adopted.

Extract from the Journal.
J. Gordon Brinckle Clk

Sent for concurrence.

MUTILATED DOCUMENT

0881

found with papers of 1814

Amendments proposed by Senate to the "Resolution disapproving the measures of the Genl Government in relation to the foreign belligerent nations"

disagreed to. adhered to

Strike out of the third Resolution in the first line the words "as a war measure worse than futile" after the word "Embargo"

disagreed to recedded from

Strike out the Fifth Resolution.

disagreed to adhered to

Strike out of the seventh ~~Section~~ Resolution in the third line the words "unwise and arbitrary laws" and insert the words "laws however oppressive" in lieu of the words stricken out.

disagreed to adhered to.

Insert in the third line of the last Resolution the words "when necessary" after the word "country" and insert in the same line of same resolution the words "or domestic" after the word "foreign"

Extract from the Journals

Geo. W. Sykes Clk
of the Senate.

Sent for concurrence.

Resolution of the Genl. Assy. U.S.
respecting the opening
increasing the circulation
of the currency &c.

Free H. M. Ridgely

The Hon. the
The Speaker of the House of Representatives
of the State of Delaware

Dover

In the House of Representatives
of the United States.
15th Jany. 1814.

Resolved, That the Secretary at War be instructed to lay before this House a report on the Claims of the Several states and territories for Monies advanced in calling into the service of the United States detachments of Militia; distinguishing such items of the Claims as under the existing laws can be settled; and distinguishing also such items as can not be adjusted and settled without legislative provision.

Attest,

Matthew Lyon Clerk.

The Hon:
The Speaker of the House of Representatives
of the State of Delaware —

House of Representatives of the United States
17 January 1814

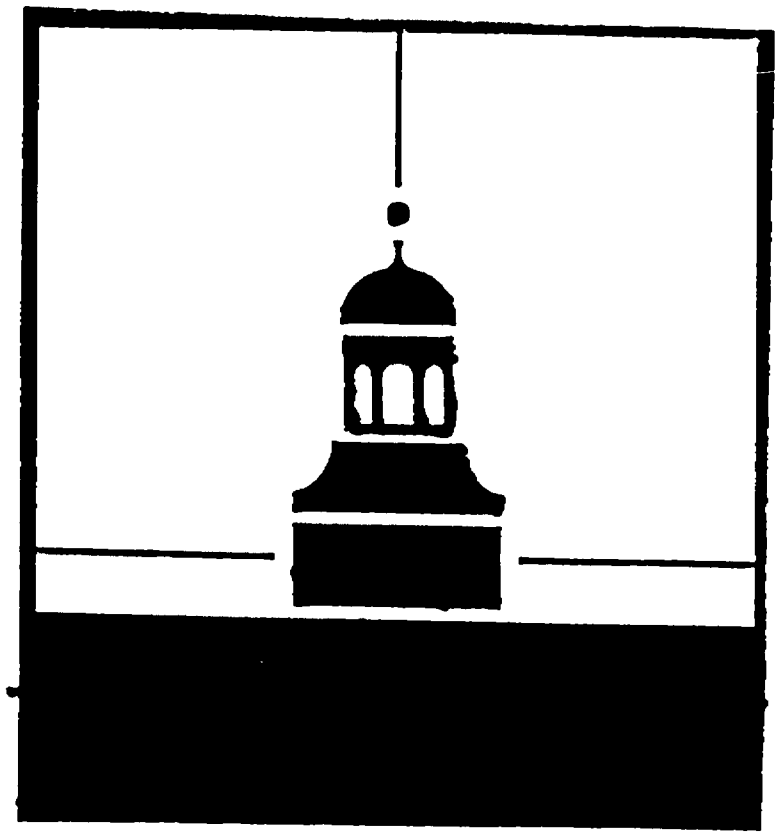
Sir.

We have the honour to transmit herewith, for the information of the General Assembly of Delaware, a resolution that passed the House of Representatives of the United States on Saturday last.

The Legislature of Delaware will adopt such measures relative to the said resolution, as they in their wisdom shall deem proper -

We have the honour to be,
Sir,
your ob.t Serv.ts
Thomas Cooper
A. McLeary

The Hon.ble
The Speaker of the House of Representatives
of the State of Delaware



END FILE

1814 Jan. – Feb. Legislative [redacted] Writs

Writ for the Sheriff of New Castle County.

Copia Corpus this 10th of January 1814
Richard Harrington
Sergeant at arms of The Senate of the State of Delaware

The State of Delaware }

To Richard Harrington, Serjeant at arms of the Senate greeting: You are hereby commanded that you forthwith cause to be brought before the Senate of the State of Delaware aforesaid William Moore high Sheriff of New Castle County, to shew cause why he hath not made return of the election of a governor of the said State. And you are hereby further commanded to make known to the Senate without delay in what manner you have executed this writ, and also to return the same.

Given under my hand, by order of the Senate of the State of Delaware, this sixth day of January, in the year of our Lord one thousand eight hundred and fourteen

Senate Chamber
January 6, 1814

Andw Barratt
Speaker of the Senate

Appearance for
Samuel Maurice

Summoned as
within commanded
24th of Jan 1814
Richard Hemington
Sergeant at arms
for Senate

The State of Delaware, To Samuel Marshall Greeting: We strictly command you, that all and every business and excuse whatsoever ceasing, you in your proper person appear before our Committee of the Senate, on Tuesday next, to testify all and singular those things which you shall know, concerning the official conduct of John Wilds, one of the Justices of the Peace for the County of Kent, and this you are not to omit at your peril. Witness the Honorable Jesse Green Esquire, Chairman of the said Committee at Dover, this twenty second day of January, one thousand eight hundred and fourteen.

Found with 1814

Jse Green

Chairman of the Committee

0699

Writ of Election.

Received this writ on the 27th day of January 1846 at seven o'clock P.M.

Executed as answers

[illegible]

State of Delaware Ss. To the Sheriff of New Castle county: Greeting.

Whereas, a vacancy hath happened in the Senate of the said State, by the acceptance of John Way Esquire, of the office of one of the Judges of the Court of Common Pleas:

You are therefore hereby commanded and required to cause an election to be duly advertised by notices set up in the most public places in the several hundreds in your bailiwick, and on Thursday the third day of February next to hold an election at the several Electorial Districts for the said County of New Castle, for electing a member of the Senate to fill the said vacancy, agreeably to the Constitution and the laws of the said State, in such case made and provided: And you are further hereby commanded, to make known to the honorable the Senate, forthwith after the day of the said election, how you have executed this Writ, and to return the same

Wm Barratt

Witness the Honorable Andrew Barratt, esquire, Speaker of the Senate of the State of Delaware, this twenty sixth day of January, in the year of our Lord, one thousand eight hundred and fourteen

Rec'd the 27th 7 O'clock at Night

Writ of Election to fill the vacancy in the House of Representatives occasioned by the death of Isaac Lockwood esq.

Jan. 1815.

Executed as within commanded

John Reed Shff

The State of Delaware ss.

To the Sheriff of Kent County: Greeting—

Whereas a vacancy hath happened in our House of Representatives by the death of Isaac Lockwood esquire one of the representatives from our said county of Kent:

You are therefore hereby commanded and required to cause an election to be duly advertised by notices set up in the most public places in the several hundreds in your bailiwic, and on the Wednesday the eleventh day of January instant to hold an election in the several electorial districts of the said county of Kent for the electing of a proper person to fill the said vacancy in our said House of Representatives agreeably to the constitution and laws in such case made and provided. And you are further hereby commanded to make known to the honourable the House of Representatives forthwith after the day of the said election how you have executed this writ, and to return the same: hereof fail not. Witness the honourable Cornelius P. Comegys esquire Speaker of the House of Representatives of the State of Delaware this fourth day of January in the year of our Lord one thousand eight hundred and fifteen.

Cornelius P. Comegys

END

FILE

1815 Jan. - Feb. Legislative Accounts

Wm. Burlet's acct.

No. 14

H. of R.

28. Jan. 1816. Read & referred to the committee of claims.

Disallowed in Committee 30th. Jan. 1815

0644

April 16th 1796

The Estate of Mr William Dawson Decased

To Wm Carlet Dr

To puting in 2 floors of joice and Seeling @ 25	2	10	0
To laying 2 floors puting up partion puting wash Bords on the Lower floor @	8	15	5
To Cutting out 2 Doors Checking and Casing @ 3/6	1	17	6
To Cuting out 8 12 Lite windows Checking Casing & Cov	7	2	4
To Coming up Stairs framing framing steam way Clos & Doors and A Kitchen Room the fine d	3	11	3
To making and hanging 4 Deg Doors @ 2/6	1	6	3
	£25	2	9
Do Cr By 48 - 11.9 got from Robert Stewart	9	6	7
By 15/ got from Robert Mcolen	15	16	0
	8	11	9
	0	15	0
	£9	6	9

New Castle County ss.

Before me Geo. Russel one of the Justices of the Peace in for said County personally came William Carlet who on his solemn Oath doth say that the above acct is just true as stated against the Estate of William Dawson dec.d that he has not received any part thereof nor security for the same nor than the credits given and that the sum of fifteen pounds sixteen shillings is yet justly due to him from the said Estate

Sworn & subscribed the 14 Jan.y 1815

Before George Russel

William Carlet

Journal of 1809 contains pages allowance Mg.

1810	82	pages	71.75
1811	83		75.00
1812			
1813			
1814	87		75.00
1815	103		

at 83 - 75 - 104

104

300

75

83) 7800 (93

742

330

249

81

0890

Joshua G Bunkley
Acct.

allowed for 125.30

State of Delaware

Dr. in a/c with S. Gordon Brinckle late Clerk of the House of Representatives.

1815. For transcribing the journal of January session 1815. &c. &c. $110.00

May. For transcribing for the use of the commissioners, the resolution in the case of W. Johnson Esquire together with the charges preferred against him . . . . . 50.

June 19. For taking down in writing the depositions of witnesses examined before the commissioners at Smyrna in the case of W. Johnson Esquire . . 15.00

$125.50

The State of Delaware
to
W W Layton et al

0690

Dr. the State of Delaware

1815 June 12 } to Wm Layton

for Summoning the following witnesses before the Commissioners Named by the Legislator to take evidence Respecting the conduct of Wm Johnson Esq. one of the Justices of the Peace in and for New Castle County

Henry Walter 12 M. @ 10 Cts. pr. Mile	Summon 20 Cts.	$1.40
Thos. Reed 10 M. @ 10 Cts. pr. Mile	Summon 20 Cts.	1.20
Wm. Rothwell 12 M. @ 10 Cts. pr. Mile	Summon 20 Cts.	1.40
Matthew M. Mountin 12 M. @ 10 Cts. pr. Mile	Summon 20 Cts.	1.40
Jno. Lancaster — 10 do. @ do.	Summon 20 Cts.	1.20
Samuel Hutchinson 10 do. @ do.	Summon 20 Cts.	1.20
Francis Grady — 8 do @ do	Summon 20 Cts.	1.00
Jno. Lowber Esq. 1 do @ do.	Summon 20 do	.30
Wm Hutter 12 do @ do.	Summon 20 Cts.	1.40
Wm Wiran 6 do @ do	Summon 20 Cts.	.80
Isaac Moffitt 9 do @ do	Summon 20	1.10
Daniel Crouch 12 do @ do.	Summon 20	1.40
Enoch Joyce — 1 do @ do	Summon 20 Cts.	.80
Abel Crouch 15 do. @ do.	Summon 20 Cts.	1.70
Jno. Timmons 12 do. @ do.	Summon 20 Cts.	1.40
Wm White — 12 do. @ do.	Summon 20 Cts.	1.40
Jonathan N. Alston 12 do @ do.	Summon 20 Cts.	1.40
Thos. Roberts 12 do. @ do.	Summon 20 Cts.	1.40
Serving Writ on Wm Johnson Esq. including mileage &c		2.00
3 day attendance on said commission @ one dollar pr. day		3.00
		$26.50

a/c
Isaac Mayford

Account
Joshua A. Ellwood
A. of R.
27 Jan. 1816 recd

1815. The State of Delaware 3

Dr. Isaac Mifford

Feby 2 To 4 Days attendance at Dover in the case of Wm Johnson at eighty cents per Day — 80 cts $ 2.20

" 168 Miles at 3 cts $ 5.04

Total $ 7.24

Kent County, ss. Personally appeared Isaac Mifford & gave on the Subscriber one of the Justices of Peace within and for said County, this 11th day of February 1815 and made Oath to the above Account that the above Bill is just and true to the best of his knowledge & belief.

Before me Ezekiel Nicholls

M. Bradford's acct.

No. 6

H. of R.
24. Jan. 1815. Referred to the committee of claims.

Allowed in com.
31st. Jan. 1815

0099

State of Delaware to M. Bradford, Dr.

For printing, July 16th 1814, by order of the Secretary of State, twenty quires of Tavern Licences ——— 15.00

" " October, 13th 1814, by the same authority, twenty quires of Military Commissions ——— 15.00

Oct. 25, 1814, by the same authority 2 pp. 4t. being the governor's proclamation respecting the election of members of Congress ——— 2.00

$32 00

Received Payment,

M. Bradford.

Jan. 19, 1815.

John W. Many's
Account
as Sergeant at arms
of the House of Reps
January 1815

The State of Delaware
in acct. with John W. Mary

To Summoning William Carlisle Esquire	$1.00		
and Mileage 32 Miles @ 6 Cents p.m.		1.92	2.92
To Summoning Stephen Reader Witness p.m.	1.00		
and Mileage 32 miles @ 6 Cents Do p.m.		1.92	2.92
To Summoning Samuel Stephens .. Do p.m.	1.00		
and Mileage 32 miles @ 6 Cents ... Do p.m.		1.92	2.92
To Summoning Clement Cannon Do p.	1.00		
and Mileage 33 Miles @ 6 Cents Do p.m.		1.98	2.98
To Summoning Clement White ... Do ...	1.00		
and Mileage 33 Miles @ 6 Cents .... p.m.		1.98	2.98
To Summoning Curtis Jacob Esq. ... Do ...	1.00		
and Mileage 43 miles @ 6 Cents p.m.		2.58	3.58
To Summoning Joshua A Elligood ... Do ...	1.00		
and Mileage 45 Miles @ 6 Cents p.m.		2.70	3.70
To Summoning Charles Polk Esq. Do. ...	1.00		
and Mileage 35 Miles @ 6 Cents p.m.		2.10	3.10
To Summoning Thomas Purnell Do. ...	1.00		
and Mileage 20 Miles @ 6 Cents p.m.		1.20	2.20
To Summoning Amesly White Do. ...	1.00		
and Mileage 20 Miles @ 6 Cents p.m.		1.20	2.20
To Summoning M. Gaskin ... Do. ...	1.00		
and Mileage 20 Miles @ 6 Cents p.m.		1.20	2.20
To Summoning Joseph Buckmaster Do.	1.00		1.00
To Summoning Nath. Smithers Esq. Do.	1.00		1.00
To Summoning John Lowber ... Do.	1.00		1.00
To Summoning James Schee Esq. Do.	1.00		1.00
To Serving writ on Sheriff Reed ...			1.00
To Noticing John Wilds Esq. ...	1.00		
and Mileage 10 Miles @ 6 Cents p.m.		60	1.60
To Summoning William Johnson Esq. ...	1.00		
and Mileage 24 Miles @ 6 Cents p.m.		1.44	2.44
To Summoning Jonathan R. Alston Witness	1.00		
and Mileage 19 Miles @ 6 Cents p.m.		1.14	2.14
To Summoning Jacob Deayton ... Do. ...	1.00		
and Mileage 20 Miles @ 6 Cents p.m.		1.20	2.20
To Summoning John Lowber ... Do. ...	1.00		
and Mileage 13 Miles @ 6 Cents p.m.		78	1.78
To Summoning William Welden ... Do. ...	1.00		
and Mileage 17 Miles @ 6 Cents p.m.		1.02	2.02
			$48.88

To amount brought over . . . . . $48 .. 88

To Summoning William Huckelle Witness 1,00
and Mileage 18 Miles @ 6 cents p.m. . . . . 1,08 — 2 .. 08

To Summoning Frances McCreedy Do. .. 1.00
and Mileage 18 Miles @ 6 cents p.m. . . 1.08 — 2 .. 08

To Summoning Isaac Moffed Do. ... 1.00
and Mileage 21 Miles @ 6 cents p.m. 1.26 — 2 .. 26

To Summoning Saml. Hutcheson Do. . 1 .. 00
and Mileage 21 Miles @ 6 cents p.m. 1.26 — 2 . 26

To Summoning William White Do. . . 1 .. 00
and Mileage 16 Miles @ 6 cents p.m. . 96 — 1 .. 96

To Summoning Enoch Joyce Do. . . 1 .. 00
and Mileage 13 Miles @ 6 cents p.m. 78 — 1 .. 78

To Summoning John Fennemore Do. . . 1 .. 00
and Mileage 18 Miles @ 6 cents p.m. 1 08 — 2 .. 08

To Summoning Matthew McMountain 1.00
and Mileage 46 Miles @ 6 cents p.m 2.76 — 3 .. 76

To Summoning Daniel Crouch Do. . . 1,00
and Mileage 24 Miles @ 6 cents p.m 1.44 — 2 .. 44

To Noskill & Lonaan's acct. as per bill . 3 " 48½

To Sam. White's bc acct. as per bill . 7 " 91

To N. Smithers' acct. as per bill . 6 " 18½

To P. Allen's acct. as per bill . 14 " 23

To Ralph Corsey for repairing fire place . . . . . " 37½

To James Stewart for putting on lock . . . . . " 20

To Wesley McDowell's acct. as per bill . . . 1 " 00

To W. Woodley's acct. as per bill . . . " 37½

To attendance 41 days . . . . 61 " 50

To ringing the bell . . . . . 6 " 84

$ 171 " 68

Ds. 12 " 66

Deduct 2 in each mile overcharge . . .

$ 159 " 02

Pusey Allen
Acept.

John W Mary For the house of Representatives Dr
Bo.t of Presley Ellis

1815
January 30th To 1 sweeping brush $0.80
" " To 1 corn broom 12½ " 1 Tub 1.35 . . . . . 1.47½
" " To 5 quires letter paper @ 2/6 . . . 1 67
" " To 2 ditto writing paper @ 2/4 . . " 62½
" " To 1 ounce wafers 20 cts 100 quills 25 cts . . " 45
" " To piece tape 19 cts sand bch . . . . . " 25
" " To 1 bottle ink 25 cts 1 floor mat 25 cts . . " 45
" " To 2 Quires writing paper @ 2/4 . . " 62½
" " To 4 ditto letter paper @ 2/6 . . . 1 33
" " To 1 Desk lock $1.87½
" " To 4 quires cut paper @ 2/4 . . . . 1 25
" " To 3 ditto cut ditto @ 2/6 . . . 1 00
" " To 1 ditto pink paper . . . . . " 37½
" " To 1 piece tape . . . . . " 17
" " To 1 stick brown . . . . . " 15⅞
" " To 4 quires letter paper @ 2/6 . . . 1 33
" To 7 ditto cut ditto @ 2/4 . . 2 18½
" To ½ bottle ink 12½
$14.23

Richard C. Lathers

Accept
John McLeary for
The House of
Representatives
Feb. 18 1/2

Mr. J. McLeary &c. for the
Hon. House of Repr. S. &c.
Wm
Communicated

W. S. Smith Esq.
Clk. of the
House of Representatives
&c &c
P. S. 1 8 1/2

1815 January 10th

The Honourable the Senate Dr by R.C.L.

To 1 Lock & Screws — $4.12½
1 Qr wafers — 25
pd the Qr wire — 3 — 18
$4.55½ total

Dover Feby. 9. 1815

John McManis for the House of Representatives of the State of Delaware

Bot of N. Smithing

12 " candles -- c 25 cts	$3	
1 corn broom	" 12½	
12 " candles - c 25	3	
25 quills	" 6	
	$6 " 18½	

Mr John W. Manis, for the Hon.ble the House of Representatives, of the State of Del.a } to Samuel White Dr.

1815 January	10. To 1 Stock Lock 75. 1 quire paper 31. 6 yds ribbon 24.	$1.30	
	28. To 1 Quire Paper 31. 130th, 6th Candles 150	1.81	3.11
	31. To 1 lead pencil 12½	" 12½	
February	1. To 4th Candles 100 14th, 6th Do 150	2.50	
	7. To 2 Quires Paper 62. 18th, 9th 4 nails 6. 6th Candles 150	2.18	4.80½
			$7.91

Joshua G. Rinkle Esquire Clk of the House of Representatives

1815 To Isaiah Sanders

Jany 6. To 6 Tumblers c 30		$1.80
" 18 " " 2 Brass Wafers c 5½		" " 12½
" 19 " 5 Quires letter Paper c 31¼		" 1.56
		$3,48½

Mr. R. C. Lockwood's c/o for the
Hon.ble Senate of the State of Del.
Wm
Samuel White

H
35
12
1855
1855

Resolution
Clerk of the Senate
Wm H Dix

Mr Wm C Rhodes
c
report

Mr Richard C. Lockwood, for the Hon.ble the Senate, of the State of Del.; } to Samuel White Dr.

1815 January 3d	To 5 Quires Writing Paper @ 31 . .	$1.55	
	" 3 Drs Letter D.o 90. 3 Drs D.o Cover D.o 112½ . .	2.02½	3.57½
	9 To 1 Stick Locke 120	1.20	
	14. To 3 Drs paper 94. 4 do wafers 75. 6 yds ribbon 24 . . .	1.93	
	30. To 2 Papers Ink powders 25	.25	3.38
	31. To Quires Writing Paper @ 31		2.48
			$9.43

Rec.d Aug.st 3. Eqr.ium. Clk of the Senate
1815
Thos. Rodney Glendin.

Aug.st 4th To 1 Pint Lafit 25 . 4 Pens wafers 6 . . . . . $0.31

Mr Thos W. Mary" Bt of Wesley M. Powell
for Legislature Dover

1816
January 29. 4 Quires paper . . . . . 25 . . . . $1.00

Received payment
Wm M. Powell

Richard C Pickwood for the Senate Dr

1815 Dr. of Presley Allee

January 6th To 3 quires letter paper @ 2/6 . . . 100

" " To 1 ditto writing paper . . . " 31

" " To 1 bottle ink 25

" " To 100 quills 25

" " To 1 floor mat 25

" " " 1 pencase 17

$2.23

1815

January 2nd State of Delaware To William Woodley Dr.

For mending tably in Representatives chamber $ .25

For putting bullains on book cases in ditto . 12½c

State of Delaware

To fixing locks and taking down carpet in the senate room

$0.50c

James Hutton

1815 January 2. State of Delaware Dr. to Wm Woodly

For making table for Senate chamber .25

For putting latch on door .25

" .50

The State of Delaware

To William Wilds Dr.

1815. Feb. 10. To 12 Cords of hickory Wood @ $6. —— $72:00.
furnished for Legislature

Allowancey to mem=
bers &c. at Dan. Sifton
1815.

0666

The House made the following allowance to the Members and Officers

	Miles	days		
To Cornelius P. Comegys Speaker	5	41	144	00
To Peter O. Dupont	55	41	128	50
To Nicholas G. Williamson	50	35	110	00
To Joseph Copland	45	[illegible]	127	50
To John Crow	45	41	127	50
To George Rodney	44	41	127	40
To John Sutton	32	41	126	20
To James Nellis	—	31	93	00
To John Clark	6	41	123	60
To Spencer Williams	20	41	125	00
To John Clements	5	41	123	50
To Jonathan Jenkins	3	41	123	30
To John Mitchell	20	41	125	00
To Robert Hall	22	41	125	20
To Nathan Vickers	50	41	128	00
To Charles McCullom	45	41	127	50
To Peter Walton	61	41	129	10
To Charles Polk	35	4	15	30
To Robert Willbank	45	22	70	50
To Thomas Townsend	51	41	128	10
To J. Gordon Brinckle Clerk for his attendance and transcribing engrossing &c			204	94½
To J. Gordon Brinckle Clerk for transcribing Journals of Last Session [illegible] of the House			131	50
To John Clark for his attendance eighteen days in taking depositions in the Case of John Webb Esqr			54	00
To Jesse Stants for his attendance eighteen days in taking depositions in the Case of John Webb Esqr			54	00
To John W. Massey door keeper and Sergeant at arms for his attendance summoning witnesses furnishing contingent &c			159	02
To J. Gordon Brinckle for his attendance eighteen days in the Committee of the House of Representatives on a Clerk taking depositions in the Case of John Webb Esqr			54	00
To Cornelius P. Comegys for postage paid by him on Behalf of a Communication to him on a			0	80

A. M. Schie's acct for printing.

No 11

H. of R.
12. Jan. 1815. Read & referred to the committee of claims.

~~Just proved~~
Allowed Feb. 2.

Ch.
for compensation of journals of 1815 & 1816 &c &c.

Aug. 3 1815

Memory &c.

Sal. Wilson's acct

No. 9

H. of R.
1. Feb. 1815. Referred to the committee of claims.

Allowed
Feb. 2. 1815

Orderly Allows
acct

The State of Delaware

To Augustus M'Lee — — Dr.

1814

March 23. For printing one ream Marriage licenses $17.50

Ditto do — — Bonds — 17.50

October 1. Ditto 2 quires Sheriffs commissions — 2.00

Ditto .. do .. do Coats of assistancy 2.00

$39.00

Recd May 15, 1815 of Augustus M'Lee two dollars for conveying the Journal of the Senate to Newcastle and Georgetown

Abel Harvey

The State of Delaware

July 1815 to John McLean & Sergeant at Arms House Reps

4 lb Candles committed last Session — 1.00

1 Stock Lock — 1.00

to puting on — 50

$2.50

The State of Delaware

To James Wilson Dr.

1812.

31 Oct. For publishing proclamation by governor Haslett of the election to congress of A. M. Ridgely & Thos. Cooper, Esqrs 38 lines 3.00

1813.

21 April " do. General Orders, 9 squares 9.00

5 May " do. - - - do. - - - 3 do. . 3.00

19 " do. - - - do - - - 4 do. . 4.00

1814.

29 Oct. " do. proclamation by gov. Rodney, relative to the election of R. Cooper & Thos. Clayton, Esqrs. to Congress, 28 lines, 6 times 3.50

$22.50

The State of Delaware To Presley Allee, Dr.

To transcribing and superintending the printing of the Journal of the Senate, at the January Session 1814 and Cash paid for transporting the same to Newcastle and George Town $75.00

067

Capt. W. Clements'
Petition

Alex. McClymonds's petition
for compensation for claim
for supplying arms.

460.19

A. of P.R.
16. Dec. 1816. Referred to the
committee of claims.
Presented 31 Jan. 1816

Capt. Alex. McClyment Dr.

1815 To William Russell

Jan. 12th To Cleaning 24 States Muskets @ 25Cts $6:00

Recd. Payment

William Russel

To the Senate and House of Representatives of the State of Delaware in General Assembly met —

The under signed having received Fifty Stand of the States Muskets for the use of a Company of Light Infantry under his Command to be used by said Company in case of a Call by the Governor of said State or otherwise in case of emergency — And a part of said Muskets becomeing very rusty in Consequence of Not being used he was under the Necessity of employing an Armourer to clean Twenty four Stand of said Muskets at Twenty five Cents each Amounting to Six Dollars as the Armourers Bill and receipt annexed —

Therefore your Petitioner solicits the General Assembly to Pass an Act Authorising the Treasurer to reimburse him in said Sum

Jan. 12th 1815

Alex. McClyment

John Wilson's acct. for
military services &c.

No. 5

H. of Rep.
6. Jan. 1815. Read & ref.d to
the Committee of Claims

Jan: 10th. 1815
~~Not found in com~~ mittee
~~for further information~~
Disallowed

John Wilson A.D.C.

3/24 1813 March The State of Delaware Dr

in act Jno Wilson Lib

Called out by the Governor of the State

To 12 days service and Rations at $

To Baggage wagon when on hundred men ordered out by the Governor of the State the men was ordered out of the Second Battalion of the Sussex Militia for which has been paid to Thomas Prices as per Receipt the sum of six Dollars $6.00

0673

1815

Christiana Dec
17th Jany

Paide 10

Mr. Duff Letter
to answer.

George Reynolds Massey, Esquire,

Dover

Delaware

The State of Delaware Dr.

To Thomas Ross Sergeant of the 4th Company of the 2nd Regt. of Del Militia

1813 July 1st For notifying 64 Volunteers and drafted Militia to attend and stand a tour of duty at New Castle, at 25 cents each — " — " — " — " — $16.00

Geo. R. Mahey Esq., Wilmo Jany 16 1815

I have a Bill for notifying 30 privates of their enrollment in that Company last spring but not knowing whether it was proper to put it with the above bill have omitted it — from your most Humble

Thomas Ross

Thos. Roff's acct.

No. 8

H. of Rep.
24. Jan. 1815. Referred to the committee of claims.

Disallowed Jan.
30th. in committee

5

END

FILE

1815 Jan - Feb. Legislative Acts

~~An amendment proposed by Mr. Robertson to bill from the House of Representatives~~ "act to incorporate the trustees of the Brandywine Academy in the village of Brandywine."

Reported by the Committee ...

In Senate Jan.y 18, 1816 read 2/ read 2d time

25th Read the 3d time and postponed until the next January Session of the Legislature

Presley Ellis Clk.

(Transcribed)

In Senate 18 Jan. 1815 read

0678

1815 ch. 96

An act to incorporate the Trustees of the Brandywine academy, in the village of Brandywine, in Newcastle County.

Be it Enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met.

That Isaac Jones, James Pryce, James Smyth, Alexander Draper, William Smith, Charles Tatem and Thomas Lea, Esq. and they are hereby constituted a body politic, and corporate, by the name and style, of the "Trustees of the Brandywine academy;" and by that name shall have perpetual succession, and a common seal, may sue, and be sued, plead, and be impleaded in any court of law within this state.

~~Act. 1815 ch. 96 3. Which shall be recorded, and in such the following words & substitute.~~

Sect. 2 And be it enacted, that the said Trustees, and their successors

to be appointed as is herein after directed, by the name and style aforesaid, shall be able, and capable in law to purchase, receive, and hold any lands tenements, rents, goods or chattels, which shall be given, conveyed, or devised, to them for the use of the said school, and to sell, rent or dispose of the same in such manner, as to them shall seem most beneficial to the said school.

