

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Ratification of the Constitution by the States

DELAWARE

Supplemental Documents

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Ratification of the Constitution
by the States

DELAWARE

Supplemental Documents

Editors

JOHN P. KAMINSKI	CHARLES H. SCHOENLEBER
SARAH K. DANFORTH	MARGARET R. FLAMINGO
THOMAS H. LINLEY	TIMOTHY D. MOORE
ANNA M. BIERMEIER	DAVID P. FIELDS
JOHANNA E. LANNÉR-CUSIN	RICHARD LEFFLER
JONATHAN M. REID	GASPARE J. SALADINO
JOAN WESTGATE	

MADISON, WISCONSIN

CENTER FOR THE STUDY OF THE
AMERICAN CONSTITUTION

2 0 2 3

The Documentary History of the Ratification of the Constitution is sponsored by the National Historical Publications and Records Commission and the University of Wisconsin–Madison. Preparation of this volume was made possible by grants from the National Historical Publications and Records Commission; the Division of Research Programs of the National Endowment for the Humanities, an independent federal agency; the Lynde and Harry Bradley Foundation; the William Nelson Cromwell Foundation; and the Hamilton Roddis Foundation. Any views, findings, conclusions, or recommendations expressed in this publication do not necessarily reflect those of the National Endowment for the Humanities.

Copyright © 2023 by
The Center for the Study of the American Constitution

All rights reserved

ISBN 979-8-9879445-0-9

Contents

Introduction	ix
Symbols	x

Documents

1. Delaware Declaration of Rights and Constitution, 1776	1
2. Petition to Move Sussex County Seat of Justice from Lewes January 1787	1
3. Pennsylvania Packet, 4 April 1787	1
4. Pennsylvania Packet, 2 June 1787	2
5. Timoleon, Pennsylvania Packet, 15 June 1787	2
6. Pennsylvania Packet, 29 June 1787	5
7. Nicholas Ridgely to Abraham Ridgely, Dover, 22 August 1787	5
8. John Dickinson to George Read, Philadelphia, 15 September 1787	6
9. Prospects for Ratification of the Constitution by Delaware 26 September–11 December 1787	6
10. Privy Council Minutes, 1 October 1787	8
11. Proclamation by President Thomas Collins, Monday, 1 October 1787	8
12 A–H. New Castle County Petitions to the General Assembly October 1787	9
13. Votes Cast, Sussex County Election, 15 October 1787	9
13-A. Votes Cast, Baltimore Hundred, 15 October	9
13-B. Votes Cast, Broad Kiln Hundred, 15 October	9
13-C. Votes Cast, Cedar Creek Hundred, 15 October	10
13-D. Votes Cast, Dagsbury Hundred, 15 October	11
13-E. Votes Cast, Indian River Hundred, 15 October	11
13-F. Votes Cast, Little Creek Hundred, 15 October	12
13-G. Votes Cast, Nanticoke Hundred, 15 October	12
13-H. Votes Cast, Northwest Fork Hundred, 15 October	12
14. Sussex County Indentures of Election, 15 October 1787	13
14-A. House of Assembly, Indenture of Election, 15 October	13
14-B. House of Assembly, Indenture of Election, 15 October	14
14-C. Legislative Council, Indenture of Election, 15 October	14
15. Delaware Gazette, 17 October 1787	15
16. Francis Asbury Journal, Friday, 19 October 1787	15
17 A–E. Sussex County Petitions Protesting the 15 October 1787 Elections	15
18. The Delaware General Assembly, 24 October–10 November 1787	15
18-A. General Assembly, Wednesday, 24 October	16
18-B. General Assembly, Thursday, 25 October	16
18-C. General Assembly, Saturday, 27 October	17
18-D. General Assembly, Monday, 29 October	19
18-E. General Assembly, Tuesday, 30 October	19

18-F. General Assembly, Wednesday, 31 October	21
18-G. General Assembly, Thursday, 1 November	22
18-H. General Assembly, Friday, 2 November	23
18-I. General Assembly, Saturday, 3 November	23
18-J. General Assembly, Monday, 5 November	24
18-K. General Assembly, Tuesday, 6 November	24
18-L. General Assembly, Wednesday, 7 November	25
18-M. General Assembly, Thursday, 8 November	26
18-N. General Assembly, Friday, 9 November	27
18-O. General Assembly, Saturday, 10 November	29
19. Newspaper Reports of House of Assembly Proceedings on 27 October–10 November 1787	32
19-A. Newspaper Report of House of Assembly Proceedings on Saturday P.M., 27 October	32
19-B. Newspaper Report of House of Assembly Proceedings on Monday 29 October	32
19-C. Newspaper Report of House of Assembly Proceedings on Tuesday A.M., 30 October	33
19-D. Newspaper Report of House of Assembly Proceedings on Tuesday P.M., 30 October	33
19-E. Newspaper Report of House of Assembly Proceedings on Wednesday A.M., 31 October	34
19-F. Newspaper Report of House of Assembly Proceedings on Wednesday P.M., 31 October	35
19-G. Newspaper Report of House of Assembly Proceedings on 30 October–10 November	35
20. Act for Altering the Quorum of the House of Assembly 27 October 1787	37
21. Sergeant at Arms, House of Assembly, Expenses for Summoning Witnesses, 31 October–7 November 1787	37
22. Deposition of William Harrison, 3 November 1787	38
23. Act Altering the Place of Election in Sussex County and Calling a New Election, 9–10 November 1787	39
24. Pennsylvania Packet, 12 November 1787	41
25. Thomas Rodney to John Parke, Poplar Grove, 22 November 1787	41
26. James Black to Levi Hollingsworth, 23 November 1787	44
27. Votes Cast, Sussex County Election, 26 November 1787	45
27-A. Votes Cast, Baltimore Hundred, 26 November	45
27-B. Votes Cast, Broad Creek Hundred, 26 November	45
27-C. Votes Cast, Broad Kiln Hundred, 26 November	45
27-D. Votes Cast, Cedar Creek Hundred, 26 November	46
27-E. Votes Cast, Dagsbury Hundred, 26 November	46
27-F. Votes Cast, Indian River Hundred, 26 November	46
27-G. Votes Cast, Lewis & Rehoboth Hundred, 26 November	47
27-H. Votes Cast, Little Creek Hundred, 26 November	47
27-I. Votes Cast, Nanticoke Hundred, 26 November	47
27-J. Votes Cast, Northwest Fork Hundred, 26 November	47

28. Legislative Council, Indenture of Election, Sussex County 26 November 1787	47
29 A–I. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787	48
30 A–I. Sussex County Petitions to the Delaware Convention 28 November 1787	48
31. Pennsylvania Packet, 30 November 1787	48
32. Deposition of Joseph Derrickson, 4 December 1787	48
33-A. Delaware Form of Ratification Sent to Congress, 7 December 1787 (in-text facsimile)	50
33-B. Delaware Form of Ratification Retained by the State 7 December 1787 (in-text facsimile)	51
34. Convention Expenses, 7 December 1787	52
35. Public and Private Commentaries on Ratification of the Constitution by Delaware, 12 December 1787–18 January 1788	53
36. Pennsylvania Gazette, 19 December 1787	56
37. The Delaware General Assembly, 10 January–2 February 1788	56
37-A. General Assembly, Thursday, 10 January	57
37-B. General Assembly, Friday, 11 January	58
37-C. General Assembly, Wednesday, 16 January	60
37-D. General Assembly, Thursday, 17 January	60
37-E. General Assembly, Friday, 18 January	61
37-F. General Assembly, Saturday, 19 January	62
37-G. General Assembly, Monday, 21 January	64
37-H. General Assembly, Tuesday, 22 January	65
37-I. General Assembly, Wednesday, 23 January	66
37-J. General Assembly, Thursday, 24 January	67
37-K. General Assembly, Friday, 25 January	69
37-L. General Assembly, Saturday, 26 January	69
37-M. General Assembly, Saturday, 2 February	69
37-N. Witnesses Called by House of Assembly to Testify on Sussex County Election of 26 November 1787	70
37-O. Reports of the Testimony of Witnesses Concerning the Sussex Election	71
37-P. Reports of the Testimony of Witnesses Concerning the Sussex Election	72
38. Newspaper Report of House of Assembly Proceedings on 10–12 January 1788	72
39. Circulation of “A Freeman” in Delaware, 4, 25 February 1787	73
40. Pennsylvania Packet, 11 February 1788	73
41. Pennsylvania Gazette, 27 February 1788	73
42. From Thomas Rodney, Poplar Grove, 15 April 1788	74
43. Davidson David to Mathew Carey, Lewes, 26 April 1788	75
44. Brutus: An Enquiry into the Present Grievances of America Philadelphia Freeman’s Journal, 28 May 1788	75
45. Pennsylvania Packet, 13 June 1788	77
46. Thomas Rodney to Caesar A. Rodney, Poplar Grove, 14 June 1788	77

47. Timoleon, Biographical History of Dionysius, 1788	79
48. Jacob Broom to Mathew Carey, Wilmington, 16 October 1788	79
49. Thomas Rodney to Caesar A. Rodney, Poplar Grove, 10 January 1789	79
50. Thomas Rodney to Alexander Hamilton, Poplar Grove 10 February 1791	80
Appendix: Items printed or reprinted in Delaware contained in <i>Commentaries on the Constitution: Public and Private, 1787–1788</i>	83
Index	85

Facsimiles

Facsimiles of the following items can be found on the University of Wisconsin Digital Collection website at <https://digital.library.wisc.edu/1711.dl/Constitution>.

1. Delaware Declaration of Rights and Constitution, 1776
- 12 A–H. New Castle County Petitions to the General Assembly, October 1787
- 13 A–H. Votes Cast, Sussex County Election, 15 October 1787
- 17 A–E. Sussex County Petitions Protesting the 15 October 1787 Elections
- 27 A–J. Votes Cast, Sussex County Election, 26 November 1787
- 29 A–I. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787
- 30 A–I. Sussex County Petitions to the Delaware Convention
 28 November 1787
- 33-A. Delaware Form of Ratification Sent to Congress, 7 December 1787
 (in-text facsimile, p. 50)
- 33-B. Delaware Form of Ratification Retained by the State
 7 December 1787 (in-text facsimile, p. 51)
47. Timoleon (James Tilton), Biographical History of Dionysius, 1788

Introduction

The supplemental documents are intended to provide a fuller documentation and understanding of the debate over the ratification of the Constitution in Delaware than was possible in the printed volume. This supplement contains official documents, letters, and newspaper items.

Except for some photographic reproductions (facsimiles), the documents consist mostly of literal transcripts. The documents are arranged chronologically except for those on particular subjects which are grouped together. These groupings are:

- New Castle County Petitions to the General Assembly, October 1787
- Votes Cast, Sussex County Election, 15 October 1787
- Sussex County Indentures of Election, 15 October 1787
- Sussex County Petitions Protesting the 15 October 1787 Elections
- The Delaware General Assembly, 24 October–10 November 1787
- Newspaper Reports of House of Assembly Proceedings on 27 October–November 1787
- Votes Cast, Sussex County Election, 26 November 1787
- Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787
- Sussex County Petitions to the Delaware Convention, 28 November 1787
- The Delaware General Assembly, 10 January–2 February 1788

Facsimiles

This Supplement contains 51 facsimiles totaling 252 individual pages. These facsimiles provide a visual representation of original documents, some of which were difficult or impossible to transcribe.

References to these facsimiles (including the document number, title, and footnotes) appear in the text portion of the Supplement with an indication to visit the University of Wisconsin Digital Collection's website (<https://digital.library.wisc.edu/1711.dl/Constitution>) to view the documents themselves. Facsimiles for documents 33-A and 33-B can be found on pages 50 and 51, respectively.

