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History of Delaware from 1776
to present time.

Conditions in the colonies prior to 1776 -

When Congress met on May 10, 1775, the three counties, on the Delaware, were represented by its delegates, Mr. Thomas McKean, Mr. Caesar Rodney and George Read. All the members of Congress had been chosen before the clashes of Lexington and Bunker Hill had occurred, and were not ready for independence. With the beginning of 1776 - after John Dickinson, of Delaware, and John Jay had procured the consent of Congress to a petition to the King and which he subsequently denied, and issued a proclamation declaring the colonies in rebellion, and invoking all the forces of the empire to suppress the rebellion - a great change had begun to work, and a feeling of resentment spread rapidly through the colonies. Their charters had been revoked and taken from the colonies, which left them without any government except the King's military forces. The Congress decided that some form of local government ought to be provided for the colonies, and adopted a resolution to this effect.

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This resolution adopted on May 10, 1776, read as follows: "Resolved, that it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs have been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general"

A subsequent resolution authorized the appointment of a committee to prepare a preamble was drafted and adopted and, with the resolution adopted on the 10th., was ordered published by the Congress on May 15, 1776.

Congress, in the meantime, was considering at great length the subject of complete independence from England. The feeling spread rapidly in Congress - McKean and Rodney firmly urged independence and confederation from day to day. On Friday, June 7, 1776, Richard Henry Lee, of the Virginia delegation, offered the following resolution: "Resolved, that these united colonies are, and of a right ought to be, free and independent states; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved." The resolution was debated from day to day but no vote on the resolution was taken, as some of the delegates were not certain of the attitude of their constituents, it was thought most prudent to wait a while for them.

The vote on the resolution for independence was postponed to Monday, July 1, and a resolve was adopted for the appointment of a committee, "to prepare and digest the form of a confederation to be entered into between these colonies." This committee, appointed on June 12, contained among others, Thomas McKean of Delaware. The committee brought in a draft of a form on June 28, It was read and laid upon the table.

On the 14th of June, the General Assembly of the colony of Delaware gave these new instructions to their delegates in Congress: "That you concur with the other delegates in Congress in forming such further compacts between the United Colonies and concluding such treaties with foreign kingdoms and states and in adopting such other measures as shall be judged necessary for promoting the liberty, safety and interest of America, reserving to the people of this colony the sole and exclusive right of regulating the internal government and policy of the same." It was these specific instructions that gave McKean and Rodney confidence in recommending and supporting measures for independence of the colonies. George Read - there were three delegates from Delaware - took an opposite view because the members of the Assembly (Delaware) were appointed prior to any acts of war on the part of Great Britain, and he did not consider the Assembly authorized to give such instructions to the delegates in Congress.

In accordance with the resolution of postponement on July 1, Congress went into committee of the whole House to consider the resolution of independence offered by R. H. Lee. The trial vote on July 1, was indecisive: New York had been excused from voting; South Carolina and Pennsylvania were negative; and the two Delaware delegates - Rodney being absent on leave - were tied. Nine colonies voted "Yes", but it was hoped of securing unanimity. By agreement the final vote was postponed until the next day, July 2nd. During the night, McKean sent a messenger to Mr. Rodney to help out-vote George Read. Caesar Rodney was located in the southern part of Delaware, and as soon as he was informed that he was needed to break the tie and aid the cause of independence, he hastened with all speed to Philadelphia arriving just in time to cast his vote for the resolution, and thus make a unanimous vote of the colonies in favor of independence. The resolution was adopted on July 2nd but it was not proclaimed until the 4th. The declaration was again discussed on the 3rd. On July 4th, the report of the declaration of independence was adopted and copies ordered sent out to the several assemblies, conventions, committees and councils of safety throughout the country, so as to have it everywhere proclaimed. The Congress resolved to adopt July 4th as the birth of the nation. A resolution adopted on July 19th, made it incumbent for all members of congress to sign the Declaration of Independence.

The name of George Read appears as a signer, although he voted "No" on the resolution. He was not opposed to independence, but thought it was premature.

Phases that lead to organization of the State.

The Delaware State, as it was first called, was a union of the three lower counties - New Castle, Kent and Sussex - on the Delaware, belonging to the territory of Wm. Penn. These counties had been governed under charters granted by Wm. Penn in 1683 and 1701. By the provisions of the latter charter, these counties had been granted the privilege of not joining in legislation with the other counties or provinces. Governor Evans, on April 17, 1704, agreed to the separation, and the counties formed their own legislative assembly. The continual harassment of the colonies by the English government, and revoking of the charters of the colonies by King George III, lead to formation of independent governments by the colonies. But, however, the real formation of a separate independent state government did not mature until after the Congress had adopted the resolution, previously quoted, requesting the colonies to form a government for their own safety and welfare; and had copies of this resolution forwarded to the Assemblies of each of the colonies for their consideration.

COMMITTEES OF CORRESPONDENCE:-In a Boston town meeting of November 1772, Samuel Adams moved that a "committee of correspondence" be appointed to state the rights of the colonies, and correspond with other provinces and towns of New England. Their proceedings were to be secret. The system resulted in a union. They were sometimes related to as "Committees of Safety," and possessed almost supreme executive power, delegated to them by the people. The "Committee of Safety of Pennsylvania,"- composed in part of representatives from Delaware - had charge of all vigilance activities in Delaware until the formation of the "Council of Safety in Delaware on November 6, 1776.

The Organization of the State Government

The Delaware Assembly met in June 1776, to act on some very pressing matters that needed attention because of the conditions brought about by the conflict between the colonies and Great Britain. On June 14th, the resolution passed by Congress on May 15th, relative to the formation of a government in each of the colonies, was unanimously approved by the Assembly, which on the next day passed the following resolution:

"Whereas, it has become absolutely necessary for the safety, protection and happiness of the good people of this colony forthwith to establish some authority adequate to the exigencies of their affairs until a new government can be formed"

"And Whereas, the representatives of the people, in this Assembly met, alone can, and ought at this time to establish such temporary authority;

"Resolved, unanimously, that all persons holding any office, civil or military, in this colony on the 13th day of June, inst., may and shall continue to execute the same in the name of the government of the counties of New Castle, Kent and Sussex, upon Delaware, as they used legally to exercise it in the name of the King, until a new government shall be formed agreeable to the resolution of Congress of the 15th of May last."

On July 27th, the Assembly resolved to recommend to the citizens of the counties to elect deputies to a convention to, "order and declare a future form of government for this State."

The Assembly made an announcement that its members did not regard themselves as authorized by those who had elected them to execute the important work of setting up a new state government. In their opinion the convention to be assembled should consist of ten members from each county and elected as the members of the Assembly were elected. The day of the election of deputies to the convention was set for August 19th, at Dover; and the time set for the meeting of the convention was August 27, and the place, New Castle.

The election was held on the day set by the General Assembly, and thirty persons (10 from each county) were elected as deputies to the convention. The names of the deputies are as follows: New Castle County - Nicholas Van Dyke, Richard Cantwell, Alexander Porter, John Thompson, Abraham Robertson, Thomas McKean, George Read, John Evans, John Lea and John Jones; Kent County- Thomas Collins, Charles Ridgley, James Sykes, Richard Bassett, Jacob Stout, John Cook, Samuel West, John Clarke, Thomas White, and Richard Lockwood; Sussex County - Jacob Moore, James Rench, Issac Bradley, John Wiltbank, Issac Horsey, William Polk, Joshua Hill, Peter Hubbert, Phillip Kollock, and Alexander Laws.

The convention convened on August 27, pursuant to the resolution of the General Assembly, and continued through adjournments to September 21st. George Read was the presiding officer at the convention.

The members of the convention subscribed to the following oath:

I will to the utmost of my power support and maintain the independence of this state as declared by the honorable the Continental Congress; and I will to the best of my ability endeavor to form such system of government for the people of this State as in my opinion may be best adopted to promote their happiness and to secure to them the enjoyment of their natural, civil and religious rights and privileges.

I do profess the faith in God the Father and in Jesus Christ, His only Son, and in the Holy Ghost, one God blessed forevermore; and I acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine inspiration."

The Constitution adopted at the convention contained thirty articles. The first declared that hereafter the government of the counties of New Castle Kent and Sussex, shall in all public and other writings be called "The Delaware State." The constitution further provided for a General Assembly consisting of two Houses, the House of Assembly (Lower House) made up of seven members from each county and elected annually by the freeholders. The Council, or upper branch, consisted of three members chosen from each county at the time of the first election. They were required to be freeholders and over 25 years of age.

The counsellor having the smallest number of votes in his county served but one year; the next highest, two years; and the highest, three years, the vacancies were filled annually by election. Each House was invested with full power over the election of its officers and to judge the qualification of its members.

All money bills must originate in the House of Assembly, but in all other legislation the powers of the branches were co- ordinate. The executive office was vested in a "President or chief magistrate," chosen by joint ballot of the two branches, the Speaker of the Council had an additional and deciding vote in case of a tie. The title of "President" for the chief executive of the State was continued until the adoption of the new constitution in 1792, when the title was changed from "President to Governor". Nine persons served the state under the title of "President." The term of office of the chief executive was three years and not eligible to re-election until three years after its expiration; and a moderate salary was attached to the office.

A Privy Council consisting of four members two elected by each branch of the Assembly, was provided for in the constitution. The President had to have the concurrence of this body for ratification of executive orders. Three members of the Privy Council made a quorum and they were to be open to the General Assembly. Two members of the Privy Council were chosen by each branch of the General Assembly; and

after the expiration of two years each House removed one member by ballot, the remaining two one year later, the vacancies to be filled in the regular manner.

The 11th article provided for election of the delegates to Congress to be chosen annually, or superseded in the meantime, by joint ballot of both Houses in the General Assembly.

The judiciary system was provided for by the 12th article: A Supreme Court consisting of three members appointed by a joint ballot of the President and General Assembly, one of whom would be Chief Justice. They would also elect a judge of Admiralty, and four Justices of the Courts of Common Pleas and Orphan's Courts for each county, one of whom in each county shall be styled chief Justice. In case of a tie the President had an additional and deciding vote.

The President and Privy Council were to appoint the Secretary, the Attorney-General, Register of Wills, Register in Chancery, Clerks of the Courts of Common Pleas, and the Orphans' Courts and Clerks of the Peace, who, pending good behavior, were to remain in office five years. The House of Assembly (Lower House) was empowered to name twenty-four persons in each county, from whom the President and Privy Council were to appoint twelve as Justices of the Peace to serve for seven years. All offices of the army and navy were to be elected by the General

Assembly, but the President could appoint all civil officers not otherwise provided for in the Constitution. A Court of Appeals, consisting of the President and three members to be chosen by each branch of the General Assembly, was to exercise all power formerly given in the last resort to the King in Council under the old government. The President and all other officers were liable to impeachment for corruption or offenses against the State for eighteen months after he was out of office.

The Common Law of England, and as many of the local laws, which were not repugnant to the Constitution, and the provisions of the Bill of Rights were to remain in force until superseded by General Assembly. The Bill of Rights was a strong and compact document, consisting of twenty-three fundamental rules and privileges to be enjoyed by the people, and in which the State could not infringe.

The 26th Article dealt with slavery---a question that was not definitely settled for more than three-quarters of a century later---read as follows:

"No person hereafter imported into this State from Africa ought to be held in slavery on any pretense whatever; and no negro, Indian or Mulatto slave ought to be brought into this State for sale from any part of the world."

This was the first and only reference to slavery inserted in Constitutions of the States comprising the original colonies supporting independence.

The Constitution gave power to the Legislative Council and Assembly of making the great seal of this State, and was to be called "The Great Seal of the Delaware State."

The first election for the General Assembly was to take place October 25, 1776, and the body directed to meet October 28, the members to be elected yearly. To prevent violence or force, no armed person was allowed to come near any place of election.

The convention was mainly under the influence of George Read, who is credited with being the author of the Constitution. It was not satisfactory to Mr. Read's colleagues in Congress, Messrs. McKean and Rodney. His colleagues thought the convention would arrogate to itself the function of electing delegates to Congress, in which case McKean and Rodney would be displaced. If they were superseded, they intended to take their place to the people.

There was much harsh comment directed against the Constitution and the form of Government which it set up. The criticism was more as a result of prejudice than defects in the Constitution, because the more advanced section of the patriotic party did not control the convention. Some of the main objections to the Constitution were: "Justices of the Peace may be Assemblymen, make and execute law and destroy all liberty"; "The State comprising only three counties, had four legislative bodies"; "That they made a form of government without an appeal to the people, or hearing any objections thereon."

However, Delaware settled down under this new form of government, and, because of the war for Independence had already begun, proceeded to raise troops to aid in the conflict. Prior to the Declaration, the militia of the three counties had done duty in skirmishes on the western shore of the bay, but were not organized or equipped to meet the highly disciplined troops of Great Britain.

Delaware's Part in the Revolution
Organization and Strength of the Army

The first regiment raised was that of Col. John Haslet, which was, in fact, in process of formation before independence was declared. They were State troops---that is, a command organized under the colonial laws and furnished by the State of Delaware upon the call of Congress, who appointed their field officers. The regiment comprised eight companies of about one hundred men each, and on January 19, 1776, Congress elected as its field officers, John Haslet, Colonel; Gunning Bedford, Lieutenant Colonel; and John MacPherson, Major. Major MacPherson was dead at this time, he having been killed at the storming of Quebec, December 31, 1775. Thomas MacDonough was elected to the position on March 22, 1776. A large portion of the regiment was at Dover on July 5th, when news of the Declaration of Independence reached them. They participated in the burning of a picture of King George.

Delaware Troops go to the Front - The

regiment was ordered to Philadelphia on July 20th, where it attracted much commendation. Abram Clark, in speaking of the Maryland and Delaware regiments, says: "The two battalions were the finest I ever saw." On August 7th the Congress directed that the regiment be equipped with arms, and then report to General Washington at Amboy, N. J., where they were brigaded with Pennsylvania and Maryland regiments, under command of Brigadier General Lord Stirling. The seat of the war having been transferred to New York because the British General, Sir William Howe, determined to take and fortify it, and for this purpose had landed twenty thousand troops on Long Island. On August 25th Stirling's brigade - The Delaware troops were in this brigade - was ordered to Long Island and took up their position outside of Brooklyn. The British advanced on the town on the 27th and although the colonial troops were outnumbered by almost three to one by the British, the Americans fought desperately but had to fall back before the fierceness of the British assault. The Delaware and Maryland regiments were assigned to the rear to cover the retreat, which was successfully accomplished. This was the first battle in which Delaware troops participated. Colonel Haslet having been ordered to New York to sit on a court-martial, the regiment was commanded by Major Thomas McDonough.

Other battles in which this regiment participated were: White Plains, Oct. 28, 1776 - Here, the Delaware troops were called into the thick of the fight by General Washington, and, on victory of the British, were again placed at the rear to cover the retreat; Then in a surprise attack on the Hessians at Trenton on Christmas day, 1776, in which the Continental army was victorious; a few days later, on Jan 3, 1777, in a sunrise attack on the British at Princeton, and in which they were again victorious. Colonel Haslet was killed at the beginning of this battle. The Delaware troops, now reduced to about 100 men, was disbanded after this battle.

The Flying Camp - In the summer and fall of 1776, the shores of Delaware, Pennsylvania, New Jersey and Maryland being exposed to attack by the British, Congress ^{on June 3, 1776,} called for 10,000 men from these States to protect the Delaware and Chesapeake Bays. These men were to form a "Flying Camp." A regiment, consisting of 480 men, was enlisted and placed under command of colonel Samuel Patterson. This was the second of the three regiments which ^{were} enlisted in Delaware during the war. There was much difficulty in enlisting this regiment, and in keeping them from deserting. But, however, they became sorry for their behavior, and later, in a southern campaign, there were no continental troops, superior in ability to withstand fatigue or in bravery. The "Flying Camp" followed the British through New Jersey while "The Enemy" fled in the greatest panic that was ever known.

A portion of the Delaware division of the "Flying Camp" was ordered back to Philadelphia, and formed part of Putman's command, which was directed to co-operate on December 25th with General Washington in the blow to drive the British out of New Jersey, but every division commander failed, for good reason or bad, to carry out his part of the program. The men were enlisted to the end of the year (1776) and were mustered out at the appointed time.

The Delaware militia had been pressed into service on several occasions but when the battle began to rage these men would fade away rapidly. They were not well organized or very well equipped, and made very poor fighting troops.

The Third Regiment organized - Congress, through its experience with short term enlistments and the militia, was convinced that the army must be re-organized and enlistments obtained for a longer term. Congress therefore resolved on September 16, 1776, "That 88 battalions be enlisted *** to serve during the present war, and that each State furnish their respective quotas." Delaware's quota was one battalion to consist of 800 men. The first company under Captain John Patton was mustered in on November 30, 1776; and the second company under Captain Robert Kirkwood was mustered in on December 1, next. The remaining six companies were mustered in April 1, 1777, Captain David Hull was commissioned Colonel of this "Third Regiment."

That spring, the regiment joined General Washington in New Jersey. At the beginning of the Revolutionary war the population of Delaware, including men, women and children, was 35,000 inhabitants. From 1775 to 1783, including the militia, 3763 men were enlisted in Delaware. The Freeman's Journal of Philadelphia of October 8, 1783, says that, "Delaware furnished doubt its quota of troops in proportion to the population as compared to Pennsylvania and other large states."

Battles in which the Third Regiment participated

In the early summer of 1777, General Howe, in command of the British army in New York, intended to attack and capture Philadelphia by the way of the Delaware River. On July 30th, the British fleet entered the Delaware Bay. Lord Howe finding navigation difficult there, decided to reach Philadelphia by the Chesapeake Bay. He arrived at Elk River on August 25th where he disembarked, and marched his troops (18,000 men) to the head of Elk River.