~~Sec. 4. Strike out the section and substitute the following in its place.~~

Sect 3. And be it enacted, That the said Trustees or any ~~three~~ four of them agreeing, shall have power from time to time, to make and establish such by laws, rules and ordinances, not contrary to the constitution, and laws of this state, and the same to abolish, alter, or amend, during their continuance in office, as they shall judge necessary, or proper for the good government of the said academy, and to appoint a President, secretary Tutor, or Tutors, and a Treasurer, the last of whom shall receive all moneys accruing to the said academy, and property delivered to his care,

and pay, or deliver the same to the order of the said Trustees for the time being. The said Treasurer before he enters upon the duties of his appointment shall give bond and security in such sum as the said Trustees shall direct, payable to them, or their successors in office. conditioned for the faithful discharge of the trust reposed in him. and that he will when required by the Trustees of the said academy, for the time being, render a true, and just account of all moneys, goods and chattels, received by him on account of, and for the use of the said academy: which Treasurer shall receive such salary as the said Board of trustees shall deem right, and proper.

Amdmt. ~~Strike out the section and insert the following chapter and section in lieu.~~

Sect. 4 And be it enacted, That the Trustees herein before named shall continue in office for the period of one year, from and after the first saturday in April next, and no longer, unless reelected. And their successors shall be kept up, and continued by annual elections

held in each and every year thereafter; and elections shall at any intermediate period, or periods of any future year, be directed by the Trustees, or a majority of them, and held to supply vacancies, that may be occasionally, produced, or arise, either by death, resignation, or removal from the vicinity of the school or by the annual termination of office: Provided that the first annual election for Trustees shall be holden at the school-house upon the first Saturday of April in the year one thousand Eight hundred and fifteen, and so, in each and every year thereafter to perpetuate the succession of Trustees, and all intermediate elections shall be holden at the same place: Provided further that the Trustees of the academy for any preceding year, shall continue in office for the subsequent year, in case no annual election should be holden at the time and place prescribed by law, and until such annual election of Trustees be held thereafter. ——

Sec. 5 And be it enacted, that all free white inhabitants of the village of Brandywine, or its vicinity, who shall send a child or children to the said academy, or who shall be contributors to the amount of one hundred dollars in total, or to the amount of five dollars annually, to the establishment of the institution, or to the enlargement of the funds thereof, by gift, or otherwise, shall have power, and are hereby authorized to assemble together annually upon the aforesaid first saturday in april, ~~and~~ at the said school house, and there elect ~~eight~~ seven persons as trustees of said academy, for the ensuing year. And it is enjoined upon the secretary of the board of trustees for the time being, as part of his duty, that he give at least ten days publick notice, by advertisements put up in the vicinity of the school house, of the time, and place, of every such an=
=nual ~~election~~. — or intermediate election. —

An act to incorporate the trustees of the Brandywine Academy in the Village of Brandywine.

H. of Rep.
Jan. 11th 1814. Read 1st time
— 13th 1814 Read 2d time
— 14. — Read 3d time by paragraphs & Passed

S. P. Brinckle Clk.

In Senat Jan 14 read
15 read & leg

An act to Incorporate the Trustees of the Brandywine Academy in the Village of Brandywine.

Whereas a number of the inhabitants of the Village of Brandywine, in Brandywine hundred in this State have by their petition to this general assembly prayed that an act be passed to Incorporate the Trustees of the Brandywine Academy, and this assembly being willing to encourage so usefull an Institution, —

Section 1st Be it therefore enacted by the Senate and House of Representatives of the State of Delaware, in general assembly met, and it is hereby enacted, that Isaac Jones, Thomas Bason, James Smith, Alexander Draper, Thomas Vandiver, William Smith, and Charles Tatem, be and are hereby incorporated and created a body politic and corporate in law and in fact, and that the said Trustees and their Successors, shall have perpetual Succession as such, by the Name and Style of the Trustees of the Brandywine Academy, and by that Name may sue and be sued plead and be impleaded, and shall have injoy, and exercise, all the rights, privileges, franchises and Immunities incidental to such a Corporation, with the right or power to fill their own Vacancies,

Section 2, And be it enacted, that the Trustees shall appoint one of their number as president, and they shall also

appoint a Treasurer and a Secretary, and shall make and establish all such by Laws, Rules, and Ordainences, as may be necessary for the government and well being of said Academy, and property thereto belonging, (the Care of all which shall belong to them) also in case of the death Resignation or neglect of duty in any of the board of Trustees the Survivers shall appoint others in their stead, provided also that in the absence of the President they may appoint one pro tem=pore, and four of their number may act or transact business relative to the Concerns of the institution, provided also that the Trustees shall not at any time take or receive any pecuniary Compensation for their Services as such,

Section 3. and be it enacted, that the Treasurer shall give Security if required, to the Trustees for the faithfull performance of his duty, and it shall be the duty of the Treasurer to Collect and receive the moneys debts and incomes belonging to the said institution, and pay thereout all orders drawn on him for that purpose, by the President, or any two of the Trustees, and keep a fair Account in a Book to be by him provided for that purpose, which shall be delivered to his Successor in office, together with the ballance of moneys, and other property in his Care,

Section 4th be it enacted, that it shall be the duty of the Secretary to keep minuts of the procedings of the Trustees in a book to be provided for that purpose, and to perform such other reasonable duties as the board of Trustees may injoin on him, provided also that the Treasurer and Secretary shall receive only such compensation as the Board of Trustees may allow them;

Section 5th and be it further enacted, that the president or any two of the board of Trustees are hereby impowered to draw orders on the Treasurer for the payment of debts due from the said Institution, and also to call a meeting of the Trustees at any time when they may deem it ~~[illegible]~~ necessary;

act

An additional supplement to the act entitled "An act for the more easy and speedy recovery of small debts."

In Senate

19 Jan. 1815 read
20 Jan. 1815 read 2d. time
26 Jan. 1815 referred to a committee who reported th
26 Jan. 1815 read as reported
27 Jan. 1815 read as rep.d 2d time
28 Jan. 1815 read as rep.d 3d time by hand-graphs and passed
Engrossed and sent for concr.
A. L. Hayes, Clk.
H. of R.
31. Jan. 1815. Read.
1. Feb. —— Read 2d. time.
3. —— —— Read 3d. time by hand-graphs and passed.
J. S. Brinckle Clerk

An additional supplement to the act entitled "An act for the more easy and speedy recovery of small debts" 1715 ch 45

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that from and after the passing of this act if any person or persons shall conceive him, her, or themselves aggrieved by any judgment of ~~the~~ a Justice of the Peace whether rendered on the report of referees or otherwise in an action of Trespass vi et armis for injuries done to real or personal property, it shall and may be lawful for such person or persons at any time within the space of fifteen days next following the rendering of such judgment (but not after) to appeal therefrom to the next Court of Common Pleas to be holden for the county in which such judgment shall be rendered; he, she, or they first entering into a recognizance with at least one sufficient surety in double the value of the debt or damages sued for and sufficient to answer all costs to prosecute the said appeal with effect and to abide the order of the said Court; and upon any appeal made from any such judgment the Justice who rendered the same shall send a transcript

transcript thereof under his hand and seal to the Prothonotary of the County in which such appeal is taken on or before the first day of the term next following such appeal; and such proceeding shall be had on such appeal as is directed by the act to which this is an additional supplement.

Sec. 2. And be it enacted, that if any person or persons shall ~~give~~ conceive him, her, or themselves aggrieved by any judgment of a Justice of the Peace whether rendered on the report of referees or otherwise when the debt and costs shall exceed the sum of six dollars it shall and may be lawful to appeal in the same manner as is prescribed in the first section of this act any law of this State to the contrary notwithstanding.

An additional supplement to the act entitled "An act for the more easy and speedy recovery of small debts."

In Senate

19 Jan. 1815 read.
20 Jan. 1815 read 2d. time

Transcribed

0880

An additional Supplement to the Act entitled, An act for the more easy and speedy recovery of small debts,

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that from and after the passing of this Act if any person or persons shall conceive himself or themselves aggrieved by any judgment of a Justice of the peace, whether rendered on the Report of referees or otherwise, it shall and may be lawfull for such person or persons at any time within the space of fifteen days next following the rendering of such judgment, but not after, to appeal therefrom to the next Court of Common pleas to be holden for the County in which such judgment shall be rendered; he she or they first entering into a recognizance with at least one sufficient surety in double the value of the debt or damages sued for and sufficient to answer all costs; to prosecute said appeal with effect and to abide the order of the said Court and upon any appeal made from any such judgment the Justice who rendered the same shall send a transcript thereof to the Prothonotary of the County in which such appeal is taken on or before the first day of the term next following such appeal: and such proceedings shall be had upon such appeal as is directed by the act to which this is an additional supplement

Amendments to the Bill, a supplement to the act for the more easy & speedy recovery of small Debts —

1 Sec. line 7, after the words otherwise & before the word it insert, in an action of trespass or action for injuries done to real or personal property

Add a second Sec. as follows

And be it enacted, that if any person or persons shall conceive himself or themselves aggrieved by any judgment of a justice of the peace whether rendered on the report of referees or otherwise when the Debt and Costs shall exceed the sum of six Dollars it shall and may be lawful, to appeal in the same manner as is provided in the first section of this act, notwithstanding any law of this state to the contrary notwithstanding

In the first section

In Senate 28 Jan. 1815

Strike out all the words between "Common Pleas" in the 4th line, and "by the said Philip Nutter", in the 6th line.

Disagreed to

Strike out the words "or Judge" in the 7th line.

Disagreed to.

Strike out the words "or Judge in vacation" in the 14th line

Disagreed to.

Extract from the journal

A. L. Hayes, Clk.

In Senate
28 Jan. 1815
S. adhere

A. L. Hayes, Clk.

An act for the relief of Philip Nutter a non-resident insolvent debtor confined in the public gaol at George Town.

H. of R.
17. Jan. 1815. Read.
19. —— —— Read 2d. time,
20. —— —— Read 3d. time, by paragraphs, and passed.
J. S. Brinckle Clk.
Sent for con.

In Senate
20 Jan. 1815 received
24 Jan. 1815 read 2 time.
25 Jan. 1815 read 3d time by paragraphs and passed with amendments.
A. L. Hayes, Clk.

H. of R.
27. Jan. 1815. Amendments agreed to.
Order. J. S. Brinckle Clk.
28 Jan. 1815 S. ~~insists~~

H. of R. A. L. Hayes, Clk.
31. Jan 1815. Mess'rs Cullen Clarke & England a committee to confer with such com. as the Senate may appoint.
J. S. Brinckle

1815 ch. 27

An act for the relief of Philip Nutter a non resident insolvent debtor confined in the public gaol at Georgetown

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly Met, That upon a petition being preferred to the Supreme Court or Court of Common Pleas ~~to any Judge of either of said Courts in vacation~~ by the said Philip Nutter the said Supreme Court or Court of Common Pleas ~~or Judge~~ to whom the said petition may be preferred shall take such order and may proceed to discharge the said Philip Nutter from his imprisonment in the Common Goal of Sussex County upon the same terms and in the same manner as the Supreme Court or Court of Common Pleas ~~or Judge in vacation~~ may or can discharge insolvent debtors residing in this State, by the existing laws, and the discharge shall be as available to exempt the person of the said Philip Nutter from arrest in future for any debt or debts which he may now owe, and have the same effect and operation as if the said Philip Nutter were a resident of this State and discharged from his imprisonment by the Supreme Court or Court of Common Pleas.

BEST SHOT AVAILABLE

An act to incorporate a company to bank out Drawyer's creek in New Castle county.

H. of R.
17 Jan. 1815. Read.
18. — — Read 2d time
25. — — Read 3d time
by paragraphs and passed
A. D. Princkle Clk
Sent for con

[illegible]
[illegible] committee — Mess
Cumming
Stark
Baxter

1 Feb. 1815 read as reported.
— — read 2d time.
2 Feb. 1815 read 3d time by paragraphs & passed with amendments.
A. D. Hayes, Clk.

BEST SHOT AVAILABLE

1

1815 ch. 50

An act to incorporate a company to Bank on Drawyers Creek in New Castle County.

Section 1. – Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That Louis M. Vine, William Vandegrift, Peter Briggs and John Atkinson be now and hereafter shall be one body politick and corporate in deed and in law to all intents and purposes and be known as such by the name and style of "The Drawyers Creek Bank Company"; and shall be able and capable to do and execute all and singular such matters and things as bodies politick or corporate may or can do, and to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in courts of law and equity and otherwise howsoever; and to have and use a common seal and to break and alter the same and to establish another with such more or fewer therein as they shall or may deem proper. –

Section 2. Be it further enacted That it shall and may be lawful for the said corporation and they are hereby authorized and empowered to Bank on Drawyers Creek in New Castle County at the Causeway and Bridge now erected on the same on the main road leading from Philadelphia thro' Newcastle; ~~for~~ and the said corporation is hereby authorized and empowered to make, erect, put up or place upon the said causeway ~~and Bridge~~ and

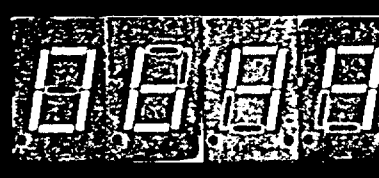
BEST SHOT AVAILABLE

over the said Bank a ~~Bank~~ Bank of such materials as may be the said Company shall deem best, of such height, width and dimensions and in such manner as may be sufficient to exclude and shut out the tide water from the said bank and prevent the same from flowing above the said Causeway and Bridge; and shall and may fix in ~~the~~ such part of the said Bank as they shall think proper one or more sluices, fitted with a bridge or bridges to let the back water of the said bank ~~with~~.

Provided nevertheless that it shall be the duty of the said company to make the ~~[illegible] for the passage of travellers, after the same shall be put up as aforesaid, that if the said company shall erect more than one Bridge or bridges, shall be continued and sufficient at their own expence.~~

Section - 3. - Be it further enacted that any ~~[illegible]~~ three of the said company after five days notice to be given, may and shall meet at such place as shall be designated in such notice, and appoint a ~~President and~~ President of the said company who shall serve for such time and with such powers as may be prescribed by the by laws of the said company; and at such meeting it shall be lawful for the members present to make regulations and adopt such measures as shall to them appear proper for conducting said Bank and [illegible] and which proceedings being entered upon the [illegible] of the said company by the Secretary thereof, shall vest all the

BEST SHOT AVAILABLE



bers of the said company to contribute his or their due amount to the regulation of the said corporation.

Section 4. and be it further enacted that the share which each member of the said company shall be bound to contribute for putting up, and supporting the said Bank and Sluice gates and Bridges, and in aid of all other expences of the said company, shall be ascertained and regulated by the said corporation, according to the quantity of lands owned by them respectively, which being entered on the Books of the said corporation shall be conclusive evidence of the amount, and subject the owners respectively to the payment thereof; and upon the neglect or refusal of the members to pay and contribute their shares so ascertained as aforesaid, it shall be lawful for the said company to sue for the same before any justice of the peace in the County in the same manner as for debts under twenty pounds, without any stay of execution, or it shall be lawful for the said company to enforce the [illegible] and mechanics of so much thereof as shall be necessary of the share or shares so neglecting or refusing to publick sale of first giving fifteen days notice of such sale by advertisement posted up at the most publick place at the Bank and adjacent [illegible] and it is hereby declared that

25 [illegible] shall be a sufficient title to the purchaser in the [illegible] of the said sale.

BEST SHOT AVAILABLE

Section 5. — Be it further enacted [illegible] shall and may be lawful for the said Company to admit as new members of the said corporation all men persons [illegible] may be owners of lands on the said [illegible] and above the said Bank, and it shall and may be lawful for the said Company to oblige all owners of lands on the said [illegible] and above the said Causeway to contribute their share in the making and putting up of the said Bank and sluice gates and Bu[illegible] which they may notice [illegible] numbers of the said corporation, provided such owners make any further or other use of the land made after the said Bank is put up than they did before.

Section 6. Be it Enacted that it shall and [illegible] lawful for the said company to cut and make a main drain or canal thro the said [illegible] above the said Bank either in the [illegible] or elsewhere, at the expense of the said corporation, [illegible] and to [illegible] all and any such regulations as may be deemed proper effectually to drain the back water of the said bank.

Section 7. Be it further enacted that it shall be the duty of the owners of the said lands above the said Bank to [illegible] and bound their said [illegible] of cutting a drain third the same [illegible] width and depth

BEST SHOT AVAILABLE

shall be instituted by the by-Laws of the said Corporation, which said drains shall be [illegible] and be at the expense at the mutual [illegible] of the Owners upon each side thereof, in such manner, and subject to such regulations as may be prescribed by the said Corporation.—

Section 8.— And Be it further enacted That all the Owners of all land above the said Bank who may be members of the said Company shall be [illegible] to contribute their share in aid of the expenses incurred by the said Company, whether they may improve their said Marsh or not.—

Section 9.— Be it further enacted That it shall and may be lawful for the said Corporation at [illegible] thereof to make ordain and establish such rules regulations and by-laws as may be necessary for the government of the said Corporation and its officers, and for the full and effectual accomplishment of the purposes of its establishment and to amend alter or change the same as may be requisite and proper.

Provided that Nothing herein contained shall be construed to authorize the said Corporation to exercise any power repugnant to the constitution or laws of this State.

BEST SHOT AVAILABLE

Section 10. — And Be it further enacted that it shall be may be lawful for the county to take earth and gravel for making the said Bank off of the [illegible] property at or near either end of the said causeway, either by cutting down and levelling the hill on the main road at the North end of the said causeway, or from the Bank at the South side end thereof where the county has been accustomed to take gravel for the said causeway; —

BEST SHOT AVAILABLE

In Senate 2 Feb. 1815.

In 2 Sec. 23 line, Strike out from "to" and insert make a good and sufficient road of the width of twenty feet, well faced or covered with sand or gravel for the passage of travellers and carriages on business or pleasure ~~and~~ and the said road together with the sluices, gates, and bridges erected thereon at all times hereafter to keep and preserve in good and sufficient order and repair.

Disagreed to

Agreed to 3 Sec. 1 line, Strike out "two", and insert "three"

4 Sec. 25 line, After the words "to vest", strike out the rest of the section, and insert ~~of the~~ in lieu thereof "the same title in the purchaser which the person possessing ~~or whose property~~ had at the time of such sale ~~to the said [illegible] had~~".

Disagreed to

10 Sec. 4 line, Strike out "property" and insert "road or highway".

Agreed to

Extract from the journals.

C. L. Hayes, Clk.

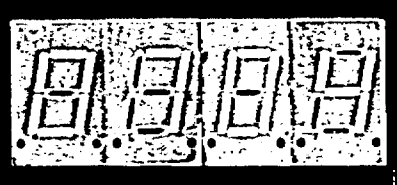
Sent for conc.

In Senate
6. Feb. 1815

Com. of conf. on p.t. of the Senate, report that the said com. of conf. have agreed ~~that~~ the 1st amt. should stand; and that the 3d amendment should be corrected as above. Report adopted.

C. L. Hayes, Clk.

BEST SHOT AVAILABLE



[illegible] act making it [illegible]
[illegible] the [illegible]
[illegible]
for the year one thousand eight hundred and fifteen
[illegible]
other purposes.
M. of A.
12. Jan. 1815. Read 1st time
19. — Read 2d time
30. [illegible]
[illegible]
[illegible]
[illegible]
31. Jan. 1815 read.
1. Feb. 1815 read 2d time.
7. Feb. 1815 read 3d time by paragraphs and header to.
A. L. Hayes, Clk
House, Sec.
Passed 1815

BEST SHOT AVAILABLE

An act making provision for the support of government for the year one thousand eight hundred and fifteen, and for other purposes.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the sum of fifteen thousand dollars ~~~~ shall be raised and paid into the treasury of this State, within the time, and in the manner directed by an act of the General Assembly entitled "An act making provision for the support of government for the year of our Lord one thousand eight hundred and ten, as for the more effectual securing, assessing ~~xxxx~~ levying and collecting all such taxes as may be granted by the General Assembly," and shall be assessed and levied in the several counties of this State in the following proportions: that is to say, for the county of New Castle, the sum of nine thousand two hundred and sixty six dollars and forty seven cents ~~~~ for the county of Kent, the sum of two thousand eight hundred and ninety seven dollars and seventy three cents ~~~~ and for the county of Sussex, the sum of two thousand eight hundred and

BEST SHOT AVAILABLE

thirty five dollars and eighty cents.

And be it further enacted, that the aforesaid sums of money shall be appropriated and applied to and in the following manner: that is to say, so much thereof as shall be may be necessary, shall be applied to the payment of the salaries due and to become due to the governor, chancellor, judges of the supreme court and court of common pleas, attorney General, secretary of state and auditor of accounts, up to the first day of January which will be in the year of our Lord one thousand eight hundred and sixteen; and so much thereof as shall be necessary shall be applied to the payment of the daily allowances of the members of the General Assembly, their clerks and other officers; and for the printing of the laws passed at this session of the General Assembly, and the ordinary proceedings of the two branches thereof; and the residue (if any there be) shall be applied to the payment of such sums of money due to the citizens of this State, for which provision shall be made by law.

An act concerning executions issued by justices of the peace in and for the counties of New-Castle and Kent.

In Senate.

10 Jan. 1815 read.
12 Jan. 1815 read 2d. time
31 Jan. 1815 read 3d. time by paragraphs and passed.

A. L. Hayes, Clk.

Sent for conc.
H. of R.
1. Feb. 1815. Read.
9. — — Read 2d. time by paragraphs, and passed.

J. S. Porter Clk. pro tem.

0707

1811 ch. 69

An act concerning executions issued by justices of the peace in and for the counties of New Castle and Kent.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that every execution issued by a justice of the peace in and for either of the counties of New Castle and Kent in this State, shall, according to the tenor thereof, be returnable to the justice issuing the same on some certain day of the week and month in the body thereof to be set forth at length: and the return day shall not be more than thirty days, nor less than fifteen days, from the issuing of such execution.

Sec. 2. And be it further enacted, that every constable within the counties aforesaid to whom an execution issued by a justice of the peace shall be delivered, shall return the same when and where the same according to the tenor thereof shall be returnable, with a certificate thereon, under his hand, of all his proceedings by virtue thereof, and of his costs and charges by the several items thereof; and if such execution shall not have been levied on goods and chattels, the constable shall in such certificate so certify, and set forth the reasons why the same shall not have been so levied; and if such execution shall have been levied on goods and chattels which shall have been sold before the return thereof the constable shall ~~so certify~~ in such certificate so certify, and set forth the amount of such sales; and if such goods and chattels so levied upon shall not have been sold before the return of the execution, the constable in such certificate shall set forth the amount of the value of such goods and chattels levied upon, and shall annex to the execution an inventory or appraisement of the said goods and chattels; and if the goods and chattels so levied upon shall not have been

been sold at the time of the return of the execution, then the justice may and he is hereby authorized and required, at the request of the plaintiff, to issue one other execution in the nature of a Venditioni exponas commanding any constable to make sale of said goods and chattels according to law; which said execution shall according to the tenor thereof be returnable, as is provided in the first section of this act; and the constable to whom the same shall be delivered shall return the same when and where the same shall be returnable with a certificate of his proceedings thereon, and the items of his costs under his hand: Provided nevertheless, that the issuing of an execution for the sale of any goods and chattels, shall not exempt any constable from any liability or responsibility which he may have incurred in consequence of any defect of return, or of his certificate of or upon the original execution, or of any inventory and appraisement annexed thereto.

Sec. 3. And be it further enacted that if any constable to whom an execution shall issue or be delivered, shall not return the same when and where the same shall be returnable or shall not thereon certify his proceedings and costs according to the provisions of this act, or shall not annex thereto an inventory and appraisement in cases in which the same ought to be thereto annexed, or shall not in all things comply with the provisions of this act, he shall be liable for the debt or damages and costs in such execution in the same manner as if he had returned the said execution, and thereon certified that he had levied and received the full amount of the debt ~~and~~ or damages, interest, and costs therein.

Sec. 4. And be it further enacted, that if any constable shall by virtue of an execution, commit the defendant or defendants therein to the common jail he shall leave with the jailor a certified copy of such execution which copy shall be deemed a sufficient warrant for the detention of the said defendant

dant or defendants in jail as the original would have been.

Sec. 5. And be it further enacted, that if any constable shall not pay to the creditor or creditors in any execution, any sum or sums of money which he may have levied or received in or towards satisfaction of the debt or damages in such execution and the interest thereof, upon demand thereof by such creditor or creditors, or his or her agent or attorney lawfully authorized to receive the same; such constable shall be liable to pay to such creditor or creditors, together with the sum or sums so by him received or levied, at the rate of twenty per centum per annum upon such sum or sums, to be computed from and after such demand: and the amount of such sum or sums together with such rate per centum thereon, shall be recoverable in the same manner as the original amount was recoverable.

Sec. 6. And be it further enacted, that all justices of the peace in and for either of the aforesaid counties of this state, shall keep a docket of every execution by them issued and therein shall set down the names of the parties, the debt, or damages and costs in such execution, the time from which interest is computed, the name of the constable to whom such execution shall be delivered, and the return day thereof, and the certificate of the constable of his proceeding thereon, and the time of the actual return; and shall moreover file all executions to him returned and shall endorse thereon the day when the same shall be returned: which docket shall be a ~~record~~ public record, and a copy of the entries therein under his hand and seal shall be delivered on demand of any person on payment of the fees of copying, under the penalties imposed in similar cases by the 26 section of

of ~~the~~ an act of the General Assembly of this State entitled "An act to regulate certain proceedings in the Court of Chancery, in the Orphans Court, and in the Registers Court, and to compel justices of the peace to furnish copies of their records", passed the 18th day of February 1806.

Sec. 7. And be it further enacted, that the fees to the justice of the peace for receiving, filing, and entering the return of every execution shall be twelve and a half cents, and no more.

Sec. 8. And be it further enacted, that this act shall commence in operation and be in full force and effect from and after the first day of May next.

An act concerning Executions issued by Justices of the peace in and for the counties of New Castle and Kent.

1815 ch 54

Sect. 1. Be it enacted, by the Senate, and House of Representatives of the State of Delaware in general assembly met: That every execution issued by a Justice of the peace, in and for either of the counties of New Castle or Kent in this state, shall, according to the tenor thereof, be returnable to the Justice issuing the same, on some certain day of the week, and month, in the body thereof to be set forth at length: and the return day shall not be more than thirty days, nor less than fifteen days from the issuing of such execution.

Sect. 2. And be it further Enacted, That every Constable within the counties aforesaid, to whome an execution issued by a Justice of peace, shall be delivered, shall return the same, when, and where the same, according to the tenor thereof shall be returnable; with a certificate thereon under his hand, of all his proceedings by virtue thereof, and of his costs and charges, by the several items thereof: and if such execution shall not have been levied on goods, and chattles; the Constable shall in such certificate so certify, and set forth the reasons why the same shall not have been so levied: and if such execution shall have been levied on goods and chattles, which shall have been sold before the return thereof; the Constable shall in such certificate, so certify, and set forth, the amount of such sales: and if such goods and chattles so levied upon shall not have been sold before the return of the execution, the Constable in such certificate shall set forth the amount of the value of such goods and chattles, levied upon; and shall annex to the execution, an inventory, and appraisement of the said goods, and chattles; and if the goods and chattles so levied upon shall not have been sold at the time of the return of the execution, then the Justice may, and he is hereby authorised and required, at the request of the Plaintiff to issue one other Execution, in the nature of a Venditioni exponas, commanding any Constable to make sale of said goods,

and chattels according to law; which said execution shall be according to the tenor thereof returnable, as is provided in the first section of this act, and the Constable to whome the same shall be delivered, shall return the same, when and where the same shall be returnable, with a certificate of his proceedings thereon, and the items of his costs, under his hand.

Provided nevertheless, that the issuing of an executions for the sale of any goods, and chattels, shall not exempt any Constable from any liability, or responsability, which he may have incurred in consequence of any defect of return, or of his certificate of or upon the original execution, or of any inventory and appraisement annexed thereto.—

Sec. 3 And be it further enacted, that if any Constable to whome an execution shall issue, or be delivered, shall not return the same when, and where the same shall be returnable, or shall not thereon certify his proceedings, and costs according to the provisions of this act, or shall not annex thereto, an inventory and appraisement, in cases in which the same ought to be thereto annexed, or shall not in all things comply with the provisions of this act; he shall be liable for the debt, or ~~damages~~ damages, and costs, in such execution, in the same manner as if he had returned the said execution, and thereon certified that he had levied and received the full amount of the debt, or damages, interest, and costs therein.—

Sec. 4 And be it further enacted: That if any Constable shall by virtue of an execution, commit the defendent or defendents therein to the common Jail, he shall have with the Jailor a certified copy of such execution, which copy shall be deemed a sufficient warrant for the detention of the said defendent, or defendents in Jail, as the original would have been.—

Sect 5. And be it further enacted, That if any Constable
2 shall not pay to the creditor, or creditors, in any execution
3 any sum, or sums of money, which he may have levied, or
4 received, in, or towards ~~satisfying~~ satisfaction of the debt, or
5 damages in such execution, and the interest thereof, upon
6 demand thereof by such creditor, or creditors, or his or her agent,
7 or attorney lawfully authorised to receive the same; such
8 Constable shall be liable to pay to such Creditor, or Creditors
9 together with the sum, or sums, so by him received, or
10 levied, at the rate of twenty ~~p~~ centum ~~p~~ annum upon
11 such sum, or sums, to be computed from, and after such
12 demand: And the amount of such sum, or sums together
13 with such rate ~~p~~ centum thereon, shall be recoverable in
14 the same manner as the original amount was recover=
15 =able.

Sect. 6 And be it further enacted, That all Justices of the peace
2 in, and for either of the aforesaid Counties of this State; shall keep
3 a docket of every execution by them issued, and therein
4 shall set down the names of the parties, the debt, or dam=
5 =ages and costs, in such execution, the time from which
6 interest is computed, the name of the Constable to whom
7 such execution shall be delivered, and the return day
8 thereof; and the certificate of the Constable of his proceeding
9 thereon, and the time of the actual return; and shall
10 moreover file all executions to him returned, and shall
11 endorse thereon the day when the same shall be returned.
12 Which Docket shall be a public record, and a copy
13 of the entries therein under his hand and seal shall be delivered on demand
14 to any Person ~~[illegible]~~, on payment of the fees
15 of Copying.

Sect 7. And be it further enacted, that the fees to the Justices of the peace,

2 for receiving, filing, and entering the return of
3 every election, shall be twelve and an half cents
4 and no more. —

This act, concerning
Elections, passed Feb.
Eighteen hundred & fifteen. —
In Senate
10 Jan. 1815 reads.
12 Jan. 1815 read 2d time.
31 Jan. 1815 read 3d time
by Passage, with Proviso
A. L. Hay C.L.C.

(Transcribed)

Sect 8. And be it further enacted, That this act shall
2 commence in operation, and be in force from
3 and after the first day of
May next. —

Add the following to the 6th. Section.