A list of facsimiles can be found at the end of the Table of Contents.

Appendix

Many newspaper items and pamphlets in the ratification debate had a regional or national circulation. These items are printed in *Commentaries on the Constitution: Public and Private* (CC). The Appendix in this volume lists these *Commentaries* items that were printed or reprinted in Delaware.

Symbols

Manuscripts

DS	Document Signed
FC	File Copy
MS	Manuscript
RC	Recipient's Copy
RG	Record Group
Tr	Translation

Short Titles

Evans	Charles Evans, <i>American Bibliography</i> (12 vols., Chicago, 1903–1934).
-------	---

Cross-references to Volumes of

The Documentary History of the Ratification of the Constitution

CC	References to <i>Commentaries on the Constitution</i> are cited as “CC” followed by the number of the document. For example: “CC:25.”
Mfm	References to the supplements to the “RCS” volumes are cited as “Mfm” followed by the abbreviation of the state and the number of the document. For example: “Mfm:Del. 2.” “Mfm” is also used in the running headers as an aide to the reader, and are especially helpful in multipage documents.”
RCS	References to the series of volumes titled <i>Ratification of the Constitution by the States</i> are cited as “RCS” followed by the abbreviation of the state and the page number. For example: “RCS:Del., 16.”

Documents

1. Delaware Declaration of Rights and Constitution, 1776¹

◆ *To view this document, see Evans 14732, or visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. *In Convention, at New-Castle, for the Delaware State, . . .* [27 August–21 September 1776] (Wilmington, 1776).

2. Petition to Move Sussex County Seat of Justice from Lewes, January 1787¹

To the Honourable the Representatives of the free men of the Delaware State In General assembly at Dover the 8th Day January 1787 the Petition of Divers Inhabitants of Sussex County in the State aforesaid Humbly Sheweth—

They conceive the holding Courts and confining Sundry offices to be held at or near the Town of Lewis makes it very Inconvenient to the Greater Part of the people in said County Many having the Distance of forty miles and upwards to travel to said town whereas if the Seat of Justice and Publick Records were at or near the center of Said county the people from Any Part thereof having business at Said Cort or Said office might Set out from home Spend Some time at Said Place and Return the Same Day—

Your Petitioners therefore humbly Pray your houners to take the Laws Respect- ing holding Courts and offices at or near the town of Lewis under your most Serious consideration And repeal the Same so far as respecting the holding Courts and offices at or near the said Place and Pass an act for the Removal of the Seat of Justice from the town of Lewis as the Several offices aforesaid and Pass an act for holding the Same at the center of Said county As you in your wisdom Shall think best—

And your Petitioners as in Duty bound will Ever Pray, &c—

1. DS, Legislative Papers, 1787, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State. This was probably one of eight such petitions presented to the House of Assembly on 31 January 1787. It was signed by sixty-one persons.

3. Pennsylvania Packet, 4 April 1787

WILMINGTON, March 28.

Private advices from Maryland inform, that the dissentions in that country have risen to an alarming height. That the courts do no business; that the partizans of the different sides are in some places beginning to form themselves into military bodies, and threaten open violence. The apparent cause of this commotion is a proposed emission of paper money, which is warmly contended for by a majority of the Lower House of Assembly, and a great part of the people; while the other part, supported by a numerous minority in that House, and the unanimous voice of the Senate, as strenuously oppose it. It is thought by many, that [t]he real cause of the dispute lies deeper, that one party intend to overturn the constitution by establishing the Senate, while the other is charged with a

design of forming, or establishing an aristocratic interest. We sincerely hope that our neighbours will see their error before it be too late; that wise and good men will interpose to allay these heats, which may prove so fatal to their country; and persuade the people, that, as no government is to be found without defects, both in its form and execution, it is often better to bear with some grievances, than to seek to redress them by blood; and that by such dissensions they give joy to the enemies, and grief to the friends of America.

4. Pennsylvania Packet, 2 June 1787

WILMINGTON, (*Delaware*) May 30.

On Monday, the general assembly met at Dover. It is generally supposed that little or no business will be done this session, so many distinguished members being necessarily absent on the federal convention.

5. Timoleon, Pennsylvania Packet, 15 June 1787

From the DELAWARE GAZETTE.

To the PEOPLE of DELAWARE.

My fellow citizens,

What most immediately demands your attention is the subject of our finances. Few people interest themselves in this branch of government so as to comprehend it well. Hence it is, that unjust and tyrannical rulers never fail to employ the public revenues to serve the purposes of their own ambition, avarice, and prejudices. And when I shall unfold the mystery of iniquity which pervades the present scheme of financing in Delaware, all honest men will be astonished.

It may be necessary for me to premise here, that the principal debt assumed by our state consists of the depreciation certificates: Besides which, there are considerable sums due to individual citizens, for money lent, articles furnished, and services done during the war. The civil list and requisitions of Congress compose our chief annual expences. We have hitherto had no revenues but from a direct taxation upon property and a few trifling forfeitures.

Funds have been provided for the payment of most of the debts due from the state to individuals, except the depreciation certificates; and on these five years interest has been paid.

The citizens of this state hold their proportionable share of loan office certificates and other liquidated debts due from the United States. The interest on these would be effectually provided for, by the annual requisition of Congress, could our *virtuous* legislature only be prevailed on to maintain good faith, and observe their own solemn treaties, with the United States in Congress assembled.

This statement shews we need but a small scale of finance; and that it might be easily and effectually managed by honest men. But mark the sequel, wherein I shall select such recent instances of perfidy, injustice, and oppression, as must strike every intelligent reader with amazement.

The state assumed the depreciation debt in Feb. 1782: but no fund has been provided to this day, for the payment of principal or interest, except the five

years interest before specified, by certain resolutions of the general assembly passed in April 1784 and June 1785. This continued neglect of government depreciated these certificates in a few years, to less than two-thirds of their nominal value. Notwithstanding the depreciation, many of the original holders, some through necessity, and others from an impatience of the delay of justice, passed them to other hands, for what they could get for them. This circumstance, the natural and unavoidable effect of injustice in the government, is made an argument for discrimination between original holders and others, and all the means of further depreciation.

A bill passed the house of assembly at their last sessions, providing for the payment of one year's interest on the depreciation certificates, in the hands of original holders, leaving such as had been transferred (otherwise than for what they were pleased to call a full consideration) without any provision at all: thus impliedly censuring as an injurious cause of depreciation what all intelligent men know to be the effect of governmental injustice. By this affectation of punishing speculators, the depreciation of our certificates is doubly increased, although council in passing the tax bill, struck out the clause alluded to, leaving all alike to be provided for hereafter. I call this act of the house of assembly a mere affectation, because I am well convinced the authors and contrivers of it intended and expected it should have the effects which followed, as a natural consequence.

Let us next examine how well our government has observed good faith, honor, and honesty, with regard to her continental dues.

Congress by their requisition of September 1785, made provision for the payment of interest, on all sorts of continental certificates, up to the end of the year 1784; and our state was at liberty to take advantage of this favorable requisition, for the benefit of her citizens, by only complying with the terms of it. But the peculiar policy of this state, whereby the holders of public securities are rendered obnoxious, and held up as having a counter interest to the rest of the citizens, rendered it difficult to pass the law through council, even at a late date, though the house of assembly were at that time well disposed. Not without repeated messages and a conference between committees from the respective branches of the legislature, the law at length passed; it was received by the board of treasury as a compliance of the requisition; and according to the treaty thus stipulated between this state and the United States, facilities were issued by the loan officer, to all the public creditors within the state, who chose to receive them.

One of the articles of this stipulated agreement was as follows: "And for preventing the depreciating of certificates to be issued as aforesaid, the legislature of each state is required to provide in the act complying with the requisition, that if on the first day of January 1787, the said states quota of the said certificates so to be issued shall not be in the hands of the state treasurer or other proper officer, the deficiency shall be collected and paid into the Continental treasury in specie, which when so paid is hereby appropriated to the redemption of such surplus certificates." This article was expressly instituted by Congress in favour

of the public creditors; and in that same view recognized by the state as follows: "And be it further enacted, that in case this state's quota of said certificates to be issued as aforesaid, shall not be in the hands of the state treasurer, on or before the first day of January, which will be in the year 1787, the deficiency shall be collected and paid into the Continental treasury in specie, to be appropriated to the redemption of surplus certificates, agreeably to the said act of Congress of the 27th day of September last."

This was the assurance given on the part of Congress, ratified and confirmed on the part of the state, that any remaining facilities not paid in taxes, should after the 1st of January 1787, be discounted for specie, as soon as the tax was collected; and it cannot be doubted, had the government maintained good faith, but the loan officer would by this time have been instructed to change the facilities of our needy public creditors for hard money.

But observe the conduct of our legislature at their last and ever memorable sessions. In open violation of their plighted faith, regardless of any sense of honor, and as if with design to injure and oppress that suffering class of fellow citizens, the public creditors, the treaty with Congress, made and ratified with all the solemnity of a law is broken, and a law is passed for the further extension of the collection of facilities. After Congress had complied with their contract, by issuing the facilities; and the public creditors had gladly accepted them as the first step towards the payment of their interest; both are alike deceived by the perfidious conduct of the legislature in employing the most effectual means in their power, to destroy the stipulated fund, for the redemption of facilities.

As a further aggravation of their conduct, for whom have they done this violence? Was it to serve a more virtuous and deserving class of men than the public creditors? No, my fellow citizens! It was done with a manifest design to curry favour and gain popularity with those delinquents, who were never disposed to trust the public with their property, or to render their services to their country, upon the uncertain hope of reward. And as if intentionally to insult common sense, decorum and decency, it is enacted. 'That if Congress shall not allow the commissioner of the continental loan office to receive the indents which may be collected by virtue of this (*extension*) act, all loss or losses that may be thereby sustained, shall be borne by the respective counties, in proportion to the sums so received,' By this rule, those good citizens, who paid their tax by the first of January, agreeably to the original compact with Congress are to contribute to make up the loss sustained on the collections from delinquents who paid afterwards. Thus zeal and punctuality are to be taxed, and delinquency rewarded, by our wise and virtuous lawgivers.

My fellow citizens, by reading the laws (which are at length published) and examining the minutes of the house of assembly (those of council being too sacred for vulgar inspection) you will find the facts I have stated are incontrovertibly true. My reasoning upon them will not be disputed by candid and impartial men. Your government then must have acted perfidiously and forfeited her honor, for the sole purpose of defrauding that part of her own citizens called public creditors. Are these the honest and virtuous proceedings of a republic? Or do they favour rather of the violence of a tyranny?

6. Pennsylvania Packet, 29 June 1787

From the Delaware Gazette.

Mr. CRAIG.

You are requested to give the following grievances a place in your useful paper, and oblige several of your CUSTOMERS.

1. That this little and poor state should be at the expence of maintaining 5 delegates to the fœderal convention, when three are sufficient, and probably would do the business as well.

2. That 4 of these delegates are members of the assembly, whose absence has occasioned an enormous expence to the state by the necessity of adjourning the legislature, and holding another session.

3. That the officer, whose duty it was, returned an improper person on the jury, at the late court of Oyer for this county by which the proceedings of the court were overset, and an expence of 150*l.* or 200*l.* uselessly incurred by an adjournment.

4. That the judges should not have avoided the expence mentioned in the preceding article, by adjourning the court from day to day till they had sufficiently considered the point of law, which most people think not a very abstruse one.