Congress in the meantime had ordered General Washington to move his army to the Delaware; and also, had ordered the militia of New Jersey, Pennsylvania, Delaware and Maryland to be immediately called forth to repel any invasion by the enemy in these States, and that "all live stock be driven from the Delaware to the interior."

General Washington, with Lafayette (a French officer) moved the army to the high points North and West of Wilmington; and while here, Washington had his headquarters on West Street between Third and Fourth Streets in Wilmington.

General Caesar Rodney, in command of the Delaware militia, was ordered to the head of Elk River to reconnoitre the enemy, report his movements, harass his out-posts, and remove the stores there. He succeeded in moving some of the stores, but the British seized most of them. On August 27th, General Howe offered "security and protection to the peaceable inhabitants of this territory, and pardon to all officers and privates as shall voluntarily surrender themselves to his Majesty's Army."

The first severe skirmish with the British army in which Delaware troops were engaged, was at the foot of Iron Mountain near Cooch's Bridge on September 3 1777. The Delaware and Maryland troops lost about 40 men, killed and wounded, and were obliged to retreat. Here the "Betsy Ross flag", - the new United States flag - first floated over a battle field.

The Battle of the Brandywine, - the only battle of the Revolutionary War ^{fought} on Delaware soil - was fast approaching. The British continued to advance; and in the meantime, General Washington withdrew his army to the other side of the Brandywine river to cover the fords and prevent the British from crossing.

The British arrived on the opposite side of the River on September 7, and the battle began. The battle was severe, and though the Continentals fought valiently, they were overwhelmed by the superior numbers of the British. Darkness saved Washington's army from destruction. In the night he retreated to Chester, leaving the victors on the field of battle. The American army lost about 1300 men, killed, wounded, and prisoners.

The British committed ^{many} acts of depredation in Delaware. They proceeded to New Castle and took the "Seal of the Delaware State", and "captured all records and public money together with the funds belonging to the Trustees of Newark Academy." On September 12th they came to Wilmington and captured John McKinly, "The *first* President of the Delaware State", and placed him on a sloop, which was loaded with plunder. Thomas McKean became President of the State after the capture of McKinly. His activities were too pronounced to escape notice, and "he was hunted like a fox" by the British.

The next battle, in which the Delaware regiment fought, was the battle of Germantown, on October 4, 1777. Although the Americans gave way and were obliged to retreat, "The Delaware regiment, in the thick of the fight was never broken up, not in the hottest fire." Colonel Hull was severely wounded and many Delaware men were killed and wounded. The Delaware regiment now went into camp with the army at Valley Forge. Ragged, half-naked, bare-footed and hungry, they suffered there through the cold and snow of that awful winter.

General Smallwood, who succeeded General Sullivan after the battle of the Brandywine, was sent with the Delaware and Maryland regiments to Wilmington on December 19 where they were stationed the balance of the winter. In April 1778, General Smallwood suppressed an insurrection of Tories at Jordan's Island about ten miles from Dover.

The Delaware regiment had lost many men in their many campaigns and battles. On February 21, 1778, the General Assembly made provision for recruiting 420 men, required to supply Delaware's full quota. After the regiment had been recruited to its full quota, it returned to Valley Forge, and placed in the corps under General Lafayette. In February, 1778, France espoused the cause of the Colonies, and despatched the French fleet, under Count D'Estaing, to the Delaware.

The British, fearing the arrival of the French fleet, on June 18, 1778, evacuated Philadelphia and marched into New Jersey, and the British fleet sailed out of the Delaware waters. Washington followed the retreating British, and on June 28, the battle of Monmouth was fought. The Delaware regiment under Lafayette was engaged in this battle. During the year 1779, the Delaware troops were engaged with some detachments from the army in several skirmishes, but none of great importance.

In the spring of 1780, the scene of the conflict shifted to the south.

On April 13, 1780, Congress ordered the Delaware troops then in camp at Morristown, New Jersey, south to reinforce the Continental forces there. The Delaware regiment had been recruited to about 500 men with Robert Kirkwood as captain. The Delaware and other regiments under ^{Major} General Baron DeKalh, left Morristown, New Jersey on April 16, 1780, for the south, marching through Philadelphia and Wilmington to Elkton, Maryland and from there by water to Petersburg, Virginia.

The troops marched from Petersburg to Buffalo Ford, a distance of 469 miles, where General Gates took command, and proceeded to Camden, South Carolina. The troops were much distressed for the want of provisions during this march, which rendered them weak and sickly. At Camden on August 16, 1780, the army fought the most disastrous battle of the south. This was the first engagement of the Delaware regiment in the Southern campaign, and the regiment was nearly annihilated. The killed and wounded numbered 265 in a short fight of one hour.

The scattered remnants of the Delaware and other regiments were finally assembled at Salsibury, North Carolina, and reorganized. Captain Robert Kirkwood was placed in command of the Delawareans; and the reorganized forces formed one brigade under command of General Smallwood. While the British were taking their prisoners from Camden to Charleston, Colonel ^{of South Carolina,} Francis Marion, who had carried on a guerilla warfare against the British, rushed them at day break, captured them, and

retook 160 American prisoners, of which 72 were Delawareans.

On December 8, 1780, General Greene arrived at Charlotte, North Carolina, and relieved General Gates of his command. On January 17, 1781, the Delaware troops fought in the battle of Cowpens. The British army fled in a panic before the onslaught of the Americans. Delaware lost 14 men in this battle. The Delaware troops were engaged again at the battle of Guilford Court House, North Carolina, in which the British again fled in a panic with the Americans in pursuit. General Greene abandoned pursuit of the British, under Cornwallis, and marched 164 miles to Camden, S. Carolina, arriving there on April 20, 1781. The British garrison engaged him in battle on the 25th at Hobkirk's Hill, which was called the second battle of Camden. The next engagement of the Delaware troops was in the seize of "ninety-Six." Greene accomplished but little, although high tribute was paid to the Delaware regiment. The next, and last, engagement of the Delaware regiment in the war was at Eutaw Springs. The continental troops were victorious. After this battle Lord Cornwallis marched his army into Virginia, where he surrendered to General Washington at Yorktown, October 19, 1781, and thus ending almost seven years of war, but, "The Dominion of Great Britain over America was forever broken."

In 1782, the Delaware troops were engaged with Greene's army in suppressing Tories. On November 16, 1782, the Delaware regiment began the march from South Carolina to Delaware. They reached the Christiana Bridge on March 17, 1783, and were soon mastered out and returned to their homes.

The Treaty of Peace was signed by Great Britain France and Spain on September 3, 1783, and ratified by Congress, February 14, 1784.

Conditions in Delaware during the War

The Three Lower Counties on Delaware had now risen to the "The Delaware State", free and independent under a government originating in the people. The first Legislature convened at New Castle October 28, 1776 George Read was elected Speaker. Active measures were taken for enlistment and equipment of men for war, raising funds, etc., for the defense of the State, and a Committee of Safety was appointed. During the winter the Committee was engaged in providing for the army. The first President of the State, John McKinly was elected by the General Assembly on Feb. 12, 1777 for a term of three years. McKinly was captured the following September by the British.

The Legislature, on February 23, 1777, enacted a law repealing all "allegiance to the King, and revoking all authority of the heirs and devisees of William Penn deceased."

New Castle had been the Seat of Government, but, on May 12, 1777, it was ordered that the General Assembly should meet annually at Dover, and, in case of invasion the Assembly was given power to adjourn to any other place. The Assembly met at various places - Wilmington, Lewes, Dover, New Castle and Duck Creek Cross Roads.

The people in Delaware had suffered scarcely at all from the taxes or duties imposed by Great Britain; the Quakers were opposed to war on conscientious grounds; the Tories in the State were pro-British because of defenseless coasts and fear of destruction of their property by them. Under these conditions loyalty and devotion of the people to the cause of the colonies was not unanimous, and enlistments in the army were difficult to obtain.

The poor recruiting system contributed largely to the difficulties of the State in obtaining enlistments in the Army. At first the soldiers were paid only \$20.00 and the promise of one hundred acres of land to those who staid for duration of the war. This was increased to \$45.00 while officers were given \$35.00 for every soldeir^{le} he enlisted, the officers receiving almost as much for obtaining recruits as the men received for his service in the war. The bounty was later raised to \$80.00 for men and to which the Congress added \$200.00, but the officers got \$100. each man they recruited. They had also learned of the hardships the soldiers had to endure in the way of hunger and exposure. The army was starving on the Eastern Shores of New Jersey while in Philadelphia food stuffs were plentiful and not much demand for it. The people had failed to show the patriotism that they demanded of the army. It was difficult to obtain the necessary money to supply the army, but at the same time horse racing, gambling and lotteries were indulged in freely by the wealthy classes. The price of food was mounting, while the value of the paper currency was decreasing. One hundred dollars in silver was worth three hundred dollars in paper currency. Flour sold as high as \$400. per barrel and other food stuffs and supplies were high in proportion. Those who had money were hoarding it, or taking advantage of the people by excessive profits on merchandise they sold.

The Congress tried to remedy this by setting the prices at which goods were to be sold, but lacking authority over the States, it could not enforce its orders. Delaware did not immediately attempt to remedy conditions or comply with the "Act of Congress," limiting profits to twenty fold, because the merchants considered it an infringement on their rights and liberties.

The Legislature received many memorials from the officers of the "army" acknowledging the resolves of the Assembly, but reminding them that for some unexplainable reason the resolves had not been carefully executed by those vested with such authority and that the Army was urgently in need of food and clothing. Evidently all State officers were not above reproach, for resolutions to straighten out and settle up accounts of loan offices, sheriffs, recruiting officers, state treasurers, regimental officers and paymasters, and the clother general of the State, are frequent.

On February 22, 1777 an Act was passed making the Continental currency legal tender in this State, February 27, 1777 was designated as a day of fasting and humiliation. The Legislature adjourned on June 7, 1777 until October. It met in Dover, October 20, 1777, but there was not a full attendance due to the proximity of the British. The Legislature provided for raising 600 men for the militia to be paid by draft of 5,000 pounds on a loan office in Kent County. It elected Caesar Rodney, Nicholas VanDyke and Thomas McKean delegates to Congress for the ensuing year. It adjourned in December.

The Legislature re-assembled in February 1778. George Read resigned as President, and on March 31st Caesar Rodney succeeded him.

In June 1778, an Act was passed to prevent the exportation of provisions from the State beyond the seas for a limited time. The Articles of the Confederation which had been adopted by Congress on November 15, 1777 were transmitted to the States and a circular letter accompanied the article, recommending that the respective delegates be authorized to ratify the same in Congress. Delaware objected to the method of voting in Congress, the rules of apportioning taxes, and the disposition of vacant lands. Notwithstanding these objections, the Delaware delegates in Congress were authorized to ratify the Confederation. It was ratified in February 1779. The Legislature continued the embargo on provisions, but later permitted exportation of grain and flour provided the vessels should return with imports to be sold within the State.

The Assembly convened in Wilmington, November 29, 1779. It designated December 9, 1779, as a day of Thanksgiving. On December 15th complaints were received from officers in the Delaware regiment. On December 22, 1779, it met in joint session and elected John Dickinson, Nicholas VanDyke and Geo. Read delegates to Congress. Mr. Read declined further service in Congress and Thomas McKean was elected in his place. The winter of 1779-80 witnessed great financial troubles. Prices had become very high owing to the depreciated paper currency. Massachusetts had proposed a commission to fix the price of produce, merchandise and labor in each of the states. George Latimer and the three delegates in Congress composed the Commission from Delaware.

The prices were limited to twenty fold the price in 1774, Delaware had not so restricted her merchants and many articles cost forty to fifty times as much in 1780 as it did in 1774. Delaware later passed an act establishing the profit a person might make on an article, and providing fine and imprisonment for demanding higher prices.

The Legislature assembled March 28, 1780, conferred certain privileges and immunities on the subjects of the King of France within this State. It designated the 26th of April as a day of fasting and prayer. The legal tender functions of the Continental currency was ordered enforced. The session ended April 16, 1780.

The Delaware Assembly met in several extra sessions in 1780-81 to provide money to furnish supplies for the Army. In June 1780 the President was empowered to appoint two persons in each county to aid in filling up the regiment. Recruiting officers were allowed \$180.00 for every man they obtained who passed muster. The men were to receive \$200. in addition to the \$200. given by Congress. This was a very unjust method of recruiting men for army service. Thursday, December 7th was appointed as a day of Thanksgiving and prayer, according to an Act of Congress. The next session met in New Castle on January 13, 1781. It elected Thos. Rodney, Thomas McKean and Nicholas VanDyke delegates to Congress for the year 1781. The Bills of Credit previously issued were called in and new bills issued. December 13th 1781 was designated a day of Thanksgiving and prayer. The Assembly ordered the fitting out the Schooner "Vigilant," for protection of the Delaware River and Bay. Congress was

empowered to levy a duty of 57 cents ad valorem on certain goods and merchandise imported into this State.

The Legislature met in Dover on January 9th 1782 Delaware was to have an extra delegates in Congress this year. Philemon Dickinson, Thomas McKean, Caesar Rodney and Samuel Wharton were elected delegates on February 2nd. There had been some endeavor to amend the Articles of Confederation so as to have final settlement of the Boundaries of the States, and the subject of the property of the islands in the Delaware River. The delegates were instructed to make such agreements to insure the independence, freedom, and happiness of the United States in general, and that the State should always be represented in Congress. There was, also some talk of the States making separate peace agreements with Great-Britain. But in June 1782, it was unanimously resolved, "that Congress alone had power to determine on peace and war and to enter into treaties and alliances, and that any man or body of men endeavoring to enter into a treaty of peace with Great Britian without authority of Congress should be considered and treated as enemies of the States."

CONDITIONS IN DELAWARE AFTER THE REVOLUTIONARY WAR.

The war over, the state entered upon the work of repairing its ravages and accommodating herself to the new conditions of peace under a republican form of Government. By the services of her statesmen in council and her soldiers in the field she had borne a noble and illustrious share in the achievement of independence and the formation of the nation.

There appears to have been many faults in early state and national governments. The offices seemed to be held by a very few persons. In some instances one person held two or more offices and other instances residences of other states held office in Delaware. In 1782 a political attack was made in Philadelphia upon Chief Justice McKean, now of Pennsylvania, for holding in addition to the office of Judge, those of delegate to Congress from Delaware, and President of Congress. While the war had been fought and won on the principles of a democracy it seems that little had really been accomplished in that direction, and the Government was still in the hands of a few just as it had been before.

The first session of the Legislature of the year 1783 met at Dover in January, and on January 14th John Dickinson announced his election as President of Supreme Executive Council of Pennsylvania and Delaware, and resigned the office as President of Delaware State. John Cook, of Kent County, the Speaker of the Council, became President of the State. Announcement was made of the arrival of the Delaware regiment from the South at Georgetown, Md. on January 8th. On February 1st, 1783, Nicholas VanDyke was elected President of the State; and Caesar Rodney, James Tilton, Eleazer Macomb, and Gunning Bedford, Jr. were chosen delegates to Congress.

On June 5th President VanDyke officially announded the treaties of peace between Great Britain and the United States. During the session the much agitated question of the lands northwest of the Ohio was brought up again. The Delaware Assembly instructed their delegates to demand part of this land for Delaware. The delegates to Congress were appointed a commission to meet the commissioners from Pennsylvania and New Jersey to settle the boundary on the Delaware River and Bay. No mention is made of their meeting or acting in any way. A tombstone was ordered erected over the grave of Colonel John Haslet. During this year 1783, Delaware enacted a law calling in, paying and destroying all bills of credit heretofore issued by the State by giving one pound sterling for every seven pounds thus called in. George Read and Richard Bassett vigorously protested against the injustice of this measure.

The whole country had settled into a condition of gloom and anxiety. The States were united a little more than in name. Exhausted by eight years of war, the country was drifting helpless and hopeless to confusion and anarchy. Congress strongly urged the maintainence of the public faith, and honest men desired a national government strong enough to protect all classes and interests. Delaware, at the beginning of the war, was prosperous in material wealth, but at its close was left impoverished and deeply in debt.

The future was still doubtful before her. Congress in 1782, had agreed upon a measure" to restore and support public credit" by obtaining from the state funds for funding the whole debt of the United States. The funds were to be raised by duties on imports and by internal taxation, each State was to contribute in proportion to its population. The Delaware Assembly was the first to respond by passing an Act on June 21, 1783 for raising 22,500 pounds of gold and silver coin, as the quota called for by Congress, by its resolution of October 1782. On the same day, the Assembly authorized her delegates in Congress to ratify the alternation of the part of the eight articles of the "Articles of Confederation and Perpetual Union"

On the 24th of April 1783, Congress again called upon the States to make up the deficiency of one half of \$8,000,000. called for in October 1782 (The States having not all responded), The quota for Delaware was \$56,042. She had already made provision for \$32,000. and on June 26, 1784 the General Assembly passed an Act providing for the remaining \$24,042 by taxation in the counties.

On June 11, 1785, an Act was passed for the "Suppression of public marts and fairs, The preamble to this Act recites, among other things, that "strong liquors are sold, and young people are tempted and induced to purchase those liquors, and to lay out large sums of money for articles that are of no real use or benefits; quarrels are excited and almost every species of vice and immorality is practiced, to the scandal of religion and the

and the grief and annoyance of the virtuous part of the community. The liquor question became a national issue about 135 years later. The Act repealed all charters for holding fairs and imposed a penalty of ten pounds for all persons holding fairs afterwards.

In 1786, Acts were passed for the encouragement of commerce by establishing free ports within the State and to vest in Congress for fifteen years powers to regulate commerce. In June 1786, The State vested in Congress power to levy duties on all goods, wares and merchandise imported into Delaware from Europe for a limited time, for payment of the interest on the public debt.