Under the penalties imposed in similar cases by the 26th Section of an act of the General Assembly of this State entitled "An act to regulate certain proceedings in the Court of Chancery, in the Orphan's Court and Register's Court, and to compel Justices of the peace to furnish copies of their records. passed the 1 day of February 1806.

An act to increase the daily allowance of the commissioners of the Levy Court & Court of appeals & for other purposes

H. of Rep.s
Feb. 11. 1814. Read
—"— Read 2.d time by paragraphs by special order and Passed
J. G. Brinckle C'Ck

In Senate Feb. 12. read
14 read 2.d time.
14 Jan: 1815 read
17 Jan. 1815 read 2.d time
19 Jan. 1815 reported to Messrs Black Curran
19 Jan. 1815 read as reported

(Transcribed)

1815 ch. 55

An Act to increase the daily allowance of the Commissioners of the Levy Court and Court of Appeals and for other purposes

Sec. 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met. That there be allowed to the Commissioners of the Levy Court and Court of Appeals and the Assessors that may attend said Courts in the respective Counties in lieu of the present daily allowance the sum of ~~three~~ one dollar and eighty cents and that in lieu of the mileage heretofore granted they shall each have the sum of six cents per mile from the places of their abode to the Court house of their respective Counties for every day of their attendance any law to the contrary notwithstanding

Sect. 2. And be it enacted

That so much of the ~~fifteenth~~ Twelfth section

of an act, entitled "an act for the better regulation of the roads

in Sussex." passed upon the 9th day of February 1796. as enth=

=onises the levy court, and court of appeals to ~~hear the complaints~~ appoint commis=

=missioners of roads in the several hundreds of the county of Sussex; and make

=~~allow to the members of said Court for their services as aforesaid~~

them compensation for their services. —

=~~incidents of roads~~; — ~~and so much of the 11th section~~

~~of the said act, as enjoins the duties of road commissioners~~

~~upon the members of the levy court, and Court of appeals~~

~~said County~~, be, and the same is hereby repealed, made

null, and void.

Sect. 3. Be it further enacted, that the office of Commissioner

of Taxes, be abolished. and that all, and every duty enjoined

upon, and directed to be performed by the Tax Commissioners

in the several counties of this state, by the several provisions

of an act entitled "an act for the valuation of real and

Personal property within this State." passed upon the ninth

day of February 1796, and the several supplements thereto,

be and the same are hereby devolved, and enjoined upon

and every part thereof required to be performed by the

members of the levy court, and Court of appeals in the

respective Counties of this State.

Sect. 4 And be it further Enacted, that so much of

the aforesaid act entitled "an act for the valuation of real, and Personal property within this State" as is by this act altered, amended, or supplied; be, and the same is hereby repealed. —

Amt. 1. add to the title the following —

To abolish the office of Tax Commissioner and for other purposes —

Amt 2.

add the following as the 2 sub-section

Bill —

L

Amt 3. add the following as the 3 sub-section

Bill

L

Amt. 4 add the following as the 4 sub-section

Bill —

L

An act to increase the daily allowance of the Commissioners of the Levy-Court and Court of Appeals, to abolish the office of Tax Commissioner, and for other purposes.

In Senate

14 Jan. 1815 read
17 Jan. 1815 read 2d time.
19 Jan. 1815 referred to Messrs Black Cummins
19 Jan. 1815 read as reported
20 Jan. 1815 read 2d time
25 Jan. 1815 read 3d time by paragraphs and passed.
Engrossed. A. L. Hayes, Clk.

H. of R.
27 Jan. 1815. Read.
31 — Read 2d time
2. Feb. — Read 3d time, by paragraphs, and passed with an amendment.
J. S. Pointeke Clk

1815 ch 55

An act to increase the daily allowance of the commissioners of the Levy Court and Court of Appeals, to abolish the office of Tax Commissioners, and for other purposes.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that there be allowed to the commissioners of the Levy Court and Court of Appeals and the assessors that may attend said Courts in the respective counties in lieu of the present daily allowance the sum of one dollar and eighty cents and that in lieu of the mileage heretofore granted they shall each have the sum of six cents per mile from the places of their abode to the Court-House of their respective counties for every day of their attendance, any law to the contrary notwithstanding.

Sec. 2. And be it enacted, that so much of an act entitled "An act for the better regulation of roads in the county of Sussex", passed upon the 9th day of February 1796, as authorizes the Levy Court and Court of Appeals to appoint Commissioners of roads in the several hundreds of the

County of Sussex, and makes them compensation for their services be, and the same is hereby repealed made null and void.

Sec. 3. And be it enacted, that the office of Commissioners of tax be abolished and that all and every duty enjoined upon, and directed to be performed by, the Tax Commissioners in the several counties of this State by the several provisions of an Act entitled "An act for the valuation of real and personal property within this State" passed on the 9th day of January 1796, and the several supplements thereto, be and the same are hereby devolved and enjoined upon the members of the Sess Court and Court of Appeals in the respective counties of this State, who are hereby authorized and required to execute and perform the several duties and every part thereof and for that purpose are hereby directed to meet in their respective ~~hundreds~~ counties on the same days annual

by

by which before the passing of this act was prescribed for the meeting of the said Tax Commissioners: Provided nevertheless that the said Commissioners of the Levy Court and Court of Appeals in the several counties, shall and they are hereby authorized and required to hear and remedy the complaints of all and every person or persons who may be unequally or overrated, according to the directions of an Act of the General Assembly entitled "An act for raising county rates and levies".

Sect. 4. And be it enacted, that so much of the aforesaid act entitled "An act for the valuation of real and personal property within this State", as is by this act altered, amended, or supplied, be and the same is hereby repealed.

An act to authorize Joseph Maull, John S. Conwell, and William W. Conwell to erect a mill dam across Poquadkiln creek at or near the place called Ferguson's bridge, and for the condemnation of certain lands for the use of a mill.

H. of R.

9. Jan. 1815. Read.
11. —— —— Read 2d time.
13. —— —— Taken up and postponed to the 14th inst.
18. —— —— Committed.
20. —— —— Taken up & postponed to 26th
28. —— —— Read 3d time, by paragraphs, and passed.

J. Morris Brincklé Clk.

Sent for con.

In Senate

30. Jan. 1815 read.
1. Feb. 1815 read 2d time.
8. Feb. 1815 read 3d time by paragraphs and passed with amendments.

A. L. Hayes, Clk.

An act to authorize Joseph Maull, John S. Conwell and William W. Conwell to erect a Milldam across Broadkiln Creek at or near the place called Fergusses Bridge, and for the condemnation of certain lands for the use of a Mill.

S. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That it shall and may be lawful for Joseph Maull, John S. Conwell and William W. Conwell or their heirs, at any time after the passing of this Act to erect or cause to be erected and made a Milldam across Broadkiln Creek at or near the place called Fergus's Bridge

S. 2. And be it enacted That the prothonotary of Sussex County shall upon the application of the said Joseph Maull, John S. Conwell and William W. Conwell or either of them issue a precept or precepts
4 to the Sheriff of the said County commanding him to summon six freeholders of the County who, with the said Sheriff, shall go upon and view the first land adjoining the Milldam to be erected as aforesaid, on the banks of the said Creek and shall condemn and cause to be surveyed and laid out ~~two acres of land on the South side and half~~ one quarter of
12 an acre on the North side of the said Creek at the place aforesaid in such manner and form as they may deem best for the use of the said intended Mill; and they shall

cause to be surveyed and marked out all the low grounds and cripples that ~~they~~ may be covered with water in consequence of raising the said dam; and they shall adjudge and determine the value of the respective pieces of fast land low grounds and cripples to be condemned as aforesaid and the damage which the respective owners may severally sustain by reason thereof; and they are hereby likewise required by a certain instrument under their hands and seals to certify and return a plot or draft of the premises so condemned, together with their proceedings to the next Court of Common Pleas for the said County after the date of the said proceedings, and the same shall then be filed of record in the prothonotary's office and shall forever transfer a good title in fee simple in the said several pieces of fast land low grounds and cripples so condemned and valued to the said Joseph Maull John L. Cornwell and William W. Cornwell their heirs and assigns as tenants in common and not as joint tenants: provided always that the said Joseph Maull John L. Cornwell and William W. Cornwell or their heirs or assigns shall within ~~four~~ three years after the return of the said proceedings erect and make the said mill dam and mill, and shall also build a good and sufficient grist ~~within the time~~ before proceeding to erect any such mill or dam ~~after the said return~~ have to the respective

41

owners of the said fast land, low grounds and

cripple condemned as aforesaid, the several sums adjudged to them by the said sheriff and freeholders.

S. 3. And be it enacted, That before the said sheriff and freeholders shall go upon the premises for the performance of the duties hereby enjoined, the said sheriff shall give the parties interested ten days notice in writing, to be left at the house of the party or parties of such meeting; and each of the said freeholders shall also previously thereto be duly qualified by the said sheriff faithfully and impartially, and to the best of his skill and knowledge to execute and discharge the duties prescribed and enjoined by this act; and the said sheriff shall demand and receive for each day he may be employed in the service aforesaid four dollars, and each of the freeholders, two dollars, to be paid by the said Joseph Maull, John S. Conwell and William W. Conwell:

19 ~~Provided, That nothing herein contained shall authorize the said Joseph Maull, John S. Conwell and William W. Conwell to raise such a head of water as to damage any mill heretofore erected above the said intended mill dam.~~

S. 4. And be it enacted, That if any person or persons shall not be satisfied with the damages affixed by the freeholders to be summoned by the sheriff of Sussex county it shall and may be lawful for them or either of them to apply to the judges of the Court of Common Pleas of the State of Delaware at their next session to be holden in the county of Sussex after the return of such valuation of damages to be made by the said sheriff and freeholders, and the

said court shall appoint seven judicious freeholders of the said county to go upon the lands intended to be condemned by this act for the use of the persons aforesaid, who, being first qualified before some one of the ~~peace~~ justices of the peace in and for said county, shall take with them a skillful surveyor and shall go upon the lands intended to be condemned for the use of a mill at the place in this act mentioned, and view and ~~examine~~ assess the damages, and make a return thereof to the next court of common Pleas, under the hands and seals of such freeholders or a majority of them; and in case the said freeholders shall not ~~increase~~ the damages returned by the sheriff and freeholders, the party applying to the court shall pay the freeholders and surveyor per diem as is mentioned in this act, but in case the damages shall be increased the persons named in this act shall pay the costs as well as the damages so awarded.

In Senate February 1815.

1. In the 2d Sec: 4th line, after the words "William M. Conwell" insert "or either of them".
Agreed to

2 . . . . 12th line, strike out the word "half", and insert "one quarter of"
Agreed to 41st line, after the words "dam and" insert "build a good and sufficient gulph"
Strike out the words "within one year after the said return" and insert "before proceeding to erect any such mill or dam"

3. . . 3d Sec. 6th line, after the word "notice" insert the words "in writing to be left at the house of the party or parties".
Agreed to

4 . . . . . 19th line, strike out the Proviso in this section beginning in this line.
Agreed to

5. Add the following sections to the bill:

1 Sec. 5. And be it ~~further~~ enacted, that the said Joseph Maul
2 John S. Conwell, and William M. Conwell and their heirs and all and
3 every future owner and owners or possessors of the mill to be erected by this
4 act, shall at all times hereafter keep and maintain a ~~sufficient~~ slow
5 navigation such as now is from the granary and wharf of John D. Smith to the lower
6 bridge for the use of the said John D. Smith, his heirs and all and every
7 future owner or owners or possessors of the granary and wharf of the said
8 John D. Smith.

Sec. 6. And be it ~~further~~ enacted, that the said Joseph Maul, John S. Conwell and William M. Conwell and their heirs and all and every future owner or owners of the mill to be erected by this act shall at all times hereafter cause to be made and supported a sufficient bridge and causeway for travellers and carriages of burthen and others at the place now known by the name of Levings causeway.

Sec. 7. And be it ~~further~~ enacted, that the said Joseph Maul, John S. Conwell and William M. Conwell and their heirs and all, and every future owner and owners or possessors of the mill to be erected by this act, shall at all times after the erection and completion of the said mill grind and manufacture wheat and other

grain

grain into flour for the family consumption of the inhabitants of Sussex county which may be brought to the said mill for that purpose; and if any owner, occupier, or possessor of the said mill shall neglect or refuse to grind or manufacture wheat or other grain as aforesaid in such quantity as he reasonably may, observing the rule of "first come, first served", and that in a good and artificial manner for the tole allowed by law, and shall be convicted thereof before any justice of the peace for the said county on the oath or affirmation of the party complaining or of any other creditable witness or witnesses, such owner, occupier, or possessor of the said grist-mill shall forfeit and pay the sum of four dollars for every such neglect or refusal to be recovered as debts of the like amount are recoverable by the laws of this state, for the use of the poor of Sussex county.

Sec. 8. And be it ~~further~~ enacted, that if at any time after the making of the said Milldam it shall break or be destroyed by any accident or circumstance whatever and it shall be found that in consequence of such breaking of the said dam, the navigation of Broadkill creek shall have been injured, or the waters of the said creek shall have shoaled, then and in such case the said Joseph Maul, John S. Cornwell and William M. Cornwell and their heirs and all and every future owner or owners or possessors shall at their own proper charge and expense clear out and make the said navigation of the aforesaid creek as sufficient as the same shall have been before the breaking of the aforesaid dam.

Sec. 9. And be it further enacted, that the said Joseph Maul, John S. Cornwell, and William M. Cornwell or some one of them ~~be shall~~ within one year after the passing of this act, shall

procure a copy of the same regularly attested by the Secretary of State to be recorded in the Roll Office for the County of ~~[illegible]~~ Dupsey; for which the recorder shall receive the same compensation as for the recording of deeds, and when so recorded a copy thereof under his hand and the seal of his office, shall be allowed as evidence in any Court of law or equity within this State.

0733

An act to authorize Samuel Wright to bring Negroes into this State for certain purposes.

H. of R.
27. Jan. 1815. Read.
31. — Read 2d. time, by paragraphs and postponed.
3. Feb. — Taken up & passed.
J. G. Bruns Jr. Clk.

Sent for com.

In Senate
3 Feb. 1815 read
4 Feb. 1815 read 2d. time.
8 Feb. 1815 read 3d. time by paragraphs and passed, with amendments.
C. Hughes, Clk.

0795

1815 c. 157

An act to authorize Samuel Wright to bring negroes into this State for certain purposes.

Whereas it hath been represented to this General Assembly that Samuel Wright of the State of Maryland is seized of a tract of land in this State which he is desirous to improve and cultivate; and which he cannot do conveniently without employing his slaves

Sec. 1. Be it therefore enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That it shall and may be lawful for the said Samuel Wright from time to time, and as often as he may think proper, to bring, or send, into this State, from the State of Maryland, his slave or slaves, and to employ him or them in the cultivation or improvement of his land in this State, or in such other labour on his said land in this State as he may think proper; and that his said slave or slaves shall not be entitled to his her or their freedom, in consequence of his her or their being brought or sent into, remaining in, or returning from, this State for the purposes aforesaid, or any of them, any law usage or custom to the contrary notwithstanding.

Sec. 2. And be it enacted, That it shall be the duty of the said Samuel Wright within thirty days after his bringing into this State any negro or negroes for the purposes aforesaid, to cause the

names of such slave or slaves together with their ages to be entered of record in the ~~Office~~ for recording of deeds in and for Kent county; and upon neglect of so doing to forfeit and pay the sum of fifty dollars, to be recovered as debts of a similar amount are recoverable by the laws of this State, one half to the use of the poor of Kent county, and the other to the use of the person who shall ~~will~~ prosecute for the same; and every negro or negroes whose name, shall not be recorded as aforesaid shall be and are hereby declared to be free.

In Senate 8. Feb. 1815

Add the the following proviso to the 2d. Section:
Provided that it shall not be lawful for the said Samuel Wright to sell or dispose of any such slave or slaves within this State.

Extract from the journal.

Sent for conc.

A. L. Hayes, Clk.

A supplement to the act entitled "An act to authorize Thomas Marsh Forman to bring slaves into this State from Maryland"

In Senate

7 Feb. 1815 read

8 Feb. 1815 read 2d time.

9 Feb. 1815 read 3d time by paragraphs & passed

Sent for conc. Chas. Hayes, Clk.

H. of R.

9. Feb. 1815. Read.

10. — — Read 2d time by paragraph and passed.

J. D. Borinskill

0738

1815 ch 58

A supplement to the act entitled "An act to authorize Thomas Marsh Forman to bring slaves into this State from Maryland."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met That if the said Thomas Marsh Forman shall on or before the first day of October next cause to be recorded in the Office for recording of deeds in and for Newcastle County the names of all the slaves he was owner of on the day of the passing of the said act to which this is a supplement, with their respective ages as nearly as may be, to which list of names he shall subscribe an affidavit to be taken before some judge or justice of the peace of this State that the slaves in the said list contained were truly and honorably his on the day of the passing of this act that then it shall and may be lawful for the said Thomas Marsh Forman to bring or send any of the said slaves into this State in the same manner as if ~~the same~~ the said Thomas Marsh Forman had complied with the latter proviso of the said act; and that the said slaves by reason of being brought or sent into this State shall not be entitled to his or her freedom.

An act for printing the resolutions of the General Assembly.

In Senate

7 Feb. 1815 read.

8 Feb. 1815 read 2d time.

9. Feb. 1815 read 3d time by paragraphs & passed.

A. L. Hayes, Clk.

Sent for cn.

H. of R.

Feby 9. 1815 Read

— 10. 1815. Read 2d. time by paragraphs and passed.

J. F. Porin Ass'd Clk

0740

1815 ch. 59

An act for printing the resolutions of the General Assembly.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that all resolutions of the present and any future General Assembly in the nature of public laws shall be enrolled and be signed by the Speakers of the two Houses; and the Secretary of State shall cause the same to be printed with the acts of the General Assembly.

1815 c. 2

An act to secure the personal liberty and preserve the property of the citizens of this State.

1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That from and after the passing of this act, the notes or bills of any bank incorporated by any law of this state shall be receivable in payment of all taxes imposed by the General Assembly of this state, for the sum or sums in the said notes or bills expressed to be payable on demand; and the Secretary of State, the State Treasurer ~~and~~ the County-Treasurers and the Collectors of the several hundreds of the counties of this state respectively and all other officers, entitled by law to receive taxes, are hereby authorized & required to receive the said notes or bills in payment of the same.

An

2. And be it enacted, That ~~no person or persons shall be hereafter arrested and held to bail, by virtue of any writ or process within this state unless the plaintiffs in addition to a positive affidavit of a subsisting debt due and payable, shall swear or affirm that no offer has been made, to pay the sum sworn or affirmed to be, notes or bills of any bank incorporated by any law of this state, expressed to be payable on demand. And~~ in case any person or persons be arrested and held to special bail, if he, she or they shall make proof by affidavit that the whole sum of money for which he, she or they has or have been arrested and held to special bail had been or was before

before such holding to special bail, or before the making of such affidavit, offered to be paid in such notes or bills as aforesaid, or partly in such notes or bills, and partly in lawful money of this state, he, she or they shall forthwith be discharged on common bail.

3. And be it enacted, That no execution issued against the goods or chattels, lands or tenements of any person or persons or body corporate or politic within this state, shall his, her or their goods or chattels, lands or tenements be sold or exposed to sale; And no execution issued against the body or bodies of any person or persons within this state, shall he, she or they be imprisoned, provided he, she or they shall offer to pay to the plaintiff or plaintiffs in such execution or executions, the whole sum of money due for the principal, interest and costs on the same, in such notes or bills as are herein before mentioned, or partly in such notes or bills, and partly in lawful money of this state.

4. And be it enacted, That in case any person shall proceed by distress to recover from any tenant or other person liable to such distress any rent or sum of money due from such tenant or other person, it shall be lawful for such tenant or other person, in every such case to offer such notes or bills as are herein before mentioned, to the amount of such rent or sum so due to the person or whose behalf such distress is made, or to the

the officer or person making such distress on his behalf; and in case such offer shall be accepted, or in case such offer shall be made and refused, the goods taken in such distress, shall be forthwith returned to the party distrained upon, unless the party distraining and refusing to accept such offer shall insist that a greater sum is due than the sum so offered, and in such case the parties shall proceed as usual in such cases; but if it shall appear that no more is due than the sum so offered, then the party who offered such sum, shall be entitled to the costs of all subsequent proceedings:

provided always, ~~that the person to whom the~~ rent or sum of money is due, shall have and be entitled to all such other remedy for the recovery thereof, exclusive of distress, as such person was entitled to at the time of making such distress, if such person shall not think proper to accept such offer so made aforesaid: provided also that nothing therein contained shall affect the right of any tenant to other person as aforesaid, having such right, to replevy the goods taken in distress, in case, without making any such offer as aforesaid, he shall so think fit.

5. And be it further enacted, That this act shall continue and be in force for and during the present war

was sent from thence to the Grand of the then next General Assembly, and no longer.

An act to secure the personal liberty and preserve the property of the citizens of this State.

H. of R.
1. Feb. 1815. Read.
3. — — Read 2d. time
7. — — Read 3d. time & passed.
8. — — Rec'd
J. G. Brinckle Clk

Lent for con.
In the Senate
8 Feb. 1815 read.
9 Feb. 1815 read 2d. time
10 Feb. 1815 read 3d. time by paragraphs and passed with amendments.
A. L. Hayes Clk

In Senate 10. Feb. 1815

2d Sec. . . Strike out this section and insert in lieu thereof the following:

And be it enacted, that in no execution hereafter to be issued against the goods or chattels, lands or tenements of any person or persons or body corporate or politic within this State or against the body or bodies of any person or persons within this State, shall his, her, or their goods or chattels, lands or tenements be sold or exposed to sale, nor shall his, her, or their body or bodies be imprisoned: Provided, he, she, or they, or such body corporate or politic shall offer to pay to the plaintiff or plaintiffs in such execution or executions or to the attorney or attorneys of any such plaintiff or plaintiffs residing out of this State the whole sum of money due for the principal, interest, and cost on the same in such notes or bills as are herein before mentioned or partly in such notes or bills and partly in lawful money of this State.

3d Sec. . . . Strike out this section and insert in lieu thereof the following:

And be it enacted, that in all cases of the sale of goods or chattels lands or tenements of any person or persons or body corporate or politic by any sheriff, coroner, or

or constable by virtue of any writ or writs of execution heretofore issued or hereafter to issue, every such sheriff, coroner, or constable, shall receive in payment for such goods or chattels, lands or tenements such notes or bills as are hereinbefore mentioned, or lawful money of this State, or part in such notes or bills as aforesaid and part in such lawful money as aforesaid and it shall be lawful for such sheriff, coroner or constable to pay every such plaintiff or plaintiffs and all judgment creditors according to priority agreeably to the existing laws of this State in such notes or bills as aforesaid or part in such notes or bills and part in lawful money of this State: and in case any such plaintiff or plaintiffs or judgment creditor shall refuse to accept from such ~~plaintiff or plaintiffs~~ sheriff, coroner, or constable such notes or bills received by him as aforesaid in discharge of so much of his, her, or their ~~or their~~ debt or debts it shall then be lawful for such sheriff coroner or constable to deposit such notes or bills in any Bank incorporated by any law of this State in the County where such execution shall be issued or such judgment shall be a lien, to the credit of such plaintiff or plaintiffs or such judgment creditor according to priority as aforesaid, and a certificate from the Cashier of such Bank returned to the court or justice of the peace by whom such ~~exe-~~ execution

0748

execution or executions shall have been issued or where such judgment shall be entered or recovered by such Sheriff, coroner, or constable and entered on the record of such Court or justice of the peace and filed in such Court or with such justice of the peace shall be a sufficient discharge to such Sheriff, coroner, or constable and shall also be for such amount as the Sheriff, coroner, or constable shall have deposited as aforesaid.

4 Sec. 3d line, after the word "rent" insert "reserved to be paid in money"

7 line, after the word "rent" insert "reserved to be paid in money"

5 Sec. . . . . Strike out this section and insert in lieu thereof the following:

And be it enacted, that this act shall continue and be in force to the end of the next session of the next General Assembly and no longer.

Extract from the journal

A. S. Hayes, Clk.

Sent for concurrence.

An act to authorize the Governor to appoint an additional number of justices of the peace in the several counties of this State.

H. of R.
10. Feb. 1815. Read.
— — — Read 2d. time by paragraphs & passed
J. S. Brinckerhoff Clk
Sent for con.

In Senate

10 Feb. 1815 read.
10 Feb. 1815 read 2d time
10 Feb. 1815 read 3d time by paragraphs & passed with an amendment
A. L. Hayes Clk

1815, ch. 61

An act to authorize the governor to appoint an additional number of Justices of the peace in the several counties of this State

Be it Enacted by the Senate and House of Representatives of the State of Delaware in general Assembly met, two thirds of the members of each House concurring therein and approving thereof, that the number of Justices of the peace shall be increased so that there shall be not more in commission at the same time in the County of Newcastle than ~~[illegible]~~ seventeen and in the County of Kent Eighteen and in the County of Sussex nineteen.

0790

An act for raising a corps of four hundred and forty troops exclusive of officers within this State to be received into service by the President of the United States agreeably to an act of Congress entitled "An act to authorize the President of the United States to accept the services of State troops and volunteers" passed on the 27th. day of January last.

In Senate

9 Feb. 1815 read

10. Feb. 1815 read 2d time

10. Feb. 1815 read 3 time by paragraphs by special order & passed.

Sent for Concur. A. L. Hayes, Clk.

H. of R.

10. Feb. 1815. Read.

——— Read & passed with an amendment.

J. F. Obrinskée C.

131.

An act for raising a corps of four hundred and forty volunteers troops exclusive of officers within this State to be received into service by the President of the United States agreeably to an act of Congress entitled "An act to authorize the President of the United States to accept the services of State troops and volunteers" passed on the twenty seventh day of January last.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that the Governor of this State be and he is hereby authorized and required to raise organize and officer a corps of troops to contain four hundred and forty men exclusive of officers of such denomination as he may think proper whose time of service shall not be less than twelve months and who shall be employed in this State or in an adjoining State and not elsewhere except with the assent of the Governor of this State which corps shall be divided into companies containing the same number of officers, non commissioned officers, musicians and privates, or as nearly as may be, that are required by the laws of the United States and the rules and regulations of the armies of the United States.

Sec. 2. And be it enacted, that the Governor shall appoint a major of the said corps who shall appoint an adjutant of the same, and when the said corps shall be raised organized, and officered, they may be received into the service of the United States by the President thereof on the terms and conditions prescribed by an act of Congress entitled "An act to authorize the President of the United States to accept the services of State troops and volunteers" passed on the twenty second day of January last.

An act to appropri=
=ate a sum of money
to purchase ammu=
=nition for the use of
this State.

H. of R.
31. Jan. 1815. Read.
1. Feb. — Read 2d. time
by paragraphs, by special order,
and passed.
J. S. Brinckle Clk
Sent for Con.

In Senate
1 Feb. 1815 read.
2. Feb. 1815 read 2d. time.
10. Feb. 1815 read 3d time
by paragraphs & passed
with amendments

A. L. Hayes, Clk.

An Act to appropriate a sum of money to pur=
chase ammunition and lead for the use of this State

Sect. 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met. That the sum of three thousand dollars

be and the same is hereby appropriated for the purchasing of Powder, lead and Flints for the use of this State.

Sect 2 And be it enacted that the Governor be and he is hereby authorized and required whenever he shall deem it expedient to draw out of the Treasury ~~of~~ the aforesaid sum of three thousand dollars

out of any money in the Treasury not otherwise appropriated, and expend the same in suitable proportions of Powder lead and flints for the use of the State; and shall deposit one third part thereof in each of the Counties of this State with such persons as he may appoint for safe keeping subject to the Order of the Brigadier Generals of the respective Brigades for the use of the Militia of this State.

Sect 3 And be it further enacted that it shall be the duty of the person or persons to whom the same shall be intrusted for safe

keeping

keeping to secure them in a proper manner from injury, and in case the person or persons intrusted with the ~~The~~ Powder lead and ~~flints~~ as aforesaid shall neglect or refuse to de=
=liver over ~~to~~ the same to the ~~respective~~ Bri=
=gade Generals of the ~~[illegible]~~ respective Brigades after reasonable notice by them given in writing the person or persons so ne=
=glecting or refusing shall forfeit and pay for every such neglect or refusal the sum of fifty dollars ——————
to be recovered by the Brigadier General giving such notice, as debts of the same am=
ount are recoverable by the laws of this State for the use of the State.

Sec. 4. And be it enacted That the several persons to whom care the said Powder lead and flints shall be committed by the Governor as aforesaid ~~said~~ shall for their care and trouble receive such compensation as the Legis=
lature may deem proper

0798

In Sen, 10 Feb. 1875

Amend the title by inserting after an number the word "rations" and after use of, ~~the~~ insert the milita

In the 2d Sec. 11 line, strike out the words "such persons as he may appoint for safekeeping" and insert the words "the military commissary of such county."

3 Sec. . . . Strike out this section.

4 Sec. . . . Strike out this section.

Add the following, as additional sections of the bill.

§ 3 And be it enacted, that the Governor of this State be and he is hereby authorized and required to contract with some person or persons who shall give good and sufficient surety for the faithful performance of his or their contract for any number of rations not exceeding fifty thousands ——— for the use of the militia of this State when ordered into actual service by the proper authority of this State.

§ 4 And be it enacted that the said rations shall consist of the same articles in quantity and quality which are prescribed by the laws of the United States and by the rules and regulations established for the army of the United States.

§ 5 And be it enacted, that the Governor be and he is hereby authorized to draw on the State treasurer for any sum or sums not exceeding ten thousand dollars to be paid out of any money not otherwise appropriated—

to pay for any rations which may have been furnished to the militia of this State, when ordered into actual service as aforesaid.

Extract from the journal

[illegible] Hayes

An Act to confirm to Arthur Beatty and his heirs certain lands therein mentioned.

In Senate

5 Jan. 1815 read 1st time.
7 Jan. 1815 read 2d. time.
9 Jan. 1815 recommitted to Mess. Black & Cumming

reported agreeable with several amendments — which report adopted

A. L. Hayes Clk.

(Transcribed)

An act to confirm to Arthur Beatty and his heirs the right to certain lands therein mentioned. —

1815 - ch. 99

Whereas...

It appears to this General Assembly, upon the Petition of Arthur Beatty of the County of Newcastle in this State; That ~~that~~ the said Arthur Beatty, being then an Alien; did purchase from Sarah Ewins, by deed of conveyance bearing date the nineteenth day
1813 of January, in Thousand Eight hundred and fourteen a tract or parcel of land containing Forty acres, more or less, lying and being in the hundred of Lincoln in the County of Newcastle in this State; and also one other piece or parcel of land from Andrew Morten and wife, by deed of conveyance bearing date the 26th day of February, in Thousand Eight hundred and fourteen; containing one acre and twenty perches of land, lying and being in the aforesaid hundred, County and State: as fully appears by the aforesaid deeds of Conveyance legally executed, and presented to this General Assembly. — And whereas, by the existing laws of this State, the said Arthur Beatty being at the time of such purchase, and Conveyance; an Alien and not a Citizen of the United States; he cannot legally transmit the aforesaid real Estate to his proper Heirs.

