## The Newark Post



## THE JAMISON WILL

ARTICLE X

## And now the third act. It may be assumed that

 It man be assumed that Thomas J. Craven did not sleep wellthat ninght and the next morning with Eli Biddle he drove to
Wilmington and reported the matter to Charles B. Lore and on theiringeturn stopped
Register of Wills. As a witness to the will, Charles B. Lore could not very wel
represent the Executor ans his Attorney and Thomas F. Bayard
 omitted, which was offered for probate and in due course the
letters to him from Thomas Jamison of May 21 and 23 , his notes letters to him rime draft were put in evidence as exhibits. The dauhters acting with equal promptness engaged as
counsel, George C. Gordon and Daniel M. Bates, who on December counsel, George C. Gordon and Daniel M. Bates, who on December
17,1864, filed a a caveat against the will
隹 in the capacity of next friend,
Tuesday, January 3,
3 Tuescay, January 3, 1865, was set for a hearing of evidence will and testament of homas Jamison, ortecased, be the last date of which paper writing purporting to be che last whe
and testament. Thomas. Craven claims to be the Executor
January 3 , the case was postponed, but on Friday, the 6th, the
 witnesses for the will each of whom told his story straightfor-
wardly and could not be broken down by crosse-xaminationt From this day on through the month, to and including
Feruary 1st, other evidenee was taken. The witnesses for the
will included such men as William G. Whiteley, Prothonotary of February 1st, other evidence Was taken, The withesses for the
will include such men as William G. Whiteley. Prothonotary of
New Castle County, Samuel P. Truss, Wiliam N. Hurlock, Wiliam
 written both before and after the stroke in February, 1863, show-
ing but little chanke in the handwriting; Isaac W. Vandegrit, a
young farmer, a distant relative and a tenant for Thomas Jamison, young farmer, a distant relative and a tenant for Thomas Jamison,
for seven years a tenant farmer of the better sort and an excellent
witness ; G. H. Stith, farmer, fifty-six years old, member of the
Cirme Grand Jury a friend of the deceased since their school days,
purchaser of Damascus, considered the deceased, "a man of
shrewdness in business affairs" and after Ausust 1,1863 , as shrewdiness in business affairs and amber a before the stroke.
For the caveators appeared Dr. James L. Veasey, at times the
 who attended Thomas Jamison during several months
his return rrom Wimimgtoo atter the stroke, a day laborer when
not a nurse: George Hagany, a shoe dealer, at whose house in Wilmington Thomas Jamison suffered the stroke and where he
stayed for several week thereafter had seen the ecedent only
亚 three or four times after the attack, but thought his mind too
much impaired to present a bill for board and attendance during
the ill the illness, and James Clark, a farmer, thirty-eight years old,
tenant of Jamison's Corner farm, who made a
Lood witness for
the will but when asked the usual question replied: "I do not think the will, but when asked the usual question re
he was' ${ }^{\text {and }}$ and wavered on cross-examination

## Me was and wavered of the witne ance with the deceased

Although I had h. me as a distinct surprise to find or reading the testimos, it came that the grounds of objection were not against the authenticity of the
purported correct copy of the original will, but to the mental carported correct copy of the deedent make a will and assume that their
counsel advised the daughters that they could not expect to profit
col by their own wrong.
As is usual in such cases, the testimony was most contradic-
tory, but despite the testimony of Dr. Veasey and his supporters tory, but despite the testimony of Dr. Deasey and his supporters,
the weight of the evidence seems to have been very much stronger in support of the claim that Thomas Jamison was of a sound and
disposing mind and memory than that to the contrary Although for a period of three or four months following the
stroke of paralysis on February 5,1863 , he was physically and at stroke of paralysis on February 5, 1863 , he was physically and at
time mentally incapacitated. there is every reason to believe that despite the frequent and well nigh crushing blows that he suffered, hiss reason, acuumen and shrewdness were in the main as sound as
ever reor ever, regardiess or his occasional morgetruind pushed and teast one
farms, bought and sold, loaned money and
foreclosure wwen the debto failed to pay; from time to time he
 went to New Castle and entered on the records satisfaction of
judgments paid. He invited the Prothonotary to og across the made a loan of five thousand dollars to James Garman, one of the witnesses, who was so sure that the decedent was not of sound mind after the stroke and who on cross-examination admitted that while he often filled up checks and wrote letters for him, the deecentant Garman, acting as Ag a
Mr
home to Thomas Jamison.
home to Thomas Jamison.
tinued to manage his own affairs for on that day he Jamison conHurlock a draft of two or three thousand dollars to deposit in the Delaware City National Bank, with a check for one hundred
and seventy-five dollars to have cashed, "a regular habit." With the taking of James Clarks tes
directed that an issue be tried before the bar of the "The Register at the next May Term thereof to determine whether or not the paper writing here presented does in substance contain the last will
and testament of said Thomas Jamison deceased. The case came up to the Superior Court before a Special Jury at the May Term
1865 , the Jury failing to agree were discharged by the Court