Virginia in 1786, proposed a convention to consider a uniform system of commercial regulation. Delaware was represented by George Read, John Dickinson and Richard Bassett. The Convention met at Annapolis, Md. September 11, 1786, and continued in session three days. John Dickinson was elected President. Only five states were represented; and in consequence the convention framed a report, to be laid before Congress, calling for a convention of deputies from all the States to meet in Philadelphia, on the second Monday in May 1787, "for a more extensive revision of the Articles of Confederation."

On February 3, 1787, the Delaware Assembly appointed George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett and Jacob Broom deputies to the proposed Convention.

On the same day it gave John Fitch, an inventor of a steamboat, a monopoly of the ports of the State on the Delaware River for commercial purposes.

Delaware in the framing of the Constitution of the United States - While the report of the Convention in Annapolis had been submitted to the several states by their deputies or officers of the convention, it had not been ratified by the Congress. Mr. John Dickinson, of Delaware, - who was President of the Annapolis Convention - made his report of the proceedings of the Convention to Congress which, after considerable debate, passed a resolve on February 21, 1787, recommending to the States a convention, as was proposed in the report.

Delaware, having appointed its deputies, gave the following instructions: "To join xxx in such alternations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union, xxx that in determining questions in Congress, each State shall have one vote."

The Convention convened at Philadelphia on May 14, 1787, but a quorum not being present, it was not organized until May 25. George Washington was on that day chosen President of the Convention.

No complete history of the convention that framed the Constitution was preserved, but James Madison, of Virginia, took careful notes of the proceedings from day to day. From these notes came a large portion of the history of Delaware's part in framing of the Constitution.

There were two definite plans of government submitted to the Convention. Edmund Randolph, of Virginia, submitted one plan which was, in fact, a new Constitution in fifteen resolutions.

This plan with some amendments and reservations was finally adopted. The Virginia plan was prepared largely by James Madison who has been called "the Father of the Constitution.

The Virginia plan, provided, among others for:

A National Government possessing supreme legislative, executive and judicial powers; that the National Legislature should consist of two branches, a House elected by the people of the several states; and a Senate - the members of which ought to be elected by the House from the persons nominated by the Legislatures of the several states.

A National Executive to be chosen by the National Legislature.

A National Judiciary to consist of one or more supreme tribunals and of inferior tribunals to be chosen by the National Legislature.

There was no serious opposition to a National Government with these three co-ordinate supreme powers. But there were two points on which it was feared that the Convention was irreconcilably divided: One was that of the number of representatives to the Federal Congress; and the other was that of Slavery. It was proposed that representation in the Congress should be proportionate "to quotas of contribution to the support of the government, or according to the free inhabitants."

The smaller states became alarmed, and claimed that, "if this plan is adopted the government would pass into the hands of the larger states."

The deputies from Delaware having been pre-instructed to reserve to the States the privilege of "each state ~~shall~~ having one vote." Mr. Read announced that, "if the proposed change should prevail it might become their duty to retire from the Convention."

William Patterson, of New Jersey, now presented a plan known as the New Jersey plan. It proposed to use the Articles of Confederation as a basis for framing the Constitution. He contended that the Confederation should be preserved. "A confederacy", he said, "supposes sovereignty in the members composing it, and sovereignty supposes equality." Give the larger states an opportunity in proportion to their magnitude and what will be the consequence?

"Give the opportunity", said Gunning Bedford of Delaware, "and ambition will not fail to abuse it." "The whole history of mankind proves it."

The New Jersey plan was defeated as only Delaware, New Jersey and New York voted for its adoption.

Other plans proposed were rejected by the Convention, which then turned to consideration of the Virginia plan.

Mr. Dickinson, of Delaware, maintained "that one branch - the House should be elected by the people; and that the other branch - the Senate should be elected by the Legislatures of the several states", in this way the States would retain an equal voice in one branch of the National Legislature." This provision was finally adopted.

The question of slavery was another rock on which the convention came near being wrecked. The debate on this was more bitter and acrimonious than the prior debates. The question concerned not the importing of slaves alone, but the whole union. From every point of view the General Government should have the power to prevent the increase in Slavery. Mr. Rutledge, of South Carolina, said, "North Carolina, South Carolina and Virginia will never agree to the Constitution unless their right to import slaves is untouched."

Again Mr. Dickinson, of Delaware, offered a compromise motion which was accepted by the Convention. The proposal provided, "that the importation of slaves into such states as shall permit the same shall not be prohibited by the Legislature of the United States until the year 1808." The amendment was adopted and written in to the Constitution.

The Convention on September 15, 1787, after four months deliberation, agreed upon a constitution. The constitution having been engrossed was on September 17, 1787, signed by the members from all the States.

Messrs George Read, John Dickinson, Jacob Broome, Gunning Bedford, Jr. and Richard Bassett signed for Delaware.

The Constitution was submitted to Congress on September 20, 1787, to go into effect when nine states had ratified it.

A convention was held in Dover on December 7, 1787, at which the Constitution was ratified by a unanimous vote. Thus Delaware was the first State to ratify the Constitution. But it was not until June 21, 1788, that the Constitution had been ratified by nine States. The ratification by nine States having been certified to Congress, a resolution was adopted fixing the first Wednesday in March 1789, as the day when the new Government should go into effect. The date fell on March 4, and that day became fixed for the beginning and end of Congressional and Presidential terms.

The General Assembly of Delaware on October 25, 1788, elected George Read and Richard Bassett as the first Senators from Delaware to the United States Senate. An election was held in January, 1789, for the election of a Representative to Congress, and for electors for President and Vice-President. John Vining was elected as the first Representative to Congress, and Gunning Bedford, George Mitchell and John Baunel were elected as Presidential electors.

The Electoral College met on the first Wednesday, in January, 1789, and Delaware's electors cast her three votes for George Washington for President and John Jay for Vice President.

Delaware after adoption of the Federal Constitution* - Delaware was now on political equality with her big sister States, and under protection of the constitution. She had achieved sovereignty as one of the thirteen States.

For some years there were few events of public interest in the State. The people turned to peaceful pursuits of agriculture, and they were prosperous and contented.

In January 1791, the inhabitants of Sussex County presented a petition to the General Assembly praying that the county seat be changed from Lewes to a more central and convenient part of the county. The General Assembly passed an Act appointing commissioners to purchase not exceeding one hundred acres of land near the center of Sussex County - a place called James Pettyjohn's Old Field in Broadkill Hundred - for a court house and a prison. One half acre were to be reserved for each building.

The Legislature on October 26, 1791, enacted that "all courts of Sussex County shall be held at the new Court House. That "Georgetown shall be the name of the town in which the new Court House and prison are erected.

"The Delaware State" had adopted a constitution in 1776, but momentous changes had since occurred. The constitution of the State of 1776, had served its day and generation, but conditions now required a revision or a new constitution.

A petition in 1791, signed by ^{ten}~~two~~ persons residing in Sussex county was presented to the General Assembly praying that a convention be held to revise, or reframe a new Constitution. The General Assembly on September 3, 1791, adopted a resolution calling for an election of thirty persons - **ten from each county** - to meet in convention on Tuesday, November 29, 1791, in Dover, for the purpose of revising, altering or amending the Constitution, or for forming a new one. The election was held and the thirty members were elected to the convention.

The Convention convened in November 29, 1791, and framed a new constitution, it having borrowed many provisions from the Federal Constitution adopted a few years before. It provided among other things: For religious liberty trial by jury, freedom of the press, security from search and seizure without warrant, access to all courts, and no hereditary distinction to be granted. A Legislature to consist of a House and Senate. The House to consist of seven members from each county, subject to increase; the Senate to consist of three members from each county, subject to increase; that the General Assembly should meet January 4, each year; also for a Supreme Executive to be vested in a Governor.

The former Chief Executives were called Presidents - to hold office for three years; also a judiciary to consist of a court of Chancery, a Supreme Court, Court of Terminer, Court of Common Pleas, Orphan's Court, Register's Court, Court of Quarter Sessions, and Justices of the Peace, and for a High Court of Errors and Appeals to consist of Chancellor, Judges of the Supreme Court and Court of Common Pleas.

The Constitution was signed by the members of the Convention on January 12, 1792, and adopted by the General Assembly without ratification of the people. This Constitution continued enforce until it was superseded by the Constitution of 1831.

Joshua Clayton of Kent County was elected the first Governor of Delaware under the new constitution, and took his seat in January 1793. George Read resigned as United States Senator in 1793, and was appointed Chief Justice of the State. Governor Clayton appointed Kensey Johns, Senator to succeed Mr. Read on March 19, 1794, but the Senate refused to seat Johns, because the Governor had no right to appoint a Senator of the United States. The Legislature on February 7, 1795 elected Henry Lattimer for the unexpired term of Senator Read.

The year 1792, was a Presidential election year. The Delaware Electoral College, in January, 1793, cast its vote for George Washington for President, and for John Adams for Vice-President.

"The Estates Tail", an act, dating back to 1683, and which had been amended in 1742 and 1752, providing for descent of property of a husband dying intestate, was further amended in 1793, as follows: "Any person ** seized of an estate tail*** shall have full power to sell and convey such lands *** as any person seized of an estate in fee simple."

In 1791, Congress decided to deal finally with the Indian situation in the Northwest Territory. An expedition was sent to the Ohio Valley in the vicinity of Cincinnati under General St. Clair, in early September of that year. A company of Delaware troops under Captain Kirkwood was in this expedition. Captain Kirkwood, who had seen hard service in the southern campaign during the Revolutionary War, and a number of other Delawareans were killed in this disastrous Indian campaign.

Party Differences Become Acute - With the adoption of the Federal Constitution, the rise of political parties was not anticipated; it was supposed there would be several candidates in every election. Whatever the anticipations might have been made by optimists, that there would be no chance for party division after adoption of the Federal Constitution, it is evident that in a very few years party differences became acute. The former parties, "The Whigs" and the "Tories", had now become the "Federalist" and the "Anti-Federalist". Delaware was a Federalist stronghold.

After the adoption of the Federal Constitution there grew up two parties. The one called the Federalist, and finally Republican; the other was called Anti-Federalist, or Republican, then Democrat-Republican and finally Democrat.

The Federalist, under the leadership of Alexander Hamilton, George Washington and John Adams, believed in a liberal construction of the Constitution, and a strong national government.

The Anit-Federalist, under the influence of Thomas Jefferson and James Madison, believed in a strict construction of the Constitution and the Doctrine of States Rights.

Jefferson "believed in the common people and in their capacity to govern."

In 1789, the French Revolution swept over France. Thomas Jefferson was minister to France at this time and became imbued with the principles of Democracy. He came back to this country preaching its doctrines to the people.

In February, 1795, John Wise Barton, Thomas Laws, Issac Cooper and John Collins were named as managers of a State lottery to raise \$3,500 in order that the subscribers to the erection of a court house and jail in Sussex County should be reimbursed. This is hardly an evidence of prosperous State finance. There was much abuse of this lottery privilege just as there had been with the "trading marts and fairs" a few years before. Delaware soon passed from the use of lotteries for State purposes, although they were used by private organizations for some years later, but were finally abolished by later Constitutional provisions.

On Feb. 9, 1796, the Delaware Assembly incorporated the first banking institution of the State, the Bank of Delaware, with a capital stock of \$500,000. The seat of the bank was at Wilmington and the charter was limited to fifteen years.

This same year (1796) witnessed the passing of the first act for the establishment of public schools. This law provided that all money paid into the treasury for marriage and treasury licenses from 1796 to 1806 was to be used for funds under direction of the Legislature for the establishing of public schools. The State Treasurer was made trustee of the fund and authorized to receive gifts, donations and bequests for the purpose of establishing public schools.

The same session appointed commissioners to establish the boundaries of the town of New Castle.

The year 1796, was a Presidential election year, The Delaware electoral college cast their votes for John Adams for President, and Thomas Pinckney, of South Carolina, for Vice-President. Messrs. John Adams and Thomas Jefferson were elected President, and Vice-President, respectively.

In 1797, the yellow fever broke out in Philadelphia, and soon ravaged the city. It caused a general exodus of its inhabitants, and many merchants transferred their business to Wilmington.

The "Alien and Sedition Laws" passed by Congress in 1798 created a great excitement throughout the United States, and contributed largely to the overthrow of the Federal party in 1800. Kentucky and Virginia passed resolutions and sent them to the other States, but neither of them met with favorable response. In 1799, the Delaware Assembly passed a resolution disapproving the Virginia and Kentucky resolutions.

In the year 1800, the Delaware electoral college cast her votes for the Federalist candidates John Adams and Charles C. Pinckney. The highest votes for President were tied, and the election was thrown into the House of Representatives. The contest was carried on with vigor and bitterness, the thirty-sixth ballot gave Jefferson ten States.

On February 11, 1801, the House proceeded to ballot. James A. Bayard, a Federalist, was the Representative in the House from Delaware. He cast his vote for Burr. Jefferson received the vote of eight states for President, while Burr received only six states' votes. The votes of Maryland and South Carolina were divided.

On February 15, 1801, Mr. Jefferson wrote Mr. Monroe: "Four days' balloting have produced not a single change in a vote." He charged the Federalist with wishing to prevent an election by a "law putting the Government in the hands of an officer." Continuing, he wrote: "many attempts have been made to obtain terms and promises from me. I have declared that I would not receive the government on capitulation, that I would not go into it with my hands tied." The Federalists claimed "They were afraid of the policies of Mr. Jefferson."

On the 36th ballot, Mr. Jefferson received the votes of ten states, and declared to be elected President. The votes of Delaware and South Carolina were blank. The inauguration of Mr. Jefferson took place on the Fourth day of March, 1801, at Washington City, the new seat of the government. Richard Bassett, who was at this time Governor of Delaware, while United States Senator in 1789, had been the first man to cast his vote for locating the seat of the government on the Potomac River.

The election of Jefferson as President gave great impetus to the Democratic party over the country. He championed the cause of the people, hence, he was popular with the masses. Even conservative Delaware was gradually drifting from Federalism to Democracy.

The Federalist leaders, however, could see nothing but ruin to the country under his rule. In 1802, James A.

Bayard, Federalist, was defeated for re-election to Congress by Caesar A. Rodney, a Democrat. He was a nephew of Caesar Rodney of Revolutionary fame. The Federalist party was gradually disintegrating, though Delaware still remained Federalist for the most part until 1820, and was among the last of the states that was Federalist.

These were critical days for the new Union. Great Britain and France were at war with each other, and were seizing American ships wherever found on the high seas, and Great Britain was pressing American seamen into her service. She had never been willing to give her recalcitrant daughter her rightful place in the sisterhood of nations, or to accord to her the rights to which she was entitled as an independent nation.

The American commerce had grown to fine proportions. Our merchant ships sailed to every port, laden with food stuffs, merchandise and commerce of our country. Many British seamen had entered service in our merchant marine, and had become naturalized as American citizens. There were some, however, who were deserters from British ships. Under the menace of English guns, not only British deserters, but naturalized and American born seamen were seized and forced into service in British war ships. By 1811, as many as 16,000 American citizens had been impressed.

In May, 1803, the Chesapeake and Ohio Canal Company was organized, with Joseph Tatnall, of Delaware, as President, and William Vilghman, James Fisher, George Fox, Joshua Gilpin, and others as directors, and Messrs. Latrobe and Howard as surveyors.

The year 1804 was a Presidential year. The Federalist electors were elected and cast their votes for Charles C. Pinckney for President, and Rufus King for Vice-President.

Thomas Jefferson was re-elected President, and George Clinton was elected Vice-President. In Delaware, Nathaniel Mitchell succeeded David Hall as Governor of the State.

The greatest mechanical improvement of the year 1805, in this country, was made by Oliver Evans, who was born in Newport, Delaware, in the year 1755, and was a descendant of the Reverend Evan Evans, the first Episcopal minister of Philadelphia. Oliver Evans, at the age of twenty-one years, invented a machine for *making* card-teeth, and in 1787 obtained the exclusive right to use his improvement in flour mills in Delaware, Maryland and Pennsylvania, with the exception of three mills at Stanton, Delaware. Later, in 1799, he began construction of a steam-carriage, but never finished it. In 1804 and 1805 he constructed the first steam-dredging machine made in America. The machine was used for dredging docks to keep them open ^{to vessels} by removing the sediment brought down by the river.

In 1806, Napoleon closed all the German ports to British vessels. Great Britain then declared a blockade of French and other European ports. Napoleon then issued a decree blockading the British Isles: ^{myt} "By order of the Council of England 'neutral vessels were forbidden to trade with any port in Europe from which the British flag was excluded, except on payment of duties to England.'" Under these decrees England and France confiscated two hundred vessels and their cargoes. American commerce was almost ruined. In 1807, President Jefferson appointed Caesar A. Rodney of Delaware, Attorney General of the United States.

On June 22, 1807, the "Chesapeake" while off Hampton Roads was approached by the "Leopard", a British man-of-war. The commander of the "Leopard" demanded the right to search the "Chesapeake" for British deserters, but was refused. The "Leopard"

then opened fire, killing three and wounding eighteen of the "Chesapeake's" crew. The Chesapeake surrendered, and the Leopard took five men captive, three being American citizens. This incident ^{aroused} ~~caused~~ the indignation of the nation. A protest meeting was held in Wilmington, on July 4th; and another public meeting was held in Lewes on July 10, 1807.

President Jefferson issued a proclamation ordering the British man-of-war out of American waters. His next step was securing the passage by Congress of the Embargo Act in December, 1807, which ^{prohibited} ~~all~~ vessels sailing from the United States for foreign ports. The opposition to the Embargo Act was intense and bitter. It became the subject of ridicule; and many ships ignored the Act. An attempt was made to enforce the Act by calling out the militia and revenue cutters to prevent ships from sailing from the country.