Sect. 1 Be it therefore enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the aforesaid deed of Conveyance made by Sarah Ewins, bearing date the nineteenth day of January Eighteen hundred and fourteen; for forty acres of land in the hundred of Lincoln, in the County of Newcastle, in this State: and the Deed of Conveyance from Andrew Morten and wife for one acre and

twenty perches of land, in the aforesaid county and state: bearing date the twenty sixth day of February Eighteen hundred and fourteen be, and the same is hereby made, and confirmed to the said Arthur Beatty, and his Heirs and Assigns, good and sufficient Deeds, and conveyable in law, as if the said Arthur Beatty had, at the time of such conveyance, been bona fide a Citizen of the United States: any law or statute state in any wise, to the contrary notwithstanding.

Sect. 2. And be it further Enacted, by the authority aforesaid, That the said Arthur Beatty shall cause this act to be recorded in the office for the recording of Deeds in the County of Mercer, on or before the first day of January next: for which the Recorder shall receive the same fees as for the recording of Deeds. —

0760

An Act to vest certain lands in the hundred of Pencader in New Castle County, in Arthur Beatty notwithstanding his being an alien at the time of purchasing the same.

In Senate

5 Jan. 1815 read
7 Jan. 1815 read 2d time
9 Jan. 1815 recommitted to Messrs. Black & Cummins who reported the same, codendie, with sundry amendments; which report was adopted.
9 Jan. 1815 read as reported.
10 Jan. 1815 read as reported 3d time
11 Jan. 1815 read as reported 3d time by paragraphs and passed the sex.

Engrossed
A. A. Hayes, Clk.

Sent for concur.
H. of R.
11. Jan. 1815. Read 1st time.
13. —— —— Read 2d time.
14. —— —— Read 3d time by paragraph and Passed.
J. G. Brinckle Clk

0761

An Act to vest certain lands in the Hundred of Pencader in New Castle County in Arthur Beatty notwithstanding his being an alien at the time of purchasing the same.

Whereas it appears to this General Assembly on the petition of Arthur Beatty of the Hundred of Pencader in the County of New Castle in this State that the said Arthur Beatty being then an alien did purchase from a certain Sarah Owens, by deed of conveyance bearing date the nineteenth day of January one thousand eight hundred and thirteen, a tract or parcel of land, containing forty acres more or less lying and being in the aforesaid Hundred of Pencader in the County and State aforesaid; also one other piece or parcel of land, from a certain Andrew Morton and his wife by deed of conveyance, bearing date the twentysixth day of February one thousand eight hundred and fourteen containing one acre and twenty perches of land lying and being in the aforesaid Hundred, County and State, as satisfactorily appears by the aforesaid deeds of conveyance presented to this General Assembly: and Whereas it appears that the said Arthur Beatty made such purchases without having any knowledge or information that he was to be deemed an alien until legally naturalized within the United States; that having recently received information of such his condition of alienage he the said Arthur Beatty upon application to the Court

Court of Common Pleas of the said State, held at New-Castle in the month of December last, was admitted a citizen of the United States, according to the several acts and provisions of congress in such cases made and provided: and Whereas the said Arthur Beatty has prayed for an Act for the relinquishment and release of the claim of this State in right of the Sovereignty of the State to the real property so purchased by him as aforesaid, and for investing him, his heirs and assigns with a legal ability to hold the same, and every part thereof, notwithstanding his alienage at the time of the said purchase so by him made as aforesaid,

Sec. 1. Be it therefore enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that all the state right, title, interest, property, claim, and demand, which hath accrued to the State of Delaware of, in, and to the two tracts, pieces, or parcels of land in the Hundred of Pencader in the County of New-Castle as herein-before recited and mentioned with the appurtenances, shall be and are hereby relinquished and released unto the said Arthur Beatty and to his heirs and assigns forever.

Sec. 2. And be it further enacted that from and after the passing of this act, the said Arthur Beatty his heirs and assigns shall be and are hereby declared to be seized of such estate and estates of and in the said tracts, pieces, or parcels of land, tenements, hereditaments

hereditaments and appurtenances hereinbefore mentioned and recited as in and by any conveyance or assurance in the law he may have obtained for the same, subject to all incumbrances and contracts made by the said Arthur Beatty which would have operated on and affected the said real property or estate, had the said Arthur Beatty been the legal owner of the said estate at the time of creating the same incumbrance or making the same contracts, his alienage aforesaid notwithstanding.

Sec. 3. And be it further enacted, that the said Arthur Beatty within one year after the passing of this act shall procure a copy of the same regularly attested by the Secretary of State, to be recorded in the Rolls office for the County of Newcastle; for which the Recorder shall ~~have~~ receive the same compensation as for the recording of Deeds; and when so recorded a copy thereof under ~~the~~ his hand and the seal of his office, shall be allowed as evidence in any Court of law or equity within this State.

An Act to vest certain lands in Pencader Hundred New Castle County in Arthur Beatty notwithstanding his being an alien at the time of Purchasing the same.

L Senate.

(Transcribed)

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1815 - ch 33

An act to vest certain lands in the hundred of Pencader in Newcastle County: in Arthur Beatty, notwithstanding his being an alien at the time of purchasing the same. —

Passed March 17 1815

Whereas, It appears to this General Assembly, upon the Petition of Arthur Beatty, of the hundred of Pencader in the County of Newcastle in this State: That the said Arthur Beatty being then an alien: did purchase from a certain Sarah Young, by deed of conveyance, bearing date the nineteenth day of January, one thousand Eight hundred and Thirteen, a tract, or parcel of land, containing forty acres, more, or less. lying, and being in the aforesaid hundred of Pencader in the County and State aforesaid. Also one other piece or parcel of land from a certain Andrew Morton, and wife by deed of conveyance, bearing date the twenty sixth day of February one thousand eighthundred and fourteen, containing one acre, and twenty perches of land, lying and being in the aforesaid hundred County, and State. as satisfactorily appears by the aforesaid deeds of conveyance presented to this General Assembly. And Whereas, it appears that the said Arthur Beatty made such purchases without having any knowledge or information that he was to be deemed an alien, until legally naturalized within the United States; that having recently received information of such, his condition of alienage he the said Arthur Beatty, upon application to the ~~Supreme Court~~ Court of Common Pleas of the said State, held at Newcastle in the month of December last, was admitted a citizen of the United States: according to the several acts, and provisions of Congress in such cases made & provided: And Whereas, The said Arthur Beatty, has prayed for an act for the relinquishment, and release of ~~this state~~ the claim of this State, in right of the ~~sovereignty~~ of the State, to the real property so purchased by him as aforesaid; and for vesting him, his Heirs, and assigns: with a legal ability to hold the same, and every part thereof, notwithstanding his alienage at the time of the said purchase so by him made as aforesaid. Sect: 1 —

~~Be it therefore Enacted~~, By the Senate, and House of Representatives of the State of Delaware, in General Assembly met, That all the estate, right, title, interest, property, claim and demand, which hath accrued to the State of Delaware of in, and to the two tracts, pieces, or parcels of land,

in the hundred of Pencader, in the County of Newcastle, as herein before recited, and mentioned, with every the appurtenances, shall be, and is hereby relinquished, and released, unto the said Arthur Beatty, and to his Heirs and Assigns forever.

Sect. 2. And be it further enacted, That from, and after the passing of this act, the said Arthur Beatty, his Heirs and Assigns, shall be, and are hereby declared to be seised, of such Estate and estates of and in the said tracts, pieces, or parcels of land, Tenements hereditaments and appurtenances herein before mentioned, and recited, as in and by any conveyance, or assurance in the law, he may have obtained for the same: subject to all incumbrances, and contracts, made by the said Arthur Beatty, which would have operated and affected the same real property, or estate, had the said Arthur Beatty been the legal owner of the said Estate, at the time of creating the same incumbrance, or making the same contracts, his alienage aforesaid notwithstanding. — Sect. 3 —

And Be it further Enacted. That the said Arthur Beatty, within one year after the passing of this act, shall procure a copy of the same, regularly attested by the Secretary of State; to be recorded in the Rolls-office ~~of Newcastle for the recording of Deeds~~ in the County of Newcastle; for which the recorder shall receive the same compensation, as for the recording of Deeds: and when so recorded a copy thereof, under the hand, and seal of office, shall be allowed as evidence in any Court of law or Equity within this State. —

An Act authorizing the trustees of the poor of Kent county to convey certain premises therein mentioned.

H. of R.
10. Jan. 1815. Read 1st time.
11. — — Read 2d time.
12 — — Read 3d time by paragraphs and —
Passed the House
J. G. Brinckle Clk.
Sent for con.

In Senate.
13. Jan. 1815 read
14. Jan. 1815 read 2d time.
16. Jan. 1815 read 3d time by paragraph and passed.
A. L. Hayes, Clk.

An Act authorizing "The Trustees of the poor of Kent county" to convey certain premises therein mentioned.

Section. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that "The Trustees of the poor of Kent county" be and are hereby authorized and empowered (upon the sum of two thousand dollars lawful money of the United States of America being secured to the said Trustees of the poor of Kent county by Mary Coudwright of Little creek Hundred in the county aforesaid, widow, who was wife of Daniel Stevens, formerly of the same Hundred deceased, by her judgment bond payable in two years from the date of such bond, clear of interest one year) to grant, convey and assure to the said Mary Coudwright, her heirs and assigns, to the proper use and behoof of the said Mary Coudwright, her heirs and assigns forever one undivided moiety or half part of all the lands and tenements which the said Daniel Stevens in his life time and at the time of his death was the owner of, and by his last will and testament devised (after a devise of one third part thereof to his wife the said Mary while she remained sole and unmarried) to his adopted son John Stevens, his heirs and assigns, and in case of his said son's death before he arrived to the age of twenty one years, then one moiety or half part thereof to the said Mary, her heirs and assigns, and the other moiety or half part thereof to the trustees of the poor of Kent county for the time being to be leased out and the rents and profits thereof applied as in said will and testament mentioned; and that the Indenture of "The Trustees of the Poor of Kent county" aforesaid granting, conveying and assuring to the said Mary Coudwright, her heirs and assigns as aforesaid for the consideration aforesaid one moiety or half part of the said lands and tenements, being duly executed, shall be sufficient and effectual to pass to, and vest in, her the said Mary Coudwright, her heirs and assigns all such undivided moiety or half part of the said lands and tenements with the improvements and appurtenances. Provided always, that this Act or anything done by virtue hereof shall not extend or be construed to take away, impair or affect any right, title or remedy, which the aforesaid John Stevens, if living, or his heirs or assigns, if such there be, may have in or to said lands and tenements.

Sec. 2. And be it enacted, That the such Indenture as aforesaid being acknowledged before the Chancellor, or any Judge of the Court

of common Pleas, or of the Supreme court of this State, by any attorney or attornies in and by the said Indenture duly constituted and appointed for that purpose, (the seal set thereto being first proved to be the common seal of "the Trustees of the poor of Kent county" and to have been set thereto at a board of "the trustees of the poor of Kent county" at the poor house, in which in said county, in which a majority of the said trustees shall have been present, by the trustees present at such board, and it being also proved that said trustees present signed the said Indenture, to which proof the said trustees as well as the subscribing witnesses to said Indenture shall be competent witnesses, which said Acknowledgement and also the said proof upon the oath or affirmation of the witnesses the said Chancellor or Judge is hereby authorized to take and certify and the said Acknowledgement and proof being certified by the said Chancellor or Judge under his hand) the said Indenture shall be allowed and deemed to be duly executed and authenticated as the Deed of "The Trustees of the poor of Kent county" and as such shall be admitted to record in the Office for recording of Deeds in and for Kent county aforesaid and such record thereof or the copy thereof taken from such record and duly certified shall be admitted and allowed as good evidence to all intents and purposes as the original duly proved.

Sec. 3. And be it enacted, that the consideration aforesaid shall be received and held by "The Trustees of the poor of Kent county" ~~for and applied to the use~~ to and for the benefit of the poor of Kent county aforesaid.

Sec. 4. And be it further enacted, That "the Trustees of the poor of Kent county" shall procure a copy of this Act certified by the Secretary of State under his hand and the seal of the Secretaries Office to be recorded in "the Office for recording of Deeds" in and for Kent county, and that such record, or a copy therefrom duly certified shall be admitted and allowed as good evidence to all intents and purposes for the ~~first~~ proof of this Act.

An act to enable Nysa Boggs a feme covert to sell and convey her right to a messuage and lot of ground in the village of Milford.

H. of R.
10. Jan. 1815. Read 1st time.
12. — — Read 2d. time.
13. — — Read 3d. time by paragraphs and passed.
J. G. Princkle Clk.

Sent for con.

In Senate
14. Jan. 1815 read.
16. Jan. 1815 read 2d. time.
17. Jan. 1815 read 3d. time by paragraphs and passed.
A. L. Hayes, Clk.

1815 ch 35

An Act to enable Nysa Boggs a feme covert to sell and convey her right to a Messuage and Lot of ground in the Village of Bellefonte.

Whereas Isaac Davis Esquire by Indenture bearing date the fourteenth day of January one thousand seven hundred and ninety nine recorded in the Office for recording of deeds at Doylestown in Book III folio 175 did convey unto Lewis Boggs and the said Nysa Boggs his Wife a Messuage and Lot of ground in the Village of Bellefonte to be held by them during their joint lives and by the survivor during his or her life and thereafter by the heirs of their bodies and in default of such heirs, then as to one moiety thereof to the right heirs of the said Lewis Boggs and as to the other moiety thereof to the right heirs of the said Nysa Boggs — And Whereas the ~~the~~ estate of the said Lewis Boggs has since been sold for the payment of his debts and he has been for a long time past ~~been~~ confined in a state of hopeless insanity — And there being no issue between the said Lewis Boggs and Nysa Boggs — Therefore to enable the said Nysa Boggs to consent to her use and dispose her right and interest in the said Messuage and Lot of ground — Be it

Be it enacted by the Senate & House of Representatives of the State of Delaware in General Assembly met; That the said Nancy Boggs from henceforth may and shall have and is hereby invested with the same and as full and ample power and authority separately and alone and without the joining of the said Lewis Boggs her husband to grant, sell, assign and convey to any person or persons whomsoever, by deed or otherwise all her right, title, interest and estate of in and to the said Messuage and Lots of ground or of any part thereof which she now hath or hereafter shall be seized, possessed of or entitled, under or by virtue of the said Indenture, and for that purpose to do and execute all such acts and deeds as may be necessary therefor in the same manner in every respect, as if she the said Nancy Boggs were ~~a feme~~ sole and unmarried

A supplement to an
Act entitled "An act
to authorize the levy court
of Kent County to remove
lunatic and insane per-
sons from the public
gaol of Kent County to
the poor-house

In Senate

11 Jan. 1815 read
12 Jan. 1815 read 2d time.
13 Jan. 1815 read 3d time
by paragraphs and passed
Engrossed. A. L. Hayes Clk
sent for concur.
H. of R.
13. Jan. 1815. Read 1st time.
16. —— —— Read 2d time.
17. —— —— Read 3d time
by paragraphs and
passed
J. S. Brinckle Clk
S Hills
Passed 1815

1815 ch 36

A Supplement to an Act entitled an Act to authorize the Levy Court of Kent county to remove lunatic & insane persons from the public gaol of Kent county, to the poor house.

§ I. Be it enacted by the Senate, & House of Representatives of the State of Delaware, in General Assembly met, That the act to which this is a supplement be, & the same is hereby extended, & declared to be in full force & operation, in the counties of New-Castle & Sussex respectively; And the commissioners of the Levy court, & court of Appeal, the constables, trustees & overseers or keepers of the poor, in the said counties respectively, are hereby invested with the same powers & authorities & are required & directed to execute the same, ~~[illegible]~~ in relation to all such lunatics

&

0775

insane persons, as now are or hereafter shall be confined in the jails of the said counties of New-Castle & Sussex respectively that are given by the said act to which this is a supplement to the same officers in the County of Kent in relation to lunatics & insane persons confined in the jail of the said county.

§ II. And be it enacted, that when it shall appear to the trustees of the poor in the counties of New-Castle, Kent or Sussex, that any lunatic or insane person, maintained & supported agreeably to this act or the act to which it is a supplement, have or possess any real or personal estate, it shall & may be lawful for them, & they are hereby authorised & required to take all lawful ways & means to recover a reasonable compensation, for the support & maintenance of such lunatic or insane person.

An act to authorize Jenifer S. Taylor to remove his negro man Robert alias Bob from this State to the State of Maryland

H. of R.
6. Jan. 1815. Read 1st time
7. — — Read 2d. time.
10. — — Read 3d. time by paragraphs and passed
Sent for con. J. B. Brinckle Clk

In Senate
10 Jan. 1815 reads.
11 Jan. 1815 read 2d time.
12 Jan. 1815 taken up for the 3d. reading and postponed.
17 Jan. 1815 read 3d time by paragraphs, and passed.
A. L. Hayes, Clk.

1815, ch. 37

An act to authorize Jenifer S Taylor to remove his negro Man Robert alias Bob from this State to the State of Maryland,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that Jenifer S Taylor of the Village of Denton in Caroline County and State of Maryland, be and he is hereby authorized and empowered to remove his negro man Slave named Robert alias Bob, from this State to the Village of Denton in Caroline County and State of Maryland, and by reason of such removal the said negro man shall not be intitled to his freedom, neither shall the said Jenifer S Taylor incur thereby any penalty, any law usage or custom to the contrary notwithstanding.

A supplement to the act entitled "An act to enable the persons therein named to raise a sum not exceeding two thousand dollars by a Lottery for the purpose of finishing the Roman Catholic Church of St Peter in the town of Newcastle."

H. of R.
12. Jan. 1815. Read 1st time.
13. Jan. — Read 2d time.
14. — — Read 3d time by paragraphs, and passed.
J. G. Brinckle Clk

Sent for con.

In the Senate

14. Jan. 1815 read.
16. Jan. 1815 read 2d time.
17. Jan. 1815 read 3d time by paragraphs and passed with an amendment.

A. L. Hayes, Clk.

1815 ch 38

Whereas it hath been represented to this General Assembly by a number of the holders of Lottery Tickets in the Roman Catholic Church of Saint Peters, in the Town of New Castle, that the Act passed on the third day of February, A. D. 1808, entitled "An Act "to enable the persons therein named, to raise a sum, not exceeding "Five Thousand Dollars, by a Lottery, for the purpose of "finishing the Roman Catholic Church of Saint Peters, in the "Town of New Castle," hath prescribed no definite time within which the said Lottery shall be drawn and completed; and that the drawing thereof hath been greatly delayed to the injury of the purchasers of Tickets in the said lottery: For remedy whereof

Sect: I. Be it enacted, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Managers of the said lottery appointed in and by the said recited act, or the survivors or survivor of them, be and are hereby authorised and required to proceed to, the drawing and completion of the said lottery within four months from the date of the passing of this act, and upon neglect or refusal so to do, shall within two months thereafter, return or restore to the purchasers, owners or possessors of tickets in said lottery, or to their legal representatives the sum or sums of money which may have been paid for such ticket or tickets.

Sec: II. And be it enacted, that in case the said managers of the said lottery, or the survivors or survivor of them shall not within six ~~~ months after their neglect

or

or failure to draw the said lottery as aforesaid, pay or cause to be paid to the holders, owners or possessors of such lottery ticket or tickets the sum or sums of money which may have been paid to the said managers, or either of them, or to their agent or agents, or to any person or persons on his or their behalf; then it shall and may be lawful for the holders, owners or possessors of such lottery ticket or tickets to recover the same from the said managers, or the survivors or survivor of them, or the legal representatives of such survivors or survivor of them, with lawful interest, and costs, in such manner as debts of equal amount are recoverable by the laws of this State; or such holder, owner or possessor of lottery ticket or tickets may institute a suit or suits upon the bonds executed by the said managers for the faithful discharge of the trust reposed in them respectively, and proceed to execution thereon for the sum or sums of money so as aforesaid paid for such lottery ticket or tickets.

An act to authorize and empower Doctor Samuel Derrickson of Sussex county to bring into this State from Caroline County in the State of Maryland a certain negro man and to hold him as a slave.

H. of R.
16. Jan. 1815. Read.
18. — — Read 2d. time.
19. — — Read 3d. time by paragraphs and passed.
J. G. Rodney Clk

Sent for con.

In Senate.
19. Jan. 1815 read.
24. Jan. 1815 read 2d time.
26 Jan. 1815 read 3d time by paragraphs & passed
A. L. Hayes, Clk.

1845 ch. 40

An act to authorize and empower Doctor James Dickerson of Sussex County to bring into this State from Caroline County in the State of Maryland a certain negro man and to hold him as a slave

Be it enacted by the Senate and House of Representatives of the State of Delaware in general assembly met, That it shall and may be lawful for Doctor James Dickerson of Sussex County, from and after the passing of this act, to bring into this State from Caroline County in the State of Maryland a certain negro man named Daniel and to hold and retain the said negro as a slave; any law of this State to the contrary in anywise notwithstanding.

Flesh

In Senate, 17. January 1815

On Motion,

The following amendment was adopted viz.

Prefix to the said bill the following title, viz.

A supplement to the act entitled "An act ~~entitled~~ to enable the persons therein named to raise a sum not exceeding two thousand dollars by a lottery for the purpose of finishing the Roman catholic church of St. Peters in the town of New Castle."

Extract from the journal.

A. G. Hayes, Clk.

Sent for concurrence.

An act to prevent nuisances from being committed upon the public roads in St. Charles County

In Senate
18 January 1815 read.
19 Jan. 1815 read 2d time

(Transcribed)

S. Bills Read 2nd time and transmitted 1815

1815 Ch. 410

An act, to prevent nuisances from being committed upon the public roads, or upon any street, lane, or alley in any borough, town, or village within this State

Sect. 1 Be it enacted, by the Senate, and House of Representatives of the State of Delaware, in General Assembly met,

That from, and after the passing of this act, if any Person, or Persons shall place, or permit or suffer any Person in his, her, or their employ to place, or having so placed shall for the space of six hours thereafter leave any dead, or dying, Horse, hog, sheep, mule, cow, or other cattle, or animal whatsoever which may amount to a nuisance, upon, or within one hundred yards of any public road, or high way, or turnpike road, established by law within this State. the Person, or Persons so offending, and for every such offence upon proof of the same being made before any Justice of the peace within the County within which the said offence shall have been committed, upon the oath, or affirmation of one, or more reputable witness, forfeit, and pay any sum not exceeding five dollars, in the same manner as debts under 40 d. are recoverable by the laws of this State to be recovered with costs of suit; the one half [to be applied to the road Commissioners of the hundred in which said nuisance shall have been committed, to be by them applied to the use of the roads in their respective hundreds,] and the other moiety to the Person who shall prosecute for, and recover the same.

An act to prevent nuisances from being committed upon the public roads, or upon any street, lane, or alley in any borough, town, or village within this State.

In Senate

18 Jan. 1815 read
19 Jan. 1815 read 2d time.
20 Jan. 1815 read 3d time by paragraphs and passed.

Sent for concr. J. L. Hayes, Clk.
H. of R. Engrossed
24. Jan. 1815. Read.
25. — — Read 2d time.
25. — — Read 3d time by paragraphs and passed.
J. Gordon Brinckerhoff

An act to prevent nuisances from being committed upon the public roads, or upon any street, lane, or alley in any borough, town, or village within this State.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that from and after the passing of this act, if any person or persons shall place, or permit or suffer any person in his her or their employ to place, or having so placed, shall for the space of six hours thereafter leave any dead or dying horse, hog, sheep, mule, cow, or other cattle or animal whatsoever which may amount to a nuisance, upon or within one hundred yards of any public highway or turnpike road established by law, within this State, or upon any street, lane, or alley in any borough, town, or village within this State; the person or persons so offending, and for every such offence upon proof thereof being made before any Justice of the Peace within the County within which the said offence may have been committed, on the oath or affirmation of one or more ~~respectable~~ reputable witnesses, shall forfeit and pay any sum not exceeding five dollars, to be recovered with costs of suit in the same manner as debts under forty shillings are by the laws of this State recoverable; the one half to be paid over to the trustees of the poor of the County in which such nuisance shall have been committed to be by them applied for the use of the poor in ~~of~~ such county, and the other moiety to the person who shall prosecute for and recover the same

An act to incorporate the trustees of the union school in New Castle hundred and for other purposes therein mentioned.

H. of R.
16. Jan. 1815. Read.
17. —— —— Read 2d. time
18. —— —— Read 3d. time, by paragraphs and passed
J. J. Porinckle Clk.
Sent for con.

In Senate.
18 Jan. 1815 read.
20 Jan. 1815 read 2d time.
25 Jan. 1815 read 3d time by paragraphs and, being amended, passed
A. L. Hayes, Clk.

H. of R.
27. Jan 1815. 4th Amend. agreed to, and the rest agreed to.
D. S. B. Clk

In Sen.
28 Jan. 1815 S. recede
A. L. Hayes Clk.

1815 ch. 43

An Act to incorporate the Trustees of the union School in Newcastle hundred there for the purposes therein mentioned

Sect 1 Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that Samuel Moore, Bennet Downs, Jacob Bellville Samuel Nivin and Alexander Ferrister

shall be and they are hereby constituted a Body Politic and Corporate by the Name and Style of "The Trustees of union School" and by that Name shall have perpetual succession and may sue and be sued plead and be impleaded in any Court of Law or equity in this State

Sect 2 Be it enacted by the Authority aforesaid that the said Trustees and their successors by the Name aforesaid shall be capable in Law to purchase receive and hold any lands Tenements Rents goods or Chattels which shall be given conveyed or devised to them for the use of said School and to sell Rent or dispose of the same in such manner as to them shall seem most beneficial to the said School and may have and use a Common Seal with such device or devices as the said Corporation shall think proper with the power of altering or changing the same as may be thought proper

Sect 3 and be it enacted by the Authority aforesaid that the said Trustees or any three of them shall have power to meet from time to time and shall and may make and establish all such by Laws Rules and Ordinances not contrary to the Laws and Constitutions of this State as they shall judge necessary and proper for the good government of the said School and to appoint a President Secretary Treasurer or Treasurers and Treasurer, the Treasurer shall receive all monies accruing to the said School and properly delivered to his care and pay or deliver the same to the order of the Majority of the Trustees of said School which order or orders shall be signed by the President of the Board of Trustees of the said School and attested by their Secretary the said Treasurer before he enters upon the duties of his office shall give Bonds and good security to the Trustees of the union School and their successors in office in the sum of one thousand dollars

bond entered for the faithfull discharge of the Trust reposed
in him and that he will when required by a Majority of the
Trustees of said School render a true and just account of
all moneys goods and Chattles held by him on account
of and for the use of the said School and for the delivery
~~over the delivery~~ over of all moneys in his hands together
with all the Books and papers to his Successor in Office
the said Trustees shall allow him a reasonable Compensation for
his Services

Sect. 4th Be it enacted by the Authority aforesaid that an
election shall be held at the usual School room
on the First Tuesday of May in the year one thousand
eight hundred and sixteen and annually on the
First Tuesday of May at which time and place each
person ~~shall be entitled~~ who shall send a Child or Children
to the said School for Six months previous to the election or
shall have paid ~~twelve~~ Twenty Dollars to the establishment
of said School or to the enlargement of the Premises thereof
shall ~~be the Electors~~ be and hereby is authorized to choose
Trustees for said School no person or persons shall be
chosen a Trustee or Trustees for said School unless
they shall have the same qualifications as those
who are Intitled to Vote at such election and in case
of any Vacancy in the Board of Trustees of said School
the Secretary of said Board shall give Notice thereof
by putting up three or more advertisement ~~at least~~
at least ten days before the day of meeting to supply
such Vacancy or Vacancies as the Case may be at which
time the persons qualified as aforesaid shall meet
and supply such Vacancy or Vacancies.

In the title, strike out the words "and for other purposes therein mentioned".
Agreed to

In the 5th line of the 1st section, insert the word "be", between the word "and" and the word "sued".
Agreed to

To the beginning of the second section, add the word "And", and insert the word "enacted" between the words "be it" and the word "by" in the first line of the said section.
Agreed to

In the 4th line of the 4th section, strike out the word "sixteen" and insert the word "fifteen".
Disagreed to

In the 10th line, ~~of the same section~~, insert the words "by ballot" after the word "choose"; and insert the word "and", between the words "shall be" and the word ~~and~~ "are".
Agreed to

In the 20th line, add the letter "s" to the word "person", and strike out the word "shall" and insert the word "may" in its stead.
Agreed to.

Extract from the journal.

A. G. Hayes, Clk.

Sent for concur.
In Senate
28 Jan. 1815
J. Meade.
A. G. Hayes, Clk.

An additional supplement to an act entitled "An act for the appointing a corder or measurer of firewood in each of the towns and villages within this State".

H. of R.
19. Jan. 1815. Read.
24. — — Read 2d. time
25. — — Read 3d. time by paragraphs and passed.
J. Gordon Pro tem Clk.

Sent for con.

In Senate
26 Jan. 1815 read
27 Jan. 1815 read 2d Time
30 Jan. 1815 read 3d time by paragraphs and passed.
A. L. Hayes Clk.

0799

An additional supplement to an act entitled "An act for the appointing a corder or measurer of firewood in each of the towns and villages within this State." 1815 Ch 74

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That if any person within the village of Camden, when there is any wood corder or measurer appointed and sworn, shall buy any firewood, which is not measured or to be measured by the wood corder of the village, the person purchasing the same shall forfeit and pay for every parcel of wood so bought the sum of one dollar and fifty cents, to be recovered before any justice of the peace of the county, by any person or persons, who will sue for the same, in such manner as debts under forty shillings are recoverable, which forfeiture when recovered as aforesaid shall be paid over to the trustees of the poor, for the use of the poor of said county.

Sec. 2. And be it enacted, That if any measurer or corder of wood within the village of Camden shall neglect or refuse upon application of any person to attend in person, or by deputy, forthwith, for the purpose of measuring wood, unless he can give some good and sufficient reason for such neglect or refusal, shall forfeit and pay for every such offence, the sum of one dollar and fifty cents, to be recovered as before mentioned, which fine when so recovered, shall be paid to the trustees of the poor for the use of the poor ~~for the~~ of said county.