7. Nicholas Ridgely to Abraham Ridgely, Dover, 22 August 1787 (excerpt)¹

As to news, You know, it is not to be expected from our own little concerns, seem to have suspended the attention of our politicians from the grand, national matters that now are in agitation. From the Convention at Philada. we most expect, either permanence and stability or ruin and misery. Should a tolerable Government be formed, it will be our wisdom to adopt it. Our present establishment is tottering to a dissolution, and nothing could preserve it for a moment but the expectation of a reformation from the convention. I believe there are a number of men who will, at all events, oppose the measures that may be resolved on, In hopes of catching something in the general scramble that convulsions (and probably civil war) would produce. May God avert this worst of all possible evils! Our ensuing election now claims the attention of the different parties. Plans to ensure success each party adopts, probably without any regard to the public weal. Our patriots seem now to think the public good consists in the emoluments that accrue to their own particular friends, without looking any farther. They adopt or reject a measure, not because it is in itself good or bad, but because it is advantageous or disadvantageous to the parties themselves. This is the true state of our politics—I have been much pressed to stand a Candidate for a seat in Council, and many flattering arguments used to induce me to do so, but thank Heaven I know my own interest to well to act so foolishly—My business is increasing, and all sides employ without any political objection; but such a [step?] would, I think inevitably ruin me. I have written so much about myself because I knew not what else to insert—

1. RC, Folder 131, Ridgely Collection, Division of Historical and Cultural Affairs, Department of State. The letter was addressed to Abraham Ridgely in “New Town.”

8. John Dickinson to George Read, Philadelphia, 15 September 1787¹

Yesterday I was prevented by a severe Headach from attending in Convention, I am [now?] setting off for Wilmington—

Some person mentioned to Me, that the Members were to give an Entertainment to the Gentlemen of the Town, from whom we have received Civilities. I therefore beg you will apply the inclosed Bankbill for Me to that use—

1. RC, The Signers of the Constitution Collection, State Historical Society of Wisconsin. This letter was probably addressed to George Read, who, like Dickinson, was a delegate to the Constitutional Convention. On 17 September, Read signed the Constitution for Dickinson.

9. Prospects for Ratification of the Constitution by Delaware 26 September–11 December 1787

*Pennsylvania Gazette, 26 September*¹

We hear from Delaware and New-Jersey that the foederal government has been received in each of those states with universal satisfaction. And it is said a majority of the citizens of New-York, where it was made public last Friday [21 September], expressed their hearty concurrence in it.

*Lambert Cadwalader to Edward Lloyd, New York, 23 October (excerpt)*²

I sincerely congratulate you on the fair Prospect there is of our soon becoming happy at Home & respectable abroad under the Operation of the new Government which, from everything I can learn will very probably take Place in the Course of the ensuing Year. . . . It is believed that Pennsylvania will adopt it & of Course the Delaware State.

*James Madison to William Short, New York, 24 October (excerpt)*³

The Constitution has not been yet long enough before the public here to warrant any decided opinion concerning its fate. The general impression seems to be favorable as far as it is known. . . . N. Jersey will pretty certainly accede. Pena. is divided. The advocates of the Constitution at present are certainly the more numerous party. Delaware will fall in of Course.

*William Grayson to William Short, New York, 10 November*⁴

In Delaware & Maryland I hear of little or no opposition, though in the latter some was expected from [Samuel] Chase and [William] Paca.

*Samuel Powel to George Washington, Philadelphia, 13 November*⁵

All the eastern States, New York, New Jersey and Delaware are esteemed to be decided for it.

*Henry Knox to Nathan Dane, New York, 21 November*⁶

The new Constitution the new constitution is the general cry—The three southern States will probably take it as it stands—Virginia will be strenuously for amendments and alterations. Maryland's intention unexplained as yet—Delaware for it excepting Doctor [James] Tilton who was not in the convention and therefore is mainly against it.

*Samuel A. Otis to James Warren, New York, 27 November (excerpt)*⁷

If the confederation ceases, puissant as any state may feel itself, I think its independence is at an end. If they [the states] prefer the Confederation upon the old, or rather present plan, they certainly ought to keep up their representation, And if they are zealous for the *new plan*, They ought to send their delegates to prepare the way, & I had like to have said make the paths straight before it. But I have no expectation of a speedy adoption of the *New System*. New hamshr I can give no acct of, Massachusetts & R Island No Connecticut Yea, N York No, N Jersey doubt Pensilvania & Delaware Yea. . . . at least these are my probable conjectures upon each state from present appearances.

*James Madison to Thomas Jefferson, New York, 9 December (excerpt)*⁸

The Constitution proposed by the late Convention engrosses almost all the whole political attention of America. All the Legislatures, except that of R. Island, which have been assembled, have agreed in submitting it to State Conventions. . . . N. Hampshire from every account, as well as from some general inducements felt there will pretty certainly be on the affirmative side. So will new Jersey and Delaware.

*Henry Knox to George Washington, New York, 11 December*⁹

Notwithstanding the opposition and writings of the enemies of the new constitution it is now pretty apparent that it will be received by considerable majorities in New Hampshire, Massachusetts Connecticut New Jersey, Pennsylvania and Delaware.

1. This item was reprinted twenty-two times from Vermont to South Carolina by 22 October (CC:Vol. I, Appendix).

2. RC, Lloyd Papers, Maryland Historical Society (CC:184). This letter, and all other letters below, are excerpts.

3. RC, Short Papers, Library of Congress (CC:188).

4. RC, *ibid.* (CC:248).

5. RC, Washington Papers, Library of Congress (CC:255).

6. RC, Dane Papers, Beverly Historical Society (CC:275).

7. RC, Mercy Warren Papers, Massachusetts Historical Society (CC:296).

8. RC, Madison Papers, Library of Congress (CC:334).

9. RC, Washington Papers, Library of Congress (CC:337).

10. Privy Council Minutes, 1 October 1787¹

At a Board of the President and Privy Council of the Delaware State; held at Dover on Monday the first day of October, in the year of Our Lord One thousand seven hundred and eighty seven.

Present:

His Excellency Thomas Collins, Esquire, President and Commander in Chief;

Charles Pope,	}	Esquires, Members of the Privy Council
Eleazer McComb,		
John Clayton,		

Complaint having been made to His Excellency the President by Peter Fretwell Wright, Esquire, Sheriff of the County of Sussex, that sundry persons within the said County had taken measures, and committed acts of outrage, tending to prevent the holding of the Election for the said County on the present day, appointed by law for that purpose; the said Peter Fretwell Wright was called before this Board and, being solemnly affirmed, deposed as follows:

N.B. These depositions were taken in the absence of the Secretary and never came into his possession.

1. MS, Meetings of President and Privy Council of Delaware, Historical Society of Delaware.

11. Proclamation by President Thomas Collins, Monday, 1 October 1787¹

By his Excellency Thomas Collins Esqr. President, Captain-General and Commander in Chief of the Delaware State

A Proclamation

Whereas information hath been given to me on oath of certain riotous, disorderly and illegal proceedings of a number of persons, inhabitants of the County of Sussex, in exciting commotions and disturbances to the hindrance of the annual Election of the said County: And whereas all such doings are prejudicial to the peace and welfare of the State, and tend greatly to the manifest injury of the Community; and I, being willing and desirous to support good Government, and the rights of the freemen of this State, do therefore, with the advice of the Privy-Council strictly enjoin and require all officers both civil and military, and all other the Citizens of this State within the said County to be aiding and assisting to the Sheriff and other Judges of the said Election in suppressing and quelling all Rioters and Persons unlawfully attempting to interrupt the same: And all persons whatsoever are strictly charged and required to conduct themselves in a peaceable and orderly manner, so as not to disturb the free and fair Election of said County under pain of prosecution and the severities of the Law—

Given under my hand and Seal, at Dover, the first day of October, One thousand seven hundred and eighty seven.

1. FC, Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

12 A–H. New Castle County Petitions to the General Assembly, October 1787¹

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. Petition 12-A is in Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

Petitions 12 B–H are in Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

13 A–H. Votes Cast, Sussex County Election, 15 October 1787¹

13-A. Votes Cast, Baltimore Hundred, 15 October

A list of the names of Baltimore Hundred & Votes—

Samuel Derrikson	1
William Hall	2
Noah Collins	3
Benjamin Holland	4
Littleton Townsend	5
Richard Barker	6

I Noah Collins Being inspector in Baltimore Hundred in the County of Sussex at an Election held at Lewis town in County afd. on the 15th. day of Octr. 1787 and the Above is a true list of the Votes of afd. Hundred

As witness my hand.

Noah Collins

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-B. Votes Cast, Broad Kiln Hundred, 15 October

Broadkiln Votes	Broadkiln Voters
John Hazzard Voted	1
Abel Notingam	2
Stephen Mitchell	3
Nathaniel Hickman	4
James Ferngus	5
Hugh Stinson	6
Wm. Hall	7
Whitely Hatfield	8
Wm Hazzard	9
Sheldon Dorman	10
Wm Peery	11
Edmon Dickinson	12
James Wiley	13
Hugh Patterson	14
George West	15
Nehemiah Reed	16

Jonathan Kahoon	17
John Clows, Esqr	18
John Enniss	19
Robert Hall	20
Wm Matthias	21
Emanuel Russum	22
Stephen Castine	23
Burton Johnson	24
Abram Conned	25
Parker Truitt	26

I William Peery Inspector for Broadkilm Hundred in the County of Sussex do certify that at an Election holden at the Town of Lewes for said County on the 15th day of Oct. 1787 the above named Persons Voted in said Hundred

Witness my hand

William Peery

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-C. Votes Cast, Cedar Creek Hundred, 15 October

a list of the union ticket

Luke wattson	1
Zaceria [Zachariah] Carlisle	2
Levy Riggs	3
Samuel Wasnett	4
Jno Lofland	5
Wm Shockley Junr	6
Isaac Beauchamp	7
David Williams	8
Jno Parker	9

I Isaac Beauchamp Inspector for Cedar Creek Hundred in the County of Sussex do certify that at an Election holden at the Town of Lewes for the County afsd on the 15th day of Octr. 1787 the above named Persons Voted in said Hundred

Witness my hand

Isaac Beauchamp

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-D. Votes Cast, Dagsbury Hundred, 15 October

A List of Vots & the parsons Names Belonging to the [Dagbery Hundred Made the 15th of Octr. ye 1787?]

Hinman Worton	1
John Mumford	2
Joseph Derickson	3
Zadock Busey	4
Lacy Morriss	5
Solomon Willey	6
Simon Kollock	7
Jacob Burton	8

I Solomon Wiley Inspector for Dagsbury hundred of the County of Sussex do Certify that at an Ellection holden at the Town of Lewis for the County Afsd on the 15th day of Octobr 1787 the Above Named persons Voted In Said Hundred

Witness my hand

Solomon Willey

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-E. Votes Cast, Indian River Hundred, 15 October

A List of the Names of the Indian & Angola Voters

David Mclvain	No. 1
Thos Sirman	2
Henry Brerton	3
Isaac Atkins	4
Andrew Mclvain	5
Thos Robinson	6
John Field	7
George Frame	8
Thos Warrinton	9
Wm Burton of Bin	10
Thos Forster	11
Gammage Hodg	12

I Isaac Atkins Inspector for Indian River Hundred in the County of Sussex do certify that at an Election holden at the Town of [Lewes] for the County afsd on the 15th day of Octr. 1787 the above named Persons Voted in said Hundred

Witness my hand

Isaac Atkinson

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-F. Votes Cast, Little Creek Hundred, 15 October

A list of the Names of the Little Creek Voters

- 1 John King
- 2 Isaac Benson
- 3 Elihugh Jackson

I Marshel Smith Inspector for Little Creek Hundred in the County of Sussex do Certify that an Election holden at the Town of Lewis for Said County on the 15th day of October, 1787 the Above Names Persons Voted in the Said Hundred witness my hand—

Marshall Smith

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-G. Votes Cast, Nanticoke Hundred, 15 October

A List of the Names of Nanticoke Votes—

	No
Benjaman Boyer	1
Eli Parker	2
Joseph Lindel	3
Nathaniel Waller	4
Henry Cavender	5
Thomas Truitt[?]	6
George Polk	7
John Collins	8
Elsey Spicer	9
John Willis	10
Nathaniel Hays	11
Cloudsbrough Warren	12
George Hardey Fisher	13
John Hinson	14

I Thomas Laverty Inspector for Nanticoke Hundred in The County of Sussex do Certify That at an Ellection holden at the Town of Lewis for the County afsd. on 15th. day of October 1787 the above-Named persons Voted in Said Hundred Witness my hand

Thomas Laverty

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

13-H. Votes Cast, Northwest Fork Hundred, 15 October

List of Voters of the N.W. fork Hundred the 15th October 1787

- No. 1. John Grayham
2. Robert Williams
3. Thomas Laws

4. Jonathan Hatfield
5

I Francis Wright Inspector for N, W, fork Hundred in the County of Sussex do certify that at an Election holden at the Town of Lewis for Said County on the 15th. day of Octr. 1787 the Above named Persons Voted in Said Hundred

Witness my hand
Francis Wright

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. These votes are in Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State. Votes cast for the hundreds of Broad Creek and of Lewes and Rehoboth have not been located.