Mr. Jefferson's policies had brought neither prosperity at home, nor peace with foreign nations. The nation was on a verge of war. Just before the close of Mr. Jefferson's second term, which expired March 4, 1809, Congress repealed the Embargo Act, and passed another measure called the Non-Intercourse Act, by which American vessels were allowed to trade with all nations except Great Britain.

At the expiration of his second term, Mr. Jefferson returned to private life. However, much his admirers and critics may differ, Jefferson was an outstanding figure in the political and educational life of this nation. He stood for political ^{freedom} ~~freedom~~, education and equal rights for all men. In 1809, the General Assembly declared that labor and solitary confinement should be substituted for corporal punishment, and resolved to establish "a penitentiary house." A committee consisting of Jonathan Hunn, Abraham Ridgely and Isaac H. Starr, was appointed to report on the

proper place of location, and the probable cost, and expenses of maintaining the proposed institution. The report favored Wilmington as the proper site, estimated \$20,000 to be the cost, and thought the institution might be made self-supporting. In January 1810, the General Assembly resolved to appoint seven gentlemen from each county to procure subscriptions for the purpose of building the Penitentiary. No further action was taken and the matter was abandoned.

On January 11, 1808, a resolution was passed by the Lower House of the Legislature instructing the Senators and Representatives in Congress from Delaware to urge the General Government to erect certain fortifications for the protection of the State. They asked for four or more batteries, one to be placed near New Castle, one near Wilmington, one near Reedy Island, and a fourth near Lewes. This resolution was concurred in by the Senate, which slightly amended it adding Fort Penn as a fit locality for placing an additional battery, and substituting one or more at each place for the clause four or more.

On January 23, 1808, a bill was presented in the Assembly authorizing the cession to the United States Government, of all jurisdiction over such places in the State of Delaware as might be chosen for the erection of forts and batteries.

On February 11, a resolution passed the State Senate affirming that it would be dangerous to the freedom of these states to place at the disposal of the President of the United States, a standing army of 50,000 volunteers. This resolution, distinctly Federalist in tone, was not concurred in by the Lower House. Senator Bayard, of Delaware, introduced the resolution to repeal the Embargo Act. Senator was opposed to war, but admitted that there was just ground for many complaints against the English Government.

Governor Traitt, in his message to the Assembly in November 1808, recommended a revision in the State Militia Law. The Secretary of War, he explained, had called upon him by letter to organize 1,332 of the state militia. No action was taken on the request by the Assembly. The failure, by the Legislature, to revise the Militia Law caused some embarrassment to the State about three years later.

There was a brief lull in war sentiment in the fall of 1809, owing to the prospect of peace. About this time a signal system was built from Reedy Island to Philadelphia. The first communication over this system was the announcing the arrival in the Delaware of the ship "Fanny" from Lisbon on November 8, 1809.

When the "Embargo Act" was repealed in the early part of 1809 - a milder form of embargo - "The Non-intercourse Act" was passed by Congress, which was enforced with great strictness against England, but was also repealed May 1, 1810. The "Embargo Act" and the "Non-intercourse Act" were both harmful to Delaware's commerce, as Delaware ports had become important commercial centers.

The census in 1810, showed a sufficient population in Delaware to add another representative in Congress, the State being represented in the House by Henry W. Ridgely, and in the Senate by Hon. James A. Bayard and Outerbridge Morsey. The population of the State at this time was 72,674.

A report from the Treasury Department of the United States on December 31, 1810, showed an aggregate tonnage for Wilmington of 8192.17 tons. Another report showed the exports from Delaware for the year ending October 1, 1811, to have aggregated \$88,632.

This gain had been made after repeal of the "Embargo" and Non-intercourse Act," during which time there was practically no shipping from Delaware ports.

In May 1811, the British sloop of war "Little Belt" gave chase and fired on the American ship "President" cruising around ~~the~~ around the Capes of Delaware. The "President" turned and gave chase firing upon the "Little Belt." The battle lasted about twenty minutes. The "President" had but one man wounded, and but little damage; while the "Little Belt" was disabled, and lost 30 men.

On April 10, 1812, Congress passed an act authorizing a detachment from the militia of the United States. The Secretary of War issued circulars to the Governors of the various states, informing them of the quotas required of each. The quota for Delaware was 10,000 men, duly organized, armed and equipped for service. This seemed a large quota as the census showed only 11,016 between the ages of sixteen and fifty-five. On May 20th, the governor forwarded a message to the Legislature urging immediate action in complying with the Presidents request, and calling their attention to the necessity of a revision of the militia laws, as the existing laws rendered compliance with the Government orders an absolute impossibility. The Senate and House immediately complied with their request.

The Assembly had, on January 31, 1812, authorized the Governor to purchase arms and equipments when the troops were actually called into service, but the presidents requisition required the militia to be ready to march at a moments notice and as the law did not authorize the purchase of arms before they were commanded to take the field, amendments to the law were necessary.

Delaware during the War of 1812. On June 1, 1812, President Madison sent a message to Congress recommending a Declaration of War, and citing several causes for war.

Senator Bayard, in Congress, in an address said, "Postpone war until November and we shall not have to dread an enemy on our coast until April. In the mean time go on with your recruiting, fill up, discipline and train your army. Give your merchant ships time to return home." "Shall we", he continued, by our untimely precipitancy, throw our wealth into the hands of the enemy." The war party was impatient of delay. The Act declaring war was passed in both the Senate and House, though there was a respectable minority against it. The President signed the Act on June 18, 1812.

With the declaration of War, the waters of the Delaware began to be frequented by armed privateers sent out to prey upon British commerce. As early as July 4th, three privateers: The "Atlas" commanded by Captain David Moffett; the "Spencer", under Captain Morse; and the "Matilda" under Captain Noah Allen, was lying in the Delaware ready to cruise. The "Matilda" had not proceeded far before a mutiny took place on the ship and forty of her crew were placed in jail at New Castle. Up to this time, the ship had been under the command of Captain William Taylor; subsequently Captain Allen became its master and the crew became most successful, with a record of six captures.

The first Delaware company to volunteer came from Sussex County with Captain Goodwin as its commander, there were forty-five in this company. They paid for their own uniforms and offered their services to the Governor to help make up the State's quota of 10,000. This was in July, 1812, and others soon followed for the same purpose. The town of Wilmington did not experience enemy attacks during the war, but was kept in a state of suspense. A fort, called Fort Union, was built at the rocks near the original site of Fort Christiana. In Wilmington, a recruiting office was opened under a United States army officer and many young men were enlisted. The inducements offered were eight dollars a month for those who enlisted for Federal service of five years, with a bounty of sixteen dollars and 160 acres of land, as a bonus.

On August 28th, the collector of the port of Wilmington, McLane, instructed all sailors on the Delaware River to carry arms for their defense. On October 25th, 1812, a contingent of 110 well equipped men left Wilmington for the northwest army under the command of Captain H. Grindage of the 16th regiment of United States Infantry. On August 14th, a British ship was brought into Cape May as a prize by the American privateer "Paul Jones."

Delaware was particularly exposed to attack by the British men-of-war. The money in the banks of Wilmington and New Castle was sent to Philadelphia. A committee of Safety with Senator James A. Bayard as chairman, was organized, and a detachment under command of Colonel Samuel B. Davis, was sent to the defense of Lewes.

Lieutenant William S. Bush, a native of Wilmington was killed in the battle between the United States ship "Constitution" and the British frigate "Guerriere" off the coast of Nova Scotia. The Constitution was victorious.

The Sloop of War, "Wasp", on October 13, 1812, sailed from the Delaware under command of Captain Jacob Jones, born near Smyrna, Delaware. On October 18, off the West Indies, Captain Jones fell in with the British sloop of war "Frolic", conveying a fleet of armed merchant ships, and flying the Spanish colors to decoy the stranger to her guns. A fierce battle was waged between the two ships and the "Frolic" was disabled and captured - Lieutenant Biddle, a Delawarean, lead a party aboard the "Frolic" and found her deck covered with dead and dying men. The "Wasp" had her rigging shot away and was seriously disabled, but had only five men killed and five wounded. The English ship of war, "Poictiers" captured the "Wasp" and recaptured the "Frolic." The Delaware Assembly gave Captain Jones an elegant sword and a piece of silver plate. The council of New York voted him a sword. Congress ordered a "gold medal presented to Captain Jones and a silver one to each of his officers," and promoted him to the command of the "Macedonia," and also appropriated \$25,000 to him and his men as compensation for loss of prize money caused by recapture of the "Frolic."

In December, 1812, the British Government ordered a blockade of the Delaware. In a short time a fleet of British war ship - the "Poictiers", "Belvidera" and several small ships under command of Commodore Beresford, appeared in Delaware waters.

On March, 1813, General Green of Delaware wrote, "we have a British Fleet at the Capes of Delaware, they burned several vessels and taken others."

On March 16, Commodore Beresford, of the British squadron, wrote to the "Magistrate of Lewes" demanding provisions, to be paid for at Philadelphia prices, and threatening to destroy the town if he refused to comply. The demand was defiantly refused.

Colonel Samuel B. Davis arrived at Lewes, with some volunteers and men from Pennsylvania, and assumed command. In a short time a thousand men arrived to assist in its defense. On April 6, Commodore Beresford sent the "Belvidera" to attack the town. After firing a few shots, "a flag of truce was sent renewing the request, and asking for a supply of water." Colonel Davis responded, "I have to inform you that neither can be complied with."

Commodore Beresford, being convinced that Colonel Davis did not intend to comply with his demands, began a bombardment of the town. It lasted two days. The Americans did not have much ammunition, but, as the shot from the British guns fit theirs, the shot were collected and returned to the enemy. When the news reached Wilmington suggesting a scarcity of ammunition at Lewes, a plentiful supply of powder was forwarded from the duPont mills at Wilmington, and Captain John Warner, of Wilmington, was sent to assist in the defense of Lewes. A few houses were damaged by the British shells but no one was killed in the town.

Most of the shots fell short of the town. The fleet then sailed down the coast and tried to land at a point about seven miles below Lewes. Colonel Davis sent a company of men to follow them along the shore and prevent them from landing and obtaining supplies and water. There were frequent clashes with raiding parties and much sheep, poultry and cattle were reported missing but the water supply was not so easily obtained.

Commodore Beresford held his post at the entrance to Delaware Bay until late in April, 1813, when it sailed for Bermuda, but their places were taken by other ships under Commodore Stackpoole. On the 29th of May, the vessels under his command sailed up the Delaware River as far as Reedy Island, where they captured and burned some small crafts and returned to the Bay. It was rumored that the British intended to destroy the powder mills on the Brandywine River, but the attack did not take place. Colonel Allen McLane was placed in charge of defense operations around Wilmington, he organized companies of local residents to defend the threatened points. Commodore Stackpoole continued to annoy the inhabitants of Delaware and New Jersey by sending raiding parties ashore and bombarding the shore towns. The Philadelphia Committee of Defense undertook to organize a fleet of gun boats to cruise the Delaware River and frustrate these expeditions. The fleet consisted of nine gun boats and two armed sloops. They attacked two British frigates in the Delaware and forced them to change their position.

When the British fleet attacked Havre-de-Grace, and later burned Georgetown and Fredericktown on the Sassafras River, it was feared that troops would be landed at the head of Elk River and attack Wilmington. A camp was established at Stanton on the Baltimore road, another at Shellpot Hill, and a third at Oak Hill about four miles west of Wilmington on the Lancaster Pike. The anticipated attack never occurred and the camps were soon abandoned. The British moved on down the Bay. It was during the attack on Baltimore by the British fleet, that the song "Star Spangled Banner" was written by Francis Scott Key, a prisoner on a British man-of-war. While the British seemed to be destroying much property on the Atlantic coasts, the Americans were victorious on Lake Erie, and in the Northwest campaigns, under General Harrison. Delaware troops under command of Captain Grindage served in the northwest campaigns. Colonel James Gibson, a native of S. Milford, Sussex County, distinguished himself on the Canadian frontier. He was wounded in the engagement of Fort Erie on September 14, 1814 and died the following day. He had participated in nearly all the land engagements preceding his death.

Captain Thomas Stockton of Delaware, rendered conspicuous service in the engagement of Fort George in June, 1813, six of his company were killed and seven wounded, but he escaped unhurt. He later became Governor of the State.

The high cost of living was dealt with in a meeting of the citizens in Wilmington held in the town hall on December 7, 1813.

The opinion was that monopolizing speculation practiced by a few individuals in the town was responsible for the difficulties and the plan proposed was to abstain from the use of articles so advanced in price.

The financial condition of the State were not very encouraging at this time. The State tax amounted to \$15,000 and of this amount \$9,036.47 was levied on New Castle County, and caused a great deal of criticism and was regarded as unfair. But there were at this time, thirty cotton and wool factories estimated to have cost \$150,000 within twenty miles of Wilmington, and about 150 such factories in and near Wilmington.

In December, 1813, President Madison asked Congress to stop all kinds of foreign trade. He said, "Supplies of the most essential kind find their way, not only to British ports and British armies at a distance, but to the armies in our neighborhood with which we are contending." The President's message produced immediate action and a new embargo act was passed. In the spring of 1814, Senator Horsey, of Delaware, presented a petition in the Senate signed by Delaware citizens asking for the repeal of the Embargo Act. The act was repealed in a short time.

Special interest was taken by the people of Delaware in the naval operations on Lake Champlain, because the American squadron was under command of Commodore Thomas MacDonough, a native of New Castle county. He had been appointed midshipman in 1798, and had achieved the rank of commodore at the age of thirty.

In 1814, he was made commander of the Lake Champlain squadron. His opponent was the British Commodore Downie. The two fleets were fairly well matched in fighting strength, but Macdonough's flag ship "Saratoga" was inferior to the flagship commanded by Downie. The battle occurred on September, 1814, and lasted from a quarter past eight to a quarter past eleven in the forenoon, and Macdonough was victorious.

Macdonough's victory came at a time when it was most needed to restore the morale of the country. He was highly honored. The State of New York gave him 2,000 acres of land. Vermont presented him with 200 acres on the borders of Plattsburg Bay, the scene of the victory. The cities of New York and Albany gave him valuable urban lots. Congress gave him the thanks of the nation and voted him and his aides a "gold medal." "Thus", said Macdonough to a friend, "in one month from a poor lieutenant, I became a rich man." The Delaware Legislature recognized his bravery by appropriating a sum of money for a piece of plate, and for a portrait of the seaman.

The peace treaty was signed December 24, 1814, at Ghent, Belgium. Among others on the peace commission was Senator James A. Bayard, of Delaware. Mr. Bayard was later appointed envoy to St. Petersburg, Russia, but declined to accept the appointment.

Peace once more reigned over our State. Her people again settled down to peaceful pursuits of agriculture and industry. Delaware with less than 73,000 population had furnished her share of money for the war, and about 8,000 men had enlisted during the war. Raw militia from her farms had stood as a wall of defense, both on her coast and western borders, thus saving the state from British invasion.

During the War of 1812, manufacturing industries had enjoyed quite a growth in Delaware. The Blockade by the British, and the several "Embargo Acts" had restricted commerce and importation of many articles not made in the United States. This condition made it necessary to establish factories at home for supplying these necessities. The feeling was increasing that the resources of the country should be developed and the manufacturing industries should be encouraged. The problems confronting the political parties had become economic industrial and internal improvements.

Wilmington was developing as a manufacturing city. Mills had been established there for the manufacture of cotton and woolen cloths. Protection of these industries by placing a duty on foreign goods was becoming a political issue in Delaware, as elsewhere. Our manufacturers claimed, "they could not compete with English goods made by cheap labor."

Politically Delaware was changing from Federalist to Democratic Republican. The contests for supremacy in the State was very close, and many elections showed both Federalists and Democrats elected to the different offices. In 1811, Delaware was given two Representatives in Congress. At several elections one Representative had been elected from each party.

There was another question that was becoming an issue in Delaware, it was that of slavery. The constitution of the State of 1776 had provisions against importation of slaves, but it did not prohibit the owning of slaves that were owned in Delaware prior to that time, nor did it ^{free} ~~kill~~ those within the state after its adoption.

It only prohibited importation of slaves for the purpose of sale. This provision was also carried over in the Constitution of 1792. The Assembly in 1793, had passed some severe laws in support of the constitutional provisions of importation and kidnapping of slaves.

In 1819, when Missouri applied for admission to the Union as a slave State, the Delaware Legislature passed a resolution, which was transmitted to Congress, opposing slavery, and advocating the right of Congress to prohibit the admission of a State to the Union as a slave State. At a meeting in Wilmington addressed by Caesar A. Rodney, resolutions were adopted, that Congress should prohibit the extension of slavery. The Delaware Senators and Representatives in Congress replied, "that Congress did not possess the power to impose such restrictions on the people of Missouri on the formation of that State's constitution." Notwithstanding the drastic laws enacted in 1793, against kidnapping of negroes another severe Act was passed in 1819.

In 1821, the Legislature adopted, as one of its sources of revenue for State purposes, what was known as Transit Duties. This taxation was imposed upon persons arriving in the State of Delaware, by land or water, at twenty-five cents each. The amount so collected was to be devoted to the erection of a college in Newark and the balance to be devoted to the treasury of the State. The passage of this law caused a great deal of excitement in the State, and public meetings were held for the purpose of uniting in every legal mode in defeating the law.

In 1823, both Senators in Congress from Delaware vacated their seats - Caesar A. Rodney having been appointed to Argentina, and Nicholas Vandyke's term expired on March 4, 1823. There was a bitter contest in the Legislature over the election of their successors that the Legislature adjourned without making any choice. The Senators were finally chosen at a special session.

An effort was made in 1824 to change the mode of electing the presidential electors from Delaware. Hitherto the electors were elected by the Legislature. It was now proposed to elect them by the vote of the people. The proposition was not accepted.