Sec. 3. And be it enacted, That no person or persons whatsoever, without deputation from the corder, shall cord or measure any firewood hereafter to be sold or brought to sale into the aforesaid vil=

lage of Camden, upon pain of forfeiting the sum of one dollar and fifty cents for each cord of wood by him or them corded or measured, and in proportion for any lesser quantity, to be recovered together with costs of distress and sale of the offender's goods and chattels by warrant under the hand and seal of any justice of the peace of the same county, and paid, the one half thereof to the corder for the time being, the other half to the informer.

Sec. 4. Be it enacted, That there shall be paid by the buyer of all firewood, which shall be brought for sale into the aforesaid village of Camden, unto the corder thereof or his deputy for each cord of wood, by him so corded and measured, the sum of twelve and an half cents, and so in proportion for any greater or less quantity, one half whereof shall, by the person selling the same, be repaid to the buyer or deducted out of the price thereof, and upon non-payment thereof, the same may be recovered by the said corder, or his deputy and the buyer respectively, in like manner as other debts under forty shillings.

Sec. 5. And be it enacted, That so much of the act to which this is a supplement as is hereby contradicted, altered or amended shall be, and the same is, hereby declared to be null and void.

which Forfeitures when recovered as af.d shall be
be paid over to the Trustees of the poor for the use
of the Poor of said County

0798

An additional supplement to an act entitled an act for the appointing a Corder or Measurer of firewood in each of the Towns & Villages within this State.

1st Be it enacted by the Senate & House of Representatives of the State of Delaware in General Assembly met, That if any person within the Village of Camden where there is any wood Corder or measurer appointed and sworn, shall buy any fire wood which is not measured or to be measured by the wood Corder of the Village, the person purchasing the same shall forfeit and pay for every parcel of wood so bought, the sum of one Dollar and fifty cents to be recovered before any Justice of the Peace of the County, by any person or persons who will sue for the same, in such manner as debts under forty shillings are recovered.

2nd And be it further enacted, by the authority aforesaid, that if any measurer or Corder of wood within the Village of Camden shall neglect or refuse upon application of any person, to attend in person, or by deputy, forthwith for the purpose of measuring wood unless he can give some good and sufficient reason for such neglect, or refusal, shall forfeit and pay for every such offence, the sum of one Dollar and fifty cents, to be recovered as before mentioned, which fine when so recovered, shall be paid to the Trustees of the poor for the use of the Poor of said County.

3rd And be it enacted, that no person or persons whatsoever, without deputation from the Corder, shall Cord or measure any fire wood hereafter to be sold or brought to sale into the aforesaid Village of Camden upon pain of forfeiting the sum of one Dollar fifty cents for each Cord of wood by him or them corded or measured, and in proportion for any lesser quantity, to be recovered, together with costs of distress and sale of the offenders goods and chattels, by warrant under the hand and seal of any Justice of the peace of the same County and paid the one half thereof to the Corder for the time being, the other half to the informer.

4th Be it enacted that there shall be paid by the buyer of all firewood which shall be brought for sale into the aforesaid Village of Camden unto the Corder thereof, or his deputy, for each Cord of wood by him corded and measured, the sum of twelve and a half cents, and so in proportion for any greater or less quantity, one half whereof shall, by the person selling the same, be paid to the buyer, or deducted out of the price thereof, and upon non payment thereof the same may be recovered by the said Corder, or his deputy, and the buyer respectively in like manner as other debts under forty shillings.

And be it enacted that so much of the Act to which this is a Supplement, as is hereby contradicted altered or amended, shall be [redacted] and the same is hereby declared to be null & void

This additional supplement to an act entitled "An act for the appointing a commissioner or commissioners of fire wood in each of the towns and villages within this State."

H. of R.
19. Jan. 1815. Read.
24. — Read 2d time
26. — Read 3d time
by a majority of all the members elected.

J. F. Bonnell Sec'y

Transcribed

An act to incorporate the Trustees of the Brandywine academy in the village of Brandywine in New Castle County.

In Senate

18 Jan. 1815 read.
20 Jan. 1815 read 2d time.
26 Jan. 1815 read 3d time by paragraphs and passed

Sent for conc. A. L. Hayes, Clk.

H. of R. Engrossed
27. Jan. 1815. Read
28. —— —— Read 2d time.
31. —— —— Read 3d time, by paragraphs, and passed.
S. Gordon Brinckle Clk.

~~Sent for c.~~

1815 ch 46

An act to incorporate the Trustees of the Brandywine Academy in the village of Brandywine, in ~~the~~ New Castle County.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that Isaac Jones, James Pryce, James Smyth, Alexander Draper, William Smith, Charles Patem, and Thomas Sea, be and they are hereby constituted a body politic and corporate by the name and style of the "Trustees of the Brandywine Academy", and by that name shall have perpetual ~~sucction~~ succession, and a common seal, may sue and be sued, and plead and be impleaded in any court of law within this state.

Sec. 2. And be it enacted, that the said Trustees and their successors to be appointed as is herein after directed by the name and style aforesaid, shall be able and capable in law to purchase, receive, and hold any lands, tenements, rents, goods, or chattels which shall be given, conveyed, or devised to them for the use of the said school, and to sell, rent, or dispose of the same in such manner, as to them shall seem most beneficial to the said

0801

said school.

Sec. 3. And be it enacted, that the said trustees or any four of them agreeing shall have power from time to time, to make and establish such by-laws, rules, and ordinances, not contrary to the constitution and the laws of this State, and the same to abolish, alter, or amend, during their continuance in office, as they shall judge necessary or proper for the good government of the said academy, and to appoint a President, Secretary, Tutor, or Tutors, and a Treasurer, the last of whom shall receive all monies accruing to the said academy and property delivered to his care and pay or deliver the same to the order of the said Trustees for the time being; and shall, before he enters upon the duties of his appointment, give bond and security in such sum as the said Trustees shall direct, payable to them or their successors in office conditioned for the faithful discharge of the trust reposed in him ~~and that he will~~ and that he will when required by the Trustees of the academy for the time being, render a true and just account of all monies, goods, and chattels received by him on account ~~of~~ and for the use of the said academy; and shall receive such salary as the said

board

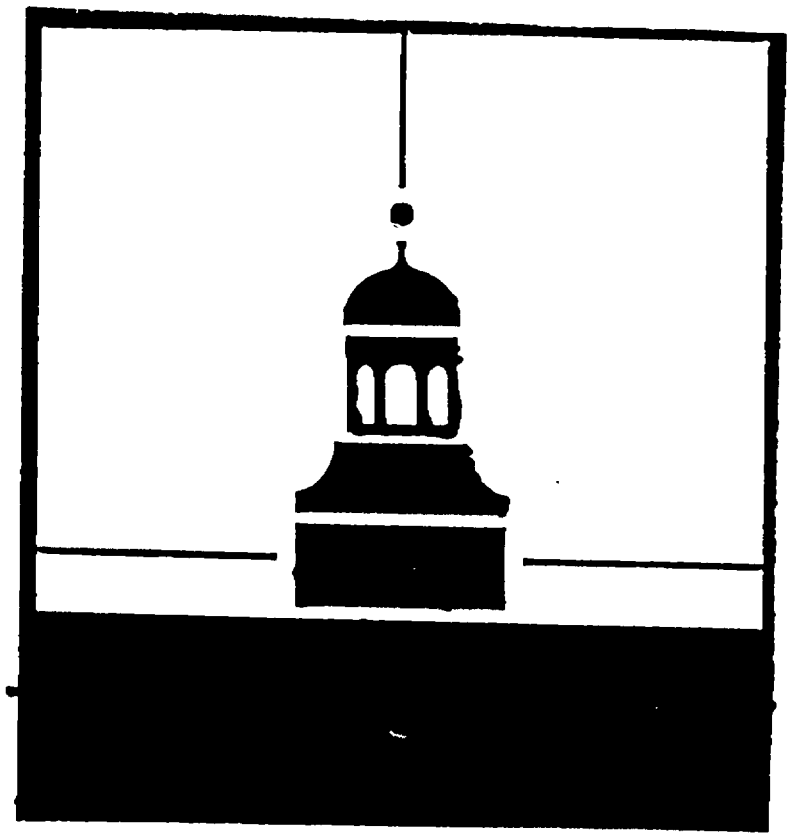
of Trustees shall think right and proper.

Sec. 4. And be it enacted, that the trustees herein before named shall continue in office for the period of one year from and after the first Saturday in April next, and no longer unless reelected; and their successors shall be kept up and continued by annual elections held each and every year thereafter; and elections, at any intermediate period or periods of any future year, shall be directed by the Trustees or a majority of them to be held to supply vacancies that may occasionally arise, or be produced, either by death, resignation, or removal from ~~office from~~ the vicinity of the school: Provided that the first ~~annual~~ election for Trustees shall be holden at the School-house on the first Saturday of April in the year of our Lord one thousand eight hundred and ~~fifteen~~ sixteen, and on the said first Saturday of April in each and every year thereafter, and all intermediate elections shall be holden at the same place: Provided ~~further~~ also that the Trustees elected shall continue in office, should the said election not happen to be made on the day aforesaid ~~until~~ in any

year, until such election shall take place.

Sec. 5. And be it enacted that all free white inhabitants of the village of Brandywine or its vicinity, who shall send a child or children ~~who shall~~ to the said academy or who shall be contributors to the amount of one hundred dollars in total or to the amount of five dollars annually to the establishment of the institution, or to the enlargement of the funds thereof by gift or otherwise shall have power and are hereby authorized to assemble together annually on the aforesaid first Saturday in April at the said school-house and there elect seven persons as trustees of the said academy for the ensuing year; and the Secretary of the board of Trustees for the time being is hereby required to give at least ten days public notice by advertisement put up in the vicinity of the school-house of the time and place of every annual or intermediate election.

0803



END FILE

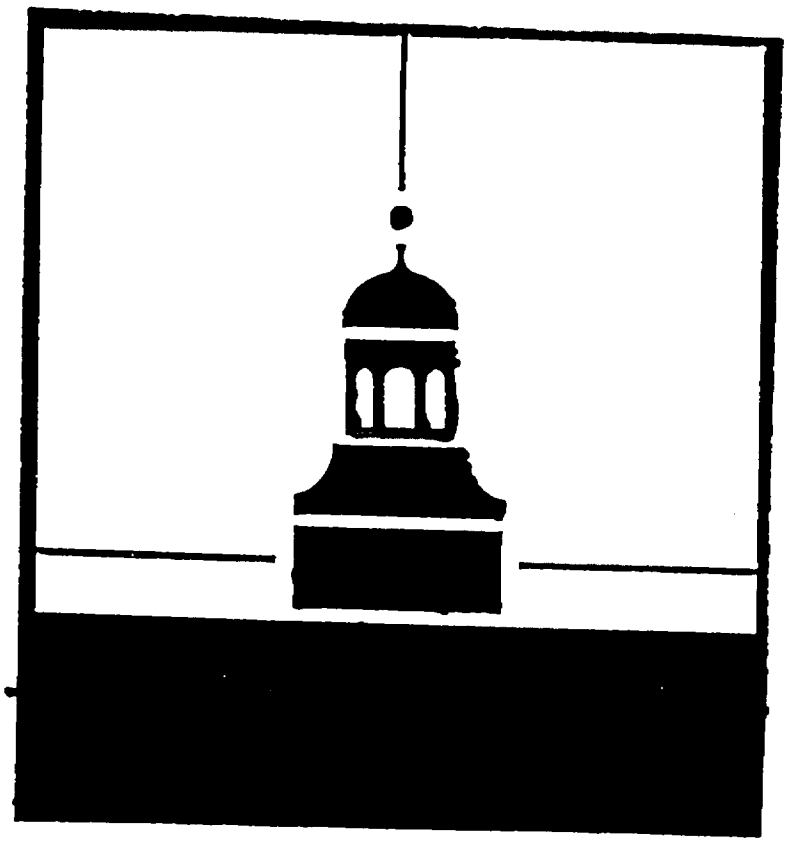
1815 Jan. - Feb Legislative Acts - Private

An act dissolving the marriage of Henry Rowan & Margaret his wife.

H. of R.
6. Jan. 1815. Read 1st time.
11. — — Read 2d. time
4 Feb. — Rejected.

An Act dissolving the Marriage of Henry Rowan and Margaret his wife

Be it Enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met that the Marriage Contract entered into by Henry Rowan and a Certain Margaret Lacky to whom he had been married be and the same is hereby dissolved and to be null and Void and the parties stand free and discharged from the marriage Contract and all the duties arising under the same as fully as if they had never been joined together in Marriage



END FILE

1815 Jan.- Feb. Legislative Bills [redacted] Lost

An act to authorize Francis Daumas to dispose of certain personal property by way of lottery.

H. of R.
30. Jan. 1815. Read.
9. Feb. — Read 2d. time, by paragraphs, and passed
J. G. Pirrinkle Clk

Sent for Concur.

In Senate
9 Feb. 1815 read and postponed till the next General Assembly
A. L. Hayes Clk

0806

An act to authorize Francis Daumas to dispose of certain personal property by way of lottery.

Whereas it has been represented to this general Assembly that Francis Daumas of Brandywine hundred in the County of Newcastle from various misfortunes has been deprived of a great part of his estate and has remaining on hand a considerable quantity of Plate, jewels and other personal property which from their nature he is unable to dispose of without making a great sacrifice and is desirous of making disposition of the same under the sanction of the Legislature by way of lottery:

Be it therefore enacted by the Senate and House of Representatives of the State of Delaware in general Assembly met that it shall and may be lawfull for the said Francis Daumas under the direction and management of the persons hereinafter named to institute carry on and draw a lottery for the purpose of disposing of such Plate jewels and other personal property

as the said Francis Damas may allot and determine on as prizes in said lottery provided the same does not exceed in value twelve hundred dollars

2. And be it further enacted that James Webb Esq. Hampton Williamson & Thos. Barron ~~be the~~ ~~Managers~~ or any two of them be and they are hereby appointed managers of the said lottery whose duty it shall be and it is hereby enjoined on them to cause the said Francis Damas to do and perform all such matters as the said managers or such of them as shall ~~act~~ the business as to them shall seem necessary and proper for the faithful execution and completion of the said lottery

Petition
of Lottery
Francis Dumas
H. of R. 1815

To the Honorable the Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of Francis Dumas of Brandywine hundred in the County of Newcastle late of the Island of Hispaniola,

Respectfully Sheweth,

That your Petitioner from various misfortunes has been deprived of a great part of his Estate to a large amount, and has yet remaining a considerable quantity of Plate Jewels and other personal property which from the nature he is unable to dispose of without making a great sacrifice, and is deserved of making dispose of the same by way of Lottries

Therefore requests your Honorable body to grant him that privilege, by passing a Law in his favor to that effect,

And your Petitioner as in duty bound will ever pray &c

F. Dumas

Brandywine hundred
Jany. 19th. 1815

We the undersigned are well acquainted with Frances Quinces Hawthorn Petitioner and all of queries that the facts stated in the Petition are correct and true.

Thomas Bradburn

Isaac Henderson

Johnson den

Martin Forester
Mary ann Lowe

Aaron Paulson

John Sellars

081

No. 7. Dumas' petition

H. of R.
27. Jan. 1815. Read & referred to
Messrs Williamson
Pleasanton &
Walter.

An Act to Incorporate the members of the African School Society of the Borough of Wilmington.

In Senate

11th Jan. 1815 read.
12. Jan. 1815 read 2d. time.
20. Jan. 1815 rejected on the question upon the 1st Section

C. L. Clay Clk

0819

0819

An Act for Incorporating the members of the "African School Society" of the Borough of Wilmington.

Preamble

Whereas a number of Persons have associated themselves under the denomination of The African School Society for the purpose of promoting the education of the people of Colour; and, Whereas the objects of the said Society would be better answered by endowing the Members thereof with the powers and privileges of a Corporate body

Section 1st

The African School Society Incorporated

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, that Evan Lewis, John Reynolds Liba Ferris, Isaac H Starr, James Brian, Benj.n Ferris Jonathan Lamborn, Daniel Byrnes Edward Gilpin, Nathan Bassett, Isaac Bonsall, Parker Askew jr. Joseph Grubb, Jesse Gause, Benj.n Betts Reuben Webb, John Doney Benj.n Webb, Jacob Aricks, Cyrus Newlin, John Bullock, Eli Hilles, Samuel Hilles Henry Hoopes, John Shipley, Edward Tatnall, Merrit Canby, Samuel Nichols, Moses Rea & William Seal and all those white persons who shall hereafter be and become members of the said "African School Society" be now, and hereafter shall be one body politic and Corporate in Deed and in Law to all intents and purposes and be known as such by the name and Style of the "African School Society".

Section 2.

Officers to be elected

And be it enacted that the members of the said Incorporation or so many of them as constitute a Board by their present Rules and Regulations shall meet on the fourth second day of the second Month next in the Town of Wilmington at their usual

place of meeting and then and there proceed to choose a Clerk and Treasurer and a Committee of Five Members to be denominated the Acting Committee, and such other Officers as the said Corporation may deem requisite for the management of the affairs thereof who shall continue in Office for the space of One Year or untill a new election of Officers shall be made by the said Corporation.

Their continuance in office.

Section 3d. And be it enacted that the Meetings of the said Corporation shall be held quarterly on the fourth Seventh day in the Second, Fifth Eighth and Eleventh months or at such other times as the said Corporation by their Bye Laws, Rules and Regulations may order and direct, and at any such meeting it shall and may be lawful for the Members of the said Corporation to make ordain and establish such Rules Regulations & Bye laws as may be necessary for the Government of the said Corporation and its officers, and to amend, alter or change the same as they may deem requisite and proper Provided that nothing herein contained shall be construed to authorize the said Corporation to exercise any Power repugnant to the Constitution of this State or the Laws thereof.

Meetings of the Corporation.

Proviso

Section 4th. And be it enacted that the Clerk, and Treasurer and Acting Committee and the other Officers, if any, of the said Corporation shall be capable of exercising such Powers for the management of the affairs of the said Corporation

Powers of the officers

as may be prescribed and determined by the Rules, Regulations or Byelaws of the said Corporation.

may hold property.

Section 5th And be it enacted that the said Corporation are hereby declared and made capable in Law and in equity to hold, take purchase receive possess and enjoy any Lands, Tenements, and heriditaments, Goods Chattels Rights Credits and Effects of what nature kind and quality soever to the amount of Thirty Thousand Dollars Lawful Money of the United States of America and no more, and to sell part dispose alien or demise the same in such manner and form and to such use as they shall and may deem proper for the purposes expressed in the Preamble to this Act and to no other purpose whatsoever.

& dispose of it again.

Powers and privileges of the Corporation

Section 6th And be it enacted, that the said Corporation be and shall hereafter be capable and able to do and execute all and singular such matters & things as Bodies Politic or Corporate may or can lawfully do, and to sue and to be sued — plead and be impleaded, answer and be answered unto — defend and be defended in Courts of Law and Equity and otherwise howsoever, and to have and use a Common Seal and to break and alter the same and to establish another with such device or devices thereon as they shall or may deem proper.

An Act to repeal
certain parts of an Act
entitled "An Act to
prevent injury by dogs
in New Castle County."

In Senate

6 Jan. 1815 read 1st time
10 Jan. 1815 read 2d time
11 Jan. 1815 read 3d time
by paragraphs and passed.

A.S. Hayes, Clk

(Transcribed)

An act, to repeal certain parts of an act entitled "An act to prevent injury by Dogs in Newcastle County.

Sect 1. Be it Enacted by the Senate, and House of Representatives of the State of Delaware in General assembly met. That the second, third, and fourth sections of an act entitled "An act to prevent injury by Dogs in Newcastle County" passed upon the fourth day of February Eighteen hundred and Eleven; and so much of said act as provides for the levying, a tax upon Dogs, and for the Collection & paying over of such Tax; be another Same is hereby repealed, made null, and void.

BEST SHOT AVAILABLE

A supplement to the act entitled "An act to prevent injury by dogs in New Castle county."

H. of R.

16. Jan. 1815. Read.

17. —— —— Read 2d time

27. —— —— Read 3d time, by paragraphs, and passed [illegible] H. of R.

Sent up [illegible]

In Senate

28 Jan. 1815 read.

3. Feb. 1815 read 2d time.

8. Feb. 1815 read 3d time by paragraphs and passed with amendments.

A. L. Hayes, Clk.

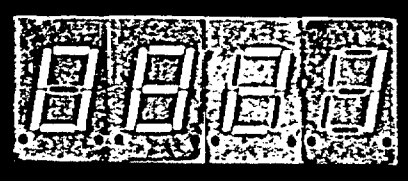
BEST SHOT AVAILABLE

A supplement to the act entitled "an act to prevent injury by dogs in New Castle county."

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That every person who shall keep or harbour about his or her house any dog or dogs above the age of three months, shall pay yearly and every year for one dog so kept or harboured, fifty cents and for every additional dog above one the sum of one dollar, and for every dog above two, two dollars, and for every bitch the sum of three dollars, although said bitch be the only dog kept: Provided always, That it shall and may be lawful for the assessors of their respective hundreds, or any of them to strike off from his book containing the names of those persons owning or harbouring any dog or dogs within the said hundreds, the name of any person who shall prove to the satisfaction of the said assessor that he, she or they have killed or caused to be killed such dog or dogs, before the delivery of a list of the said names to the commissioner of tax as is directed by the act to which this is a supplement.

Sec. 2. And be it enacted, That if any person shall wilfully neglect, refuse or evade to give a true account of the number or age of the dog or dogs bitch or bitches made taxable by this

BEST SHOT AVAILABLE



act or the act to which this is a supplement, and owned or harbourd by him or her, he or she shall be liable for the tax aforesaid and also be subject to a fine of ten dollars each for every dog so kept or harbourd and not returned to the assessor when by him required to be recovered by action of debt, with costs of suit before any justice of the peace of the county, as debts of the same amount are recoverable by the laws of this State, and shall be paid over by the justice of the peace before whom the conviction shall be had within thirty days thereafter to the treasurer of the trustees of the poor of Newcastle county, to and for the use of the poor of said county.

Sec. 3. And be it enacted, That it shall be lawful for any person to kill any dog belonging to any citizen of Newcastle county, which may be found chasing, worrying, wounding or killing any sheep or lamb, or that shall be found at any time running at large beyond the owner's premises without a collar affixed around his neck having the initial of the christian and the whole of the surname of the owner thereof legibly inscribed thereon.

Sec. 4. And be it enacted, That if any dog shall be found killing worrying or wounding any sheep or lamb, and the owner being infor-

BEST SHOT AVAILABLE

med thereof, and the same shall be made to appear by the oath or affirmation of the party complaining, or of any other competent witness, shall neglect or refuse to kill such dog or dogs for the space of twenty four hours thereafter, if the said dog or dogs shall have returned to the house of the owner within that time, such owner shall forfeit and pay to the trustees of the poor of Newcastle county, to and for the use of the poor thereof, the sum of five dollars to be recovered by an action of debt before any justice of the peace of the county, with costs; and moreover shall be liable to pay triple damages for the second offence committed by such dog or dogs to whomever may be injured thereby, and to be recovered in the same manner as debts of a similar amount now are, or hereafter shall be by the laws of this State recoverable

Sec. 5. And be it enacted, That it shall be the duty of the collectors of their respective hundreds, before they enter on the duties of their offices in collecting the tax on dogs authorized by this act and the act to which this is a supplement to give bond with two or more good and sufficient freeholders, jointly and severally, together with a warrant of attorney thereunto annexed for confessing judgment for the penalty therein contained, in the name of the trustees of the poor of Newcastle county, for

BEST SHOT AVAILABLE

the time being, to be taken and approved of by the commissioners of the Levy court and court of Appeals, at their meeting in March annually, in double the sum to be collected by such collector, conditioned for the true and faithful performance of his duty in the execution of his office according to law: And all monies collected by the said collectors for a tax on dogs, shall by the said collectors be paid over, yearly and every year to the treasurer of the trustees of the poor after deducting therefrom the fees allowed by the act to which this is a supplement and on or before the first tuesday of January next, and on the first tuesday of January annually in future, to be by the said treasurer expended in the support and maintenance of the poor of said county in the same manner, and according to the same rules and regulations, as now are or hereafter shall be by laws established.

Sec. 6. And be it enacted, That in case any of the said collectors shall neglect or refuse to give such bond and warrant of attorney as is directed by the fifth section of this act, if the collector for the hundred of Christiana, he shall forfeit and pay to the trustees of the poor of New-Castle county, for the time being, the sum of two hundred dollars, and

BEST SHOT AVAILABLE

if the collector of any of the other hun=
dreds of said county, the sum of one
hundred dollars, to be sued for and
recovered in the same manner as
debts of a similar amount now are
or hereafter shall be by the laws of
this State recoverable, and to be ap=
propriated to the support and
maintenance of the poor as afore=
said.

Sec. 7. And be it enacted, that Caleb
P. Bennet, the treasurer of New Castle
county shall and he is hereby required
within three months after the passing of
5 this act to pay to the treasurer of the trus=
tees of the poor of New Castle county all
the monies, which shall have come to
his hands in pursuance of the provisions
of the act to which this is a supplement;
10 and in case the said Caleb P. Bennet
shall neglect or refuse to pay over all
the monies, which have come to his
hands, under the authority of the a=
foresaid act within the time menti=
15 oned in this act, it shall and may be
lawful for the trustees of the poor of
New Castle county to proceed to the re=
covery of the same in the Supreme
Court or Common Pleas in and for
20 the county of New Castle, together with
three per cent per month for de=
fault of payment: and it shall be
lawful for the trustees of the poor of
New Castle county to demand and
25 receive from the collectors of the tax
or rates within the county of New Castle,
who have not paid the same into the

BEST SHOT AVAILABLE

hands of the treasurer of said county, and in case any collector or collectors, under the authority of the act to which this is a supplement shall for the space of three months after demand made by the trustees of the poor of said county, it shall and may be lawful for the trustees of the poor of said county to sue for and recover from such collector or collectors all such sum or sums of money which they shall have collected under the authority of the act to which this is a supplement together with three per cent per month from the time of demand made, in the Supreme court or court of Common Pleas and for the county of Newcastle.

Provided that nothing in this act contained shall extend to the dog or dogs of any person or persons not residing in Newcastle county.

Sec. 8. And be it enacted, That such parts of the act to which this is a supplement as are hereby altered, supplied or amended, be and the same are hereby repealed, made null and void.

A supplement to the act entitled "An act to prevent injury by dogs in New-Castle county."

H. of R.
16. Jan. 1815. Read.
17. — — Read 2d. time.
27 — — Read 3 time by paragraphs, and passed.

Transcribed

A Supplement to the act entitled "an act to prevent injury by dogs in New Castle county"

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in general Assembly met, That every person who shall keep or harbor about his or her house, any dog or dogs above the age of three months, shall pay yearly and every year for one dog so kept or harbored fifty cents ——— and for every additional dog above one, the sum of ~~two~~ one dollar and for every Bitch the sum of ~~three~~ dollars although said Bitch be the only dog kept — provided always, that it shall and may be lawful for the assessors of their respective Hundreds, or any of them, to strike off from his book containing the names of those persons, owning or harboring any dog or dogs within the said hundred, the name of any person who shall prove to the satisfaction of the said assessor that he she or they have killed or caused to be killed such dog or dogs, before the delivery of a list of the said names to the commissioners of tax as is directed by the act to which this is a supplement.

Sec. 2. And be it enacted, That if any person shall wilfully neglect, refuse or evade to give a true account of the number or age of the dog or dogs, Bitch or Bitches, made taxable by this ~~by the~~ act or the act to which this is a supplement, and owned or harbored by him or her, he or she shall be liable for the tax aforesaid, and also be subject to a fine of ten dollars each for every dog so kept or harbored and not returned to the assessor when by him required, to be recovered by action of debt with costs of suit, before any justice of the peace of the county, ~~by any person who may prosecute for the same~~.

amend.

Sec. 3. And be it enacted, That it shall be lawful for any person to kill any dog belonging to any citizen of Queen Anne's county which may be found chasing, worrying or wounding on killing any sheep or lamb, or that shall be found at any time running at large beyond the owner's premises without a collar affixed around his neck, having the initials of the christian and the whole of the surname of the owner thereof legibly inscribed thereon.

Sec. 4. And be it enacted, That if any dog shall be found killing worrying, or wounding any

sheep or lamb, and the owner being informed
thereof, and the same shall be made appear by the
oath or affirmation of the party complaining
or ~~of~~ of any other competant witness, shall
neglect or refuse
to kill such dog or dogs, for the space of
twenty-four hours thereafter, if the said dog or dogs shall
have returned to the house of the owner within
that time, such owner shall forfeit and
pay to ~~any person who shall sue for the~~
amend
~~use~~, the sum of five Dollars, to be recovered
by an action of debt before any justice of the
peace of the county, with costs; and moreover
shall be liable to pay theple damages for
the second offence committed by such dog or dogs
to ~~wrong~~ whoever may be injured thereby
and to be recovered in the same manner
as debts of a similar amount now are, or
hereafter shall be, by the laws of this state
~~collectable~~ recoverable.

Sec 5 And be it enacted, That it shall be the duty of the
collectors of their respective hundreds, before they
enter on the duties of their officer, in collec
ting the tax on dogs, authorized by this act

and the act to which this is a supplement to give Bond with two or more good and sufficient sureholders, jointly and severally together with a warrant of Attorney thereunto annexed for confessing judgment for the penalty therein contained, in the name ~~of the treasurer~~ of the trustees of the Poor of Newcastle county, for the time being, to be taken and approved of by the commissioners of the levy court and court of appeals, at their meeting in March annually, in double the sum to be collected by such collector, conditioned for the true and faithful performance of his duty in the execution of his office according to Law: and all monies collected ~~by the~~ said collectors for a tax on Dogs, shall by the said collectors be paid over, yearly and every year, to the treasurer of the Trustees of the Poor, after deducting therefrom, the fees ~~allowed~~ by the act to which this is a supplement to be by the said Treasurer, expended in the sup-
amend port and maintenance of the Poor of said county, in the same manner, and according to the same rules, and regulations, as now and hereafter shall be, by Law established —

Sec. 6. And be it enacted, that in case any of the said collectors shall neglect or refuse to give such bonds and warrant of attorney as is directed by the fifth section of this act, the collector for the Hundreds of Christiana, he shall forfeit and pay to ~~the Treasurer of~~ the Trustees of the Poor of New Castle county for the time being, the sum of two Hundred Dollars — and if the collector of any of the other hundreds of said County the sum of One Hundred Dollars — ~~Dollars~~ to be sued for and recovered in the same manner as debts of a similar amount now are ~~recoverable~~ or hereafter shall be by the Laws of this state recoverable, and to be appropriated to the support and maintenance of the poor as aforesaid

Sec. 7.