14 A–C. Sussex County Indentures of Election, 15 October 1787¹

14-A. House of Assembly, Indenture of Election, 15 October

Sussex County Delaware State

This Indenture made the fifteenth day of October One thousand Seven hundred and Eighty Seven. Between Peter Fretwell Wright Esqr. High Sheriff of the County afsd of the one part and Francis Wright, Thomas Laverty, Marshall Smith, Peter Marsh, Isaac Atkins, and Noah Collins Inspectors—

Gentlemen Freeholders of said County of the other part Witnesseth that the said Freeholders together with the Freeholders in General having met at the Court House in Lewes on the first day of this instant October, and continued by Adjournments untill this present fifteenth day of October did then and there in full County choose, elect and nominate William Peery Rhoads Shankland, Geo. Mitchell Nath. Hays, John Tenent, Chas. Polk & Nath. Waples Gentlemen to be representatives of the County afsd in the house of Assembly for the ensuing year. they the said Representatives to give their advice, Counsel and attendance, at the next General Assembly to be held at Dover for the Delaware State afsd on the twentieth of October instant In Witness whereof the said Sheriff and Freeholders above named have to two parts of this Indenture set their Hands and Seals, the day and year first above Written

	Francis Wright	[SEAL]
	Thomas Laverty	[SEAL]
[SEAL] Peter F Wright Sheriff	Marshall Smith	[SEAL]
	Peter Marsh	[SEAL]
	Isaac Atkinson	[SEAL]
	Noah Collins	[SEAL]

14-B. House of Assembly, Indenture of Election, 15 October

Sussex County Delaware State

This Indenture made this Fifteenth day of October In the Year of Our Lord Seventeen hundred and Eighty Seven Between Thomas Laws S[ub] Shff of the County afsd of the One part And Francis Wright Thomas Laverty William Peery and Peter Marsh Inspectors, and John Paynter and David Hall Gentleman Freeholders of the County of the Other part Witnesseth that the Said Inspectors together With a Number of the Freeholders of the said County having met at the Court house in Lewis on the first day of October instant and Continued by adjournments untill this day did then and there C[h]oose Elect and Nominate William Peery John Tennant Nathl. Waples George Mitchel Rhoads Shankland Charles Polk and Nathl. Hays Gentlemen To be Representatives of this County in the house of Assembly for the Ensuing year They the Said Representatives to Give their due attendance at the Next General Assembly (if possible they can with Convenience) to be held at Dover for the Delaware State afsd. on the Twentieth day of this Instant October. In witness whereof the Said S[ub] Shrff, Inspectors and Freeholders above Mentioned S[ub] Shff. Inspectors and Freeholders have hereunto Set their hands and affixed their Seals the day and year first Above written

[SEAL] Thomas Laws

Francis Wright [SEAL]

Thomas Laverty [SEAL]

Solomon Willey [SEAL]

Joseph Dawson [SEAL]

D. Hall [SEAL]

Peter Marsh [SEAL]

John Paynter [SEAL]

William Peery [SEAL]

14-C. Legislative Council, Indenture of Election, 15 October

Sussex County Delaware State

This Indenture made this fifteenth day of October in the Year of Our Lord one Thousand Seven hundred and Eighty Seven Between Thomas Laws Subsheriff of the County afsd. of the one part and Francis Wright Thomas Laverty William Pery and Peter Marsh Inspectors and John Paynter and David Hall Gentlemen Freeholders of the Said County of the Other part Witnesseth that the Said Inspectors together with a number of Freeholders of the Said County having met at the Court house in Lewis on the first day of October instant and Continued by Adjournments untill this day did then and there chose Elect, and Nominate Simon Kollock, Gentleman to be Councillor for the County afsd. Pursuant to the Constitution or system of government of the State of Delaware In Testamony whereof the Said Subsheriff Inspectors and Free holders have hereunto Signed their Names and affixed their Seals the day and year first Above written

[SEAL] Thomas Laws S. Shrff—.

Francis Wright [SEAL]

Thomas Laverty [SEAL]

Solomon Willey [SEAL]

William Peery [SEAL]

Joseph Dawson	[SEAL]
D. Hall	[SEAL]
Peter Marsh	[SEAL]
John Paynter	[SEAL]

1. These indentures are in Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

15. Delaware Gazette, 17 October 1787

The Sussex election we hear was to take place last Monday [15 October], a compromise having been made with the party which had violently prevented the election on the day appointed by law [1 October].

16. Francis Asbury Journal, Friday, 19 October 1787¹

Came in the evening to Shanklands. Here I found the people in disorder and violence about the election; some had gone so far as to take up fire-arms.

1. Printed: Elmer T. Clark, et al., eds., *The Journal and Letters of Francis Asbury* (3 vols., London, Eng., and Nashville, Tenn., 1958), I, 551.

17 A–E. Sussex County Petitions Protesting the 15 October 1787 Elections¹

◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. These petitions are in Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

18 A–O. The Delaware General Assembly, 24 October–10 November 1787

The proceedings transcribed below supplement the printed volume on the following topics: (1) the Sussex County election controversy; (2) the act altering the quorum of the House of Assembly; (3) the resolutions providing for a state convention; and (4) the act altering the place of election in Sussex County and calling a new election.

The council Proceedings are from *Votes and Proceedings of the Legislative Council of the Delaware State . . . [27–31 August, 20 October–10 November 1787]* (Wilmington, 1787). The House Proceedings are from *Votes and Proceedings of the House of Assembly of the Delaware State . . . [27–29 August, 20 October–10 November 1787]* (Wilmington, 1787).

The proceedings transcribed below also contain supplementary manuscript material which is in the Division of Historical and Cultural Affairs, Department of State. For the collections in which the material is located in that repository, see the notes at the end of this section.

*18-A. General Assembly, Wednesday, 24 October**House Proceedings, A.M., 24 October*

On motion, *Resolved*, That Mr. Porter, Mr. Davis, and Mr. Clayton, be a Committee of Elections and Privileges for the ensuing Year; and that they have power to send for Persons, Papers, and Records.

*18-B. General Assembly, Thursday, 25 October**House Proceedings, A.M., 25 October*

The Committee of Elections and Privileges made a report, which was read, and approved as follows:

That there is no return of Members elected to serve as Representatives in Assembly, from the County of Sussex; and as business of the utmost consequence to the Happiness, Prosperity, and Existence of this State, is now depending before the House, they suggest the necessity of conducting the same in such manner, as would be most conducive to unanimity and concord; and therefore conceive it necessary, that an enquiry should be made why the returns of the Election, for the said County of Sussex, have not been transmitted to this House; or that measures be adopted to compel the Sheriff of that County to make his returns, as speedily as possible, if an Election has been held; that the business of this State may be transacted with the utmost strength, harmony, and expedition.

Whereupon it was *Resolved*, That Mr. Speaker issue his Summons for the Sheriff of the County of Sussex, or other returning Officer of the said County, to appear before this House, forthwith, to shew cause why he hath neglected to certify to this House, whether the annual Election for Representatives hath been held for the said County, as prescribed by the Laws and Constitution; and if an Election hath been held, why he hath neglected to certify the Indenture or Return thereof to this House.

[Draft Report on Sussex Election]¹

“The Committee of Elections & Priviledges, from the nature of their appointment, beg leave to report, that there is no return made, of the Members Elected to serve as Representatives in Assembly, from one County of this State, and as business, of the Utmost consequence to the happiness, prosperity and existance of this State, is now depending before the House; they suggest, the necessity, of conducting the business of the State in such manner, as would be most conducive to Unanimity and Concord—Therefore conceive it necessary that an enquiry should be made, why the returns of the Representatives for the County of Sussex have not come forward, or to fall upon some Measure, to compell the Sheriff of that County, to make his returns as speedily as possible, (if any Election has been made,) that the business of this State, may be Transacted with the utmost strenth Harmony and expedition”

[Writ Summoning Sheriff of Sussex County]²

[SEAL]

“The Delaware State

“The Honorable Thomas Rodney, Esquire, Speaker of The Honorable The House of Assembly of the said State,

“To Joseph Harper, Sergeant at Arms, or his Deputy.

“You are hereby strictly commanded, in pursuance of a Resolution of the said House of Assembly, of this Day, that you summon Peter Fretwell Wright, Esquire, Sheriff of the County of Sussex, or other returning Officer of the said County, to appear before the said House of Assembly forthwith, to shew cause why he hath neglected to certify to the sd. House, whether the annual Election for Representatives hath been held for the said County as prescribed by the Laws and Constitution of the said State; and if an Election hath been held, why he hath neglected to certify the Indentures or Returns of the said General Election to the said House: Hereof fail not at your Peril. Given under the Hand and Seal of the Speaker afsd., at Dover this 25th. day of October A.D. 1787.”

Council Proceedings, A.M., 25 October

On motion, *Ordered*, That Mr. Read, Mr. Cook, and Mr. Laws, be a Committee, to wait on his Excellency the President, and inform him that the Council has met, and were ready to receive any business, he might have to lay before them.

The Committee above mentioned, being returned, reported, that they had waited on his Excellency agreeably to order, and were informed by him, that he had sent a message with sundry papers, to the House of Assembly, which in due time would come before the Council.

House Proceedings, P.M., 25 October

The House met according to adjournment.

The Committee to whom was referred the President’s Message, and part of its inclosures, made their report, which was read.

Ordered to lie on the Table.

On motion, *Ordered*, That Mr. Evans wait on the Council, and deliver the said Message, and the Papers communicated therewith, for their information.

Council Proceedings, P.M., 25 October

Mr. Evans, a member of Assembly, was admitted, and he delivered to the Chair, a message from his Excellency the President, with the letters and papers therein referred to, which said message was read, and is as follows:

[For the President’s message, see RCS:Del., 59]

Adjourned to 10 o’Clock tomorrow morning.

18-C. General Assembly, Saturday, 27 October

House Proceedings, A.M., 27 October

On motion of Mr. Clayton, For leave to bring in a Bill for altering the Quorum of the House of Assembly; the same was granted.

Whereupon he presented to the chair, a Bill for that purpose, which was read.

By special *Order*, The said Bill was read the second Time; and afterwards being read the third time, by Paragraphs, and amended,

Passed the House.

Ordered, That the said Bill be transcribed, and sent to the Council for concurrence.

Council Proceedings, P.M., 27 October

The Council met according to adjournment.

The Speaker laid on the table a bill, intituled, “An act for altering the Quorum of the House of Assembly,” which had been delivered to him by a member of that House after the adjournment of Council, for the consideration and concurrence of this House.

The said bill was read the first time.

By special order, The said bill was read the second time.