Lafayette Visits Delaware - General Lafayette, after the end of the war of the Revolution in which he had fought so valiantly in the cause of liberty, returned to France - his native land. In the Revolution in France he gave himself to the cause of the people and liberty. He became a leader in the French Revolution. The National Assembly declared him a traitor. He was obliged to flee and sought refuge in Liege, Belgium. He was arrested and held a prisoner of state for five years, and was liberated in 1797. In his passing years his thoughts turned to America. He wished to meet his old comrades in arms and to visit the battle fields on which he had fought. He landed in New York, August 16, 1824. On October 6, 1824, Lafayette came to Wilmington. He was met at the Delaware-Pennsylvania State line by a delegation from Wilmington headed by Louis McLane. In 1825, he again visited Delaware, and also visited the battle-field of the Brandywine, where, in 1777, he had been wounded.

In 1824, Congress placed a duty on woollens coming into this country as a protection to our manufacturing industries. Notwithstanding the duty England continued to send their woollens to this country and underselling American manufacturers.

A movement was started to increase the duty to protect the American industries. A Delaware manufacturer, W. W. Young testified before a congressional committee relative to the capital he had invested, labor employed and the amount of goods produced. He complained that for three years business had been curtailed in consequence of low prices and the business had been a losing one. The duPont manufactory at Wilmington reported that their business had been a losing one.

In 1826-27, New England asked Congress to increase the duty imposed on woollens by the Act of 1824, and also for greater protection for other industries. Senator Louis McLane of Delaware though a protectionist, opposed the bill, because he believed the duty in the Act of 1824 to be sufficient.

In 1828, the Legislature abandoned the traditional mode of choosing presidential electors by adopting the general ticket system.

President Jackson had become greatly impressed with the ability of Senator McLane, and on April 18, 1829, appointed him to that most important of our foreign missions - Minister to England. After two years service in London he was recalled to become Secretary of the Treasury and from that post he was transferred to the State Department in 1833, and this office he held until he resigned in 1834.

The question of a new constitution for the State had been agitated for several years. The Assembly in 1829, provided for a referendum on the subject of calling a constitutional convention. The election in October, 1830, resulted in a majority of votes being cast for a constitutional convention. The General Assembly thereupon passed an Act providing for a convention to be held in Dover on November 8, 1831.

The delegates duly elected met in convention on November 8, 1831, in Dover for the purpose of framing a new Constitution with Judge Willard Hall as temporary chairman. Charles Folk was elected president, and William Brobson, Secretary. The important changes from the Constitution of 1793 were few. A new judiciary system was provided, and the term of the Governor was changed from three years to four years. Amendments to the Constitution were made more difficult. This was the third Constitution of the State. The constitution was adopted by the Convention on December 2, 1831, without being submitted to the people for ratification or rejection.

At the same session that provided for the constitutional convention, an attempt was made to abolish the custom of imprisoning for debt; it succeeded in passing the Lower House of the Legislature but was lost in the Senate.

Delaware had a small slave population, and in 1831, it was feared there would be an uprising of the slaves in Delaware. News had arrived of a massacre at Southampton, Virginia, of several white families by a body of run-away slaves, but no such uprising occurred.

At this time the independent attitude of South Carolina towards the Federal government in regard to tariff legislation met with emphatic disapproval in Delaware. Governor Bennett, in his address, assured President Jackson "that inflexible integrity and undaunted firmness will always meet with the support of a free and enlightened people." President Jackson had vetoed bills for internal improvements, opposed a tariff for protection and declared the United States Bank, which had been established by the Federalists, a "great monopoly for the benefit of a few," that it was "mismanaged, unsound and unconstitutional." The Supreme Court of the United States had declared it was constitutional. The President issued an order that "all public moneys should be deposited in State Banks." A memorial signed by 1650 residents of New Castle county, expressing their opposition to the removal of deposits to State Banks, asking for restoration of the United States Bank, and for the "establishment of a sound and uniform currency" was presented to Congress by Senator John M. Clayton. The Jackson Party of New Castle, then presented Congress a counter-memorial approving all the acts of President Jackson, as expressing the "views and opinions of the Democracy of New Castle County."

Dr. Arnold Naudain, "a National Republican", in the Senate from Delaware, assailed this memorial of the Jackson Democrats in New Castle County."

In 1828, the Federalist Party adopted the name of "National Republican" and the "Democratic-Republican" dropped the name "Republican."

The "National Republican Party" in 1836, abandoned its name and adopted the name "Whig" by which the Patriots of the Revolution were known.

The election of Martin Vanburen, as President, in 1836 was immediately followed by business failures and a financial panic all over the country. In Delaware, the manufacturers those engaged in commercial pursuits, labor and the farmers suffered in common with the rest of the country. Owing to the depressing financial conditions, the Legislature relieved the banks of the State by suspending the provisions of the bank charters requiring them to pay twelve percent interest, for refusing to pay their notes in specie. The banks resumed the payment of specie later on without difficulty. This was probably a very unjust Legislative action, as the poorer classes, who had deposited specie, had to take paper money which was fast becoming worthless and cause greater hardships.

President Van Buren recommended to Congress that the Government should cease to keep its money in State Banks; that it should establish an independent Treasury with sub-treasuries, entirely divorced from State Banks. This plan was adopted in 1840. The democratic party went down to defeat in 1840, because of the disastrous results of its policies to the business interests of the State. Delaware soon recovered from its business depression. The State was entirely out of debt and had nearly \$20,000 in the treasury. Daniel Webster visited Wilmington during this campaign.

When Congress refused to recharter the banks of the District of Columbia, the Legislature passed a resolution denouncing the policy "as unwise and oppressive, and confidently hoping the next Congress would grant a redress of grievances."

In 1842, the Whig convention held in Dover recommended Middleton Clayton of Delaware for Vice President, and approved the distribution of the public lands, and other Whig measures, also endorsed the nomination of Henry Clay for President.

The Slavery question was becoming important at this time. In an anti-slavery meeting at Wilmington, it was reported that three-fourths of the people were ready to sign petitions for immediate emancipation without any compensation. There were less than three thousand slaves in the State at this time.

In 1845, the Legislature passed resolutions disapproving of the annexation of Texas, and these resolutions were presented to the Senate by Hon. John A. Clayton.

The United States was now on the verge of another War. In 1835, the Texans revolted, and in the battle with the Mexicans at Gonzales, were victorious. The Independence of Texas was acknowledged by the United States in March 1837. Texas, a slave State, with about 200,000 population, applied for admission as a State to the Union. Congress on February 29, 1845, authorized the President to enter into negotiations with Texas for its annexation. The Whigs opposed the annexation.

The Mexican Minister, protesting the actions, declared it an act of war, and that Mexico would resist. Demanding his passport, on March 28, 1845, he returned home. Texas accepted our offer of annexation on July 4, 1845. On May, 1846, President Polk asked Congress for a declaration of war.

On May 1846, Congress declared that war existed "By the Act of the Republic of Mexico." The President called for 50,000 volunteers. The number assigned to Delaware was 300. A Delaware revenue cutter "Forward" manned chiefly by seamen from the State under command of Captain Henry B. Hones, took part creditably in some of the engagements. It participated in the attack in Alvarado and in the capture of Tabasco.

When war was declared, Senator Clayton of Delaware "denounced it as an act of the President of the United States" continuing he said, "Our Country showed no disposition to avoid war, but actually courted it."

A recruiting office was opened in Wilmington, and the enlisted men were marched away to the battle-fields of Mexico on April 8, 1847, where, at Pulte Alto, they joined their regiment, the 11th, under command of Colonel Ramsey.

Some what later a complete company was recruited in the State of Delaware by Captain Chaytor. This detachment went from Baltimore to Vera Cruz by steamship. This company was also assigned to the 11th Regiment of infantry and took part in General Scott's famous march from Vera Cruz to the city of Mexico.

During its progress it lost its commander, General Graham, at the battle of Molina del Rey. Sickness and casualties accounted for a very large proportion of the company. It was a very small number of Delaware soldiers that returned home after the signing of the Treaty of Peace. The Treaty of Peace was signed in February, 1848, between the United States and Mexico.

Two Delawareans distinguished themselves in this war: Samuel H. Chambers, called the "Hero of Delaware" distinguished himself in the Battle of Monterey; and Lieutenant Robert C. Rogers, who, "at the storming of Chapultepee, was one of the seven men who first mounted the walls of the fortress." The Legislature voted Lieutenant Rogers a "hundred dollar sword." Other Delawareans in the Mexican campaign were Captain Porter, General Lane, Captain Evans, Lieutenant Tilton and Lieutenant Mones.

In 1847, President Polk visited Wilmington. His welcome by the citizens of Wilmington was a royal one. Colonel Samuel B. Davis, defender of Lewes in the War of 1812, made an address of welcome, and was followed by a dinner.

On January 21, 1848, a large public meeting was held in Wilmington by the friends of General Taylor, the "Hero of the Mexican War," at which resolutions were adopted recommending him as the peoples candidate for President. On June 7, 1848, General Taylor was nominated by the "Whigs" for President.

Lewis Cass was the Democratic nominee for president. He visited Wilmington during this campaign, he referred to the fact that fifty years before he had taught school in Wilmington.

Abraham Lincoln, then in Congress from Illinois, also visited Wilmington during this campaign and addressed a Whig meeting.

Delaware's Electoral vote was cast for General Taylor for President.

Reference file

It is very significant at this time, when the Democratic Party was largely interested in securing additional territory from Mexico for the purpose of extending the area open to slave labor, a bill was introduced into the Delaware Assembly by Mr. Swayne of Centerville, New Castle County, to secure the abolition of slavery within the limits of this State. This measure only failed in the Senate by the vote of the Speaker of that body, Mr. Morris. About the same time a resolution was introduced by Mr. Swayne and adopted by the Assembly committing the State against the introduction of slavery into the territories.

On January 15, 1848, an award was made in the favor of the United States for ownership of Peapatch Island, in the Delaware River. The award brought to a close a long standing dispute over the ownership of the Island. Mr. John Sergeant, a Philadelphia lawyer, had been appointed sole arbitrator between the Government and the State of Delaware and New Jersey. At the same time a boundary line was established as a part of the arbitration decision between New Jersey and Delaware.

On March 7, 1849, President Taylor appointed John M. Clayton, of Delaware, to his cabinet as Secretary of State of the United States.

About this time gold was discovered in California and word soon reached the East telling of its discovery.

This news brought a rush of immigrants to the gold fields on the Pacific coast. California and New Mexico had recently been added to the territory of the United States; and for protective reasons a short route to California was desirable.

Great Britain had been obtaining a foot hold in Central America. She was claiming rights in certain central American States, and assuming a protectorate over most of Nicaragua. The Taylor Administration determined that the protectorate should cease, as inimical to the interests of the United States.

As early as 1835, Mr. Clayton, then Senator from Delaware, had offered a resolution in the Senate for the purpose of affecting a treaty with the Governments of Central America and other nations for permission to construct a ship canal across the Isthmus of Panama, as a short route to the Pacific.

Mr. Clayton, as Secretary of State, invited Sir Henry Lytton Bulwer, the British Minister, to a conference on the subject of "a canal across the Isthmus." They pursued negotiations until the "Clayton-Bulwer Treaty" were agreed upon. The "Treaty was signed by Mr. Clayton and Mr. Bulwer for their respective countries on April 19, 1850. There was considerable opposition to the "Treaty."

President Taylor died in office; and John M. Clayton now retired from the cabinet on July 20, 1850. He was elected by the Legislature in 1853 to the United States Senate which office he held until his death on November 9, 1856.

In 1848, John B. Cough paid two visits to Delaware lecturing on temperance. The temperance sentiment had been growing in the State for some years, and in the fall of 1850, was made a political issue. A Temperance Party was organized, which nominated Thomas Lockwood for Governor. This party was not successful in the election.

In May, 1851, President Millard Fillmore and his Cabinet visited Wilmington. He was given a reception at the City Hall. In his address he said, in part "Other States may excell you in population but none can surpass you in patriotism."

In 1850, a number of tickets were voted favoring calling a convention to amend the Constitution of the State so, in February 1851, the General Assembly provided for a special election to be held on October 25, 1851, to determine the sentiment of the people. This resulted in a majority of votes being cast for the convention. The Assembly provided for an election, for the purpose of electing delegates to the proposed convention, to be held on the first Tuesday in November. The delegates assembled in December, 1852, at Dover, but adjournment was made until March 10, 1853.

The new Constitution agreed upon by the Convention provided for the following reforms: Abolition of slavery, free suffrage without payment of tax, district representation according to population, non-property qualifications for office, reform in the judiciary, popular election of public officers, executive veto, annual elections and tax reforms.

The amended Constitution was made a political issue in the election of 1853, and when submitted to a vote, it was rejected by the people. Mr. Clayton, who was now in retirement, bitterly opposed the new Constitution.

Until 1852, divorces were granted exclusively by the Legislature, but by an Act of the Legislature the Supreme Court was given jurisdiction to grant them. Notwithstanding this Act, the Legislature continued to grant divorces until deprived of the power to do so by the Constitution of 1897.

The year 1852, witnessed the last campaign of the "Whig Party" in Delaware. Its followers drifted into the "American Party" which was commonly known as the "Know Nothing Party" because of the secrecy relative to the purposes and platform of the new organization. When questioned as to the purposes of the party the members replied, "I don't know."

The principles of the "Know Nothings" were to "Nominate no man to office who is not a native born, and to resist encroachment of foreign civil and spiritual power on the institutions of our country." The Party became so strong in 1854 that it elected the entire ticket in the State. Peter F. Causey of South Milford, Sussex county, was elected Governor on their ticket. The Legislature passed a prohibitory liquor law in 1855, which, according to Powell's "History of Delaware" was unpopular and caused the defeat of the Know Nothing Party in Delaware in 1856.

The law was repealed in 1857. The same historian says, "The Campaign of 1856, marked the passing of the "Know Nothing" party. It has no living issue, either moral, economic, or political to support it." If the party was responsible for the passage of the prohibitory liquor law, it certainly had a moral issue. The loose election laws that were in force at that time appear to have contributed to the defeat of the party, rather than the issues on which the campaigns were waged.

In 1858, the "Peoples' Party" was organized; its members consisted chiefly of person formerly connected with the Know Nothings, Republicans and Independents. It was defeated by the Democratic Party. William Burton, a former Whig leader was elected Governor in the Democrat ticket.

The slavery situation was now becoming more acute. Our country was gradually but surely dividing into two distinct sections: The Northern States opposed to slavery; and the Southern States determined it should not be abolished. Delaware being a slave State was classed with the Southern States. Delaware had constitutional provisions and laws prohibiting importing of slaves, but those slaves which were owned in the State prior to the time these provisions were made were not effected by the change in the Constitution and laws.

Many of the people who owned slaves had freed them, and at the beginning of the Civil War there was only 1,798 slaves in the State.

The majority being owned in Sussex county. Notwithstanding the constitutional provisions prohibiting the importation of slaves and the severe laws for kidnapping and selling slaves, there was some illegal slave traffic in the State. The most notorious of these kidnappers was Patty Cannon, a woman, and her son-in-law, Joe Johnson, who lived near the Nanticoke River at a place called Johnson's Cross Roads, now Reliance in Sussex county on the Maryland line. Johnson kept a tavern on the Maryland side of the line, which became a resort for slave traders. Patty Cannon, Johnson and their gang kidnapped free and slave negroes of both sexes and concealed them in the tavern to be sold to the slave traders. The place was raided in 1829 by the officers, Joe Johnson escaped but Patty Cannon was arrested, tried and convicted. She died in jail while waiting execution. George Alfred Townsend in his novel "The Battered Hat" gives a vivid description of the life and times of Patty Cannon.

During the campaign of 1856, threats of "revolution and disunion" were freely made. Then in 1858, the debates on slavery became more heated and both sides more obstinate. During the years 1859 and 1860, the greatest excitement prevailed in the country.

On July 16, 1859, the Democracy of Delaware declared as fundamental, the doctrine of "Non-Intervention by Congress of slavery in State or territory."

On March 24, 1860, the Democratic Party, in a meeting in Sussex County, adopted a resolution upholding the "right of the States to regulate their own domestic institutions in their own way," and declared the "Republican policies were subversive to the Constitution.

A conservative element in the party, on March 15, 1860 in a meeting at Dover, in Kent county, adopted a resolution "disapproving of any move to dissolve the Union."

The year 1860 was a Presidential year. The National Democratic convention met at Charleston, S. C. in April 1860, for the purpose of nominating candidates for President and Vice-President. Slavery was the issue, and the rocks on which the convention foundered. The convention adjourned to meet in Baltimore. On June 20th, the convention assembled at Baltimore, but the Democratic party hopelessly split on the question of slavery. The delegates from Delaware and other States refusing to vote. The Democratic State Convention met at Dover, August 8, 1860, and endorsed the nomination of John C. Breckenridge, the nominee of the Southern wing of the party for President.

"The Peoples' Party indorsed John Bell, for President and nominated George P. Fisher, for Congress.

In the election of 1860, George P. Fisher, "The Peoples' Party" candidate was elected to congress. It also had a majority of one in the House of the Delaware Legislature. The Democratic party had a majority of one in the State Senate. Abraham Lincoln, the Republican nominee was elected President of the United States.

Lincoln's election in November 1860, was followed on December 20, 1860, by an ordinance of secession by South Carolina; and other States soon followed. After South Carolina had seceded, it sent a commission to Governor Burton of Delaware, reciting its secession, and "inviting his State (Delaware) to join with her in the act." The Governor of Louisiana also sent a message to Governor Burton for the same purpose. Alabama sent the Hon. David Clopton as a commissioner to Delaware, "to advise and consult with his Excellency, Governor William Burton, and the members of the Legislature *** as to what is to be done to protect the rights, interests and honor the slave-holding-States."

