

23 Alexander, & Johns, be appointed a Committee for the purpose of framing a system of By-Laws for the Government of this Corporation, and also, a form of Leases to be laid before the Board for their Approbation.

And be it further Ordained, that it is expedient that a Common Seal be procured for the Corporation, and that the Committee appointed for framing the By-Laws, shall also prepare a Device for the said Seal. —

And be it further Ordained, That the Treasurer be and is hereby authorized to procure on loan the sum of one Hundred Pounds, for the purpose of defraying certain expences incurred by the Corporation. —

At a meeting of the Board of Trustees of the New Castle Common, on the 12th September 1792. —

Present — David Finney, Esq. Chairmans.
John Stockton,
Geo. Bedfords,
Kensy Johns,
James Riddle,
Joseph Fallow,
Geo. Read Junr.
Matt^r. Pearce.

The Committee appointed for the Purpose of framing a system of By-Laws, for the Government of the Corporation, reported a set of Rules & Ordinances, which being read and Considered by sections, were amended and adopted by the Board, and Ordered to be transcribed in the Book of Transactions; — They are as follow: —

The By Laws or Ordinances of the Corporation as accepted this day 6-9-92

Section 1. Whereas it is necessary for the preservation of goods and the dispatch of business, that a member of the board of Trustees should be selected to preside over and regulate the deliberations thereof

Be it therefore ordained by the Board of Trustees of the New Castle Common that the said Trustees shall at their next meeting

Choose by Ballot a member of their Body who shall preside at the Assembly of the said Board and be stiled President of the Board of Trustees of the Newcastle Common, and shall continue in office until the first Tuesday in March Seventeen hundred and ninety three and until another be chosen And that the said Board of Trustees shall on the same first Tuesday in March aforesaid or as soon after as conveniently may be and annually thereafter, Choose a President as aforesaid Provided always and be it ordained that that the said Board of Trustees have Power to Choose a President pro Tempore in case of the Absence or other inability of the President elect, to attend and in case of the Vacancy of the said Office by death or removal to supply the same by a new election of a President for the Remainder of the year -

Section 2

And be it further Ordained that the President shall have power to preserve Order in and regulate the deliberations of the Board of Trustees so as to effectuate despatch of business And in case of an equal division, shall have an additional casting Vote He shall have power to convene the Board of Trustees at other Times besides the Times appointed by Law for that purpose And it shall be his duty to convene the said Board of Trustees at the request of any two members of the said Board Provided that three days Notice of the said meeting be given by advertisements signed by the Secretary and set up in public Views in the said Town of Newcastle

Section 3

And be it further Ordained that there shall be a Secretary who shall be chosen by Ballot and continue in office during the Pleasure of the Board of Trustees that it shall be the duty of the said Secretary, faithfully to record all the Acts and proceedings of the Corporation in regular books to be provided for that purpose and to do and perform every matter and thing appertaining to the office

Section 4th And be it further ordained that there shall be a Treasurer who shall be chosen by Ballot and continue in office during the space of two years that it shall be the duty of the Treasurer to receive and safe keep the monies belonging to the Corporation that the Treasurer shall not pay over any monies so received by him to any person or persons whatsoever without a written Order signed by the president and countersigned by the Secretary authorizing such payments and which shall be his warrant for so doing. Provided always that it shall be the duty of the

the Secretary to countersign all such orders as may be drawn —
 by the President, or the Treasurer in Pursuance of and —
 conformably to any Ordinance or Ordinance of the Board of Trustees
 and that the Treasurer shall become bound to the Trustees of the
 New-^{Castle} Commons in an obligation in no wise less than Five
 Hundred Pounds Lawfull Money of the State of Delaware —
 conditioned for the due and faithful performance of the office
 of Treasurer of the New-^{Castle} Commons or such other security as
 the said Trustees shall approve And that it shall be the
 Duty of the Treasurer to demand and receive the Rents reserved to
 be paid by the respective Tenants of the Corporation when they —
 shall grow due and in case of failure in the punctual
 discharge thereof by distress Suit or Entry to compel the most
 speedy payment of the same Rents And that the Treasurer
 shall in Books to be provided for that purpose make regular
 Entries of the Amount of the Rent that may have been due
 by him and for what year of Lease and when and from
 whom