The said bill was read the third time by paragraphs, and

Passed the House.

Ordered, That the said bill, as concurred in by the Council, be returned to the House of Assembly by Mr. Laws.

Mr. Laws reported the delivery of the said bill to the House of Assembly, agreeably to order.

House Proceedings, P.M., 27 October

Mr. Laws, a Member of Council, was admitted, and returned the Bill, intituled, “An Act for altering the Quorum of the House of Assembly;” in which the Council concurred.

Ordered, That the same be engrossed.

The said Bill being engrossed, was compared, and ordered to be signed by the Speaker; which was done accordingly.

On motion, *Resolved*, That the President or Commander in Chief affix the Great-Seal of this State to the following Law: “An Act for altering the Quorum of the House of Assembly.”

Ordered, That Mr. Gordon wait on the Council with the above resolution for their concurrence; and that he deliver the Bill therein mentioned, in order that it may be signed by the Speaker of that House.

On motion, *Ordered*, That Mr. Vining and Mr. Robinson be a Committee to see the Great-Seal affixed to the said Act.

Adjourned to Monday next.

Council Proceedings, P.M., 27 October

Mr. Gordon, a member of Assembly, was admitted, and he delivered to the Chair the bill, intituled, “An act for altering the Quorum of the House of Assembly,” engrossed, with a resolution of that House for affixing the Great Seal of the State to the same.

The said bill was compared.

Ordered, That the Speaker sign the said bill, which was done accordingly.

The resolution of the House of Assembly, for affixing the Great Seal of the State to the above mentioned bill, was read, and concurred in.

Ordered, That Mr. Tilton wait on the House of Assembly, and return the said resolution, with the bill for altering the Quorum of the House of Assembly, as acted upon by this House.

Mr. Tilton reported the delivery of the same according to order.

Adjourned to 10 o’Clock on Monday morning.

18-D. General Assembly, Monday, 29 October

House Proceedings, 29 October

The House met; present the same Members as on Saturday.

The Committee appointed to see the Great-Seal affixed to the Act, intituled, “An Act for altering the Quorum of the House of Assembly,” reported, that the same had been done in their presence.

* * * * *

The Serjeant at Arms having returned the Summons for the appearance of the Sheriff, or other returning Officer for the County of Sussex, Peter Fretwell Wright, Esq; Sheriff of the said County, was called before the House; and upon his examination, as to the charge of neglect in certifying to this House, the Indenture or return of the late general Election for the said County, it appeared, that he was absent from the place of holding the said Election, through indisposition; and that the same was held by Thomas Laws his Under-Sheriff: Whereupon he was commanded to withdraw.

The said Thomas Laws was then called before the House, and having presented the Indenture or return of the aforesaid Election, was ordered to withdraw, but not to depart from Dover, without the leave of this House.

The said Indenture or return being read, it appears that the following Persons were returned to represent the County of Sussex in this House, to wit, William Peery, John Tennant, Nathaniel Waples, George Mitchell, Rhoad Shankland, Charles Polk, and Nathaniel Hayes.

Ordered, That the said Return lie on the Table for further consideration.

18-E. General Assembly, Tuesday, 30 October

House Proceedings, A.M., 30 October

The House met; present the same Members as on Yesterday.

The return of the late general Election for the County of Sussex was read; and the Names of the Representatives returned for the said County, being called, William Peery, George Mitchell, Rhoad Shankland, and Nathaniel Hayes appeared in the House.

On motion, *Ordered*, That the Sheriff of the County of Sussex, and Thomas Laws his under-Sheriff, be called before the House, and examined respecting the mode of conducting the late general Election for the said County, and upon the subject of the Indenture or return of the said Election.

On motion, *Resolved*, That the Doors of this House remain open, for the admission of such orderly Citizens as may choose to be present, during the Examination and Enquiry aforesaid.

Peter Fretwell Wright, Esq; Sheriff of the County of Sussex, and Thomas Laws his under-Sheriff were severally called before the House; and being examined, the former upon his solemn Affirmation, and the latter upon his Oath, and their Depositions taken in Writing, they were discharged.

Adjourned to 3 o'Clock.

Council Proceedings, A.M., 30 October

The Council met, present the same members and Mr. Cook.

The Speaker laid on the table a paper, purporting to be the return of a Counsellor for the County of Sussex of the present year, which was read, and follows in these words, to wit:

[For the indenture of election, see Mfm:Del. 14-C].

House Proceedings, P.M., 30 October

The House met according to adjournment.

Nathaniel Waples and Charles Polk, two of the Representatives returned for the County of Sussex, appeared in the House.

Four Petitions from 121 Inhabitants of the County of Sussex, were read, complaining that the Freedom of the late general Election for the said County was obstructed by an armed Body of about two hundred Men, known by the Name of Associators; that the *leading Gentlemen* of the said County, on the Day of the Election, agreed that about 100 Votes only should be received, whereby about one thousand, or nine tenths of the Freemen of the said County, were abridged of their greatest Privilege, that of choosing their Representatives; that James English, the Inspector of Little Creek Hundred, was beaten, driven out of Lewes-Town, and compelled to give Bail to be absent on the 15th of October, to which time the Election was adjourned; that divers others of the Citizens were beaten, wounded, and maimed; that many other mal-practices were exercised at the said Election, which renders the same illegal and unconstitutional; and praying relief in the premises that the People may enjoy their just rights and privileges.

On motion of Mr. Vining, "That the Serjeant at Arms be directed to prepare himself to go to the County of Sussex, tomorrow Morning at ten o'Clock, to summon Witnesses respecting the late Election for that County;" and the same being seconded by Mr. Grantham, the Question was put, and the yeas and nays being required by Mr. Vining, are as follow:

YEAS. Mr. Porter, Mr. Evans, Mr. Grantham, Mr. Latimer Mr. May, Mr. Robinson, Mr. Clayton, Mr. Gordon, Mr. M'Call, Mr. Davis, Mr. Vining.

NAYS. Mr. Raymond, Mr. Revell.

So it was resolved in the affirmative.

On motion, *Ordered*, That William Peery, Esq; Inspector of Broad-Kiln Hundred in the County of Sussex, be examined on the subject of the late general Election for that County.

Whereupon he was examined on Oath, and his Testimony being committed to Writing,

The House adjourned to ten o'Clock To-Morrow Morning.

18F. *General Assembly, Wednesday, 31 October*

House Proceedings, A.M., 31 October

The House met; present the same Members as on Yesterday—and Mr. Polk one of the Representatives returned for the County of Sussex.

On motion, *Resolved*, That Mr. Speaker issue Summonses for the following Persons, to wit, Levin Hurly, James Polk, Elsey Spicer, William Husk, Stephen Riding, William Irwin, School-Master, Thomas Evans, William Smith Son of John, John Collins Son of Joseph, Edward Craig, Ely Carey, John Reed Son of Matthew, Zadoc Lindon, Daniel Havelo, Bevin Morris, Edmond Reed, Nehemiah Reed, James English, and William Harrison, Inhabitants of the County of Sussex, to appear before this House, forthwith, to testify all and singular those things which they know, or shall be examined on, in any wise respecting the conducting or carrying on of the late general Election for the said County of Sussex.

[Writ Summoning Witnesses]³

[SEAL]

“The Delaware State.

“The Honorable Thomas Rodney, Esquire, Speaker of The Honorable House of Assembly of the said State;

“To Joseph Harper, Sergeant at Arms, or his Deputy: You are hereby strictly commanded, in pursuance of a Resolution of the said House of Assembly, of this Day, that you summon Levin Hurly, James Polk, Elsey Spicer, William Husk, Stephen Riding, William Irwin, School-Master, Thomas Evans, William Smith Son of John, John Collins Son of Joseph, Edward Craig, Eli Carey, John Reed Son of Matthew, Zadoc Lindon, Daniel Havelo, Bevin Morris, Edmond Reed,—Nehemiah Reed, James English, and William Harrison, Inhabitants of the County of Sussex, to appear before the House of Assembly aforesaid, forthwith, to testify all and singular those Things which they know, or shall be examined on, in any wise respecting the conducting and carrying on of the late General Election for the said County of Sussex: Here of fail not at your Peril.

“Given under the Hand and Seal of the Speaker afsd., at Dover, this thirty first Day of October, in the Year of our Lord One Thousand Seven Hundred and Eighty Seven.”

On motion of Mr. M’Call, That the Persons returned as Representatives from the County of Sussex, be admitted to take, make, and subscribe the Oath of Allegiance and Declaration prescribed by the Constitution, and to assume their Seats as Members, and be competent to all business, except such matters as relate to the aforesaid general Election for the said County of Sussex, until the House shall decide upon the said Election; and the same being seconded by Mr. Revell, the question was put, and the yeas and nays being required by Mr. Revell, are as follow:

YEAS. Mr. Evans, Mr. Latimer, Mr. Clayton, Mr. Raymond, Mr. Gordon, Mr. M’Call, Mr. Davis, Mr. Revell.

NAYS. Mr. Porter, Mr. Grantham, Mr. May, Mr. Robinson, Mr. Vining.

So it was resolved in the affirmative.

On motion of Mr. Vining, That the return of the late general Election for the County of Sussex, as made to this House, be entered at large upon the Minutes;

and the same being seconded by Mr. Grantham, the question was put, and the yeas and nays being required by Mr. Grantham, are as follow:

YEAS. Mr. Porter, Mr. Grantham, Mr. May, Mr. Robinson, Mr. Raymond, Mr. Vining.

NAYS. Mr. Evans, Mr. Latimer, Mr. Clayton, Mr. Gordon, Mr. M'Call, Mr. Davis, Mr. Revell.

So it passed in the negative.

Adjourned to three o'Clock.

Council Proceedings, A.M., 31 October

The Council met, present the same members.

On motion, *Ordered*, That the Sheriff and sub-Sheriff of Sussex County be notified to attend the Council forthwith, to be examined touching the late election in Sussex County.

The Sheriff and sub-Sheriff attended accordingly, and the Council went into the examination aforesaid, and after some time spent thereon,

Adjourned to 3 o'clock.

House Proceedings, P.M., 31 October

The House met according to adjournment,

And proceeded to the examination of Witnesses respecting the late general Election for the County of Sussex.

Whereupon John Parker and John Hayes were called before the House; and being examined separately upon Oath, and their Testimony taken, in Writing, they were discharged from further attendance.

Adjourned to ten o'Clock To-Morrow Morning.

Council Proceedings, P.M., 31 October

The Council met according to adjournment, and proceeded in the examination of the Sheriff and sub-Sheriff of the County of Sussex, concerning the late election in said County.

Ordered, That Mr Peery be notified to attend the Council, and give information, with respect to the mode of conducting the late election in Sussex County.

Mr. Peery attended accordingly and gave the information aforesaid.

Adjourned to 10 o'Clock to-morrow morning.

18-G. General Assembly, Thursday, 1 November

House Proceedings, A.M., 1 November

The House met; present all the Members; absent the Representatives returned for the County of Sussex.

* * * * *

On motion, *Ordered*, That Mr. Davis wait on the Council, and deliver the several Petitions before this House, complaining of the illegality of the late Election for the County of Sussex.

* * * * *

On motion of Mr. M'Call, That this House now resume the consideration of the controverted Election for the County of Sussex, and proceed to a determination thereon, from the Testimony already adduced to the House; and the same being seconded by Mr. Revell, the question was put, and

Passed in the negative.

Council Proceedings, A.M., 1 November

The Council met, present the same members.

Mr. Davis, a member of Assembly was admitted, and delivered to the Chair four petitions from 121 of the inhabitants of Sussex County, against the late Election in said County.

Ordered to lie on the table.

18-H. General Assembly, Friday, 2 November

House Proceedings, A.M., 2 November

The House met; absent Mr. Revell, and the Representatives returned for the County of Sussex.