Mississippi sent the Hon. H. Dickinson as a commissioner to obtain the consent of the State of Delaware, "to co-operate with her (Mississippi) in the adoption of efficient means for the common defense and safety of the South."

The Delaware Legislature convened January 2, 1861. Governor Burton in his message retested to the "deplorable fact of political conditions which threatened the perpetuity of the Union." "One State", he declared, "is out of the Union, and five, and probably seven, if not more, of the Southern States will take similar action." He expressed hope that the "dark clouds of discontent may be dispelled, peace be restored and the Union preserved."

The Governor accompanied his message with the communications from the Governors of South Carolina and Louisiana, stating that the Hon. H. Dickinson, commissioner from Mississippi desired to address the Legislature. "It is with you" said the Governor, "in my opinion it is due him and his State that he should be heard." "May you, with any assistance I can offer, be able to prevent a dissolution of the Union." Mr. Dickinson, the Commissioner from Mississippi, appeared before the Legislature June 3, 1861, and in an address invited Delaware to secede from the Union, and join the Southern confederation. After his address, the following resolution was submitted to the Senate and House, "That we deem it proper and due to ourselves and the people of Delaware to express our unqualified disapproval of the remedy for existing difficulties suggested by the resolutions of the Legislature of Mississippi." The resolution was adopted.

On January 2, 1861, Thomas H. Hicks, the Governor of Maryland, sent a letter to Governor Burton, of Delaware, suggesting the formation of a central Confederacy. Governor Burton replied to this letter of Governor Hicks' on January 8, 1861, saying "With us it is a matter of necessity that the Union be preserved; our territorial limits are so contracted that should the Union be dissolved, it is impossible for Delaware to exist as an independent Sovereignty. ***As to a central confederacy, it has never been discussed to any extent in our State, and I know not the feelings of our citizens in relation thereto."

To stem the secession movement the Legislature of Virginia, in January 1861, passed a series of resolutions which brought about a "Peace conference" in Washington in early February. Delaware was represented in this body by five delegates, George B. Rodney, Daniel M. Bates, Henry Ridgely, John W. Houston and William Cannon. These delegates received the following instructions from the Delaware Legislature: "This General Assembly, the people of Delaware, are thoroughly devoted to the perpetuity of the Union, and the commissioners appointed are expected to emulate the example set by the immortal patriots who formed the Federal Constitution by sacrificing all minor consideration upon the altar of the Union."

Seven southern and thirteen northern states were represented in the convention. At the close of February, a bare majority agreed upon the plan of adjustment. Its main feature consisted in an attempt to restore by constitutional amendment the Missouri compromise line so as to run the parallel of thirty-six thirty across the continent as a permanent barrier of territorial demarkation.

President Lincoln was utterly opposed to any such plan, or any scheme whereby slavery would be extended in the soil owned by the Nation.

The plan of the "Peace conference" was similar to a plan proposed in Congress by Senator Crittenden. It was regarded with no favor either by the Republicans or the Secessionist. The Peace Convention failed of results.

Delaware during the Civil War

After President Lincoln's inauguration events moved rapidly. In the seceding States all the government property had been seized. Fort Sumter in Charleston, S. C. harbor and three forts on the Florida coast continued under the Union flag. On April 12, 1861, fire was opened on Fort Sumter and was continued for thirty three hours, when her commander, on the afternoon of the 13th surrendered. On the 14th the fort was evacuated and that night President Lincoln issued his call for 75,000 men and it was sent to the Governors of the respective States. Delaware's quota was 750 men to serve three months.

The Governor of Delaware, Mr. William Burton issued a proclamation on the 25th of April dealing with the question of volunteers. There was no organized militia nor any State law requiring any such organization. In the Governor's proclamation notice was taken of the fact that the laws of Delaware did not confer upon the executive any authority in enabling it to comply with such a requisition.

The Governor, therefore, recommended the formation of volunteer companies for the protection of the lives and property of the people of this State against violence of any sort to which they may be exposed. These companies when formed, would be under the control of the State authorities, but, however, they would have the option of offering their services to the general government for the defense of its capital and the support of the Constitution and laws of the country.

Volunteers came quickly and there was no difficulty in providing for the requisition received from Washington.

The news of the firing at Fort Sumter created intense excitement. Meetings were held in Wilmington and other places throughout the State to support Union sentiment and to urge that every effort should be made, in the absence of a State militia to protect the people and their property against violence. Parallel with this was a movement to suppress by force, if necessary, any rebellious movement within the limits of the State itself. In Sussex County where three-fourths of the slaves were owned, Union sentiment was less general and slower than in the other two countries.

The railroad bridges between Baltimore and Harrisburg and Baltimore and Philadelphia were burned by Baltimore authorities to prevent the movement of troops to the South. Steps were taken by the Federal Government during the month of April to guard Wilmington and Delaware Bay by the dispatch of a revenue cutter "Dobbin" to patrol the waters. At the same time Fort Delaware received a garrison of 175 men from Philadelphia. Normal conditions of transportation were restored at the end of April, as the National Government had taken charge of the railroad and it was being patrolled by armed men. The Delaware and Chesapeake canal was guarded by a force of 1,000 men. Many companies were organized in Delaware known as "Home Guards," and armed with guns belonging to the State.

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By May 1, 1861, nearly 800 men had enlisted in Wilmington and New Castle County, forming ten companies. These volunteers became the First Delaware Regiment. On May 23, 1861, Governor Burton, in response to the call of the President for 300,000 men to serve for three years, recommended the continuation of the work of enlisting volunteers for the Army.

On June 27, 1861, a meeting was called at Dover of all citizens of the State without regard to former party relations opposed to Civil War, and in favor of a peaceful adjustment of "All questions which have distracted the country and produced its lamentable condition. Between 1500 and 1600 people, from all over the State, assembled on that day on Dover "Green". The meeting was controlled by that element which advocated allowing the seceding States to peaceably withdraw from the Union, if it be necessary to do so to avoid war. Resolutions were adopted to this effect. This meeting and the resolutions which it adopted had the effect of drawing the lines clear and sharp between the Unionist and Non-Unionist. The unfortunate effect was to encourage and solidify the anti-Union sentiment which prevailed in the State, especially in Kent and Sussex counties.

In response to the Governor's proclamation, enlistment of soldiers was begun all over the state. In order to encourage men to enlist, funds were raised to support the families of those volunteering who might need assistance during their service in the war.

Ladies in Wilmington and other parts of the State, organized Sewing Societies for making clothing and furnishing necessities for the soldiers. Among the companies organized; there were sixteen companies sympathetic to the Southern cause; all the other companies were Union companies, whose officers and members were unqualifiedly for the Union. On May 11, 1861, Governor Burton, commissioned Henry A. duPont of New Castle County, Major General of the forces raised and to be raised in Delaware. The Governor called an extra session of the Legislature to convene, at Dover, on November 35, 1861. The Legislature was to devise the ways and means to provide for financing the army and other measures relating to the war. An attempt was made at this session to pass a resolution "declaring the adherence of the State of Delaware to the Government of the United States," but it failed in adoption.

In the fall of 1861, and in March 1862, all volunteer companies regarded as non-Unionist were disarmed by order of the War Department of the Federal Government on the ground that they were not loyal to the Union. This order affected sixteen companies in Delaware. Many of these young men found their way through Maryland and Virginia into the confederate army, and fought for the cause which they believed to be right.

President Lincoln conceived a plan for the emancipation of slaves through compensation to the owners by the United States Government, and to "bring the rebellion to a peaceful close."

Delaware was the smallest slave-holding-State, having only 1798 slaves, he determined to submit the proposition first to the State of Delaware. The President in November 1861, consulted Hon. George P. Fisher, Congressman from Delaware, about submitting the proposition to the State Legislature. The Government was to pay nine hundred thousand dollars to the State in ten equal annual installments, which amounted to five hundred dollars per slave. A bill was prepared on this line for introduction in the Legislature. Before introducing the Bill, a poll of the Assembly was made to ascertain if it could be passed. The poll showed a minority in favor of it in the House, and therefore, it was not introduced.

On August 5, 1862, the Government issued a call for 300,000 more men of which Delaware's quota was 3,000. A Draft was ordered by the War Department to fill this quota. Governor Burton issued commissions to persons to act as enrollment officers, but in Baltimore Hundred, Sussex County no one could be found who would act as such officer in that Hundred. The draft order was rescinded when 3440 had quickly enlisted in the State.

During the Summer of 1862, the confederate forces invaded Maryland, creating anxiety for the safety of Wilmington, and the DuPont powder works on the Brandywine River. On September 17, two confederate spies - O'Keefe and Ryan - were reported in Wilmington. They were apprehended, arrested and imprisoned in Fort Delaware. September 17, 1862 also witnessed the bloody battle of Antietam in Maryland in which many Delaware soldiers were killed and wounded.

In the summer and fall of 1862 several men charged with disloyal speeches and conduct were imprisoned in Fort Delaware by order of the Secretary of War. Some of the arrests were found to be unwarranted. But the life of the Nation was hanging in the balance; the preservation of the Union was the first consideration of the Federal Government. Delaware did not differ from other slave holding States in the divided sentiment of the people.

President Lincoln on September 22, 1862 issued a proclamation; "That on January 1, 1863, all persons held as slaves within any State, the people whereof shall be in rebellion against the Union shall be from thence forward forever free."

The Union Party was organized in Delaware and a Union Democrat sought as a candidate for Governor. William Cannon was selected as the party's candidate. In the November election he was elected Governor of the State. The fear of violence at the election prompted prominent members of the Party to ask the General Government to send troops to preserve peace on election day.

Federal troops were sent to Delaware and on election day were placed at all voting places, except two in Kent and Sussex counties, and except at Wilmington, Christiana and Mill Creek Hundred in New Castle County. The Democrats made the charge that this was done to prevent, by intimidation a free election, and that Democrats were thereby prevented from voting.

On December 22, 1862, Senator Willard Saulsbury offered a resolution in the Senate of the United States asking that the Secretary of War be directed to inform the Senate, "Whether armed soldiers were sent into the State of Delaware to be presented at the polls on November 4, the day of the general election, by whose orders, upon whose application, the necessity therefore, and for what purpose they were sent." The resolution was let die in the committee on military affairs. Senator Bayard also supported the resolution.

The Legislature convened January 3, 1863 and Governor Burton in his closing address condemned the disarming of the "Home Guards"; and recommended that a committee be appointed to investigate the sending of troops into Delaware on the previous election day, November 4. The Legislature, on January 8, 1863, appointed a committee consisting of three Democrats from the Senate and five from the House. A report of the committee was sent to the Federal Government at Washington.

William Cannon was inaugurated Governor on January 20, 1863. In his address, concerning slavery, he said, "Slavery in this State is doomed The period may be longer or shorter, but the result is inevitable despite the struggles of those who would perpetuate it as a social institution or as a political machine."

The Legislature, on January 29, 1863, adopted a joint resolution condemning the seizure and imprisonment in "forts" and "camps" of citizens of this State by the Federal Government. The resolution further declared that "the time had arrived for the making an effort other than by arms

to end this dreadful war; and the appointment of delegates to a National Convention to devise ways and means of settling the difficulties." The resolution was transmitted to the Governors of some States. A copy was sent to Hon. H. R. Gamble, Governor of Missouri. The Governor presented it to the Legislature with a brief statement.

The Missouri Legislature adopted a resolution saying, "that we heartily endorse the logical, dignified and appropriate message of his Excellency H. R. Gamble, and accept and adopt the same as a suitable response to the resolution from Delaware."

Governor Cannon, on receipt of this message, transmitted it to the Legislature of Delaware on June 10, 1863.

On June 16, 1863, the Confederate cavalry was reported to be between 25 or 30 miles from Baltimore. It was feared the army would pass through Delaware and Wilmington on its way to Philadelphia. - its objective point. On July 1, the Governor issued a proclamation calling upon the people to "repel an invading for"..... The most effective way to prevent spoliation of your homes is to keep the enemy outside of it."

General Lee had invaded Pennsylvania where he engaged the Federal Army in battle at Gettysburg from July 1 to the 3rd when he was finally driven in full retreat to the South. Delaware troops were engaged in this battle, and many were killed and wounded.

Congress in March, 1863, had passed an Act providing for a draft to raise men for the army. Delaware had recently been called upon for 1,638 men but had not been able to raise her quota by voluntary enlistment. A draft was ordered of all able

bodies men between 20 and 45 years of age to take place at Smyrna on August 12, 1863.

In March 1864, the President made another call for 200,000 men of which Delaware's quota was 985 men. The Legislature provided for a bounty of \$200. for every white man who would voluntarily enlist. Colored persons were excluded from the benefit of this bounty. Drafts were required to fill the quota.

On July 18, the President issued a call for 500,000 men of which Delaware's quota was 2,445 men.

On August 3, 1864, the General Assembly by resolution requested the Governor to furnish information concerning enlistment of negroes in the military service of the United States; what proportion were slaves, and whether such enlistments were by authority of the United States, or of the State. The Governor replied to this request on August 9, stating he was unable to say what proportion was free or slave; and that the enlistments were by virtue of an order by the War Department of the United States.

On December 19, 1864, the President issued a call for 300,000 men of which Delaware's quota was 938 men. Drafts were required to fill Delaware's quota, which were made in Kent and Sussex counties on February 20, 1865, and in New Castle County on March 25, 1865.

On March 1, 1865, Governor Cannon, after a brief illness, died at his home in Bridgeville, Sussex County. Delaware's War Governor had a sublime faith in the justice and righteousness of the cause: The preservation of the Union, and that Delaware might become a "Free State." How true this prophetic vision of our Governor.

A little more than a month after his death General Lee surrendered at Appomattox.

On January 25, 1865, Congress had adopted a resolution to amend the constitution to abolish slavery in the United States. Governor Cannon, on February 7, 1865, submitted this proposal to the Legislature, and recommending its ratification.

The Legislature on February 8, 1865, refused to ratify the proposed amendment.

Delaware's soldiers in the War - The "First Delaware Regiment," of which recruiting was begun in May and completed in October 1861, was, on first call from President Lincoln, to serve for three months. After the first quota of 800 men was recruited the length of service was changed to three years. The first contingent was mustered out at the appointed time. This regiment was under command of Colonel John W. Andrews and fought in the battles of Antietam, Fredericksburg, Chancellorsville, Gettysburg and other small skirmishes.

The Second Regiment was recruited in the summer of 1861. On September 17, 1861, this regiment under command of Colonel John W. Wharton left camp Brandywine and marched to Cambridge, Maryland. This regiment fought in the Battles of Gaines Mill, Savage Station, Peach Orchard, White Oak Swamp and Malvern Hill. It also participated in a charge at the battle of Antietam.

The Third Regiment of infantry was recruited in the spring of 1862, mainly of men from Kent and Sussex counties, with Colonel William O. Redden in command. This regiment was in the battles of Antietam and Cold Harbor.

It was on guard duty at Frederick City and Relay House near Baltimore.

The Fourth Regiment was recruited in the summer of 1862, mainly of men from New Castle and Kent counties. Company C, contained many persons imprisoned in Fort Delaware who had taken the Oath of Allegiance to the Union. This regiment was split up and little is known of the Battles in which it fought.

The Fifth Regiment was recruited in October 1862 from the northern part of the State. Most of the enlisted members remained in civil life, subject to being ordered into military service. This regiment performed guard duty at Fort Delaware, and Perryville; it was mustered out in August, 1863.

The Sixth Regiment was recruited by Colonel Jacob Moore of Georgetown in 1862 for nine months service. They were from rural districts in Kent and Sussex counties. They performed garrison duty on the Susquehanna and later at Fort Delaware. They were mustered out in August, 1863.

The Seventh Regiment of Infantry was organized for thirty days in July 1864. It was known as "Emergency Men" and performed duty along the Baltimore and Ohio Railroad in Maryland.

The Eighth Regiment of Infantry was recruited in the fall of 1864 and mustered out of service in June 1865. It fought in the battles around Petersburg in 1865.

The Ninth Regiment was recruited in the fall of 1864, as one hundred day men. It served on guard duty at Fort Delaware and was mustered out in January 1865.

The First Delaware Cavalry consisted of companies organized as "Home Guards", and four companies raised by Napoleon B. Knight of Dover in the summer of 1862, and by companies recruited by Hon. Geo. P. Fisher, in September 1862.

The First Delaware Battery Field Artillery was recruited by Captain B. Neilds in August 1862. It served in the East in 1863, but was later transferred to the Arkansas Department, and stationed at Duval's Bluff, and later at Little Rocks.

The Second Delaware Battery, Field Artillery, and Crossley's Artillery were raised in 1863, for the defense of Wilmington and to guard the Wilmington and Baltimore railroad.

Captain Ahl's Heavy Artillery was recruited, and almost entirely composed of Ex-Confederate Prisoners at Fort Delaware. Their service was faithfully performed until they were mustered out in 1865.

Colonel Samuel F. DuPont, in the Naval service, in command of a squadron of 75 vessels captured Port Royal, South Carolina. It was regarded as a brilliant success. Congress promoted him to the rank of Rear Admiral in July 1862, but was later demoted and relieved of his command.

General Robert E. Lee, on April 9, 1865, gave the order to "cease firing" and thus brought to an end four years of bloody conflict, and the Union preserved.

- On April 14, 1865, President Lincoln was assassinated while attending a theater in the city of Washington. His untimely death brought more sorrow to the Nation.

In June, 1866, Congress as a part of its policy of reconstruction adopted a resolution to submit to the States for ratification the Fourteenth Amendment to the Constitution. Governor Saulsbury transmitted the proposal to the Legislature, with a recommendation that it be not ratified. The General Assembly in a joint resolution refused to ratify the Amendment. The Amendment received the required number of States to become operative. Notwithstanding the ratification of the Thirteenth and Fourteenth Amendments to the Constitution of the United States, Delaware, having refused to ratify both Amendments, still refused the right of suffrage to her colored citizens.