1. Considering the Court's charge to the Jury, Houston's Dol. Re-
ports, . Vol. III) I am unable to understand why after a day and a night of deliberation they found any trouble in finding a verdict
 in the Suserior Court at the November Term of 1865, but on
account of the death of Anna Jamison, one of the party Caveators. there being no noparties to the issue, the Register notificd the parties
interested and they appeared before the Register" (December 14.
1865) "and made new parties thereto." It was at this stage of he proceedins that John P. Belleville
aiready Administrator, pendente lite of Thomas Jamison and now already Adm inistrator, pendente lite of Thomas Jamison and now
Administrator of And Administrator of Anna Jamison, asked to be recognized as party
plaintif on behalf of the estate of Ann JJomison and as next
friend of friend of Laura Jamison and hom tre had married recently. The Register approved of this for the the time being, but later on February
3, 1866, decined to recognize John P. Belleville as next friend Laura, Jacisison on thecognouze that he wailevilte as next friend ourdian of all o
the minor children and substitued Charles H. McWhorter instead


## fied the partios intercsted that he would hear any further testi monn that they might wish to ofer in the case. Whereupon the Renister

 Register appointed the 27th day of June 1866, for the hearing ofthe cause. June 27,1866 partien met and the Register proceded
with the bearing and took the depositions of Dr Willim $N$. Hamilton hand iohn M. Boyd and reduced them to writing.
D. Hamiton. physician of thirty years practice, graduate
Defterson Medical Collece. had known decedent since Dr. Hamilton, physician of thirty years practice, gracuate of
Jefferson Medical College haad known deedent sinee 1839 had
attended Mrs. Jamison in 1862 : Mary Jamison in 1863 and attended Mrs. Jamison in 1862: Mary Jamison in
decedent for three or four weeks in company with D. Veasey from
whose conclusions he dissented positively and was firm under deceden tor thsions
whose conclus.
cross-examination.

John M. Boyd, farmer, had known the Jamison family inti-
Joyh mately from boyhood, nursed Thomas Jamison in Wilmington after his attack, brought him home in company wo wreks after-
grift February 2 , 1863 , and atended him for two week
wardst testified that one week after his return, Thomas Jamison wards; testified that one week after his return, Thomas Jamison
at up in bed and wrote a business letter. Said he: "I never saw
s. at un in bed and wrote a business letter. Said he: Inever sand And now from the record again,-"The examination was
cosed and the Register decided that the paper writing presented or probate is in substance the last Will and Testament of Thomas amison, deceased, and admitted the same to probate as such, June
7, 1866." more than one year and six months after Thomas


## sutton house at st. georges

Thomas Jamison granted unto Thomas J. Craven, with Eli Biddle
A George Z. Tutbout, as sureties, 1866, The Caveators through their Attorney, George B. Rodney, prays an appeal from the
decision of the Register, which appeal was granted. R. C. Fraim, Recision or
If the
Rester