Section 5th And Be it further Ordained that no Order
 as aforesaid shall be given ~~for~~ drawing Monies out of the Treasury
 unless authorized and directed by Ordinances of the Board of
 Trustees regularly recorded the Substance of which Ordinances
 tending to show the purposes of the Appropriations shall be
 contained in the said Ordinances tending to show the purpose
 of the Appropriations shall be contained in the said Orders —
 which shall not be countersigned by Secretary unless the same be
 conformable to the Ordinances

Section 6th

And Be it further Ordained that the Secretary shall in
 regular Books to be provided for that purpose make ^{an} entries
 of all orders to be drawn as aforesaid and countersigned by himself —
 expressing therein the Date the Amount and purpose for
 which drawn and make Report thereof Annually to the
 Board of Trustees

Section 7th And Be it further Ordained that the Treasurer
 shall keep in Books to be provided for that purpose regular
 Accounts as well of all monies that shall be received by him and
 from whom and on what Account charging himself therewith
 as of all monies that shall be paid away by him and to
 whom for what purpose and at what Time and
 regularly file all orders that shall be Drawn as aforesaid
 requiring payment of monies by him and shall and is

hereby required to Render an Annual Account of all Receipts and
 payments of monies as aforesaid to the Board of Trustees Provided always -
 and it is hereby further Ordained that the Books and Accounts of the
 Treasurer and the Orders so as aforesaid to be filed shall at all Times be open
 for the Inspection and examination of such committees as the Board
 of Trustees may from to time appoint for that purpose -

Section 8th

And Be it further Ordained that the Board of Trustees shall
 meet quarterly yearly from and after the first Tuesday in March
 Seventeen hundred and ninety three in each year every year
 thereafter at such convenient place in the Town of Newcastle as
 may be Determined and by the said Board or where they last
 assembled which it shall be the duty of the Secretary to advertise
 at least three days before the stated time of meeting

Section 9th

And Be it further Ordained that a General Statement
 of the Receipts and expenditures of monies of the Corporation shall
 be regularly published within three months after each Twenty fifth
 day of March in every year after the Twenty fifth day of March
 Seventeen hundred and ninety four for the Information of
 the Inhabitants of the Town of Newcastle by distributing among
 them and setting up in Public View in the said Town a
 sufficient Number of printed or written boards containing
 such Accounts which it shall be the duty of the Treasurer to
 make process distribute and set up as aforesaid -

Section 10

And Be it further Ordained that there shall be an
 Acting Committee to consist of three members who shall be
 chosen by Ballot at the present meeting and shall continue
 in the exercise of the Duties aforesaid them until the first Tuesday
 in March next and be chosen Annually thereafter on the said
 first Tuesday in March Provided always that the Board of Trustees
 shall have power to supply by a new election any Vacancy that may
 happen in the Committee by Death absence removal or other Disability
 to attend to the duties thereof that it be the duty of the Acting Committee
 to lease the Lands belonging to the Corporation upon the direction of -
 the Board of Trustees to enter upon any of the Lands leased in
 of forfeitures or determinations of the lease by efflux of Time -
 that the Committee shall have power to enter upon the several
 portions of the leased Premises at least eight Times in each

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year of Lease. for the purpose of Inspecting the Situation of the
Leaschod and viewing the State of Improvements designed to be
made and the general State of repairs of the premises and
executing a due observance of the covenants to be performed on
the part of the Tenants in such Tenures as they may
deem proper and make Report thereof at each quarterly
Assembly of the Board of Trustees that the Committee shall have
power to contract for the Leasing the Leases of the Corporation on
the most advantageous Terms to be proceeded conforming in all
respects to the Ordinances and Statutes of the Board of Trustees
Section 11 And be it further Ordained that the members of the
said Acting Committee for the Time being shall be the Attornies of
the Corporation who or any two of whom shall be vested with
and exercise all the Powers delegated to them as members of
the Acting Committee aforesaid by any Ordinance of the Corporation
Provided that no act done by any two of the members of the
said Acting Committee, without the presence of the third member
shall good or available

Section 12th

And Be it further Ordained that the Secretary shall and
he is hereby required to procure a Common Seal for the Corporation
which shall be a circular Piece of Brass of the Size of a
Spanish Milled Dollar with the following Device to wit
A Fleabannerman holding a Plough drawn by two oxen
in a field with a Harrow holding a Saddle
and around the whole Device shall be inscribed in Roman
Characters "Corporation Seal of Newcastle Common" Provided
always that the Common Seal of the Secretary shall be the
Common Seal of the Corporation until a Seal of the before
mentioned Description be procured