Sec. 8. And be it enacted, that such parts of the act to which this is a supplement as are hereby altered supplied or amended, be and the same are hereby repealed made null and void — — —

In Senate 8. Feb. 1815

Sec. 1. ..... After the enacting words strike out the rest of the section to the word "Provided" in the 13th line, and insert the following in lieu thereof "That every person who shall keep or harbor about his or her house any dog or dogs more than one above the age of six months shall pay yearly and every year for every dog so kept above one as aforesaid the sum of fifty cents and for each and every dog so kept above two the sum of two dollars, and for every bitch so kept, although the said bitch be the only dog kept, the sum of one dollar".

Disagreed to.

Sec. 2 - line 20 ... after the words "before whom the" ~~[illegible]~~ strike out the words "conviction shall be had" and insert in lieu thereof the words "same shall have been recovered".

Agreed to.

Sec. 3 Agreed to. Strike out this section.

Sec. 6 Agreed to. Strike out the word "fifth" and insert "fourth".

Sec. 7. .. line 18.. strike out ~~the~~ after the word "same", strike out the words "in the Supreme Court or Common Pleas in and for the County of New Castle" and insert in lieu thereof the words "in like manner as debts of an equal amount are or may be by the laws of this State recoverable".

Agreed to.

line 28. after the word "county", insert the words "all money by them or any one of them received for taxes upon dogs levied and paid into their hands".

Agreed to.

line 34. after the word "county", insert, "refuse or neglect to pay over all such sums received as

Line 43. after the words "demand made" strike out the rest of the section, and insert in lieu thereof "in like manner as debts of an equal amount are by the laws of this State recoverable"

Agreed to.

Extract from the journal.

C. L. Hayes, Clk.

Sent for concurr.

Provided that nothing herein contained shall extend to the dogs or dogs of any person or persons residing not in New Castle County

Sect 7 Be it enacted by the authority aforesaid that Caleb P. Bennett the Treasurer of Newcastle County shall and he is hereby required within three months after the passing of this act to the Treasurer of the Trustees of the Poor of Newcastle County all the moneys which shall have come to his hands in pursuance of the provisions of an act to which this is a supplement and in case the said Caleb P. Bennett shall neglect or refuse to pay over all the moneys which have come to his hands under the authority of the aforesaid act within the time mentioned in this act it shall and may be lawful for the Trustees of the Poor of Newcastle County to proceed to the recovery of the same in the Supreme Court or Court of Common Pleas for the County of Newcastle together with three per cent per month for any neglect of payment and it shall be lawful for the Trustees of the Poor of Newcastle County to demand and receive from the Collectors of the Tax on days within the County of Newcastle who have not paid the same into the hands of the Treasurer of said County and in case any Collector or Collectors under the authority of the act to which this is a supplement shall for the space of three months after demand made by the Trustees of the Poor of said County it shall and may be lawful for the Trustees of the Poor of said County to sue for and recover from such Collector or Collectors all such sums or sums of money which shall have been collected under the authority of the act to which this is a supplement together with three per cent per month from the time of demand made in the Supreme Court or Common Pleas for the County of Newcastle

~~and Be it enacted that so much of the act to which this is a supplement as is hereby altered shall be and the same is hereby repealed~~ made null and void

amendments to the 2d section after the words Justices of the Peace
of the "County" strike out " by any person who may prosecute for the
same " present " as debts of the same amount are recovered by
the laws of this State and shall be paid over by the Jailor of
the Peace before whom the Convicts shall be had within
thirty days thereafter to the Treasurer of the Trustees of the Poor
of Newcastle County to and for the use of the Poor of said
County

in 3rd & after the words " of costs and pay " strike out, the words " to
any person who may sue for the same " and insert the words
" the Trustees of the Poor of Newcastle County to and for the use
of the Poor thereof "

in 4th section strike out after the words " in the Treasury "
strike out the words " the Treasurer of " after the words " supplement " add in or
before the First Tuesday of January next and in the First
Tuesday of January annually in future

in the 6th section after the word warrant " add the words " or
of attorney " after the words " Costs and pay " strike out " the
Treasurer " ~~and insert the Trustees~~ after the words " Poor " add
" Newcastle County "

An act to alter the travelling expenses of the General Assembly.

H. of R.
9. Feb. 1815 Read
— — — Read 2. time, by paragraphs, by special order, and passed.
J. Gordon Brinckle Clk
Sent for con.

In Senate
Jan. 7. 1816.—

Read & rejected

An act to alter the travelling expenses of the General Assembly.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That, from and after the first tuesday of October next, there shall be allowed to each member of the General Assembly for travelling expenses the sum of three dollars for every twenty miles they or either of them shall have to go or return from the place where the General Assembly shall be held and so in proportion for any greater or less distance.

Sec. 2. And be it enacted, That so much of the act entitled "an act to increase the salary of the Chancellor and the daily allowance of grand and petit jurors, and for other purposes" as makes one day's allowance for going to and ~~returning~~ one day's allowance for returning from the place where the General Assembly is or shall be held, be and the same is hereby repealed.

An act for the settlement of certain claims therein mentioned. —

In Senate

10 Feb. 1815 read
10 Feb. 1815 read 2d time
10 Feb. 1815 read 3d time by paragraphs & passed.

A. L. Hayes, Clk.

Sent for con.
H. of R.
10. Feb. 1815. Rec'd.
— — — Read 2d. time by paragraphs, and rejected.

J. S. Brickett Clk.

An act for the settlement of certain military claims.

Sect. 1 Be it enacted, by the Senate, and House of Representatives of the State of Delaware in General Assembly met.

That James B. Black of the County of Newcastle, Andrew Barrett, of the County of Kent and Brigadier General Thomas Fisher of the County of Sussex, be, and they are hereby appointed a board of Commissioners; to audit, settle, and determine upon all claims existing for military services rendered, and for munitions of war, or other materials furnished for defence of this State. Who, or any two of them are authorized, and required, after a full, and fair examination of such accounts to endorse thereon their allowance, or disallowance. and return the same, together with their proceedings generally; to the next January Session of the General Assembly.

Sect. 2. And be it further enacted.

That the said board of Commissioners are hereby authorized to meet when, where, and as often, within the ensuing year, as the nature of their appointment may require. First, and before any such meeting, they shall give twenty days public notice of the time, and place, in the Watchman, and in the Delaware Gazette Printed in the borough of Wilmington, and at such time, and place, the said Commissioners, or any two of them shall have the power, and authority in this act granted. —

Sect 3 And be it enacted that, the Clerk of the Senate and the clerk of the H. of Rep. be and they are hereby authorized, and required, that the first meeting of the board of Commissioners, to lay, or cause to be laid before them all accounts for military services, for ammunition of war, and other materials furnished ~~for~~ and generally all other accounts which have been presented to the Legislative Assembly at its present Session, for the defence of this State.

Sect. 4 Be it enacted by the authority aforesaid

That Peter Connely, the Auditor of accounts be, and he hereby is required to attend the af.d board of Commissioners at their and during their several meetings held under the authority of this act. or as often, and as long as the said board of Commissioners may deem ~~necessary and proper.~~ his aperance necessary, and proper.

Sect. 5 Be it Enacted,

That the said Commissioners shall be allowed three dollars p.r.diem, each. for every days attendance under authority of this act. by attesting, and presenting their several accounts to the next Gen.l Session of the General assembly.

0848

An act to authorize the Governor to appoint an additional number of justices of the peace in the several counties of this State.

H. of R.
2. Feb. 1815. Read.
4. — — Read 2d. time.
9. — — Postponed to the 10th
10. — — Rejected.

An Act to authorize the Governor to appoint an additional Number of Justices of the Peace in the several Counties of this State.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met two thirds of the Members of each House consenting to and approving thereof. That the number of Justices of the Peace shall be increased so that there shall be not more in Commission at the same time in the County of New Castle than Nineteen, and in the County of Kent Eighteen, and in the County of Sussex ~~[illegible]~~ Twenty

0844

An act for the payment of certain claims therein mentioned;

Whereas it appears that accounts exists unpaid, in the hands of Captains, and commanding officers of companies, for money advanced by them for music, and musical Instruments upon the faith of an act of the General assembly of this State, entitled "an act to establish an uniforme militia throughout this State", passed upon the 10th day of August 1807. – and whereas, the act of assembly passed upon the 23d day of May 1812 and supplementary to the aforesaid act, has been construed to effect the validity of such claims, by abolishing the office of Commissary of military stores. and rendering it unlawful to collect from any Person, ~~a Person~~ a fine or forfeiture for neglect of military duty: incurred, or imposed before the passing of said act. – Therefore

Sect 1 ~~Be it~~ Be it enacted by the Senate, and House of Representatives of the State of Delaware in general assembly met. That all accounts in the hands of Captains ~~&c~~ or commanding officers of Companies, or Troops of Horse, for money by them advanced for music, ~~or~~ musical Instruments; and duly certified, as is directed by the several provisions of the act entitled "an act to establish an Uniforme Militia throughout this State" passed upon the 10th day of August 1807. ~~are~~ be, and the same are hereby declared to be ~~placed~~ upon the same footing, and in the same condition as similar accounts now are, which have arisen, and been created in like manner, since the passing of the aforesaid supplementary act: and liable, and subject to be paid by the Bounty Treasurer of the respective Counties of this State, out of any Money which now is, or which may hereafter come into their hands for Militia

An act for the payment of certain claims therein mentioned.

In Senate

25 Jan. 1815 read
26 Jan. 1815 read 2d time
31 Jan. 1815 read 3d time
by paragraphs & passed.
Smith pr Com.
A. L. Hayes, Clk.

H. of R.
31. Jan. 1815. Read.
1. Feb. — Read 2d time.
6. — — Read 3d time
by paragraphs and non-concurred in.
J. S. Pirie Act. Clk.

Issues collected within State towards Quarterly Expenditure, in the Year, in the Schedule set out in Schedule annexed to this Act, entitled an Act for ascertaining the Public Expenditure of State" contained to the contrary in any Law notwithstanding.

providing for the
[illegible] for [illegible] of the
[illegible] government

In Senate.

24 Jan. 1815 read.
30 Jan. 1815 read 2d time.
8 Feb. 1815 read 3d time
by paragraphs and
Engr. passed
C. L. Hayes, Clk
Sent for conc.
H. of R.
9. Feb. 1815. Read.
10. — — postponed to
the next session.

9 Jan. 1816 read
10 " " read 2d time
30 " " rejected.

C. L. Hayes.

An act, providing for a removal of the Seat of Government, —

Sect. 1. Be it enacted by the Senate, and House of Representatives of the State of Delaware, in general assembly met, — That the General Assembly meet at their next session, in the Town Hall, ~~or at such other place in the Borough~~ of Wilmington ~~as may be provided for their reception, by the Corporation, or other proper authority of said Borough~~: and that the Clerk of the Senate, and the Clerk of the House of Representatives be, and they are hereby directed to cause to be removed, and to superintend the removal of all books and papers ~~and furniture~~ belonging to their houses respectively: and have the same deposited safely in such apartments in the town hall as shall, or may be provided for their reception by the ~~the~~ Borough Council ~~or other proper authority of said Borough~~ — Provided however, —

Sect 2 And be it enacted, That if the Borough Council, ~~or other proper authority~~ of the said Borough of Wilmington will, at their own proper cost, and charge, fit up, or cause to be fitted up, one suitable Chamber for the reception of the Senate, and one other suitable apartment for the use of the House of Representatives together with the proper and ~~[illegible]~~ belonging to the two houses respectively, in the Town Hall of the said Borough, ~~in a convenient suitable and convenient place within the limits of the said Borough~~; and of such readiness to receive and accomodate the two branches of the General Assembly, will notify the Governor of the State on or before the 4th day of July next, of the time hereof: Then, and in that case, this act, and its several provisions to be in full force, and effect otherwise to be null, and void to all intents and purposes. —

Sect 3. And be it Enacted,

That when, and as soon as the Governor of this State shall receive official notice from the Borough Council, of the Borough of Wilmington [illegible] that provision has been made for the reception of the two houses of the General Assembly, together with all Books & Papers, [illegible] belonging to the same, according to the provisions of this act. Then, and in such case he is hereby authorized, and required by his proclamation to announce the intended removal of the Seat of Government from the Town of Dover in Kent County, to the Borough of Wilmington in the County of Newcastle; and upon the issuing of such proclamation the Clerks of the two houses respectively shall forthwith proceed to the removal of the Books & Papers, [illegible] of their respective houses, to the said Borough of Wilmington. where the General Assembly shall thenceforth and ever hereafter Convene.

A Supplement to the Act entitled "An Act to incorporate a number of Physicians of the State of Delaware and for other purposes"

In Senate

18 January 1815 read.
19 Jan. 1815 read 2d time
9 Feb. 1815 postponed till next session.

A. Lofthouse, Clk.

In Senate. —

A supplement to the Act entitled "An Act to incorporate a number of Physicians of the Delaware State and for other purposes therein mentioned"

Whereas the Act of Assembly heretofore passed to incorporate a number of Physicians of this State has been found insufficient to answer all the objects of the incorporation and more especially, for the preventing of the Citizens of this State from risking their lives in the hands of ignorant practitioners, or pretenders to the healing art, therefore:

Sec. 1st. Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met. That it shall and may be lawful for the said
4 Medical faculty, or any number of them when assem-
-bled according to the rules and provisions of their incorporation, to elect by ballot, nine persons of the greatest medical and chirurgical skill in the State, who shall be styled "The Medical Board of Examiners for the
9 State of Delaware", of whom one at least shall be taken from each of the Counties of this State, whose duty it shall be to grant Licenses to such Medical & chirurgical gentlemen, as they, either upon a full examination, or the production of diplomas from

some respectable College, may judge adequate to the practice of Medicine and Chirurgy; each person so obtaining a License to pay a sum not exceeding ten dollars to be ascertained by the faculty. Provided nevertheless, that nothing herein contained shall be construed to apply to any person who has been a regular practitioner of Medicine within this State before the passing of this supplement.

Sec. 2. And be it enacted that a majority of the said Board of Examiners shall constitute a Board for examining such candidates as may apply within this State, and shall subscribe their names to each certificate of competency, or License, by them granted which certificate or License shall also be countersigned by the President of the Faculty, and have the seal of the Faculty affixed thereto by the Secretary, on payment into the hands of the Treasurer the sum of money to be ascertained as aforesaid by the faculty; and any of the said Examiners may grant a License to practice until a Board in Conformity to this Act can be convened.

Sec. 3 And be it enacted by the authority aforesaid, that after the appointment of the aforesaid Medical Board no person not already a practitioner of Medicine or

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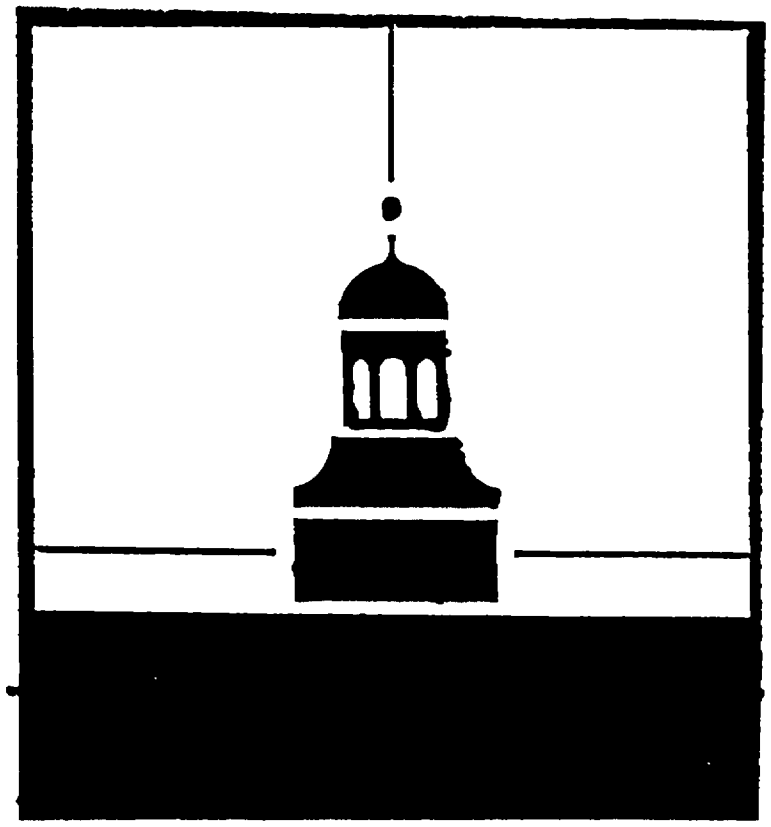
surgery within this State shall be allowed to practice
in either of the said branches, and receive payment
for his services, without first having obtained a License
certified as by this Law directed, under the penalty
of fifty dollars for each case in which he shall so
9 practice or prescribe, to be recovered in the Court of
General Quarter Sessions of the peace and Gaol delivery,
where the offence is committed, by indictment, one half
11 for the use of the Faculty, and the other for the use of the
informer. Provided that nothing herein contained
shall extend to prohibit any person, during his actual
residence in any other State, and who by the Laws of the
State wherein he may reside, is authorized to practice
Medicine or Surgery, from practicing in this State



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1815 Jan.- Feb. Legislative [redacted] Communications

Dear Sir

Washington Jany 23? 1815

The Governor of Delaware in his Message delivered to the Legislature on the fourth of the present month, after referring to the expenditure of the State in military operations during the year eighteen hundred and thirteen as transmitted to the Secretary of War says "Our Representatives in Congress have been written to and requested to urge the settlement of this claim but no answer has been received from them" — I consider it a duty I owe to myself to declare to you and through you to the Senate of Delaware that I have not received any official communication from the Governor requesting me as one of the Representatives in Congress to urge the settlement of said claim — In March last I received a letter from the Governor which I believe was in answer to a letter I had written the Secretary of State requesting said claim to be forwarded as soon as it could be prepared —

It is not in my power now to

refer to that letter from the journals, but from my recollection of its contents, I think it was altogether of a private nature & had no relation to said claim further than by referring to it as then being in the hands of the auditors of accounts and that it would be soon forwarded to the Secretary of War

about the last of March or first of April last I received a letter from the Secretary of State in which he informed me that said claim had been forwarded to the Secretary of War and probably might have requested my colleague and myself urge the settlement thereof — In a few days after I received this letter I called on the Secretary of War (Mr Armstrong) to know whether the papers containing said claim had been received and to ascertain what were the prospects of having it liquidated & paid —

The Secretary of War then informed me that the accounts relating to said claim had been received and were in the hands of the accountant of the War department, and as soon as they were adjusted, he

0855

would communicate in the result.

Congress adjourned in a short time after I had this conversation with the Secretary of War, and I heard nothing further from him upon the subject. During the present Session of Congress I have not received any communication from the Governor in relation to said claim or any other subject. It is perhaps scarcely necessary to remark that on the 13th of October last I submitted a Resolution calling on the Secretary of War for a report on the claims of the several States for expenditures in military operations, which was adopted by the House of Representatives.

Three months having elapsed & the Secretary of War not having reported upon said claims I submitted some days ago a Resolution directing him to state the reasons why he had not made said report, which the House of Representatives did not think proper then to act on, and the Resolution was ordered to be laid upon the table.

As the paragraph aforesaid in the Message of the Governor seems calculated to

give an impression that the Representatives of Delaware in Congress have not attended to the request which the Governor alledges to have made in relation to said claim. I have deemed it proper to make this communication.

I pray you to present it to the Senate.

I have the honour to be with great respect
Your ob. Thomas Cooper

Hon
Jesse Green
Speaker of the Senate
of Delaware

Letter
from
Thos. Cooper Esq.
to Senate
31 Jan. 1815 read.

0857

Washington - 23 January 1815

Sir:

In the message of the Governor delivered to the General Assembly of the State of Delaware on the 4th of the present month, is the following paragraph viz: "The "Auditor on the 18th of March last, furnished me with an account of our ex= "penditures in military operations during the year 1813 amounting to 30.619 "dolls. and 79 cts. — Agreeably to a resolution of the Legislature I transmitted "the same to the Secretary of War, with a request that the President would provide "for the reimbursement of that sum to the State, or that the account should be laid "before Congress. Our Representatives in Congress have been written to and re= "quested to urge the settlement of this claim, but no answer has been received "from them" —

I was in the gallery of the House of Representatives when this message was read; and was then inclined to think that I was not included in the term "our repre= =sentatives in Congress", because I had not at that time taken my seat in Congress during the present session, and I supposed the Governor, during my absence from Washington, had written to some of the other gentlemen who represent the State in the Legislature of the United States. I had not an oppor= =tunity of reading the message till yesterday, when I met with it in the "Ame= =rican Watchman" of the 18th Inst. and have attentively perused it. As the words above quoted are so very general and as I am informed by our Senators and my colleague in the House of Representatives, that during the present session of Congress, the Governor has not written to them or either of them on the subject above mentioned, upon reflection I cannot but suppose that I am comprehended in the terms used. I therefore consider it a duty that I owe myself to declare to you and through you to the Senate over which you preside, that I never have either directly or indirectly in writing or orally or in any other manner whatever, at any time, received any com= =munication, from the Governor or any other person for him relating in any wy

way to the subject mentioned in the paragraphs above quoted. —

Under the circumstances attending the resolution concerning, and the transmission of, the account of expenditures of the State in military operations during the year 1813, I have never deemed it my duty to interfere therewith. Neither the Legislature nor the Governor thought proper to make the representations in bearing the channel of communication of that account to the Government of the United States, or to give them any instructions or communicate with them at all upon that subject.

I pray you to be good enough to present this communication to the Senate of the State of Delaware.

I have the honour to be,
Sir,
Very respectfully
Your ob.t Serv.t
A. McKinsey

The Hon:
Jesse Green
Speaker of the Senate
of the State of Delaware

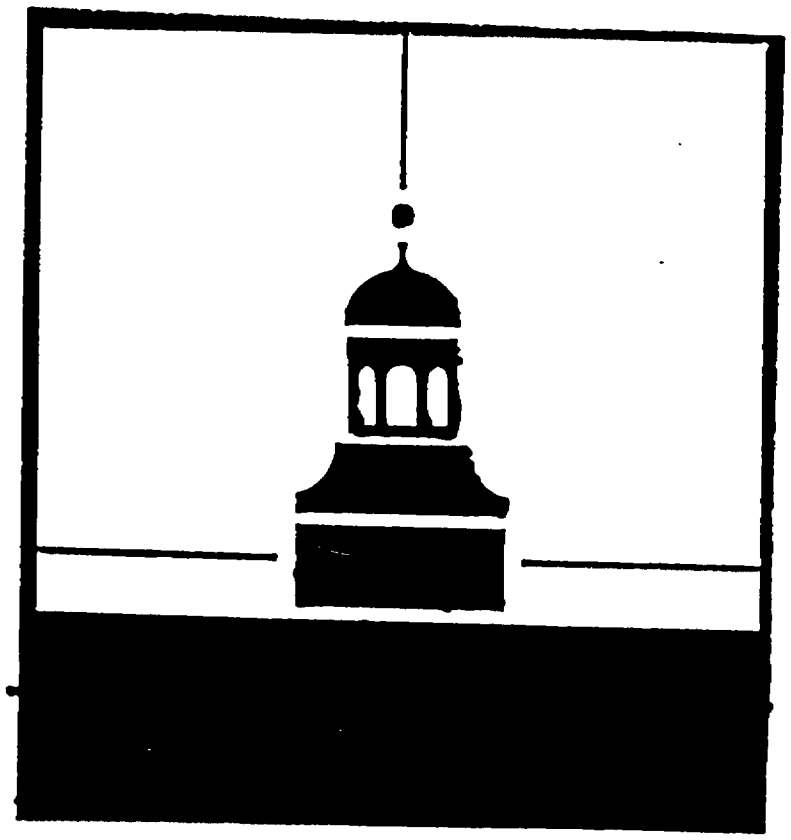
Letter
from
H. W. Ridgely Esqr.
In Senate
31 Jan. 1815 read.

The Hon.
Jesse Green
Speaker of the Senate
of the State of Delaware
Dover

Papers transmitted by the Governor, and referred to in his message of 4th January 1815.

In Senate
5th. January 1815 read.

10. On motion - amended by ~~adding~~ inserting between the words mover & if seconded the words "if required by the Speaker or any member - N.B. & pointing - 11 page



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1815 Jan.-Feb. Legislative Governor's Message

The Senate and House
of Representatives
From the
Governor 1815.
Message Jan 4. read
in Senate.

102.

Gentlemen of the Senate
and Gentlemen of the House of Representatives

The Fruitful dispensation of Providence, in producing great and mighty changes, as well in the political, as in the physical, and moral State of Man, should prepare our minds at all times to submit to them, with the deepest Humility; and to support with fortitude that state of Trial which may await us. The advancement which we have made, from a State of Colonization, to that of an Independant sovereignty, and self Government, seems to be much in the common course of human affairs; but whether our future progress, may be directed, in the same natural order, increasing in Prosperity, and Happiness; or whether we may be involved in the lot of all human Calamities, must, under God, depend upon the wisdom and virtue of the People, and of our Rulers. Deeply impressed by the complaints, and conflicting opinions, of different sections of the Union, I cannot but lament, that growing division in sentiment, which, it is much to be apprehended may be a prelude to a separation of the States. Unless we should be connected by one common interest, it is almost impossible that we should remain united in the bonds of affection; and if a sentiment of hostility, or even of unkindness, should be felt by the different States, or by any of them, to each other, it is much to be feared that our boasted union, will be dissolved in less time than was employed in its Creation. None of us are strangers to the proposed call of a convention, in several of the New England States, and to the actual assemblage of that Body; Upon Prudence and Moderation, and upon the kind national forbearance of the Government of the

United States, and their readiness to remove any actual Grievance, or oppression, which those or other States may feel, rests, the happiness of the Citizens, and perhaps the existence of our Republican Government — It behoves us then Gentlemen, and every man who loves his country, on the one hand, to watch with a jealous eye, every measure which may indicate a violation of the Charter, by which we have Confederated, for the preservation of our Liberties, and on the other hand, we should cheerfully cooperate in all those plans which wisdom may dictate, which Public necessity may require, and which may be sanctioned by the Constitution. The Constitution should be the limit, and beyond that no consideration will justify the Government in proceeding, nor the People in submitting; but the redress should be obtained by peaceable and legal means. For the violation of the Constitutional rights of any individual, the Courts of Law can give redress, for notwithstanding we are in a state of War; notwithstanding the vigour, such a condition may require, the Constitution is competent to every event. It arms the Government with sufficient energy to call forth the power of the Nation; and at the same time it has so defined the extent of authority, and has so cautiously guarded, the rights and privileges of every citizen, that if the power of Government should be exceeded, or if wrong should be done, the Judicial Authority will know where to impose the restraint, and to administer the redress.

It is impossible to foresee every measure, which the financial embarrassments of the Government of the United States, may induce the Congress to adopt. A proposition has been made

in the House of Representatives, to consider the propriety of making Treasury Notes, Bank Bills, or Bills of Credit, to be emitted in some form, under the Sanction of Law, a Legal Tender. The House very wisely refused to consider the Subject; but we do not know how soon Opinions may change; and I am persuaded, should paper money, in any shape, or under any name, be made a legal tender, that the ruin of hundreds will be the consequence, and especially of those citizens, who are the least capable, to guard against its pernicious effects. Such a law tho', I am thoroughly convinced would exceed the Powers of Congress. In examining the Constitution, we find that Congress may, "Coin Money, regulate the value thereof, and of foreign Coin," but there is not an expression which implies, that any thing but Gold or Silver, or some precious metal can be made money, and the clause which authorizes Congress, to make all laws necessary for carrying into execution the powers granted by the constitution, cannot by any fair construction, be enlarged beyond the specific objects. Money is metal stamped, and legitimated; and nothing but metal thus stamped and legitimated, can be made money. The States are restrained from emitting Bills of credit, or making any thing but Gold and Silver coin, a legal Tender, in payment of Debts, I therefore recommend to you the passing of an Act to prevent, in the very spirit of the Constitution, the payment of Debts by any thing but Gold or Silver, and at the same time, so to protect Debtors, without impairing the Obligation of Contracts, as not to leave them totally at the mercy of those, who may be disposed to exact more than the situation of the Country can afford.

The Address of the twelfth of February last, which was passed by a majority of two thirds, of all the Members, of each branch of the Legislature; for the removal of Isaac Davis Esquire a

Judge

Judge of the Supreme Court, and of John Way Esqr a Judge of the Court of Common Pleas, received my most mature Deliberation. On this subject, involving a great constitu=tional question, I applied to the Chancellor, to the Chief Justice of the Supreme Court, and to the Chief Justice of the Court of Common Pleas, for their advice. The two Chief Justices, declined from motives of delicacy, giving any Opinion. The opinion of the Chancellor concurred with my own; and I now lay before you those reasons which governed me, in not complying with that address. The question was, "what is a reasonable cause" to remove any of the Judges, under the sixth article of the Constitution? It appeared to me that the reasonable cause mentioned in the Constitution, must be a cause applicable to the Chancellor or Judge, not sufficient for his impeachment, but which shews that he is unfit, disqualified or inca=pable of performing the duties of his Office. For illustration I will state the cases, of great Moral depravity, of Mental derangement, or of continued bodily Infirmity. The latitude of expression "for any reasonable cause" may seem to imply any cause, which two thirds of all the Members of each branch of the Legislature, and the Governor, may deem reasonable, whether connected personally with the Officer or otherwise happening; but when the words "any "reasonable cause" are explained by the words "which shall not be a sufficient ground of Impeachment," the reasonable cause cannot be referred to any other, than such as has a personal application. Causes of Impeachment are Treason, Bribery, or any high crime or Misdemeanor, in Office; These all relate to the Officer himself.

The

The causes of removal are such as are not impeachable, and relate equally to the Officer, because the words, "which shall not be a sufficient ground for Impeachment" are used to contradistinguish those causes from those of Impeachment; and provide for cases which do not involve impeachable cases of Criminality, but merely the unfitness, or incapacity of the Officer, from whatsoever causes such unfitness, or incapacity may arise.

The collection of the United States tax, last year, it is believed, operated unequally on the respective counties of this State, and that the per centage on the assessments of Kent and Sussex was much greater, than the per centage in New Castle. The Tax was laid on property, and it is unjust that property in one County, should pay more than property in another County. No fault however can be attributed to Congress. In rating the proportions of each County, they adopted the proportions, established and acted on in the State. If we look back we shall find great variations in the proportions of the different counties, sometimes they have been rated equally; at other times a small difference has been made, and for some years past they have stood on their present footing. Our State tax has generally been so small, and being laid upon personal as well as real property, it has been so little felt that few have complained, but the case is now likely to be much altered. The Government of the United States is about to increase the direct tax five hundred per cent, which will impose a great burthen, on the holders of real property in Kent and Sussex, unless you Gentlemen establish a more equal rate of taxation through the State. I submit this matter to your early, and serious consideration.