If the appeal was ever pressed, I find no record of it either in he Register or wins oftice, or in Judge Houston's Reports.
Strangely enough more than fifty-two years aftervards, th
Tederal Court for the District of Delaware was called upon to Federal court for he District of Deaware
nterpret the terms of Thomas Jamison's will.
$f$ a fow of the leading characters of the wrama say something whom passed oft the stage of life many years ago.
of the Jamison family, all have died save
Of the Jamison family, all have died save Clarence, who
trange to say, lives in the Eli Biddle home in South St strange to say, lives in the Eli Biddie ho
Oliver Jamison died November 26, 1932 .
In Chief Justice Edward W. Gilpin and in Associate Judge
ohn W . Houston, were upheld the highest traditions of the Del ware Law Courts. Each man had served with distinction in public office, both had honorable careers in the practice of law, Judge
Gilpin had been a successful man of affairs and the probity of both Gilpin had been a was unquestioned.
Robert C. Fraim, Register of Wills, as I recall him was an
dd little old man, his gray beard streaked with yellow stains. was very fond of eatin' tobacco and sputtered as he talked. While is records have frequent errors in English and patent errors in
dates (I am sure Charles B. Lore's testimony never was so un grammatical), yet after all his decision to admit the will stood Thomas F. Bayard, counsel for the Executors, had been
United States Attorney for the Distriet of Delaware; a Democrat, United States Attorney for the Distriet of Delaware: a Democrat, his efforts had kept Delaware from secession; succeeded his father
as United States Senator, March 4, 1869; twice his fellow citizens presented him as a candidate for nomination as standard bearer of the Democratic party in a presidential campaign; Secretary of State, during the first administration of Grover Cleveland and first
Ambassador to the Court of St. James during the second. "Sans Ambassador to the Court of St. James during the second, "Sans
peur et sans reproche." His record, attainments and character are an honor to his state and to the nation.
Thomas J. Craven, Executor, a friend of my father from their boyhood days at Delaware College in the fifties funther frather's
death in 1917; the friendship deepening with the passing years:
 tart in life: a farmer after his graduation from College l later a
successful manufacturer and President of the Salem Glass Works at Salem, New Jersey. His character as a young man had obtained
and merited the confidence of Thomas Jamison, standing the test of years. He died in ind 1922, aged 84 years. Charles B, Lore went far. Born in Odessa in 1831; graduate,
with honors, of Dickinson Colege 1852 , student of law; Clerk of
the House of Representatives for several sessions the House of Representatives for several sessions; one year in the
Methodist ministry ; admitted to the bar in 1861; Draft Commis. sioner 1862; Attorney General of Delaware in 1869; a successful sractitioner of law (according to Chief Justice Pennewill, he had more clients than any other lawyer in the State); member of Congress for four years, elected in 1882 ; and Chief Justice of
Delaware from 1893 until $1909 ;$ a man of large sympathy: active in the Church of his faidh; a Preseident of the Board of Trustees
of Delaware College. nideed it would be difficult to enumerate all
of his praiseworthy. Indeed it would be dinicus. He died in 1911 .
Of all the characters, I think I am drawn
Of all the characters, 1 think I am drawn most to Ell Biddle,
friend and confifant of Thomas Jamison. I wish I Ihad know him.
He must have been a sterling character. The broad low stone at his, grave a stering character. The broad low granite Cemetery bearing only this
inseription, "Eli Biddle. 1794-1887," sems indicative inscription, "Eli Biddle, $1794-1887$," seems indicative of his
stabilit. He survived his friend by twenty.three years, Mrs.
Stuckert says of him: "His word was solid; you could depend on him every time., him: "His word was solid; you could depend on
It was to William G. Whiteley, Prothonotary, that Thomas