Section 13th

And Be it further Ordained that the Yeas and Nays
of the members of the Board of Trustees on any question shall
at the Desire of any two members of the Board be entered by
the Secretary among the Records of the Proceedings of the said
Board and the question together with the Yeas and Nays
thereon so recorded shall at the desire of any two members be
forthwith published at their Expense and made known by
the Secretary under his Signatures to the Inhabitants of the
Town of Newcastle by at least twelve hand bills or written
advertisements to be set up at the Court House and public
Inns in the said Town and in other public Views thereon
Provided that if any other part of the Proceedings of the said
Board

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Records be exposed by insertions, with the parts so Requested to be published the same shall at the desire of any other Two Members be Communicated and made known by the Secretary in some copy and on the same paper or on the same publication and any Member shall at all Times have Liberty to enter among the proceedings of the Board the Reasons of his Dissent or any Question that may be thereon Decided -

SECOND

THE BY LAWS or Ordinances for the regulation of the Real property of the Corporation and the disposal of its Funds.

Chapter 2

Section 1st Whereas it is expedient that the Lands Veld in the Trustees of Newcastle Common should be disposed of and the Funds arising therefrom should be appropriated in such manner as would be most beneficial to the Inhabitants of the Town of Newcastle Be it therefore Enacted That the Newcastle Common shall be laid out in Lots by a Surveyor under the direction of the Acting Committee aforesaid to the end that the said Common be let out under certain Leases - Provided always that proportion of the said Common adjacent to the said Town of Newcastle be reserved as and for a Common for the use of the Inhabitants of the said Town of Newcastle

Section 2

And Be it further Ordained that such of the said Lots as shall be laid out and appropriated for the purpose of Tillage shall containe not more than one hundred and Ten Acres nor less than eighty Acres of Land Provided always that there shall be reserved of every Lot of Land leased for Tillage in the proportion of Ten Acres out of every hundred Acres of Land or Wood Land for the benefit of the leased - premises Provided further nevertheless that no young or growing wood or Lumber shall be cut or taken away from the same by the Lessee or any person under any pretence whatsoever

Section 3

Ande be it further ordained that so much of the Land known by the name of the Newgate Common as lye on the South Side of the great Road leading from the Town of Newgate to the Village of Christchurch Bridge shall be leased out in groups Lots each of which shall not containe more than six Acres nor less than one Acre of Land

Section 4th

Ande Be it further Ordained That the Lessee by themselves or their Tennants shall reside on and occupy the several Lots of Land that may be leased for Tillage as afo^r Provided always that in case of a residence and Occupation thereof by a Tennant of or Lessee the Particular Lessee shall be compelled to make the following Improvements that is to say the Lessee shall enclose by Hedging and ditching the outlines of the leased Premises and erect on the afo^r Premises a Brick Messuage with a Stone Foundation and a cellar under the same that the said Messuage shall be twenty feet long sixteen feet wide and two Common Stones in Height and shall be covered with a roof of Cedar Shingles and otherwise finished within and without in a substantial and secure manner And the said Lessee shall plant fifty Apple Trees at least on the leased Premises and secure and cultivate the same in an husbandlike manner Provided further and Nevertheless that the before mentioned Improvements of Hedging and ditching and planting fifty Apple Trees thereon as afo^r shall be made by the Lessee in all events whether he actually and personally resides on the leased Premises or not Provided also and ~~it~~ Ordained that all the Improvements herebefore mentioned and provided for in this Order and shall be made within seven years from and after the Twenty fifth day of March Seventeen hundred and Ninety Two otherwise all and every Lease and Leases of the said Lots shall determine and become absolutely void and of no effect

Section 5th

Ande Be it further Ordained that the Term of Leasing the said Lots shall be for thirty years —

Such manner as is prescribed by Ordinances of the Board
of Trustees in other cases of Vacancies in the said office

Section 9th

And Be it further ordained that so much of the
Waste Common as hath been reserved as and for a
Common shall be enclosed by a Fence of Post and
Rails under the direction of the Acting Committee
and or such part thereof as they may deem proper

And that every Inhabitant of the Town of Newgate who
shall have a freehold therein or pay an annual Rent
of forty Shillings shall be entitled to Common for one Horse
and Milk Cow and no more unless in the case of Poor
Persons having obtained a License or Writing from the
Acting Committee

Amend

[Large decorative flourish consisting of several long, sweeping, overlapping loops and curves.]