I have received from the Governor of the States of Tennessee, and Pensylvania, Resolutions of their respective Legislatures proposing an amendment to the Constitution of the United States,

by limiting the Term of Senators of the United States, to four instead of six years. The States of Massachusetts, New Hampshire and Vermont, by the Votes of their several Legislatures, transmitted to me, have declared such an Amendment inexpedient, and I persuade myself that you Gentlemen will express your disapprobation of the proposed Alteration.

The Auditor on the Eighteenth of March last furnished me with an account of our Expenditures, in Military operations during the Year Eighteen hundred and thirteen, amounting to $30.619.79 cents; agreably to a resolution of the Legislature I transmitted the same to the Secretary at War, with a request that the President would provide for the reimbursment of that sum to the State, or, that the Accounts should be laid before Congress; our Representatives in Congress have been written to, and requested to urge the settlement of this claim, but no answer has yet been received from them.

By the last advices from Ghent, which have come to my knowledge, the prospects of peace do not assume very flattering; and it is probable the continuance of the War, at least for another Campaign, will depend on Events in Europe, rather than upon any Measures of our Government. So far then Gentlemen as the limited means of the State will permit, we should provide for any exigency that may happen the next Spring, or Summer. An Appropriation of money should be made; and altho' it is the duty, and I confidently expect the General Government will continue their exertions for our Protection, and defence; yet it is not to be supposed that no instance will occur, requiring the Expenditure of money on the part of the State.

The repairing and safe keeping of the public arms, and Military Stores, will necessarily create some expence; and any attempt of the Enemy, will demand a speedy opposition of force. If there should be no occasion for the money you may appropriate, it will remain in the Treasury. The Militia that have been called in to the Service of the State by my order, the last campaign do not amount to more than one company, for two months; the requisitions that I have made upon them, have been obeyed with the utmost alacrity and promptitude, notwithstanding it was known, that no money had been placed at my disposal, either for their pay or rations. Permit me Gentlemen to request you will speedily provide for the payment of those, and all other fair and just demands, for Military services, or for supplies furnished, either the last year or the year preceding it.

This is the first opportunity since the Splendid Victory obtained by the Gallant Mr. Donough, over the Fleet of the Enemy on Lake Champlain, which I have had to offer you my Congratulations on this second heroic Atchievement, of a native citizen of Delaware. It is a source of great pleasure, and is honorable to the State, to find her citizens among the foremost in noble Actions; and I trust Gentlemen, that you will testify your Satisfaction by some ~~disinterested~~ distinguished mark of approbation.

Dover. January the 4th 1814. Dav.d Rodney

The papers referred to in this Address, and other papers relative to our Military ~~situation~~ affairs, and also the Acts and Journals of Congress, will be presented to you by the Secretary of State.

The adjutant Genl will lay before you, the Day rolls, and returns of the Militia, and of the Arms, and Military Stores.

Governor's Message

H. of Rep's
4 Jan. 1815. Read.

182.

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Gentlemen of the Senate

And Gentlemen of the House of Representatives

The Eventful dispensations of Providence, in producing great and mighty changes, as well in the political, as in the physical and moral State of Man, Should prepare our minds at all times to submit to them, with the deepest Humility; And to support with fortitude that State of Trial which may await us. The Advancement which we have made, from a State of Colonization, to that of an independant Sovereignty and Self Government, seems to be much in the common course of human affairs; but whether our future progress may be directed, in the same natural order, increasing in prosperity and Happiness; or whether we may be involved in the Cast of all human Calamities, must under God, depend upon the Wisdom and virtue of the people, and of our rulers. Deeply impressed by the Complaints and Conflicting Opinions, of different Sections of the Union, I cannot but lament, that growing division in Sentiment, which it is much to be apprehended may be a prelude to a Separation of the States. Unless, we should be Connected by one Common interest, it is almost impossible that we should remain United in the bonds of affection; and if a Sentiment of hostility, or even of unkindness, should be felt by the different States, or by any of them, to each other, it is much to be feared that our boasted Union, will be dissolved in less time than was employed in its Creation. None of us are strangers to the proposed Call of a Convention, in several of the New England States, and to the Actual Assemblage of that Body; Upon their prudence and Moderation, and upon the kind paternal forbearance of the Government of the United States, and their readiness to remove any actual Grievance, or oppression, which those or other States may feel, rest, the happiness of the Citizens

and perhaps the existence of our Republican Government.

It behoves us then Gentlemen, and every Man who loves his Country, on the one hand, to watch with a jealous eye every Measure which may indicate a Violation of the Charter, by which we have Confederated, for the preservation of our Liberties, and on the other hand, we should cheerfully Cooperate in all those plans which wisdom may dictate, which public necessity may require, and which may be sanctioned by the Constitution. The Constitution should be the limit, and beyond that no Consideration will justify the Government in proceeding, nor the people in Submitting; but the redress should be obtained by peaceable and legal means. For the Violation of the Constitutional rights of any individual, the Courts of Law can give redress, for notwithstanding we are in a State of War; notwithstanding the rigour, such a Condition may require, the Constitution is Competent to every event. It arms the Government with sufficient energy to call forth the power of the Nation; and at the same time it has so defined the extent of Authority, and has so cautiously guarded, the rights and privileges of every Citizen, that if the powers of Government should be ~~[illegible]~~ exceeded, or if wrong should be done, the Judicial Authority will know where to impose the restraint, and to administer the redress.

It is impossible to foresee every Measure, which the financial embarrassments of the Government of the United States, may induce the Congress to adopt. A proposition has been made in the House of Representatives, to Consider the propriety of Making Treasury Notes, Bank Bills, or Bills of Credit, to be emitted in some

form, under the Sanction of Law a Legal Tender. The House very wisely refused to consider the subject; but we do not know how soon opinions may change, and I am persuaded, should paper Money in any shape or under any name, be made a legal tender, that the ruin of hundreds will be the Consequence, and especially of those Citizens, who are the least Capable, to guard against its pernicious effects. Such a Law tho' I am thoroughly Convinced would exceed the powers of Congress. In examining the Constitution, we find that Congress may, "Coin Money, regulate the value thereof, and of foreign Coin;" but there is not an expression which implies, that any thing but Gold or Silver, or some precious Metal, can be made Money, and the Clause which Authorizes Congress, to make all laws necessary for carrying into execution the powers granted by the Constitution, Cannot by any fair Construction, be extended beyond the specific objects. Money is Metal stamp'd and legetimated; and Nothing but Metal thus stamp'd and legetimated, can be made Money. The States are restrained from emitting Bills of Credit, or making any thing but Gold and Silver Coin, a legal Tender, in payment of debts. I therefore recommend to you the passing of an Act to prevent, in the very spirit of the Constitution, the payment of Debts by any thing but Gold or Silver, and at the same time, so to protect Debtors, without impairing the obligation of Contracts, as not to leave them totally at the Mercy of those, who may be disposed to exact more than the situation of the Country can afford. The Address of the twelfth of February

"last, which was passed by a Majority of two thirds, of all the Members of each branch of the Legislature; for the removal of Isaac Davis Esquire a Judge of the Supreme Court, and of John Way Esquire a Judge of the Court of Common Pleas, received my most mature deliberation. On this subject involving a great Constitutional question, I applied to the Chancellor, to the Chief Justice of the Supreme Court, and to the Chief Justice of the Court of Common Pleas, for their advice. The two Chief Justices, declined from Motives of delicacy, giving any opinion. The opinion of the Chancellor Concurred with my own; And I now lay before you those reasons which governed me in not Complying with that address. The Question was "what is a reasonable Cause" to remove any of the Judges under the Sixth Article of the Constitution. It appeared to me that the reasonable Cause Mentioned in the Constitution, must be a Cause applicable to the Chancellor or Judge, not sufficient for his impeachment, but which shews that he is unfit, disqualified or incapable of performing the duties of his office. For illustration I will state the Cases, of great Moral depravity, of Mental derangement, or of Continued bodily Infirmity. The Latitude of expression "for any reasonable Cause" may seem to imply any Cause which two thirds of all the Members of each branch of the legislature, and the Governor may deem reasonable, whether Connected personally with the Office or otherwise happening; but when the words "Any reasonable Cause" are explained

by the words "which shall not be a sufficient ground of impeachment;" the reasonable cause cannot be referred to any other, than such as has a personal application. Causes of impeachment are Treason, Bribery, or any high Crime or Misdemeanor, in office; these are relate to the officer himself. The Causes of removal are such as are not impeachable, and relate equally to the officer, because the words "which shall not be a sufficient ground for impeachment" are used to contradistinguish these Causes from those of impeachment: and provide for Cases which do not involve impeachable Cases of Criminality, but merely the unfitness, or incapacity of the officer, from whatever Causes such unfitness, or incapacity may arise.

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years past they have stood on their present footing. Our State tax has generally been so small, and being laid upon personal as well as real property, it has been so little felt that few have complained, but the case is now likely to be much altered. The Government of the United States is about to increase the Direct tax One hundred per Cent, which will impose a great burthen on the holders of real property in Kent and Sussex, unless your Gentlemen establish a more equal rate of taxation throughout the State. I submit this matter to your early, and serious consideration.

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The Auditor on the Eighteenth of March last furnished me with an account of our Expenditures, in Military operations during the year Eighteen hundred and Thirteen, amounting

to $30.619.79 Cents; agreeably to a resolution of the Legislature I transmitted the same to the Secretary at War, with a request that the President would provide for the reimbursement of that sum to the State, or, that the account should be laid before Congress; our Representatives in Congress have been written to, and requested to urge the settlement of this Claim, but no answer has yet been received from them. By the last advices from Ghent, which have come to my knowledge, the prospects of peace do not appear very flattering; and it is probable the Continuance of the War, at least for another Campaign will depend on Events in Europe, rather than upon any measures of our Government. So ~~far~~ far then Gentlemen as the limited means of the State will permit, we should provide for any exigency that may happen the next Spring or Summer. The ~~appropri~~ of Appropriation of Money should be made; and altho' it is the duty, and I confidently expect the General Government will continue its exertions for our protection and defence; yet it is not to be supposed that no instance will occur, requiring the Expenditure of Money on the part of the State.

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force. If there should be no occasion for the Money you may appropriate, it will remain in the Treasury. The Militia that have been Called into the Service of the State by my orders, the last Campaign, do not amount to more than one Company for two Months; the requisitions that I have made upon them, have been obeyed with the utmost alacrity and promptitude, notwithstanding it was known, that no Money had been placed at my disposal, either for their pay or rations. Permit me Gentlemen to request you will speedily provide for the payment of those, and all other fair and just demands for Military Services, or for supplies furnished, either the last year or the preceding it.

This is the first opportunity since the Splendid Victory obtained by the Gallant Mc Donough over the Fleet of the Enemy on Lake Champlain which I have had to offer you my Congratulations on this second heroic Atchievement of a Native Citizen of Delaware. It is a source of great pleasure, and honourable to the State, to find her Citizens among the foremost in Noble Actions; and I trust Gentlemen, that you will testify your Satisfaction by some distinguished Marks of approbation.

Dover January the 4th 1814.

Dan.l Rodney

The Papers referred to in this Address, and other papers

relative to our Military affairs and also the Acts and Journals of Congress will be presented to you by the Secretary of State.

The Adjutant General will lay before you, the pay rolls, and returns of the Militia, and of the Arms & Military Stores.

Letter
from
Governor 4 Feb. 1815
In Senate.
7 Feb. 1815 read.
H. of R.
8 Feb. 1815. Read.

Dear

Sir

Honorable Jesse Green Esq.
Speaker of the House of Rep.

Sir

Lewes Feby the 4th 1815.

I have the honor to acknowledge the receipt of your letter of the 1st instant, enclosing copies of the letters addressed to you, as Speaker of the Senate, by Mr Cooper, and Mr Ridgely, Our Representatives in Congress, relative to that part of my Message, to the Legislature, of the fourth of January last; which states that, "Our representatives in Congress, had been written to, "and requested to urge the settlement of that claim" which expression seem to those Gentlemen, to be either incorrect, or at least calculated to give an impression, that they had not attended to the request, I had made, to urge or support the settlement of the claim of this State, against the United States for Militiary expenditures.

As some explanation on this subject may be proper, and is perhaps expected from me, permit me Sir to request you will present to the Senate, over which you preside, the following Observations, and Statement of facts, and if similar letters should have been addressed, to the Speaker of the House of representatives, will you be good enough to cause a Copy of this Letter, to be laid before that house also.-

On the Sixteenth of March last, the Secretary of State, Mr Robinson, transmitted to me a letter, which he had rec^d from Thos Cooper Esqr, requesting either from him, or me, a copy of my Letter to General Armstrong of the 26th of January, and also that the demand to reimburse the expences of last year, should be made thro' the Representation, from this State, and I believe, he suggested the propriety of hastening the transmission of the account, lest Congress should adjourn before it reached Washington. In answer to this Letter I wrote to Mr Cooper, transmitted to him a Copy of

the letter he desired, informed him that as soon as I could obtain the account from the Auditor, it would be forwarded, the other part of the letter, was filled with observations relative to the removal of the Judges, in answer to observations he had made in his letter, and to the best of my recollection it contained nothing of a private nature whatever.

On the twenty first of March I rec^d the Statement of Expenditure from the Auditor, and the Secretary, submitted to me; whether, the demand should be made through the Representatives agreeably to Mr Cooper's request, or should be transmitted to the Secretary at War; on referring to the resolution of the Legislature, I found the latter course was directed - and I immediately transmitted the account with a letter to the Secretary at War. As Mr Cooper had opened the correspondence with the Secretary, in behalf of the Re= =presentation from Delaware, I requested him Mr Robinson "to write to our "Representatives to support the claim" this extract is taken verbatim from the same Page, and was entered on my private journal at the same time, that my letter on this subject to General Armstrong was entered vizt the 21st of March - It agrees with my recollection, and it is admitted by Mr Cooper himself - who says a few days after he rec^d this letter he waited on General Armstrong, with respect to that business, the Secretary also informed me he had written to Mr Cooper, as I had requested him - I do not know whether Mr Cooper ever communicated to his colleague his correspondence with the Secretary of State, but I certainly considered when I penned that part of the paragraph in the address, that the facts and Cir= =cumstances above stated justified me in saying they had "been written to" which indeed is expressly admitted by Mr Cooper, tho' Mr Ridgely, perhaps inadvertently denies that either the Legis= =lature, or the Governor thought proper, to give the Representatives in "Congress" any instructions or to communicate with them at all upon "that subject.

Mr Cooper further states that "during the present session of Congress he has not rec^d any communication from the Governor — The Secretary however informed me that he had written to him on that subject, as I had desired him, a few Weeks before the meet= =ing of the Legislature, but had rec^d no answer, I have not had a conference with Mr Robinson on this subject, but in a note he sent to me this day, he authorizes me to say, that in his letter in the fall past, he requested Mr Cooper to furnish him with the report of the Secretary of War, (when made) in answer to his resolution on the subject of Militia claims generally. —

Whatever may be considered the precise critical meaning of the expressions, which were used in the paragraph in question, I can assure the Legislature, that I had no intention, to censure our Representatives in Congress — but meant only to state the fact, that no answer had been rec^d, nor any information obtained by me, relative to the claim of the State, for its disbursements on acct of Military Operations —

I have the Honor to be

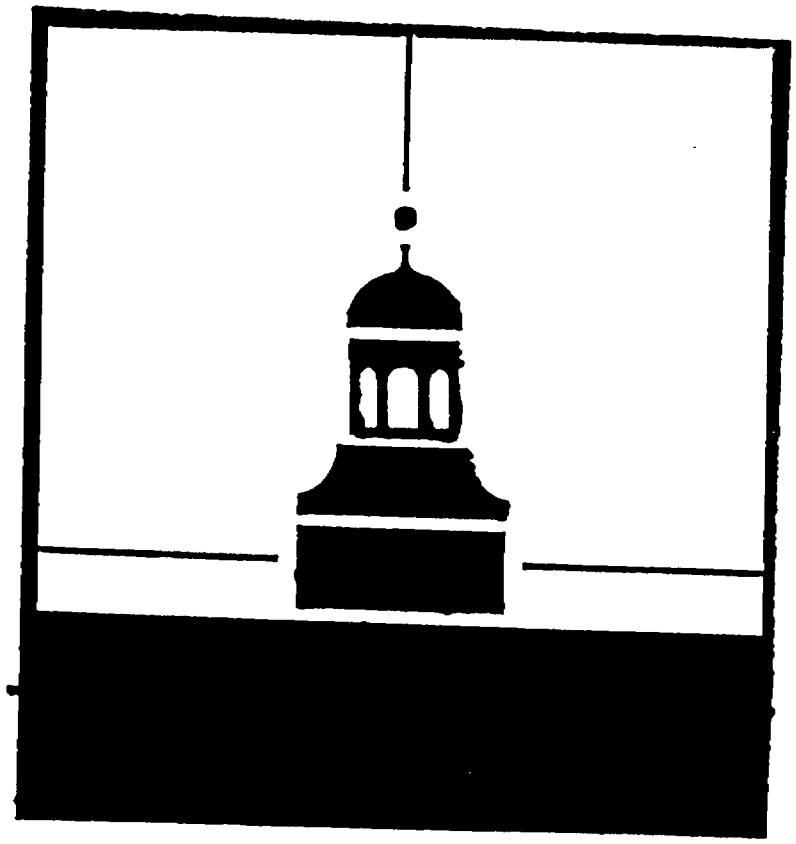
Sir

Your Obedient

Humble Servt

Danl Rodney

Hon. Jesse Green Speaker of Senate



END FILE

1815 Jan.-Feb Legislative Petitions - Divorce

Depositions in relation to the application of Henry Bowan and Margaret his wife to be divorced.

H. of R.
31. Jan. 1815. Laid on the table.
1. Feb. — Read.

State of Delaware ss.

The State of Delaware to Evan Thomas esquire greeting:- Know you that we in confidence of your prudence and fidelity have appointed you, and by these presents do give unto you full power and authority diligently to examine all witnesses ~~[illegible]~~ touching the matters and charges in certain petitions now before ~~the~~ our House of Representatives copies whereof are hereunto annexed; and therefore we command you that at certain days and places to be appointed by you for that purpose, you cause the said witnesses to come before you and examine each of them touching the said matters and charges on their respective corporal oaths, or, if they be conscientiously scrupulous of taking an oath, on their affirmations first taken before you, and that you take such their examinations and reduce them into writing; and when you shall have taken them you are to send the same closed up and under your seal distinctly and plainly set, together with the said copies of the said petitions and this writ, to our House of Representatives at Dover.

Witness the Honourable Cornelius P. Comegys esquire Speaker of our said House of Representatives, at Dover, this eighteenth day of January in the year of Lord one thousand eight hundred and fifteen.

Cornelius P. Comegys

J. Gordon Brinckle Clk.

The Execution of the above Commission, will appear by the examination of seven Witnesses contained in 15 pages of Testimony, reduced to writing, and hereunto annexed — examined on the part of Henry Rowan. — Those of Margaret Rowan, were not brought before me.

Evan Thomas Com.

(Copy)

To the honourable the Senate and House of Representatives of the State of Delaware in General Assembly met,

The petition of Henry Rowan of the county of New Castle — respectfully represents — That it was his misfortune to intermarry with a certain Margaret Larkey about the month of September in the year of our Lord one thousand eight hundred and thirteen: — That about four months after the intermarriage of your petitioner and the said Margaret, without any provocation, the said Margaret left the house of your petitioner and continued absent for about two months, and then returned and remained about two weeks when she again absented herself from the house of this petitioner, without any cause, and continued absent until she was delivered of an infant daughter: — That since the said event the said Margaret has not lived with this petitioner only a few weeks, leaving her infant child to the precarious protection of a father, and thereby forgetting all those sensibilities which would be expected from a mother. — This petitioner further represents that he was disposed to treat the said Margaret with all possible delicacy and attention, but she has absented herself to gratify her depraved and profligate temper and wishes, and does not hesitate to declare she never will live with this petitioner, and that she would be better satisfied with a connection with even a man of colour than with this petitioner: Such is the temper and vicious inclinations of the said Margaret, that it is utterly impossible for your petitioner to live in her society: and it is with extreme reluctance and regret that it feels it his duty further to state, that, in the belief of this petitioner, the said Margaret has been unfaithful to her marriage bed.

Your petitioner therefore prays that a commission may be issued to take the depositions of witnesses in relation to the subject of this petition; and that your honourable bodies will enact a law dissolving the marriage celebrated between the said Margaret and your petitioner.

And your petitio-

oner will pray &c.

(Signed) Henry Rowan.

A true copy from the original. J. Gordon Brinckle Clk of the H. of Rep.s
Jan. 18. 1815.

[Copy]

To the honourable the Senate and House of Representatives of the State of Delaware in General Assembly met, The petition of Margaret Rowan late Margaret Larkey, Respectfully represents, That some time in the month of September in the year of our Lord one thousand eight hundred and thirteen she was lawfully married to a certain Henry Rowan of the county of New=Castle; That since their said intermarriage, the said Henry and your petitioner have not lived together more than six or nine months; and so great and irreconcilable are their domestic differences, that it is utterly impossible for them to live together as man and wife. - Your petitioner therefore respectfully prays that the honourable the legislature will enact a law dissolving the bonds of matrimony existing between them.

As your petitioner will pray &c.

(Signed) Margaret Rowan.

A true copy from the original.

J. Gordon Brinckle Clerk of the House of Representatives.
Jan. 18. 1815.

(1)

New Castle County ss Personally appeared Catharine Campbell aged Forty seven years and upwards, who being solemnly sworn on the Holy Evangelists of Almighty God deposeth and saith, that she is acquainted with the Politioners, Henry and Margaret Rowan, she has known Henry Rowan since before he was married to his first Wife, and has known Margaret Rowan formerly Margaret Lackey daughter of James Lackey, ever since she was a Child. That from her acquaintance with Henry Rowan, she had always considered him a good Housekeeper, who provided well for his Family. and especially in his first Wifes time she the Deponent had frequent opportunities of being in and about his House and always found things agreeable and the Family apparently comfortable. That from the knowledge she has of the present Wife Margaret Rowan, she verily believes her to be a person not more than half witted, and was very much surprized when she heard Henry Rowan had married her, as she the Deponent considers her unfit to be the Wife of any person and more especially to act in the Capacity of a Mother or Step Mother. She thinks that in time the said Margaret Rowan will be as bad as her own Mother, who is notoriously insane, and has been seperated from her Father Many years. She cannot say what motive or inducement Henry Rowan could have had in marrying her, other than that she was young with a tolerable handsome face, and that her Father possesses a good property with only two legitimate Children. The Deponent cannot recollect the time when the marriage between Henry Rowan and Margaret Lackey was celebrated. She does not know of her own knowledge at what time Margaret Rowan absented herself from her Husbands House, as it is said without any provocation, She knows however, that she was absent at her Fathers, and that while there, was delivered of an Infant Daughter. She has been told, that after the birth of the Child word was sent either by Margaret Rowan, or some of her Father's Family for Henry Rowan to go and see her and her Child, but thinks he did not go at that time. She does not know long Margaret Rowan staid in the House of her Husband, after her return home. She thinks the Child was about Six Weeks old at the time the Mother left it to the "precarious protection" of its Father. The Deponent thinks it was some time in the Month of September last she went to live with Henry Rowan, as a hireling, at which time

time the Child was there, apparently in a very neglected Condition, being for want of the Mother, nursed in some degree by the Black people in the Kitchen, and generally in the most filthy and disagreeable situation. That she the deponent independant of her daily labour, which is spinning in the Family has paid every attention in her power to the Child, endeavouring to keep it comfortable, and taken it to sleep with her. She believing that Henry Rowan, had sent for his Wife, to come home, before she the Deponent went there to live, she knows that he sent for her afterwards, but that she refused to come, and sent word back by his Black Boy that he and the Child might go to the Devil! That Henry Rowan on receiving that answer appeared to be very much disturbed, and at a loss to know what he could do with the Child, at the same time taking the Child into his Arms, he said in presence of the Deponent that if God spared him, he would do as well by that Child, as any that he had. The Deponent is of opinion, that if Margaret Rowan had have remained at home with her Husband and conducted herself only half as wife as a Wife ought to do, that Henry Rowan was disposed to treat her with delicacy & affection. The Deponent knows of no cause that Margaret Rowan had for leaving her Husband excepting for the gratification of her depraved and profligate Temper. Since the the Deponent has lived in the House of Henry Rowan, she has been once or twice at the House of James Lucky, at one time in Conversation with Margaret Rowan the Deponent asked her, what was the reason she could behave so bad, by running away from her Husband and cruelly abandoning her Child, her reply was, that Henry Rowan had chased her with a Sword, and that the Black people would not mind or obey her, and said that if Mr. Rowan would sell Abe and Violet, and get others, perhaps she might live with him. The deponent says, that on a Sunday some time in the month of December last, Margaret Rowan came to the House of Henry Rowan in her Father's Sleigh, driven by his Negro Man named Williams, together with her Sister, and two other Girls, illegitimate Daughters of her Father James Lucky — That Margaret Rowan observed to this Deponent, that the House &c. was her property, that she wanted to stay there two or three Week, until she could get her Business settled, provided she could have a private Room, observing that her Father had refused to let her stay at his House, and unless she could get a private Room here (at Mr. Rowans) she must sleep out of doors. This Deponent then observed to her, that if the property was hers, she would suppose Henry Rowan was hers also, and that unless she would sleep with her the Deponent, and her Child, there was no private Room, but that Mr. Rowan had

had a Room and a private Bed, and asked her why she could not sleep with him, as she the Deponent observed that she conceived it the most proper place for a Married Woman to sleep with her Husband. Whereupon the said Margaret Rowan swearing by her Maker, pointing to the Black Man who drove the Sleigh, that she would rather sleep with Bill, or any other Negroe than with Henry Rowan, and damn'd herself if ever she would sleep with him again, in presence also of Mrs. See, and the Girls who came in the Sleigh — when her Sister chided her for the expression, telling her to hold her tongue for that she was always saying too much. At this time Henry Rowan was up at the Barn, where he had gone as he informed this deponent purposely to keep out of the way of his Wife. This deponent is of opinion, that such is the temper and vicious inclinations of the said Margaret Rowan, that it would be impossible for Henry Rowan and her to live together as Man and Wife with any degree of Comfort or happiness. The Deponent says she knows nothing of the unfaithfulness of Margaret Rowan, to the Marriage Bed of her Husband. Further the deponent saith not.

Sworn & subscribed the 25th day of January 1815
Before Evan Thomas Com.r

Catharine her Campbell mark

Personally appeared Eliza See (Widow) aged twenty two years and upwards; who being solemnly sworn on the Holy Evangelists of Almighty God deposeth and saith, that she is well acquainted with Henry Rowan having lived in the Family when she was a Child, with her half sister, who was the first Wife of the said Henry Rowan, who was the Guardian of the Deponent. She never saw Margaret Rowan, until about a Week after she was married to Henry Rowan, when she the Deponent went with her Husband, her Brother, and sister in law, to pay them a visit. The Deponent says that during the life time of her sister, the first Wife of Henry Rowan, she never knew any thing derogatory to his Character that he made her a good Husband, provided well for his Family, which ever appeared to live in the most comfortable and happy manner. The deponent knows only from hearsay, that Margaret Rowan

Rowan, left the House of her Husband about four Months after her intermarriage, nor of any provocation that she had to leave it, nor how long she absented herself. This deponent says that at the time Henry and Margaret Rowan were married, a Mrs Hunter of reputable Character, lived in the House of Mr Rowan as Housekeeper, and for some time afterwards. That after being absent some time Mrs Hunter returned to live with Mr and Mrs Rowan, at the request of Mr Rowan (as Mrs Hunter informed this deponent) as she Mrs Rowan said she was young and inexperienced in Housekeeping. That in the course of a few weeks Mrs Rowan and Mrs Hunter quarrelled, insomuch that Mr Rowan struck Mrs Hunter two or three times with a stick, in consequence of which abuse Mrs Hunter quit the House, and did not return. This deponent says that sometime in the Month of July last, Henry Rowan came to the House where she then lived, about two miles distant, and brought with him his infant Daughter, requesting the deponent to take care of the Child for that night, until he could get a Nurse for it, that the Mother had gone away and left it, and that he did not know whether she would ever return. That on the next day Mr Rowan took his Child, and left it with a Mrs McConnell, in the Town of Newcastle, and informed the Deponent that he had gone to his Father in law Mr Lackey and requested him to send for his daughter whom he understood was at the House of Thomas Turner a Neighbour, and that if he thought proper he might send for the Child also, as he was fearful the Mother's breast would be injured — and as this deponent believes Mr Lackey did send for his Daughter and her Child and took them to his House. The deponent says, that after the death of her Husband Abraham Lee, she removed to the Town of Newcastle and took three Children of Henry Rowan by his Sister, his first Wife, to board with her, for the purpose of sending them to School — That on the fourth day of October last she went with the three Children on a visit to their Father, at which time Mr Rowan was not there, but that the young Child was there in the Cradle in the Kitchen. That the Deponent stayed there that Night, and the next day Mr Rowan requested the Deponent to stay with him a few Weeks to take care of his Child, and attend to the Affairs of his House, that probably his Wife might return in that time. That she the Deponent has remained in the House of Henry Rowan ever since, having the care & management thereof. The deponent says, that being but little in the House of Henry Rowan, while his Wife

Margaret

Margaret was at home, she cannot judge of her Capacity or ability as a Housekeeper, Wife, Mother, or head of the Family, but from the appearance of the House &c. at the time the Deponent went there she is of opinion that Household affairs as well as her Child, had been conducted in a careless and shameful manner, by Mrs Rowan. The deponent says that from the knowledge she has of Henry Rowan, and especially judging from his conduct during his intermarriage with his first Wife she is of opinion that if the present Wife had have conducted herself reasonably well, that the said Henry Rowan would have been disposed to treat her with delicacy and attention. She knows of no provocation or cause that the said Margaret Rowan had to absent herself from her Husband unless to gratify her depraved and profligate temper and wishes. The deponent says that she was present at the House of Henry Rowan, when Margaret Rowan came there on a Sunday about two weeks before Christmas last, in a Sleigh driven by a Black Man named William, who as this deponent understood, was hired with Mr Lackey. The driver Wife was in the Sleigh with him, together with Mrs Rowan, her Sister Mary, and two illegitimate daughters of James Lackey. That when this Deponent came from the Kitchen into the Room, Mrs Rowan and Catharine Campbell was conversing ~~with Catharine Campbell~~ together, and heard her mention to Mrs Campbell, that she wanted to stay two or three Weeks, until she could get her business settled, observing that the property there belonged to her, and that Mr Rowan was obliged to find her a maintenance, and she would stay a few Weeks provided she could have a private Room. Mrs Campbell told her that there was no private Room but that she might sleep with her, and the Child or in the same Room, which she refused to do observing that she would not sleep in the Room with any of the Family saying that she knew them too well. Mrs Campbell then told her that if she would not agree to sleep in the Room with her she might sleep with her Husband, as she (Mrs Campbell) supposed is the most proper place. When the said Margaret Rowan, swore by G—d she would Not, observing that she would rather sleep with William who drove the Sleigh or any other Negroe than with him, saying that she did not

not love him nor never could. Mr. Campbell then asked her, what was the reason that she married Mr. Rowan, if she did not love him, when she replied, that when she married she expected to get a home for herself, her Sister, and her Mother. The Deponent says that she is of opinion that from the apparent dispositions of the parties it would be impossible for them to live together as man and wife with any degree of happiness and that as it regards the unfaithfulness of the said Margaret Rowan to her Marriage Bed, she this deponent has no knowledge. That she this deponent has mentioned to Mr. Rowan, that she wished her to return to her Husband, and attend to her Child, and is still anxious for her to do so being anxious to return to Newcastle, and to be relieved from the Care and trouble of Mr. Rowans House and Children; who being her relations was the only inducement she had for staying until this time. Further this Deponent saith not.