* * * * *

The House proceeded to the Examination of such of the Witnesses respecting the late general Election for the County of Sussex, as are attending; and having taken, in Writing, the Testimony of William Hurst and Levin Hurly, separately, upon Oath, they were discharged.

Adjourned to 3 o'Clock.

House Proceedings, P.M., 2 November

The House met according to adjournment.

James Polk one of the Witnesses summoned to testify respecting the late Election for the County of Sussex, being called before the House, and his Testimony taken upon Oath, and committed to Writing, he was discharged.

Council Proceedings, P.M., 2 November

The petitions from sundry inhabitants of Sussex County against the late Election in that County, were read.

Ordered to lie on the table.

18-I. General Assembly, Saturday, 3 November

House Proceedings, A.M., 3 November

The House met; absent Messrs. Gordon and Revell, and the Representatives returned for the County of Sussex.

The House proceeded to the Examination of Witnesses respecting the late Election for the County of Sussex; and having taken, in Writing, the Testimony of John Collins, Son of Joseph, and James English, separately, upon Oath, they were discharged.

Adjourned to three o'Clock.

18-J. General Assembly, Monday, 5 November

House Proceedings, 5 November

The House met; absent Mr. Revell, and the Representatives returned for the County of Sussex.

The House proceeded to the Examination of Witnesses respecting the late general Election for the County of Sussex; and having taken the Testimony of Nehemiah Reed, upon Oath, and committed the same to Writing,

Resolved, That an addition of six Members be made to the Committee of Elections and Privileges; and that the said Committee proceed in the examination of Witnesses, upon Oath, respecting the said Election in the County of Sussex; and report the Testimony to this House.

The said additional Members appointed are—Mr. Robinson, Mr. Vining, Mr. Latimer, Mr. Grantham, Mr. M'Call, and Mr. May.

Adjourned to ten o'Clock To-Morrow Morning.

Council Proceedings, P.M., 5 November

The Council met according to adjournment.

A motion was made by Mr. Tilton, seconded by Mr. Baning, that he should have leave to enter his reasons of dissent and protest, against the resolution of Saturday last, on the subject of the late Election in Sussex County, and after debate,

A motion was made and seconded to postpone the consideration of the said motion, and to take up the following, to wit: whether such reasons of dissent and protest, on this or any other occasion, should be admitted to be entered on the minutes of this House, as the entering of the yeas and nays of every member on any question taken in this House, on the request of any one member, was a standing rule thereof; and on the question, the same was postponed accordingly.

Resolved, That to-morrow morning be assigned for the consideration of the last mentioned motion.

Adjourned to 10 o'Clock to-morrow morning.

18-K. General Assembly, Tuesday, 6 November

House Proceedings, A.M., 6 November

The House met; absent Messrs. Gordon, Rodney, and Revell, and the Representatives returned for Sussex, except Messrs. Polk and Hayes, who appeared in the House.

Mr. Speaker being indisposed and absent, the House proceeded to the choice of a Speaker pro tempore, and Jehu Davis, Esq; was elected.

The Committee of Elections and Privileges, reported, that they had completed the examination of the Witnesses, summoned to testify respecting the late gen-

eral Election for the County of Sussex; and delivered to the Chair the depositions of the following Persons, duly examined upon Oath, to wit, Elsey Spicer, Stephen Reading, Thomas Evans, William Smith Son of John, Edward Craig, Eli Carey, John Reed Son of Matthew, Zadock Lindon, Daniel Havelo, Bevin Morris, Edmund Reed, Inhabitants of the said County of Sussex.

Whereupon the said depositions were read.

Ordered, That the said depositions, and those heretofore taken before the House, lie on the Table for the inspection of the Members, until to-morrow Morning; and that the House take up the consideration thereof at that time.

Council Proceedings, A.M., 6 November

The Council met, present the same members.

Agreably to the order of the day, the Council proceeded to the consideration of the motion of yesterday afternoon, to wit: Whether such reasons of dissent and protest on this, or any other occasion, should be admitted to be entered on the minutes of this House, as the entering of the yeas and nays of every member on any question taken in the House, on the request of any one member, was a standing rule thereof;

And on the question, the yeas and nays were required by Mr. Read, and they are as follow:

YEAS, Mr. Tilton,

NAYS, Mr. Read, Mr. Cook, Mr. Polk, Mr. Baning,

So it passed in the negative.

Council Proceedings, P.M., 6 November

Ordered, That the petitions from sundry inhabitants of Sussex County, against the late Election in that County, be returned to the House of Assembly by Mr. Laws.

Adjourned to 10 o'Clock to-morrow morning.

18-L. General Assembly, Wednesday, 7 November

House Proceedings, A.M., 7 November

[Draft Resolutions Voiding Sussex Election]⁴

“Resolved That it appears by the depositions Taken in This House, respecting the last Election for the County of Sussex That several companies of Armed men, were seen, on the day preceeding and on the Morning of, the day of Election, Marching from several parts of the County Towards the place of Election, That on the day of Election from Two hundred and sixty to Three hundred men, armed with guns Swords and Pistols, Paraded in a field about one mile, or one mile and a quarter from the place of Election; That between Ten and Twelve O Clock at night of the same day, from fifty to one hundred Men armed with guns appeared at the place of Election, and continued There, and guarding the different roads, all night and untill the Election was closed next Morning.

“Resolved That the Act for regulating Elections &c. Declares ‘That no person or persons whatever by force of arms, or Menacing shall disturb the free men of this Government, in the free Election of their Representatives’ That the Con-

stitution of this State, confirms the above recited Act, and also Declares That ‘To prevent any violence or force being used at Elections no person shall Come Armed to any of them, and no muster of the Militia shall be made on that day’ That therefore the carrying of Warlike arms to the places of Election or so near as to have an Influence on any Election is Contrary to the Constitution and Laws of this State.”

* * * * *

Two Petitions from divers Inhabitants of the County of Sussex, were read, setting forth, that great inconveniences arise from holding the Elections for the said County at the Town of Lewes, and praying that a more central part of the said County may be appointed for that purpose.

Ordered, That the said Petitions be referred to a Committee of three to report thereon. The Members appointed are—Mr. Latimer, Mr. Vining, and Mr. Raymond.

House Proceedings, P.M., 7 November

The Committee to whom were referred the two Petitions from the County of Sussex, praying, that a more central place may be appointed for holding the Elections for the said County, than at Lewes, reported,

That it is the sense of the Committee, that the present place of holding the Election for the County of Sussex be altered; and desired leave to report a Bill accordingly.

To which report the House agreed: Whereupon the Committee presented to the Chair a Bill, intituled, “An Act for altering the place of Election for the County of Sussex for the present Year one thousand seven hundred and eighty-seven;” which was read.

Ordered to lie on the Table.

Adjourned to nine o’Clock To-Morrow Morning.

18-M. General Assembly, Thursday, 8 November

House Proceedings, A.M., 8 November

The House met; absent Messrs. Clayton, Gordon, and Rodney.

Mr. Speaker being indisposed and absent, the House proceeded to the choice of a Speaker pro Tempore, and Jehu Davis, Esq; was elected.

The Bill, intituled, “An Act for altering the place of Election for the County of Sussex for the present Year one thousand seven hundred and eighty-seven;” was read the second time, and

Deferred for further consideration.

18-N. General Assembly, Friday, 9 November

Council Proceedings, A.M., 9 November

[Rough Draft of Amendments to House Resolutions
for Calling a State Convention]⁵

“In Council Friday A. M., November 9. 1787. Amendments proposed by The Council to the resolutions of the House of Assembly for calling a State Convention dele the whole of the Recital in the first 6 lines of pa: 1. and insert instead thereof as follows / Whereas —

dele also the 1st. & 2d. resolutions & insert in their stead as follows (1 That it be and hereby is recommended &—

dele the 3d. resolution next after the Word /for/ insert the Words [Delegates afsd. in] and in the next line

In pa: 2. line 4 & after the Word [held] insert the Words [on Monday, the twenty sixth day of this instant November]—

In same page dele all that follows the Word /same/ in line 7. to the End of line 10—and insert there as follows [be Conducted by the Officers who conduct the said Elections of Representatives and agreeably to the rules and regulations thereof—.And that the persons so Elected to serve in Convention meet at the Town of Dover on the Monday following]

In same pa: line 11. dele the Word /to/ and insert there the Words [who attend]

In same pa: 1. next after the resolve No. 6. there insert as follows 5 That the Proposition submitted”

[Draft Amendments to House Resolutions
for Calling a State Convention]⁶

“Whereas the Convention of Deputies from the United States, lately Assembled in the City of Philadelphia have proposed a Constitution for the said States to be submitted to a Convention of Delegates chosen in each State by the people thereof under the recommendation of its Legislature for their assent and ratification and that each Convention Assenting to and ratifying the same should give Notice thereof to the United States in Congress Assembled.

“And Whereas the United States in Congress Assembled have unanimously resolved that the said Constitution with the resolutions and letter accompanying the same be transmitted to the several Legislatures in Order to be submitted to a Convention of Delegates chosen in each State by the people thereof in Conformity to the Resolves of the Convention made and provided in that case. And Whereas it is the sense and desire of great Numbers of the good people of this State signified in Petitions to this general Assembly that speedy Measures should be Adopted to assemble a Convention within this State for the purpose of deliberating and determining on the said Constitution.

“Resolved That it be and hereby is recommended to the Freemen and Inhabitants of this State who are qualified by Law to Vote for Representatives to the general Assembly that they chuse suitable persons to serve as Delegates in a State Convention for the purpose herein before mentioned that is for the Three Counties the same Number of Delegates that each is entitled to of representatives in the general Assembly to wit Ten for the County of New Castle Ten for the County of Kent and Ten for the County of Sussex. That the Elections for Delegates as

afsd. be held at the several places in the sd. Counties as are, or during the present Session of the General Assembly may be fixed by Law for holding the Election of representatives to the general Assembly and that the same be conducted by the officers who conduct the said Elections of Representatives and agreeably to the rules and regulations thereof. And that the said Delegates who attend the said Convention shall be allowed the same Sum for their travel to and Attendance in the said Convention as the Members of the General Assembly are entitled to, And The President or Chairman of the sd. Convention is hereby Authorized to draw orders on the State Treasr. for the Amount of the same which being Notarized in the office of the Auditor of this State shall be paid by the Treasurer and after allowed to him in account.

“Resolved That the Election of Delegates as afsd. shall be held in the Three Counties of this State on Monday the twenty sixth day of this instant November— That the persons so elected to serve in Convention shall assemble on _____ the _____ day of December next at the Town of Dover in Kent County— That the Proposition, submitted to the General Assembly by Petition from divers of the Freemen resident in the Upper part of this State, of ceding to the United States a district within the State for the seat of the government of the United States and for the exclusive Legislation of Congress, be and hereby is, recommended to the particular Consideration of the Convention.”

[For Final Version of Council Amendments, see RCS:Del., 89–90]

House Proceedings, A.M., 9 November

The House met; absent Mr. Clayton.

The House resumed the consideration of the Bill, intituled, “An Act for altering the place of Election for the County of Sussex for the present Year one thousand seven hundred and eighty-seven,” and the same being read the third time by Paragraphs, and amended,

Passed the House.

Ordered, That the said Bill be transcribed, and sent to the Council for their concurrence.

Council Proceedings, P.M., 9 November

Mr. Robinson, a member of Assembly, was admitted, and delivered for the consideration and concurrence of this House, a bill, intituled, “An act for altering the place of Election for the County of Sussex, for the present year, one thousand seven hundred and eighty seven,” with two petitions from sundry inhabitants of Sussex County, upon which the said bill is founded;

The said bill and petitions were read.