In September 1868, a convention of white citizens was held in Wilmington looking toward securing then this right.

But the country was moving on toward universal suffrage for all citizens regardless of "race, color or conditions of servitude."

Congress in February, 1869, adopted a resolution to submit to the States for ratification the Fifteenth Amendment to the Constitution of the United States to enforce the right of suffrage. This proposal was rejected by the Delaware Assembly on March 18, 1869. The Amendment was finally adopted as part of the Constitution of the United States, and the colored people were given the elective franchise.

The colored people celebrated the ratification of the Fifteenth Amendment in Wilmington on April 14, 1870.

Colored people from all over the State of Delaware, Maryland and New Jersey attended the ratification meeting.

The first election held after the ratification of the Fifteenth Amendment was in the fall of 1870. The Republicans NS hoped with the colored vote, which was about 4,500, to carry the election for the Republicans. But the results of the election was the opposite, it was disastrous to the Republican Party in Delaware. The Democratic Party controlled the destiny of the State for twenty years.

The State had been practically out of debt at the beginning of the war, but during the war, bonds had been issued in the aggregate amounting to \$1,110,000 for military purposes, and to aid citizens of our State conscripted into the military service by the Federal Government in paying for substitutes to relieve themselves by military service.

Delaware had issued during and after the war, "Internal Improvements Bonds," in the aggregate amounting to \$456,000, to aid in constructing railroads in the State which were secured by mortgage on the properties.

Governor Saulsbury recommended that no other indebtedness be incurred and that this war debt be speedily extinguished.

In 1871, the contest for Senatorship was remarkable in that it was between three brothers - Willard Saulsbury, whose term would expire March 4, 1871; Governor ~~Saulsbury~~ Saulsbury, the retiring Governor; and Eli Saulsbury, a prominent Democrat. Eli Saulsbury was elected on the fourth ballot.

The General Assembly at its session in January 1871, passed an Act prohibiting non-residents from fishing in the Delaware Bay, River or any of its creeks without payment of a license.

The passage of this law brought up again the old dispute of jurisdiction of the Delaware River within the twelve mile circle from New Castle. Governor Ponder of Delaware and Governor Parker of New Jersey agreed to recommend to their respective Legislatures the appointment of a commission to settle the dispute. In January, 1873 the General Assembly of Delaware appointed a commission of three men to meet Commissioners of New Jersey, but New Jersey never appointed any commissioners. The State of New Jersey brought suit in the Supreme Court of the United States against the State of Delaware to determine and settle the boundary between the two States. In 1905, commissioners were appointed by the Legislatures of both States who framed a compact of settlement of the boundary disputes which was adopted by the Legislatures of both States, and the suit was thereupon dismissed.

In New Castle County some collectors had been indicted in the Federal Court, and one of them had been convicted, under the Act of Congress of May 31, 1870, - called the "Enforcement Act," to enforce the provisions of the Fifteenth Amendment relative to elective franchise - for depriving the colored people of their right to vote by not placing them on the assessment rolls. The Legislature in April 1873, passed an Act to relieve the Assessors and Levy Court from liability to prosecution under the Federal Act.

The law worked as a disfranchisement to colored voters, and remained on the Statute Books until the new Constitution was adopted in 1897,

During this period (1872-76) there was a general business depression throughout the country. Delaware suffered therefrom with the rest of the country. Labor was unemployed, manufacturing curtailed, and there was little market for the products of the farm. "But" said Governor Ponder, "No where can greater security of life and property, or a more general observance of the rights of all persons be found, than in our own State."

The Legislature in 1875, passed an Act for a better system of "Free Schools"; also an Act for the "protection of married women" by which property, real and personal, of a married woman became her sole and separate property, not subject to disposal by her husband, nor liable for his debts.

The year 1876, the one hundredth anniversary of the birth of our Nation, was fittingly celebrated in the Centennial held at Philadelphia. The Delaware Legislature, in 1875, directed the Governor to subscribe to the Centennial stock to the amount of \$10,000. Commissioners were appointed to procure exhibits of the products of the State and place them on exhibition at the Centennial. The State also erected a "Delaware Building" on the Exposition grounds. Twenty-five percent of the State's subscription was refunded after the close of the Exposition.

In 1876, there was a great deal of excitement over the election, and some States were accused of using corrupt means to defeat the Electors of the Presidential candidates.

The Congress appointed a commission which included among others, Hon. Thomas F. Bayard, of Delaware - to investigate the elections in several States.

In 1878, the Republican Party was completely discouraged. They held no convention and nominated neither State nor Congressional ticket. The political contest was between the Democratic Party and the newly formed Greenback-Labor Party. The Democrat party won the election.

In 1879, the Legislature passed an Act to purchase ground for a Court House in Wilmington; also established an Insurance Department for the regulation of insurance business in the State.

The Republican Party brought an action in the Federal Court for the appointment of United States supervisors of elections to supervise the listing of voters by the Levy Court because of the disfranchisement of many voters through the assessment laws. Judge Bradford decided that such supervisors could be appointed under an Act of Congress. The Federal Court also decided a case affecting the right of colored men to sit on juries. William Neal, colored, had been convicted of rape by a jury which contained no colored men. The Federal Court held the death sentence void because of a studied mission of colored men from the jury which was a violation of the Fifteenth Amendment.

The campaign in 1880 was exciting and waged with some bitterness and riots occurred in Wilmington. The Democrats charged the Republicans with coercion and bribery.

Governor Hall in his message to the Legislature, which convened January 4, 1881, referred to the previous election campaign as "open and unblushing bribery and intimidation of voters." He recommended that the Legislature take into consideration the necessity of adopting "means to prevent the repetition of such offenses against the purity and freedom of the ballot."

The Legislature, following the recommendation of the Governor, enacted a law "to secure Free Elections," making it a criminal act for any person or corporation to hinder, control, exercise or intimidate any qualified elector in the exercise of his right to vote.

The indebtedness of the State had been reduced from \$1,100,000 at the close of the Civil War to \$512,000 in 1880.

In 1885, President Cleveland appointed Hon. Thomas F. Bayard, then Senator from Delaware, as Secretary of State of the United States. Senator Bayard resigned on March 6, 1885, to enter the Cabinet of the President. This is the third time Delaware had been honored by such appointments.

Governor Stoeckley in his message to the Legislature in 1887 urged upon the Legislature the necessity of some remedy for the great evil in the use of intoxicating liquors. He also recommended the erection of buildings for a State Insane Asylum; amending the Constitution to increase the number of Representatives; and reforms in the Judiciary System.

An Act was passed in 1887 giving consent to the United States to build a canal from the Assawaman Bay to the Delaware Bay.

Among the acts passed by the Assembly in 1889 were: one providing for appointment of three persons from each county to compose the State Board of Trustees of the Insane Department; another declaring the thirtieth day of May - "Memorial Day",; and a joint resolution to place a memorial tablet at the "Corpse of Trees" on Cemetery Ridge on the battle field of Gettysburg in memory of the soldiers of our State, who were conspicuous in their efforts to resist Longstreet's charge at that place.

When the Legislature convened on January 6, 1891, Governor Biggs said, "Perhaps fully one half of the sessions for some years past have been consumed in the consideration of business of a private nature in which the public has no interest, and much of which is cognizable in the courts." He condemned the practice.

The Legislature adopted the name "The Delaware State Hospital at Farnhurst" as the designation for the Insane Hospital. A commission of nine members was created, - and called the "Board of World's Fair Managers of Delaware" - to secure a complete display of the interests of the State for the World's Columbian Exposition at Chicago, and appropriated \$10,000 for expenses thereof. A State building was erected on the grounds.

In January 1893, the Legislature passed an Act to submit to the people at the general election the question of calling a convention to amend the State Constitution. It also declared the First Monday - "Labor Day" - in September to be a legal holiday.

In April 1893, President Cleveland named the Hon. Thomas F. Bayard Ambassador to Great Britain. This was the third time a Delawarean had been appointed to the Court of St. James.

The question of calling a constitutional convention was submitted at the election in November 1894, and carried. An Act was passed calling for election to be held on the first Monday in November, 1896, to elect 30 delegates to a constitutional convention to meet at Dover on the first Tuesday in December, 1896.

The Convention met at Dover, December 1, 1896, and proceeded to frame a constitution to take the place of the constitution framed in 1831. The Convention completed its work June 4, 1897. The amended constitution framed by the convention became operative by its terms without submission to the people for ratification, and took effect June 10, 1897. All members of the convention, except J. P. Donohoe from New Castle county, signed the constitution.

Early in 1898, it became evident that a war with Spain was imminent. The Legislature at its session in June 1898, at the request of Governor Tunnell, appropriated \$30,000 for training and paying the expenses of an encampment for the National Guard. On April 25, 1898 war was declared by the United States against Spain. On April 26, 1898, the first Delaware Regiment under command of Colonel I. Pusey Wickersham was ordered to camp Ebe W. Tunnell at Middletown, Delaware.

By May 19, a regiment of more than 1,000 men had been mustered into service, and was ready for call by the President. In August, the Delaware troops were ordered to Porto Rico, but the order was revoked and they were not ordered to the front.

In 1899, a General corporation law was enacted; also, an Act was passed to establish the New Castle County work house.

Lincoln's Birthday, February 12, was made a legal holiday by the Assembly in 1899.

James R. Allen.

By failure of the session of the Legislature in 1899 and the preceding session to elect successors to the United States Senators whose terms had expired and would expire on March 4th of that year, Delaware was without a Senator in the Senate of the United States for the succeeding two years.

Although the Legislature had refused to ratify the 13th, 14th and 15th Amendments to the Federal Constitution when they were presented during and immediately after the close of the Civil War. The Legislature on February 12, 1901, ratified all of these amendments.

There had been considerable trouble in the Republican Party which led to the formation of the Union Republican and Regular Republican parties in 1896. In 1889 a man named John Edward Addicks, - a former resident of Delaware - came from Boston with the hope of being elected to the United States Senate from Delaware. He was the leader of the Union Republican Party. Although he never mustered enough votes in the Legislature to be elected to the Senate he held up the election of Senators for several successive terms, which resulted in the State not being represented in the United States Senate for two years, 1901-03. In 1903, the two factions made a compromise agreement whereby each faction would present a candidate who would be elected. The Union Republicans nominated James Frank Alee, and the Regulars nominated L. Heisler Ball. On March 2, 1903, J. Frank Alee was elected for the Senatorial term expiring March 4, 1907 and L. Heisler Ball for the term expiring March 4, 1905.

Mr. Addicks power was only temporarily broken: for he again entered the campaign in 1905, which resulted in adjournment of the Legislature without electing a successor to L. Heisler Ball whose term would expire on March 4, 1905. Governor Lea issued a call for a special session of the Legislature to convene on May 31, 1906, for the purpose, among other things, of electing a Senator to fill the vacancy then in the United States Senate. The Legislature on June 13, 1906, elected Henry A. DuPont for the term expiring March 4, 1911. Mr. Addick's power was broken.

On March 2, 1901, the Legislature passed an Act punishing kidnapping of minor children.

The Legislature in 1905 enacted a child Labor law; a Motor Vehicle law; and a law providing for submission to the people at the election in 1906, the question, "shall the General Assembly of the State of Delaware provide a system of advisory Initiative and Advisory Referendum."

In accordance with the provisions of the Legislature enacted in 1905, the question of the adoption of the Advisory Initiative and Referendum was submitted at the general election in 1906, and overwhelmingly carried by a vote of 17, 248 for, and 2,162 against.

The Legislature on February 11, 1907 adopted a resolution proposing to amend the Constitution to prohibit polygamy; copies of the resolution was sent to the House of Representatives and to the Senate in Congress. On March 21, 1907, it provided for Local Option Elections in each of the Local Option Districts of the State.

Local Option won in Kent and Sussex counties but lost in Wilmington and New Castle counties.

Although the question of Advisory Initiative and Referendum won by about 8 to 1 in the election in 1906, the Legislature does not seem to heed the voice of the people as no record of any act in support of the vote can be found.

The Legislature in 1907, passed an act providing that Delaware should participate in the "James Ter-Centennial Exposition" in celebration of the birth of the American Nation, and appropriated \$10,000 for the expense thereof.

This session also provided for procuring a new seal as the "Great Seal of the State of Delaware."

Another Act passed at this session was "to require that the Constitution of the State be taught and explained to the scholars in the schools of the State.

In 1909, the Legislature provided for a Collateral Inheritance and Succession Tax; and also to establish a State Board of Forestry; and gave the United States the right to acquire the lands, title and franchise of the Chesapeake and Delaware canal.

In 1911, The Legislature passed an act to regulate the undertaking business and to create a Board of Examiners. The general corporation law was amended to provide for Boulevard companies "to build and maintain boulevards."

The year 1912, was a year of great political unrest and excitement in the country. It witnessed the founding of the Progressive Party.

Among the acts passed in 1913 were: An Act to re-incorporate and amend the charter of Delaware College, and to establish a college for the education of women affiliated with Delaware College; an act to erect, at Valley Forge, a suitable monument in memory of the Revolutionary soldiers from Delaware; several acts of historical nature; an act making "Good Friday" a legal holiday; and a resolution ratifying the XVII Amendment to the Constitution of the United States; and an Act for codifying the laws of Delaware.

In 1917, the Legislature provided for a local option ^{election} in Wilmington, and New Castle County outside of Wilmington. Local Option carried in New Castle County outside of Wilmington, but lost in the city of Wilmington. Other acts passed were: An Act creating a "Mothers' Pension Commission"; An Act known as "The Delaware Workman's Compensation Law"; an Act creating a State Highway Department; an Act to levy and collect income tax; and an Act empowering the Governor to appoint a commission of five members to study educational conditions, and evolve an improved system of public instruction.

This year 1917, witnessed the entrance by the United States into the World War.

Congress on April 6, 1917, in compliance with a request from President Wilson, declared a "state of war" existed between the United States and the Imperial German Government.

On April 2, the Legislature, in a joint resolution, authorized the Governor to place at the disposal of the President the troops and military equipment of the State.

In June 1916, two battalions of the National Guard were mustered into the United States service and sent to Deming, New Mexico. They returned home and were mustered out of service February 15 and 16, 1917. On March 25, 1917, the first battalion was recalled to service, to guard bridges susceptible to attack by German sympathizers. The work of recruiting for the World War was begun through voluntary enlistments and continued by selective draft. Approximately ten thousand men from Delaware were mustered into the army, navy and marine forces of the United States. It was difficult to trace the movements of the Delaware troops as they were attached to so many different commands from other states. The 89th Delaware Pioneer Infantry, approximately 1500 men, was the largest single contingent of Delaware men. It left Hoboken, New Jersey, August 29, 1918 and arrived at Brest, France, September 7, 1918. The regiment was sent immediately to the front where it participated in the battles of Champagne-Marne, Aisne-Marne, Meus, Argonne, Chateau-Thierry, St. Mihiel and other minor battles.

On March 1, 1918, the Legislature met in special session. Governor Townsend recommended a "State Council of Defense" to work the National Council at Washington in the World War. He also submitted the Eighteenth Amendment to the Constitution of the United States prohibiting the manufacture, sale and transportation of intoxicating liquors, which the Assembly ratified on March 26, 1918. It established a "State Council of Defense," to consist of the Governor and ^{not} less than six or more than fifteen persons.

On November 11, 1918, Germany laid down her arms and sued for peace. In 1919, the Delaware troops returned to this country, and were mustered out of service.

In 1919, an Act was passed to enforce prohibition under the 18th Amendment. Other Acts passed by this Assembly were: An Act to create a "State Board of Charities;" a new "Public School" code; amending the constitution to increase the salaries of the members of the General Assembly. The members, except the presiding officer, were to receive ten dollars per day, and the Presiding Officer twelve dollars per day.

Congress, in June, 1919, adopted a joint resolution proposing to amend the Constitution of the United States to give the women the right to vote. Governor Townsend called a special session of the Legislature to meet March 22, 1920, and strongly recommended the ratification of this Amendment. The State Senate ratified, but the House refused to ratify the Amendment. The Amendment, however, was ratified by three-fourths of the States and became part of the Federal Constitution. Thus, a campaign for suffrage extending over a period of fifty years had been won. The first "Woman's Suffrage Convention" was held in Wilmington in 1869. Women had received some recognition in 1898 by an Act of the Assembly giving them the right to vote in school elections under certain conditions.

In 1921, the Legislature established a budget system for all State departments.

It also provided for placing of jetties on the beach at Rehoboth to stop the ocean from washing away parts of the beach.

In 1892, commissioners had been appointed by Pennsylvania and Delaware to establish the boundary line between the States. The curve on the north was run and marked by stone monuments. A report of the boundary was submitted by the committees to the Legislatures of their respective States. Pennsylvania ratified on June 22, 1897. The matter was allowed to slumber in Delaware until March 31, 1921, when, through the efforts of the Chester County Historical Society, the Assembly ratified the report of the Commissioners. The Congress ratified the compact between the two states on June 30, 1921.

In 1923, a "State Health and Welfare Commission" was established combining the former "Child's Welfare Commission, the Tubercular Commission and the State Board of Health."

In 1925, the proposed 30th Amendment was presented to the Legislature for ratification, but the Legislature refused to ratify the proposed Federal Amendment. This Amendment would give Congress the power to regulate or prohibit the labor of persons under the age of eighteen years. Legislation of this nature is very necessary, as it would take many minors out of the factories and their places would then be filled with adults who have families to support. Delaware had enacted a "Child Labor Law" some years before but the law had not been enforced to any great extent.

It was so loosely drawn that officers found much difficulty in trying to enforce the act.