Sworn & Subscribed the 25th day of January 1815. } Eliza Sell

Before Evan Thomas Com.

Personally appeared James Nevill aged about thirty three years who being solemnly sworn on the Holy Evangelists of Almighty God deposeth and saith, that he has been acquainted with Henry Rowan about three years; and has had some acquaintance with Margaret Rowan his Wife, daughter of James Lackey about the same time. The deponent says that about the 2d day of June 1814 he went to live as a hired Man with Henry Rowan, and remained in his Family and service until sometime in the Months of September following, and at different times has been working for the said Henry Rowan since that time. He says that when he first became acquainted with Henry Rowan his first Wife was living. That then, and at all times that the Deponent has had an opportunity of observing Henry Rowan appeared to conduct himself like an indulgent Husband providing well for his Family, and affording them proper attention. That at the time he the Deponent

First

first went to live with Mr. Rowan, his present Wife Margaret, was at home and had a young Child, That the said Margaret Rowan several times went away from home, and he thinks it was in the Month of August, that she absented herself leaving her Child to the precarious protection of the Father and the rest of the family; and the Deponent recollects one night particularly that he and his Wife who also lived in the Family were kept awake the whole night nursing and rocking the Cradle, the Child being extremely cross and troublesome. The Deponent knows of no provocation that the said Margaret ~~Lady~~ Rowan had for leaving her Husband, on the contrary that he has repeatedly heard Henry Rowan with tears in his eyes, plead with her, and persuade her to stay at home and content herself, informing her that he would hire people to do all the Work, so that she need do nothing but conduct herself properly as Mistress of the Family. That at such times the said Margaret Rowan would pay little or no attention to the advice or requests of her Husband, but when he was absent, this deponent has repeatedly heard her make use of the most abusive language, charging him with being connected with other Women, and even with Negroes. The deponent says that from the Knowledge he has of Margaret Rowan, he verily believes her to be a woman of the most depraved and profligate temper, and that she cares not what she says or does, and that he has repeatedly heard her say that she would kill her Husband if she could. That one night in the absence of Mr. Rowan, the Deponents Wife came upstairs where he lay asleep, and requested him to get up to see the train of powder which Mrs. Rowan had laid, as she supposed for the purpose of burning or blowing up the House, which powder Mr. Neill afterwards gathered up. The deponent says, that one day he thinks in the Month of August, Mr. Rowan being from home, they were employed on treading out Wheat at the Barn yard, which is a small distance from the Dwelling House and immediately opposite the Front Door that Mr. Lachey had sent his Horses and his hired man of Colour, named Jake, or Jacob Anderson, to assist in treading Wheat, that while the hands were at Work, some time in the forepart of the day, Margaret Rowan came to the Fence of the Barn Yard, and very distinctly called to Jake and told him that if he would go in the room with her, she would give him a drink of Whiskey.

That Jake immediately quit his work, and went to the House in company with Mr Rowan; That the Deponent, together with Thomas Titus, and a Black Man Abe who were in the yard, thinking the conduct of Mr. Rowan extraordinary and suspicious, were induced to look towards the House, when this deponent saw Mr. Rowan and Jake go into the House, through the common Room into another Room on the same floor, wherein was the Bed where Mr. Rowan usually lodged; that according to the best of this deponent's recollection, they were a quarter of an hour in the Bedroom together, that he afterwards saw them come out into the common Room, when he saw Jake drinking with a glass tumbler, which he supposes must have been Whiskey according to promise. That when Jake returned to the Wheat yard, the Deponent said nothing to him but that Negro Abe in vindication of his Master, and threatened to flog Jake, and probably would have done so had not the Deponent prevented it; that on Jake's being charged by Abe of improper conduct, he replied that he could have no fun with the Women, unless Mr. Rowan was away. That some time afterwards, the deponent conceiving it to be his duty, informed Henry Rowan, of his suspicions, and of the conduct of Mr. Rowan and Jake on the day of the wheat treading — that Mr. Rowan became much enraged at the information, and requested him to turn the Grindstone to sharpen an old sword, with which he said he was determined to cut off Jake's head if ever he came about his House again; but to the best of this Deponents knowledge and belief Mr. Rowan never threatned his wife, or charged her with the sword. The Deponent says, that Margaret Rowan has repeatedly asked him to sleep, or be connected with her, that he never had carnal knowledge of her, nor cannot say, of his own knowledge that she has been unfaithful to her Marriage Bed, but from the general tenor of her loose and profligate conduct he has every reason to believe she has. — And from the knowledge he has of her, he thinks her quite unfit for the Mistress of a Family, and that under present circumstances it would be utterly impossible for Henry Rowan and her to live together as Man and Wife.

Further the Deponent saith not.

James Neil

Sworn & subscribed the 25th day of Jany. 1815.

Before Evan Thomas Comr.

Personally appeared Thomas Tillis aged seventeen years and upwards Nephew to Henry Rowan, and being solemnly sworn on the Holy Evangelists of Almighty God, deposeth and saith that he lives in the Family of Henry Rowan, where he has been ever since he was four years old. He cannot exactly recollect the date, or time when the said Henry Rowan and Margaret Lackey were married, but knows it was better than a year ago, and that he was present and saw them married by the Reverend Mr. Latta. He cannot recollect how long it was before Mrs. Rowan went away from her Husband, but that she was in the habit of going and returning frequently. That while she was away at one time her Child was born the Deponent believing at the House of her Father James Lackey. That in a few days after the Birth of her Child she came home with it, and remained at home to the best of his knowledge two or three Months. That while she was at home she appeared to take little or no care of her Child whatever, but neglected it in a cruel and shameful manner often selling it out of doors, when unable to assist itself, and that he the Deponent has frequently taken the Child into the House, when the Hogs have been rooting it about the yard. He has at divers times heard his Uncle Henry Rowan talk to his wife about neglecting her Child, and advise and persuade her to take care of it, and conduct herself better, and that she generally at such times would abuse and blackguard him, and probably go off and stay away a day or two and leave the Child among the Black people. And at one time, he the Deponent and some of the servants carried the Child to her at her Father's, when she refused to take it, and picking up an old shovel, swore she would split the Black Woman's Brains out, if she left the Child there. The Black woman did leave the Child with her. The deponent says that he knows of no cause that Mrs. Rowan had for leaving her home, that he has often heard his Uncle tell her that he did not wish her to do anything and that if she would only let others work and attend to her Child and Family, he was disposed to treat her with delicacy and attention, and that she might have any indulgence she wished for. But, that she appeared naturally to possess a vicious and bad disposition, almost continually practising some devilment

on

or wickedness. This deponent was present, and heard the said Margaret Rowan offer the Black Woman Violet, ten Dollars if she would poison her Master Henry Rowan, that on Violet's saying that she would do no such thing, Mrs Rowan said she wanted him poisoned for the sake of his Estate, and that Rattlesnake she thought was the best of any thing she knew to poison a person. He recollects very well the day that James Neile with others were heading out wheat, that Mrs Rowan came to the yard and told Jake to come in the House, and she would give him some Whiskey, which was kept in the Closet in the Front Room — That Jake immediately quit his Work and went with her — The Deponent and others in the Wheat Yard saw them pass through the Front Room, and go into an adjoining Room, where there was a Bed on which Mrs Rowan usually lodged — He supposes they were in the Bed Room about ten or fifteen minutes — When Jake returned to his Work one of the Black men, cursed him for a Black son of a Bitch and asked him what he had been about at the House The Deponent thinks he replied that he had been after some water — being then at the far side of the yard riding and driving the Horses he could not hear distinctly, but as he came round the head Jake say to other, "a Body can have no fun when Mr Rowan is at home." The Deponent says that at another time he cannot recollect exactly the day, but he was employed in heading out either Wheat or Oats — There was an old White man named Thompson employed near the House shaving Shingles — That the Deponent happening to go into the Kitchen, the Black Woman informed him that Mrs Rowan had taken Thompson into her Room to cord her Bedstead, but that she was afraid it was for something else and requested him the Deponent to go in and look through a Knot-hole in the door, and see what they were about, he did so, and saw Thompson and Mrs Rowan lying together on top of the Bed and Bed clothes, in each others Arms — in that position, the Deponent left them to return to his Work. He supposes that it was about half an hour afterwards that Thompson came out of the House and went to work. The deponent is of opinion that Margaret Rowan is a Woman of a depraved and profligate temper, and quite unfit to have the care of a Family of children, and that with her present disposition and general Conduct, it would be impossible for Henry Rowan and her to live together as Man and Wife — As an instance of her depravity and shameful indecent conduct, he says, that there is a large Pond of Water near to the House,

That

That he has several times seen her strip off her clothes all except her shift, in presence of himself and others about the House, and rolling it up about her Middle she would go and paddle about in the Mud and Water; and sometimes would come out and throw her Clothes into the Pond where they would lie until some of the Family would take them out and hang them on the fence. And that she would frequently throw her Child's Clothes away in like manner and if any person would attempt to talk to her or shame her she would perhaps tell them to kiss her Backside, or some such indecent expression. The deponent cannot of his own knowledge say that Margaret Rowan has been unfaithful to her Marriage Bed, otherwise than what he has related, from which circumstances he very much suspects she must have been unfaithful.

Further the deponent saith not.

James Sites

Sworn and subscribed the 26th day of January 1815
Before Evan Thomas Com.

Margaret Price, aged near thirty eight years personally appeared and upon her solemn affirmation duly administered (being conscientiously scrupulous of taking an oath) deposeth and saith That on the twenty ninth day of December last Henry Rowan and Margaret his Wife came by appointment to acknowledge a Deed to her Husband George Price Esquire for a Lot of Ground purchased from the said Henry Rowan. That Mr. Rowan came first to her House, and enquired if his Wife had been there and being informed that she have not, he said he would go and look for her — After he had gone a short time, the Mrs. Rowan came and made the same enquiry, respecting her Husband — she was told that he had gone to look for her, and would soon be back, she did not wait his return but went away. This Affirmant having been entrusted by her Husband who had that day gone to Wilmington to take the Deed to Judge Johns, in order to take the acknowledgement of Rowan and his Wife when they would come — This Affirmant accordingly went to Mr. Johns and left the Deed with him, and on her return home saw Mrs. Rowan standing at the Corner of Judge Johns's Garden Fence. The Affirmant asked her if she had seen Mr. Rowan, she said she had not, she the Affirmant then requested her to accompany her home and sit awhile and ~~the~~ he would soon be there. That when they got to the house John Wiley Esq.

Came

came over to them, and informed Mr. Lecky Rowan, that she had a paper for her to sign, that perhaps she knew something about and observing that Mr. Rowan wished her to sign it. She then observed that some good or honest people had informed her that if she signed that paper, she would never get any thing from Mr. Rowan. observing that she had been too much beaten and abused by him to get nothing saying that she had some of the scars yet on her hand where he had struck her. This Affirmant on hearing Mr. Rowan say that she had been told she would get nothing, told her that she might be sure she would not, and that she would be a great dunce if she ever signed the paper Mr. Wiley smiling, then observed that she might get another Husband by it, she replied that she did not want any. Mr. Wiley then asked her if she would or would not sign the paper, which he read to her in the presence of this Affirmant as he said he wished to do, when she refused to sign Mr. Wiley then observed that he had no more to say, and told her that she had better go and acknowledge the Deed and they then left the House together. This Deponent did not hear Mr. Wiley persuade Mrs. Rowan to sign the paper, which paper, she the Affirmant supposes to have been the original of a petition whereof a copy has been read to her by the Commissioners said to be before the Legislature signed Margaret Rowan. And further the Affirmant saith not.

Affirmed and subscribed
the 26th day of January 1815
Before Evan Thomas Com.

Margaret + mark

Personally appeared William Waugh, aged forty six years and upwards who being solemnly sworn on the Holy Evangelists of Almighty God, deposeth and saith, that on the twenty ninth day of December last, while in his Barroom, John Wiley Esq. came in and enquired if Henry Rowan was there – that he informed Mr. Wiley that he believed Mr. Rowan was in the other Room, a few minutes afterwards he the Deponent went into that Room, at which time he saw Mrs. Rowan in the Room together with Mr. Wiley and her Husband who were in conversation about signing a paper ~~which~~ which then lay on the Table. That

MUTILATED DOCUMENT

That Mrs. Rowan seemed at first to make some objections to signing it saying that she had been told by some person that it would deprive her of a Maintenance - Mr. Wiley then observed to her that if the Petition was carried into effect, it would deprive her, for that she could not expect both a divorce and Maintenance, at the same time letting her, that if the Petition was not carried into effect, the signing of it, could do her no harm - After some hesitation on her part Mr. Rowan observed to her Madam it was at your own request I got the petition prepared, and you may do as you please, and as there is no use in staying any longer, I wish to go, and either say yes or no, either sign it, or say you will not. whereupon she said she would sign it, - and accordingly did sign it in presence of John Wiley and the Deponent who subscribed their names thereto as Witnesses. The Deponent from hearing Mrs. Rowan talk about being deprived of a Maintenance, naturally supposed that she must have had some knowledge of the paper she was about to sign, and the Deponent is very certain that neither her Husband nor Mr. Wiley did in his presence use any persuasions with her to sign it. The Copy of the Petition being read to the Deponent, he cannot say whether it is a Copy of what he and Mr. Wiley saw her sign or not, especially as it does not appear that either of their signatures have been copied, or the petition dated.

Further this deponent saith not.

Sworn and subscribed the 26th day of January 1815 Before Evan Thomas Comr.

Wm Wright

Personally appeared John Wiley Esq. aged forty five years and upwards, who being solemnly sworn on the Holy Evangelists of Almighty God deposeth and saith that some time in the early part of December, Henry Rowan called on him, and asked him if he would be his security, observing that his Wife had sworn the peace against him, and that it was necessary for him to give security for his appearance at Court. The Deponent told him he would enter

MUTILATED DOCUMENT

enter his security, and accordingly went with him to the Office of George Peirce Esq. and recognized — On coming away, Mrs Rowan asked her Husband, what was to be done in their Business. Mr Rowan in a very complaisant manner observed to her, Madam, Just do as you please. She then asked him if they could not have a separation — he replied Oyes Madam by all means, are you agreed to it? to which she replied that she was. That on the twenty ninth day of December last, Mr Rowan called on the Deponent at his Office saying that he had a paper which he wished the Deponent to get Margaret (meaning his Wife) to sign saying that as he (the Deponent) had heard her before, say that she was agreed to a separation he wished him to witness the petition, and requested the Deponent to get her to sign it in presence of Judge Johns, before whom he expected her to appear that day to acknowledge a Deed to George Peirce Esquire — That he went to Judge Johns's Office and not finding Mrs Rowan there; he then at the request of Henry Rowan went to the House of George Peirce Esq, and found Mrs Rowan in the presence of Mrs Peirce — That he then informed Mrs Rowan that he had a paper which Mr Rowan wished her to sign, but that he would first read it to her before Mrs Peirce, and accordingly did read it. Afterwards Mrs Rowan said, that some Gentlemen people had told her, that if she signed that paper she would be deprived of her Maintenance — The Deponent and Mrs Peirce both told her that she certainly could not expect a Maintenance from Mr Rowan if she was divorced from him, but that she might have the privilege of getting another Husband &c. The Deponent then accompanied Mrs Rowan to Judge Johns's Corner where they met Mr Rowan, and he the Deponent then left them together having at the same time returned the paper to Mr Rowan. That about half an hour afterwards Henry Rowan called at the Office of the Deponent, and requested him to step over to the Tavern of Mr

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Mr. Waugh, for that Margaret had agreed to sign the paper, and that as he the Deponent knew from her own offer that she had agreed to a divorce, he wished the Deponent to be a Witness — The deponent accompanied Mr. Rowan to the House of Mr. Waugh, where his Wife, Mrs. Rowan, then was — Mr. Rowan laid the petition on the Table, and asked her to sign it, she for some time hesitated, saying that she wished to know if it would deprive her of a maintenance — Mr. Rowan told her, as well as the deponent, that she certainly could not expect a Maintenance if she was divorced — she then without persuasion or Compulsion signed the paper in presence of William Waugh and the Deponent, who both subscribed their names to the same as Witnesses. Looking on a Copy of a Petition annexed to the Commission, the Deponent cannot say that it is a true Copy of the Petition which he and Mr. Waugh witnessed, as their signatures are not copied. Further this Deponent saith not.

Sworn & subscribed
June 26th 1810.
Before Evan Thomas

[signature]

The petition of Henry Rowan to be divorced from his wife Margaret Rowan.

H. of R.
4. Jan. 1815. Read &
Referred to Mess'rs Crow, Jenkins & Cullen

0918

To the Honorable the Senate and House of Representatives of the State of Delaware, in General Assembly met. —

The petition of Henry Rowan, of the county of New Castle —

Respectfully represents —

That it was his misfortune, to intermarry with a certain Margaret Lackey, about the month of September in the year of our Lord one thousand eight hundred and thirteen — That about four months after the intermarriage of your petitioner and the said Margaret, without any provocation, the said Margaret left the house of your petitioner, and continued absent for about two months, and then returned and remained about two weeks, when she again absented herself from the house of this petitioner, without any cause, and continued absent until she was delivered of an infant daughter — That since the said event, the said Margaret has not lived with this

petitioner only a few weeks, having her
infant child to the precarious fea=
=ture of a father, and thereby for=
=getting all those sensibilities which
would be expected from a mother —
this petitioner further represents,
that he was disposed to treat the
said Margaret with all possible
delicacy and attention — but she
has absented herself to gratify her
~~passions~~ her depraved and perfidious
temper and wishes, and does not
hesitate to declare she never will
live with this petitioner, and that
she would be better satisfied with
a connection with even a person
of colour, than with this petitioner:
Such is the temper and serious
vicissitudes of the said Margaret
that it is utterly impossible
for your petitioner to live in
her society — and it is with
extreme reluctance and regret

0918

that he feels it his duty further to state, that in the bring of this petition, the said Margaret has been unfaithful to her marriage bed.

Your petitioner therefore prays that a commission may be issued to take the depositions of witnesses in relation to the subject of this petition — and that your Honorable bodies will enact a law, dissolving the marriage celebrated between the said Margaret and your petitioner.

And your petitioner will pray &c.

Henry Bowen

Deposition of
James Lockey

0999

State of Delaware }
New Castle County } ss

Personally appeared before me as one of the Justices of the peace in and for said County James Lackey who on his Solemn Oath on the Holy Evangelist of Almighty GOD deposeth and sayeth that his Daughter Margarett Rowen wife of Henry Rowen came to his house on or about the first of ~~December~~ November last past saying she had been beaten and abused by her said Husband and that in consequence of such beating she the said Margarett was confined to her bed for two weeks and was not able to do scarcely any thing for near a month afterwards, that since that time she has lived with him and that on or about Christmas last the said Henry came frequently to his house and called his wife out and had private conversation with her and that he this deponent never knew that any thing like a Divorce was contemplated by the said Henry, nor was it even intimated by his Daughter to him that she ever signed a petition for a Divorce untill this day and further this deponent sayeth not Sworn & Subscribed 1 January the 25th AD 1815

Before Geo Draper

Jas. Lackey

To the Honorable Senate and House of Representatives of the State of Delaware in General Assembly met.

The Petition of James Lackey of New Castle County Respectfully represents.

That your Petitioner accidentally learned and was informed during the present day that an application for a divorce from the bonds of matrimony was pending upon your Honorable Body at the instance of Henry Rowan and Margaret his wife daughter of your Petitioner, but for what cause your Petitioner is uninformed. That upon inquiring by him made of his said Daughter since he received the above information, he is well convinced that she did not know or understand the nature and consequences of her joining in such an application, and that she was improperly influenced by the said Henry and required such application under total ignorance of the nature of such business and without an opportunity of consulting her father in relation to the same. That your Petitioner is now convinced that it is neither the wish of the said Margaret nor can it comport with her interest that such Divorce should take place, for although she has been as your Petitioner believes very harshly & injuriously treated by her said Husband, so much that she has been compelled to return to her Fathers House for protection, yet it would not be her desire to be divorced from the Bonds of matrimony. — Your Petitioner as the Father of her who is deeply interested in the welfare and happiness of his child could easily believe that the said Henry Rowan would have used the authority and influence of a Husband in such a manner as to prevail on the said Margaret to lend her name to a measure so much to her and her Father's disadvantage without apprising the Father of what she was about to do.

Under the present circumstances of this unfortunate affair your Petitioner having as yet had no opportunity of inquiring into the case or forming an opinion of what would be most advantageous for his child submits to the wisdom and justice of the Legislature the propriety of postponing the further consideration of

the affair until a future period so as to afford your Petitioner some opportunity of being heard before your Honorable Body.

New Castle Jany. 21. 1815.

P. D. Lackey

Petition of James Lackey

Petition of James Lackey, praying a pension, stating his sufferings during the Revolutionary war and his being turned from the benefit of a pension.

N. of R.
1. Feb. 1815. Read.

State of Delaware }
New Castle County } ss

Personally appeared before me as one of the Justices of the peace in and for said County, Margaretta Rowen Wife of Henry Rowen both of said County, who being sworn on the holy evangelists of Almighty GOD deposeth and sayth that on the twenty ninth day of December last, her said husband Henry Rowen did prevail on her to signe an Instrument of writing, purporting to be a petition for a Divorce to the Legislature of said State, by making use of false promisis and persuasions, stating to her that she would be allowed a Maintainance from him after they were seperated or divorced, and that she would get all her ~~fa~~ property from his house, that it was entirely owing to those promisis and being ignorant of the Consequences of her doing so, that she signed the same paper, but that said Henry having repeatedly beaten and abused her and threatned her life with a drawen Sword, she was obliged to go to her Fathers house, and some time back said Henry and this deponent agreed to live seperate and apart he agreeing to allow her a certain yearly sum for a support and maintainance, that the Men were chosen to ascertain that sum, but have not yet determined it to her knowledge, and further that John Riley Esq. was with her said husband and made use of all his influence in cooperation with her said husband in order to induce her to signe the said petition, and that she never knew any thing about the said petition untill the morning of the day it was signed, nor untill after she had come into Newcastle, and therefore had no opportunity of consulting her Father upon the subject and that she has now no support or means to make a living, and that she does not consent to an act Assembly being passed Divorcing her from her said husband but objects to such a Measure, and further saytth not Sworn & Subscribed January the 21st A.D. 1815

Margaret Rowan

Before Geo. Quire

Depositions of
Margaret Rowen

The petition of Margaret Rowan to be divorced from her husband Henry Rowan.

H. of Rep's
4. Jan. 1815. Read &
Referred to Mess'rs Crow
Jenkins &
Cullen

0928

To the Honorable the Senate and House of Representatives of the State of Delaware, in General Assembly met.

The Petition of Margaret Rowan late Margaret Lacey -

Respectfully represents -

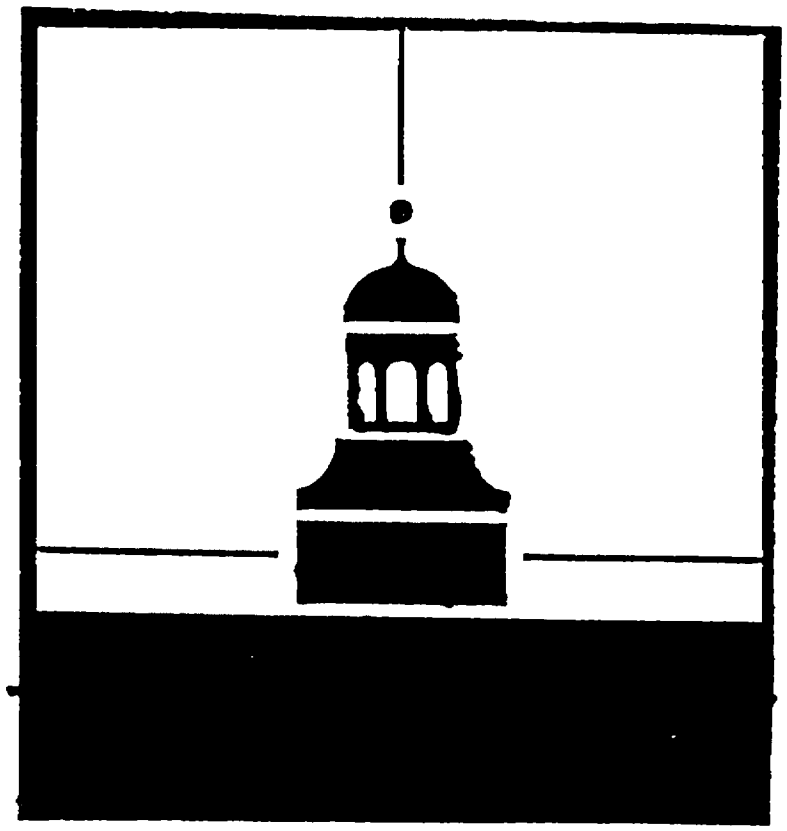
That some time in the month of September in the year of our Lord one thousand eight hundred and twenty, she was lawfully married to a certain Henry Rowan of the county of Newcastle. That since their said intermarriage, the said Henry and your petitioner, have not lived together more than six or nine months - and so great and irreconcilable are their domestic differences, that it is utterly impossible for them to live together as man and wife -

Your petitioner therefore, respectfully prays, that the Honorable the Legislature, will enact a law, dissolving the bonds of matrimony existing between them.

And, your petitioner will pray &c.

Subscribed in presence of:
Wm. Rauch

Margaret Rowan



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1815 Jan.- Feb. Legislative Petitions - Education

School Law.

Resolved, That
referred to a
Committee
Mesrs Johnson
Tindal
Deakyne

MUTILATED DOCUMENT

0928

Found inter 1815

To the Honorable the Senate and House of Representatives of the State of Delaware, now in session:

We the undersigned, citizens of Newcastle County, deeply im-
pressed with the importance of disseminating the blessings of
education among all the people of the State, and conscious that
the existing laws on that subject are not calculated to effect that
desirable object, respectfully recommend the Legislature to take
the same into their serious consideration, and so to amend the
"Act for the establishment of Free Schools," as to make the
school system effective and beneficial. For which purpose we
would respectfully suggest the propriety of authorizing the as-
sessment of a tax on the rental value of real estate, and on per-
sons and personal property, in aid of the School Fund.

Geo Houston
M. Bowman
Thos C. Mitt
George C. Mitt
John Janvier Jr.
Eldad Lore
Thomas Fountain
Philip D. Riley
Garrit Cox
John Hays 10
Henry Harmon
Samuel Veach
John Taylor
Charles Stanley Jr.
John Coleman 15
Nath Lovington

Matthew Smith 2
66
15
83

Petition for the incorporation of the trustees of the Union school in New Castle hundred.

H. of R.
14. Jan. 1815. Read & referred to Messrs Crow Williams & Walter.

In Senate.
18. Jan. 1815 read.

0999

To the Senate and House of Representatives of the State of Delaware in General Assembly met

The Memorial of the Subscribers to the Union School in New Castle Hundred respectfully Represents that for want of an Incorporation of the Trustees of said School we find Great difficulty in Managing the Affairs thereof Your Memorialists therefore Pray the Honorable the General Assembly of the State of Delaware to pass the bill herewith presented Incorporate the Trustees of said School and to make such further provision as You in your Wisdom may deem proper for the Government of said School and regulating the affairs of the same and Your Memorialists will pray &c

January 11th 1795

Jacob Belville

Adam Martin

Ebenezer Mouton

Alex^r Finister

William Sergeant

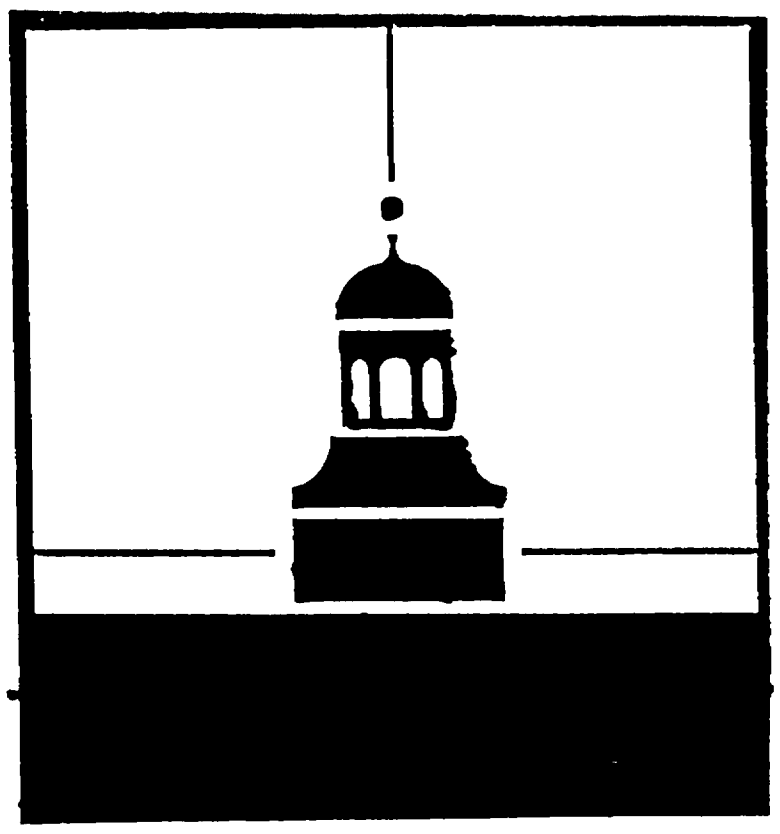
John Drummond

Wm Hillman

James Anderson

Moses Gardner

William Coulter



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