Ordered to lie on the table.

On motion *Ordered,* That a new Election be held in the County of Sussex, of a member for this House, in the place of Simon Kollock, Esq; who was declared not duly elected by the resolve of Saturday last, and that the Speaker issue a writ accordingly.

By special *Order*, The bill, intituled, “An act for altering the place of Election, for the County of Sussex for the present year one thousand seven hundred and eighty seven[,]” was read a second time, and

Deferred for further consideration.

18-O. *General Assembly, Saturday, 10 November*

Council Proceedings, A.M., 10 November

On motion, by *Order*, The bill, intituled, “An act for altering the place of Election for the County of Sussex for the present year one thousand seven hundred and eighty seven,” was read the third time, by paragraphs, and,

Upon the question for passing the same, the yeas and nays were required by Mr. Tilton, and they are as follow:

Yeas, Mr. Read, Mr. Cook, Mr. Polk, Mr. Laws, Mr. Baning,

Nay, Mr. Tilton,

So it was resolved in the affirmative.

Ordered, That the said bill, with the petitions which accompanied the same, be returned to the House of Assembly, as concurred in by this House.

House Proceedings, A.M., 10 November

Mr. Tilton, a Member of Council, was admitted, and returned the Bill, intituled, “An Act for altering the place of Election for the County of Sussex for the present Year one thousand seven hundred and eighty-seven;” in which the Council concurred.

Ordered, That the said Bill be engrossed.

The same Member also returned the resolutions for assembling a State-Convention, and the same, as now agreed to by both Houses, are as follow: [For Resolutions Providing for a State Convention, see RCS:Del., 92–93]

House Proceedings, P.M., 10 November

The several Bills, passed at this Session, being now brought in engrossed, were compared, and ordered to be signed by the Speaker, which was done accordingly.

On motion, *Resolved*, That the President or Commander in Chief, affix the Great-Seal of this State to the following Laws:

* * * * *

3. “An Act for altering the Place of Election for the County of Sussex for the present Year One Thousand Seven Hundred and Eighty-Seven.”

* * * * *

Ordered, That Mr. M’Call wait on the Council with the said Resolution for their concurrence; and that he deliver the Bills therein mentioned, in order to be signed by the Speaker of that House.

Ordered, That Mr. Latimer and Mr. Grantham be a Committee to see the Great-Seal affixed to the said Acts.

On motion, *Ordered*, That two hundred Copies of the public Laws passed at this Session, except the Act for altering the Place of Election for Sussex County, and also two hundred Copies of the Minutes, be printed under the superintendance of the Clerk of this House; and that the Quota of each County be transmitted to the Clerk of the Peace for such County.

* * * * *

Whereas by the adjudication of this House, the Election of William Peery, John Tennant, Nathaniel Waples, George Mitchell, Rhoad Shankland, Charles Polk, and Nathaniel Hayes, returned as Representatives in this House for the County of Sussex, is illegal and void:

Ordered, That Mr. Speaker issue a Writ to the Sheriff of the said County of Sussex for electing Members to supply the said vacancy, in this House, from the said County of Sussex, agreeably to the Laws and Constitution of this State; returnable on Monday the seventh Day of January next.

[Writ for Electing Sussex County Representatives]⁷

Delaware

“The Delaware State To the Sheriff of the County of Sussex, Greeting: Whereas there is a Vacancy of Seven Members to represent your County in the House of Assembly of the said State, occasioned by an Adjudication of the House of Assembly aforesaid, that William Peery, John Tenant, Nathaniel Waples, George Mitchell, Rhoad Shankland, Charles Polk, and Nathaniel Hayes, in the Indenture of Return of Election in the present Year, were not duly elected; and the House of Assembly having ordered that a new Election be had in your County to supply the said Vacancy, You are therefore hereby commanded and Authorized, to cause a new Election to be held on Monday the Twenty sixth Day of this Instant November, at the House of Robert Griffith at Deep-Creek Furnace, usually called Vaughan’s Furnace, within your Bailiwic, for choosing Seven Members of the House of Assembly for the said County to supply the Vacancy afsd., agreeably to the Laws and Constitution of this State; and how you execute this Writ make known to the Honorable The House of Assembly of this State, at Dover, the Seventh Day of January—next. Witness The Honorable Jehu Davis, Esquire, Speaker of the said House of Assembly, at Dover, the Tenth Day of November in the Year of our Lord One Thousand Seven Hundred and Eighty Seven, and in the Twelfth Year of the Independence of The Delaware State.”

Council Proceedings, P.M., 10 November

Mr. M’Call, a member of Assembly, was admitted, and he delivered the following bills, engrossed, and signed by the speaker of that House, to wit: . . . the bill, intituled, “An act for altering the place of election for the County of Sussex, for the present year one thousand seven hundred and eighty-seven;” . . . in order that the three last mentioned bills might be signed by the speaker of this House.

The same member also delivered a resolution of the House of Assembly for affixing the Great Seal of the State to the above mentioned bills, which was read and concurred in.

The engrossed bills being compared; *Ordered*, That the Speaker of this House sign the three last mentioned bills; whereupon the same were signed accordingly.

Ordered, That the resolution for affixing the Great Seal of this State, to the several Laws passed at this Session, with the said Laws, be returned to the House of Assembly, as concurred in by this House.

House Proceedings, P.M., 10 November

Mr. Laws, a member of Council, was admitted and returned the several engrossed Bills, signed by the Speaker of that House; together with the Resolution for affixing the Great-Seal thereto, in which the Council concurred.

Council Proceedings, P.M., 10 November

On motion, *Ordered*, That the time and place specified in the act passed this present Session, for altering the place of Election for the County of Sussex, for the present year, be inserted in the Writ ordered on Friday last, for a new Election in that County.

[Writ for Electing Sussex County Councillor]⁸

“The Delaware State To the Sheriff of Sussex County, Greeting; Whereas there is a vacancy of one Member to represent your County in The Council of this State occasioned by an adjudication in the said Council that Simon Kollock in the Indenture of Return of Election in the present Year was not duly elected and the Council having ordered that a new Election be had in your County to supply the said vacancy; You are therefore hereby commanded and authorized to cause a new election to be held on Monday the twenty sixth day of this instant November at the House of Robert Griffith at Deep-Creek Furnace usually called Vaughan’s Furnace in Nanticoke Hundred within your Bailiwick for chusing of a new Member of The Council for the said County to supply the vacancy afore-said agreeable to the Laws and Constitution of this State, And how you execute this Writ make known to the Honorable The Council of this State at Dover the Seventh day of January next with this Writ. Witness Thomas McDonough, Esquire Speaker of the Honorable The Council of the said State at Dover the Tenth day of November in the Year of our Lord one thousand seven hundred and eighty seven”

1. MS, Legislative Papers, 1787, October–November, Petitions. The report was endorsed as read on 25 October.

2. DS, Legislative Papers, 1787, October–November, Elections. The writ was signed by Thomas Rodney, speaker of the House, and was attested by James Booth, clerk of the House. In an endorsement, Joseph Harper, the sergeant at arms, stated that he had summoned Peter Fretwell Wright and Thomas Laws.

3. DS, Legislative Papers, 1787, October–November, Petitions. The writ was signed by Thomas Rodney, speaker of the House, and was attested by James Booth, clerk of the House. In an endorsement, Joseph Harper, the sergeant at arms, stated that he had deputed David Harper “to do the within Service.”

4. MS, Legislative Papers, 1787, October–November, Petitions. The resolutions are in the handwriting of Thomas Rodney, Speaker of the House.

5. MS, Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection. Brackets in the document below are in the original.

6. MS, Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection.

7. DS, Legislative Papers, 1788, January–February, Elections. The writ was signed by Jehu Davis, speaker of the House, and was attested by James Booth, clerk of the House. In an endorsement, Peter Fretwell Wright, the sheriff of Sussex County, stated that he had carried out the directions contained in the writ.

8. DS, Sussex County Records, 1787, Sussex Elections. The writ was signed by Thomas McDonough, the speaker of the Council. In an endorsement, Peter Fretwell Wright, the sheriff of Sussex County, stated that he had carried out the directions contained in the writ.

19 A–G. Newspaper Reports of House of Assembly Proceedings on 27 October–10 November 1787

19-A. Newspaper Report of House of Assembly Proceedings on Saturday P.M., 27 October

Mr. Laws, a Member of Council, was admitted, and returned the Bill intituled, “an Act for altering the Quorum of the House of Assembly;” in which the Council concurred.

Ordered, that the same be engrossed.

The said Bill being engrossed, was compared, and ordered to be signed by the Speaker; which was done accordingly.

On Motion, resolved, that the President or Commander in chief, affix the Great Seal of this State, to the following Law: “an Act for altering the Quorum of the House of Assembly.”

Ordered, that Mr. Gordon wait on the Council with the above resolution, for their concurrence; and that he deliver the Bill therein mentioned, in order that it may be signed by the Speaker of that House.

On Motion, *Ordered*, that Mr. Vining, and Mr. Robinson, be a Committee to see the Great Seal affixed to the said Act.

Adjourned to Monday next. [*Delaware Gazette*, 19 December]

19-B. Newspaper Report of House of Assembly Proceedings on Monday 29 October

The House met; present the same members as on Saturday.

The Committee appointed to see the Great Seal affixed to the Act, intituled, “an Act for altering the Quorum of the House of Assembly,” reported, that the same had been done in their presence.

* * * * *

The Serjeant at arms having returned the summons for the appearance of the Sheriff, or other returning officer for the County of Sussex, Peter [F]retwell Wright, Esq; Sheriff of the said County, was called before the House; and upon his examination, as to the charge of neglect in certifying to this house, the Indenture or return of the late general election for the said county, it appeared that he was absent from the place of the holding the said election, through indisposition; and that the same was held by Thomas Laws his under Sheriff: whereupon he was commanded to withdraw.

The said Thomas Laws was then called before the House, and having presented the Indenture or return of the aforesaid election, was ordered to withdraw, but not to depart from Dover without the leave of this House.

The said Indenture being read, it appears that the following persons were returned to represent the County of Sussex in this House, to wit, William Peery, John Tennant, Nathaniel Waples, George Mitchell, Rhoad Shankland, Charles Polk, and Nathaniel Hayes.

Ordered, That the said return lie on the table for further consideration. [*Delaware Gazette*, 19 December]

*19-C. Newspaper Report of House of Assembly Proceedings on
Tuesday A.M., 30 October*

The House met, present the same members as on yesterday.

The return of the general election for the county of Sussex was read; and the names of the representatives returned for the said county, being called, William Peery, George Mitchell, Rhoad [Sh]ankland, and Nathaniel Hayes appeared in the House.

On motion *Ordered*, That the Sheriff of the county of Sussex, and Thomas Laws his under-Sheriff, be called before the House, and examined respecting the mode of conducting the late general election for the said county, and upon the subject of the said Indenture or return of the said election.

On motion *Resolved*, That the doors of this House remain open, for the admission of such orderly citizens as may chuse to be present, during the examination and enquiry aforesaid.

Peter [F]retwell Wright, Esq; Sheriff of the county of Sussex, and Thomas Laws his under Sheriff were severally called before the House; and being examined, the former upon his solemn affirmation, and the latter upon his oath, and their depositions taken in writing, they were discharged.

Adjourned to three o'clock. [*Delaware Gazette*, 19 December]

*19-D. Newspaper Report of House of Assembly Proceedings on
Tuesday P.M., 30 October*

The house met according to adjournment.

Nathaniel Waples, and Charles Polk, two of the representatives returned for the county of Sussex, appeared in the House.