In 1926, The Hundred and fiftieth anniversary of the United States was celebrated in Philadelphia, Pa., in what is known as the Sesqui-Centennial Exposition. The Legislature in 1925 provided for participation by Delaware in the exposition by appointing a committee to gather exhibits, build a Delaware building and make other necessary arrangements and appropriated \$25,000 for the expenses.

In 1927, the Legislature passed a new "Uniform Fishing Law"; and provided for building a new armory in Wilmington. It also passed several resolutions, among which were: one, requesting Congress to repeal the Federal estate tax provisions of the Revenue law of February 26, 1926; another, authorizing the transfer of lands to the United States for establishing a National Guard camp at Bethany Beach near the Indian River; and the appointing of a boundary commission.

In 1928, there was begun considerable agitation on the part of the "Association against the Prohibition Amendment" to have the Eighteenth Amendment to the Constitution of the United States repealed. Among the leaders of the movement in Delaware was, Pierre S. duPont, of Longwood, near Kenneth Square, Pa. Mr. DuPont, while acting as Tax Commissioner of Delaware, mailed out questionnaires to taxpayers requesting certain information regarding the sale of illegal liquor and testing the sentiment of the people relative to repeal of the "Prohibition Amendment." According to a statement in the Every Journal, a Wilmington newspaper under date of April 23, 1928, a 110,000 of the questionnaires had been mailed. The final report was issued on June 16, 1928, showing that only 37,951 replies had been received and labeling the result as 87 percent favorable vote. This was a beginning of a warfare of erroneous propaganda by those opposed to the amendment which continued for five years.

The Constitution of the State prohibited gambling and lotteries and made it the express duty of the Legislature to provide appropriate legislation for enforcement of this provision.

During the summer of 1928 an attempt was made to evade the laws and the constitutional prohibitions by operating a newly devised form of betting which the promoters claimed was legal. Action was taken by the State officers and several were charged with operating a gambling place. The Court upheld the State officers and branded their form of entertainment as gambling and therefore illegal.

The Motor Vehicle Law was amended to provide for inspection of motor vehicles. Governor Buck, on June 3, 1929, issued a proclamation requesting all persons to have their vehicles inspected in conformity with the law.

The State School Law was amended by the Assembly to require teaching "the effect of alcohol upon the human body."

The Delaware-New Jersey boundary dispute which had been in the courts several times - it having been dismissed in 1905 after a compact had been agreed upon between the two states - was now renewed by a new court action. The Legislature appointed a committee of five persons to meet a like committee from New Jersey to form a new agreement. But no agreement could be reached satisfactorily, and New Jersey petitioned the Supreme Court of the United States for a decision as to the boundary and jurisdiction. The Supreme Court handed down a decision two years later in favor of Delaware.

The year, 1929, witnessed the beginning of a nationwide business depression. Delaware was not immune from the effects of it. There had been a period of normal prosperity for a few years after the close of the World War.

Those who had invested heavily in stocks, which had been unduly increased in price during the prosperous years, began a manipulation of the markets which soon fell with a "crash" in October of that year. Thousands of small investors lost their homes. Factories and business places were shut down and millions of workers were thrown out of employment. Attempts were made by local governments to give relief to the suffering but the conditions that existed overburdened the local communities which made it necessary for the State, and later the National Government, to carry the burden of relief for distressed persons. The State and Federal Government endeavored to start "public works projects" in order to restore business and get money into circulation but return to normal conditions was slow.

In 1931, the Legislature provided for a new State Building to be used for a Legislative Chamber and other State offices.

The Legislature in 1931, passed among other laws, a "Sedition law"; a law permitting sparring and boxing, and creating a State Athletic Commission; and amended the Sabbath Observance Laws to allow golf and swimming in Wilmington on Sunday.

The Legislature made provision, by a Joint Resolution, for the State to participate in the Centennial Exposition in Chicago in 1933, and appropriated the sum of \$10,000 for expenses of the State in furnishing exhibits to Exposition.

In 1932, there was considerable excitement over the election.

The people favorable to Prohibition placed a new "Independence Party" on the ticket. It contained only one candidate, F. Burgette Short, for Representative to Congress. The Democratic Party won nationally, but the Republican Party won in the State.

In 1933, many Delawareans attended the Centennial Exposition in Chicago.

The Congress in 1933, had before it a proposal to amend the constitution by a new amendment repealing the Eighteenth Amendment. The proposal was lost in both Houses of Congress, but the constitutional provisions requiring two-thirds vote of Congress was disregarded and the proposal submitted to the States for ratification. The proposal should have received 290 votes in the House of Representatives and 64 votes in the Senate; whereas, it received only 289 votes in the House of Representatives and 63 votes in the Senate, and was therefore unconstitutional.

In 1933, the General Assembly provided for an election to be held in May 28, 1933 to elect delegates to a convention to ratify the unconstitutional proposal to repeal the Eighteenth Amendment. The ballots contained three lists of candidates: those favoring "repeal"; those against "repeal", and those "unpledged." The vote showed a majority for repeal.

The Legislature, at this session, provided for "Local Option Elections" in Sussex, Kent and New Castle Counties, excepting the city of Wilmington. A majority vote favored sale of liquor in the counties. Also, there was a proposal introduced at this session to amend the Constitution of the State to allow betting by "pari-mutuel" machines; and a bill to legalize "horse-racing" and establishing a "Racing Commission" in the State.

In 1933-34, the business depression which started in 1929 was still felt severely in the State. The Legislature provided for relief of the unemployed by establishing a Temporary Emergency Relief Commission and made large appropriations for relief purposes. The United States Emergency Relief Administration established "Transient Camps" in the State for relief of unemployed single persons; also camps known as "Civilian Conservation Corps" to provide work for young men whose families were in distress. The men at these camps reclaimed land, cleaned the rubbish from our forest reserves and many other duties of improving our public lands. In Delaware they reclaimed much marsh land in the lower part of the State.

In 1933, there was considerable activity in enforcing our Sabbath Observance Laws. An endeavor was made to conduct automobile races and Sunday dances near Wilmington. These were illegal and were soon stopped by court action.

In 1935, the Legislature ratified a proposal, of a previous Legislature, to amend the Constitution of the State to permit betting by machine. It also amended the Sabbath Observance Laws to allow playing baseball and football on Sunday.

The Congress, in 1935, had appropriated \$4,880,000,000 for relief purposes in the United States. This consisted of direct relief and relief work projects. The relief work projects were to be carried out under a Government organization known as the "Works Progress Administration." There were several divisions of this Administration established in the State. The work done by this relief division furnished employment to several thousand laboring, mechanical and professional workers.

The continuance of the business depression had resulted in many heretofore employed to be relieved of employment, which included many professional workers to whom direct relief was disdainful but necessary. The establishment of work relief for those classes gave them a dignified manner of support.

Now, in 1936, the situation is little improved. Millions are still unemployed, except for relief projects. Many panaceas have been offered for bringing about prosperity but all have failed of their purpose. What the future holds in store cannot be visualized, but a general revision of our economic structure seems imminent.

Delawareans of National and International Fame: The Following Delawareans have been called to positions of honor by our Presidents both in the national and international life of this country:

Name	Office	By Whom Appointed	Year
John Dickinson	"Penman of the Revolution"		
Caesar A. Rodney	"Attorney General of United States-	Jefferson	1807
James A. Bayard	Commissioner in Treaty of Peace	Madison	1814
James A. Bayard	Minister to Russia- Declined	Madison	1814
Louis McLane	Minister to Great Britain	Jackson	1829
Louis McLane	Secretary of the Treasury	Jackson	1831
Louis McLane	Secretary of State	Jackson	1832.
John M. Clayton	Secretary of State	Taylor	1845
Louis McLane	Minister to Great Britain	Polk	1845
Thomas F. Bayard	Secretary of State	Cleveland	1885
Thomas F. Bayard	Minister to Great Britain	Cleveland	1893
George Gray	Peace Commissioner with Spain after War of 1898	McKinley	1898
John Bassett Moore	Judge of the International Court of Justice at the Hague	League of Nations.	1921.

Delawareans serving in important National and State Committees and conventions:

Members of the first Committee of Safety in Delaware 1775,- John Dagworthy, John Jones, John Tennent, John Collins, Simon Kollock, Wm. Holland, Samuel Slosse, Joshua Polk, Clement Bayley, William Polk, John Mitchell, Peter Hubbard and Elijah Cannon.

Signers of the Declaration of Independence:-
Caesar Rodney, Thomas McKean, and George Read.

Members of the State Constitutional Convention of 1776:-

New Castle County - Nicholas VanDyke, Richard Cantwell, Alexander Porter, John Thompson, Abraham Robertson, Thomas McKean, George Read, John Evans, John Lea and John Jones.

Kent County:- Thomas Collins, Charles Ridgely, James Sykes, Richard Bassett, Jacob Stout, John Cook, Samuel West, John Clark, Thomas White, and Richard Lockwood.

Sussex County:- Jacob Moore, James Rensch, Isaac Bradley, John Wiltbank, Isaac Horsey, William Polk, Joshua Hill, Peter Hubbert, Philips Kollock, and Alexander Laws.

Signers of the Articles of Confederation, Thomas McKean, John Dickinson and Nicholas Van Dyke.

Members of the Annapolis Convention of 1786, which proposed the Constitution Convention.

George Read, Jacob Broome, John Dickinson, Richard Bassett, and Gunning Bedford.

Members of the Federal Constitutional Convention which met in Philadelphia, Pa., May 14, 1787 - George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett and Jacob Broome.

Members of the State Constitutional Convention of 1792- Thomas Montgomery, John Dickinson, Robert Armstrong, Edward Roche, William Johnson, Robert Haughey, George Munro, Robert Caron, Kensey Johns, Nicholas Widgely, John Clayton, Thomas White, Manlove Emerson, James Morris, Richard Bassett, Benjamin Dill, Henry Mollenston, Andrew Barrett, Isaac Cooper, George Mitchell, John W. Batson, Rhoads Shankland, Isaac Beauchamp, Daniel Polk, and James Booth.

Members of the State Constitutional Convention of 1831;- New Castle County - John Elliot, James Rogers, Charles H. Haughey, Willard Hall, John Harlan, Thomas Deakyns, William Seal, Thomas W. Handy, George Read, Jr. and John Caulk.

Kent County;- Charles Polk, Andrew Green, Hughett Layton, Benajah Thorp, John M. Clayton, Elias Naudain, Peter L. Cooper, James B. Maccomb, Presley Spruance, Jr., and John Raymond.

Sussex County;- Samuel Ratcliffe, Thomas Adams, William Dunning, James Fisher, James C. Linch, Edward Dingle, William Nicholls, Joseph Maull, William D. Waples, and Henry F. Rodney.

Members of the State Constitutional Convention of 1896:-

John Biggs, Edward G. Bradford, Charles B. Evans, George H. Murray, Martin B. Purris, James B. Gilchrist, William P. Orr, Jr., William A. Cannon, Robert G. Harman, Nathan Pratt, Paris T. Carlisle, Jr. Edward D. Hearne, Charles F. Richards, Wilson T. Cavender, Andrew J. Hersey, Lowder L. Sapp, David S. Clark, John W. Hering, William Saulsbury, J. Wilkins Cooch, Andrew L. Johnson, William T. Smithers, Ezekiel W. Cooper, Woodburn Martin, W. C. Spruance, Robert W. Dasey, Elias N. Moore, Isaac K. Wright, and Joshua A. Ellegood

Delawareans on the Commission framing a compact for settlement of boundary dispute between Delaware and New Jersey in 1905- Preston Lea, Governor, Robert H. Richards, Attorney General, Herbert H. Ward, and George H. Bates.

Delawareans on the Commission for surveying and re-establishing the boundary between Delaware and Pennsylvania in 1892-Hon. Thomas F. Bayard, B. L. Lewis, and John H. Hoeffcker; and Daniel Farre, surveyor.

Delawareans on the Commission for framing a new compact between New Jersey and Delaware relating to the boundary line between the two States 1927 - Robert H. Richards, William S. Hilles, Charles W. Cullen, William M. Short, and William F. Cummins.

Presidential and Vice-Presidential candidates from Delaware:-

Name	Office	Party	Year
Thos. F. Bayard,	V-Presidential	Democratic	1880
James R. Allen,	Presidential	Ind.	1932

Delawareans who won fame, or had important positions in the military and naval forces of the United States after 1776.

REVOLUTIONARY WAR

Major Thomas McDonough in the Battle of Brooklyn Heights, August 27, 1776.

General Caesar Rodney, in command of the Delaware militia, harassing the British and preventing widespread destruction in Delaware in the fall of 1777.

Colonel David Hall in the battle of Germantown, Penna. October 4, 1777.

Captain Robert Kirkwood in the "southern campaign" at the Battle of ^{Cowpens} ~~Cowpens~~, January 17, 1781.

WAR OF 1812

Captain Noah Allen, in command of the Privateer "Matilda" captures six British vessels during the war of 1812.

Captain Jacob Jones in command of the American ship "Wasp," defeats British ship "Frolic" October 13, 1812.

Lieutenant James Biddle in boarding the British ship "Wasp" October 13, 1812.

Colonel Samuel B. Davis in the Defense of Lewes during the British attack during April and May, 1813.

Commodore Thomas McDonough in the battle on Lake Champlain, September 11, 1814.

MEXICAN WAR

Samuel E. Chambers, called the "Hero of Delaware," for his bravery during the Mexican War 1848.

Lieutenant Robert C. Rodgers, at the storming of Chapultepec September 12, 1848, during the Mexican War.

Captain Henry B. Hones for gallantry and seamanship during the Mexican War.

CIVIL WAR.

Commodore Samuel F. DuPont in capturing Port Royal, South Carolina, on November 7, 1861.

Captain J. Parke Postles and Lieutenant W. P. Scville, Second Brigade, Third Division, First Delaware Regiment, were especially commended for their meritorious services on special duty in the battles of Chancellorsville and Gettysburg.

Color-Sergeant John M. Dunn of the First Regiment, distinguished himself by leading the regiment across the stone wall in the battle of Gettysburg on July 3, 1863.

General Thomas A. Smyth distinguished himself as one of the bravest officers in the army. He reached the position which he occupied without political influence and through his own indomitable pluck and courage. He was mortally wounded at the Battle of High Bridge on April 7, 1865 and died two days later.

Colonel W. P. Bailey of the Second Regiment, commended for meritorious service in the battles of Fredericksburg and Chancellorsville.

Captain John Evans credited with taking more prisoners at one time during the battle of Gettysburg, than he had men under his command.

Colonel Peter McCullough, Second Regiment of Infantry, respected and beloved by his command, distinguished himself by never hesitating to cheerfully share the privation and hazards of the men.

WORLD WAR.

Leroy Jones, a private in Company E. 115th Infantry, given service cross for Act of extraordinary heroism.

Thomas D. Amory, Second Lieutenant, 26th Infantry, cited for acts of heroism near Verdun.

Delaware's quotas in the several wars:-

<u>War</u>	<u>No. of Men.</u>
Revolutionary War	3,783
War of 1812	8,000
Mexican War	400
Civil War	13,651
Spanish American (recruited but not called)	1,000
World War,	9,016

Presidents and Governors of the State of Delaware from 1776.

<u>Name</u>	<u>Date</u>
*John McKinley (Captured by British)	1777
*Caesar Rodney	1778-1782
*John Dickinson	1782-1783
*John Cook 3 months	1783
*Nicholas VanDyke	1783-1786
*Thomas Collins	1786-1789
*Joshua Clayton	1789-1793
Joshua Clayton (Governor from 1792)	1793-1796
Gunning Bedford (Died September 28, 1797)	1796-1797
Daniel Rodgers (speaker of the Senate)	1797-1799
Richard Bassett (Resigned March 1801)	1799-1801
James Sykes Speaker of the Senate	1801-1802
David Hall	1802-1805
Nathaniel Mithell	1805-1808
George Truitt	1808-1811
Joseph Haslet	1811-1814
Daniel Rodney	1814-1817
John Clark	1817-1820
Henry Mollenston (died before inauguration)	
Jacob Stout (Speaker of the Senate)	1820-1821
John Collins Died April 20, 1822	1821-1822
Caleb Rodney Speaker of the Senate	1822-1823
Joseph Haslet Died June 20, 1823	-1823
Charles Thomas	1823-1824
Samuel Paynter	1824-1827
Charles Polk	1827-1830

Name	Date
David Hazard	1830-1833
Caleb P. Bennett Died April 8, 1836	1833-1836
Charles Polk, Speaker of the Senate	1836-1837
Cornelius P. Comegys,	1837-1841
William B. Cooper	1841-1845
Thomas Stockton Died March 2, 1846	1845-1846
Joseph Maul 2 months died	1846
William Temple Speaker of the House	1846-1847
William Tharp	1847-1851
William H. Ross	1851-1855
Peter F. Causey	1855-1859
William Hurton	1859-1863
William Cannon Died March 1, 1863	1863-1865
Gove Saulsbury Speaker of the Senate	1865-1867
Gove Saulsbury	1867-1871
James Parker	1871-1875
James P. Cochran	1875-1879
John W. Hall,	1879-1883
Charles C. Stockley	1883-1887
Benjamin T. Biggs	1887-1891
Robert J. Reynolds	1891-1894
Joshua H. Marvel (Died April 8, 1894)	1894
William T. Watson (Speaker of the Senate)	1894-1897
Ebe W. Tunnell	1897-1901
John Hunn	1901-1905
Preston Lea	1905-1909
Simeon S. Pennewill	1909-1913
Charles R. Miller	1913-1917

Name	Date
James G. Townsend, Jr.	1917-1921
William D. Denney	1921-1925
Robert P. Robinson	1925-1929
C. Douglas Buck	1929-1933
C. Douglas Buck	1933-

* Were designated as Presidents of the State.

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