SPEND YOUR YLCTHTHT
Waterview Beach Hotel
Boating Bathing onil IViline

FISHING PARTIES
\$8.00 DAY $\quad \$ 5.00$ HALT DA)
amison, after having several laymen attentint the drutcing of nis
will, early in May, 1864, applied as a competent lawyer, but At Whiteley said that he was out of practice and awked him to com somene ele William G. Whitely was born at
thereafter. Wited at Delaware and Primceton Colleges
cat James A. Bayard; admitted to the Bar in 1841; I'rothonotarrer of Wilmington; members of commission that mroitrated D Dlayiver
and New Jersey boundry line dispute: is ii lial recognized authority, and Asso
until his death April 23, 1886 .
And there is William J. Hurlock, anotier stierlitug character,
ho advised Thomas Jamison not to bry flio now in such perfect repair, because of its ",
In the direct examiation he gave his age a repeating this in answer to a question in
when asked "Are you not over eighty yoars answer that question." Thomas Jamison
sulted with him also about the making of advised him to see a good lawyer and later
him that the will drawn by Charles B. Lore George C. Gordon, counsel for the cave
mington in 1825 ; studied law under Chiot
Gilpin; admitted to practice law in 1847 ; he Gilpin; admitted to practice law in attract
his fellow members of the bar: an athersel
a long time counsel for the Philadelphia,
more R. R. Co. never held public office. H
buried in Old Swedes' Cemetery in Wilming
Daniel M. Bates, associate counsel ; born
1821: son of a distinguished Methodist in
Ioore. At the age of eight years, his father t Moore, At the age of eight years, his fathor!
house of Hon. Martin W, Bates in Dover. His
when he was an infant and Mr. and Mrs. Bates They adopted him. By Act of Assembly his
from Daniel Elsey Moore to DDaniel Moore
from Dickinson College in 1839: admittol from Dickinson Collinge in 1839 a dmittod
January 1847 . Secretary of State for Dela
moved to Wilmington to practice law th moved to Wimingto
attorney, "during a considerabate perioo of
appears to have been engaged in almost
tried in the Courts of his own county or bef and Appealo" (Enc. of Del.), $1852-1861$, U
Attorney for Delaware: appointed Chancello Attorney for Delaware; appointed Chancellor of Statase Diatm account of his health; an active member of the Methodid
Episcopal Church; of the Delaware Bible Society and of the Des ware Historical Society; a man of the very highest type of chr
acter; in the limited space afforded, than a part of his valuable services to the
private citizen. He died in March, 1879.

Just when George B. Rodney came into the picture 1 am wad
e to state, but take it for granted that it was atter Daniel X Bates' appointment as Chancellor. The last mention of him
connection with the case was on December 14.1865 , two days aff his appointment. He was a worthy scion of the Delaware fam
of that name, a son of Governor Daniel Rodney, father of the ly
John H. Rodney and grandfather of Judge Richarl S. Rodney.

Dr. James L. Veasey was an old time country physician , w a wide extended practice, evidenced by the fact that he lived meant somethog in those days.
Purnal J. Lynch, a farmer; Democrat of the old school:
iennial candidate for the nomination of Sherif; at least once
ecured the nomination only to be defeated the plection Charles H. McWhorter was born in St. Georges December?
She
 in the same class as my father; a farmer for several years $u$ activities including member ship in the State Senate with my father in the sessions of 18
and 1881; later Register in Chancery and Clerk of the Orphas
Corn Court for this county. An anti-slavery Demiocrat. He mame
Agnes Jamison September 6,1865 , during the course of eot proceedings and after Ann."
ninor, as her "next friend."
The other witnesses, if not equally prominont, were mis
nown in the county and in the main, citizene of standing, wh

## ntroversy.

Of John P. Belleville little has been said, 7ut (and it may ave been with the approval of opposing coungel he was apporn
Administrator pendente lite of the Estate in Thumas Jamson 3 which capacity he served until letters testam the minor children of
after the death of Anna Jamison appeared
itrator. He lived
One result of the case was to establigh mors firmly than To me set aside lightly.

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Cold Harbor, In thirty days Grant's

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$$ a Dove of Peace, with which Robert C. Fraim decor

leaves of the Records in the Register of Wills' Office.




WHEAT ADJUSTMENT PROGRAM
Dean C. A. McCue Explains Plan


NEW PIONEERS ON OLD FRONTIERS
 Valley Under Government Project to Develop Industria
Agricultural Communities in Hinterland of Nation







 vealth and power, but the social and
conomic reclamation of an immense
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 Kentucky and Tennesssee. Its com- have returned to the great Temnessee
pletion may require twenty-fve years
Valley area because

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project which eventually may embrace
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net The projects under immediate con-
sideration by the Tennessee Valley Authority include
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The opening ofo.ono now streams to

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$\qquad$ dent along the lines of preserving our natura resources," he said
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wais is to take a stream as a whole with its tributaries and develop it
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navigation, the maximum flood control The Tennessee Valley project is only
one of many now under consideration
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