Four petitions from 121 Inhabitants of the county of Sussex, were read, complaining that the freedom of the late general election for the said county was obstructed by an armed body of about two hundred men known by the name of associators; that the *leading gentlemen* of the said county, on the day of election, agreed that about one hundred votes only should be received, whereby about nine thousand, or nine tenths of the freemen of the said county, were abridged of their greatest privilege, that of choosing their representatives; that James English, Inspector of Little-Creek Hundred, was beaten, driven out of Lewes Town, and compelled to give bail to be absent on the 15th of October, to which

time the election was adjourned; that divers others of the citizens were beaten wounded, and maimed; that many other mal-practices were exercised at the said election, which renders the same illegal and unconstitutional; and praying relief in the premises that the people may enjoy their just rights and priviledges.

On motion of Mr. Vining, That the Serjeant at arms be directed to prepare himself to go to the county of Sussex, to-morrow morning at ten o'clock, to summon Witnesses respecting the late election for that county; and the same being seconded by Mr. Grantham, the question was put, and the yeas and nays being required by Mr. Vining, are as follow:

Yeas,	Nays,
Mr. Porter,	Mr. Raymond,
Mr. Evans,	Mr. Revell.
Mr. Grantham,	
Mr. Latimer,	
Mr. May,	
Mr. Robinson,	
Mr. Clayton,	
Mr. Gordon,	
Mr. M'Call,	
Mr. Davis,	
Mr. Vining,	

So it was resolved in the affirmative.

On motion, *Ordered*, That William Peery, Esq; Inspector of Broadkilm Hundred in the county of Sussex, be examined on the subject of the late general election for that county.

Whereupon he was examined on oath, and his testimony being committed to writing.

The House adjourned to ten o'clock to-morrow morning. [*Delaware Gazette*, 19 December]

19-E. Newspaper Report of House of Assembly Proceedings on Wednesday A.M., 31 October

The House met, present the same members as on yesterday, and Mr. Polk one of the representatives returned for the county of Sussex.

On motion, *Resolved*, That Mr. Speaker issue summonses for the following persons, to wit, Leven Kerly, James Polk, Elsey Spicer, William Husk, Stephen Riding, William Irwin, School-master, Thomas Evans, William Smith, son of John, John Collins, son of Joseph, Edward Craig, Ely Carey, John Reed, son of Mathew, Zadoc Lindon, Daniel Havel, Bevin Morris, Edmond Reed, Nehemiah Reed, James English and William Harrison, Inhabitants of the county of Sussex, to appear before this House forthwith, to testify all and singular those things which they know, or shall be examined on, in any wise respecting the conducting or carrying on of the late general election for the said county of Sussex.

On motion of Mr. M'Call, That the persons returned as representatives from the county of Sussex, be admitted to take, make, and subscribe the oath of allegiance and declaration prescribed by the constitution and to assume their

seats as members, and be competent to all business, except such matters as relate to the aforesaid general election for the said county of Sussex, until the House shall decide upon the said election; and the same being seconded by Mr. Revell, the question was put, and the yeas and nays being required by Mr. Revell, are as follow:

Yeas,	Nays,
Mr. Evans,	Mr. Porter,
Mr. Latimer,	Mr. Grantham,
Mr. Clayton,	Mr. May,
Mr. Raymond,	Mr. Robinson,
Mr. Gordon,	Mr. Vining,
Mr. M'Call,	
Mr. Davis,	
Mr. Revell,	

So it was resolved in the affirmative.

On motion of Mr. Vining, That the return of the late general election for the county of Sussex, as made to this House, be entered at large upon the minutes; and the same being seconded by Mr. Grantham, the question was put, and the yeas and nays being required by Mr. Grantham, are as follow:

Yeas,	Nays,
Mr. Porter,	Mr. Evans,
Mr. Grantham,	Mr. Latimer,
Mr. Robinson,	Mr. Clayton,
Mr. May,	M. Gordon,
Mr. Raymond,	Mr. M'Call,
Mr. Vining,	Mr. Davis,
	Mr. Revell,

So in passed it the negative.

Adjourned to 3 o'clock. [*Delaware Gazette*, 19 December]

*19-F. Newspaper Report of House of Assembly Proceedings on
Wednesday P.M., 31 October*

The House met according to adjournment, and proceeded to the examination of Witnesses respecting the late general election for the county of Sussex.

Whereupon John Parker and John Hayes were called before the House; and being examined separately upon oath, and their testimony taken, in writing, they were discharged from further attendance.

Adjourned to ten o'clock to-morrow morning. [*Delaware Gazette*, 19 December]

*19-G. Newspaper Report of House of Assembly Proceedings on
30 October–10 November*

Thomas Rodney, Esquire, having resigned the office of speaker of the house of assembly of this state, Jehu Davis, Esquire, was appointed in his room.

The serjeant at arms was sent to the sheriff of Sussex for a return of the election made for that county, which being made, and several of the gentlemen

qualified under it, the house on hearing evidence on the merits of the case, declared the election void, and ordered a new one to be held on Monday the 26th instant.

In the *House of Assembly* of the *Delaware State*,
Friday, P. M. November 9, 1787.

Whereas the convention of deputies from the United States, lately assembled in the city of Philadelphia, have proposed a constitution for the said states, to be submitted to a convention of delegates chosen in each state by the people thereof, under the recommendation of its legislature for their assent and ratification; and that each convention assenting to, and ratifying the same, should give notice thereof to the United States in Congress assembled.

And whereas the United States in Congress assembled have unanimously resolved, That the said constitution, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case.

And whereas it is the sense and desire of great numbers of the good people of this state, signified in petitions to this general assembly, that speedy measures should be adopted to assemble a convention within the state, for the purpose of deliberating and determining on the said constitution.

Resolved, 1st. That it be, and hereby is, recommended to the freemen and inhabitants of this state, who are qualified by law to vote for representatives to the general assembly, that they choose suitable persons to serve as delegates in a state convention for the purpose herein before mentioned, that is, for the three counties the same number of delegates that each is intitled to of representatives in the general assembly, to wit, ten for the county of New-Castle, ten for the county of Kent, and ten for the county of Sussex.

2. That the elections for delegates aforesaid, in the respective counties of this state, be held on Monday the twenty-sixth day of this inst. November, at same places where the general elections for representatives to the general assembly are, or may, by law be appointed to be held; and that the same be conducted by the officers who conduct the said elections of representatives, and agreeable to the rules and regulations thereof; and that the persons so elected to serve in convention, meet at the town of Dover on the Monday following.

3. That the delegates, who attend the said convention, be entitled to the same allowance per diem, as representatives to the general assembly are entitled to receive for their attendance; which said allowance shall be paid by the state treasurer, upon receiving an order for the same, signed by the president of this state.

4. That the president or commander in chief transmit to the convention aforesaid when met, an authentic copy of the foederal constitution aforesaid.

5. That the proposition submitted to the general assembly, by petition from divers of the freemen resident in the upper part of this state, of ceding to the United States, a district within the state for the seat of the government of the United States, and for the exclusive legislation of Congress, be and hereby is recommended to the particular consideration of the convention.

Signed by order of the house of assembly,
 JEHU DAVIS, Speaker.

In COUNCIL, Saturday, A.M. Nov. 10, 1787.

Read and concurred in.

Signed by order of the council,
 THOMAS M'DONOUGH, Speaker.

Extract from the minutes,
 JAMES BOOTH, Clerk of Assembly.¹

1. This item is transcribed from the *Pennsylvania Packet*, 17 November, which reprinted it from the no longer extant *Delaware Gazette* of 14 November.

20. Act for Altering the Quorum of the House of Assembly, 27 October 1787¹

In the Twelfth Year of the Independence of The Delaware State.

[SEAL] An Act for altering the Quorum of the House of Assembly.

Whereas it is found highly inconvenient to the good People of this State, and very frequently productive of great Delay in the Transaction of the public Business thereof, as well as attended with a very considerable Increase of Expence to the State, that two thirds of the whole Number of Representatives should be essentially necessary to form a Quorum of the House of Assembly.

Be it therefore enacted by the General Assembly of Delaware, that from and after the passing of this Act, a Majority of the whole Number of Representatives which ought to be chosen and returned annually to the House of Assembly shall be a sufficient Quorum to transact the public Business of this State; and that such Quorum shall to all Intents and Purposes, have the same Power and Authority as at this Time belongs to two thirds of the whole Number of Representatives; any Law, Usage, or Resolution, to the Contrary notwithstanding.

Signed by Order of the House of Assembly,

Thomas Rodney Speaker

Signed by Order of the Council.

Thomas McDonough Speaker

Passed at Dover,

October 27. 1787.

1. Engrossed Act, Enrolled Bills, 1785–87, pp. 425–26, Division of Historical and Cultural Affairs, Department of State.

21. Sergeant at Arms, House of Assembly, Expenses for Summoning Witnesses 31 October–7 November 1787¹

The Delaware State to Joseph Harper Dr.

October	}	To Summoning Peter Frewell Wright Esqr,	
1787		Mileage &c	£1 " 10 " 0
Session	}	To Summoning Thomas Laws,	
		Mileage &c	1 " 10 " 0
	}	To Summoning William Irwin,	
		Mileage &c	1 " 2 " 6

To Summoning William Husk mileage &c	1 " 2 " 6
To Summoning James Polk Mileage &c	1 " 5 " 0
To Summoning Levin Hurley Mileage &c	1 " 5 " 0
To Summoning Stephen Riding Mileage &c	1 " 2 " 6
To Summoning Zadock Lindell Mileage &c	1 " 2 " 6
To Summoning John Read Mileage &c	1 " 2 " 6
To Summoning Edmund Read Mileage &c	1 " 2 " 6
To Summoning Nehemiah Read mileage &c	1 " 2 " 6
To Summoning Elsey Spicer mileage &c	1 " 10 " 6
To Summoning James English mileage &c	1 " 17 " 6
To Summoning Eli Carey mileage &c	1 " 12 " 6
To Summoning William Harrison mileage &c	1 " 12 " 6
To Summoning Edward Craig Mileage &c	1 " 13 " 6
To Summoning Daniel Havelo mileage &c	1 " 2 " 6
To Summoning Beavins Morris mileage &c	1 " 2 " 6
To Summoning John Collins mileage &c	1 " 2 " 6
To Summoning Thomas Evins Mileage &c	1 " 0 " 0
To Summoning William Smith Mileage &c	1 " 2 " 6
To my Attendance as Door keeper from the 24th. day of October until the 10th. day of November—18 days at 7/6P	6 " 15 " 0
	<u>£33 " 19 " 0</u>
Deduct	3 .. 19 .. 0
Allowed.	£30.. —

1. MS, Legislative Papers, 1788, May–June, Accounts, Division of Historical and Cultural Affairs, Department of State.

22. Deposition of William Harrison, 3 November 1787¹

William Harrison of the Town of Lewes being summoned to appear before the Honorable the House of Assembly of the Delaware State, and it not being in his power to attend, & in order to give what satisfaction he could concerning the late Election at Lewes afsd. appeared before me the Subscriber one of the Justices of the Court of Common Pleas for the County afsd, and declared upon Oath his Knowledge of the proceedings of the said Election in the following Words.

That on Sunday the twenty third of September last, being at the House of Andrew Wiley in the town afsd. about three o'Clock in the afternoon of said day, a certain James Wiley brother to said Andrew Wiley entered the Room where

this deponent was sitting, and asked him this deponent what news he hears concerning the Election; this deponent made answer he heard there was a union Ticket to be formed that Week, to which the said James Wiley replied that the Broad Kiln People would not take it so, for that Cord Hazzard's and John Sheldon Dormans Companies were to come into the Town under Arms on the Friday following and leave their Arms in the Town untill the day of Election, and that some of said Companies had purchased a quantity of powder of him for the purposes of parading and Exercising—That on Saturday Evening the twenty ninth of September, about forty Men did enter the Town under Arms, and fired several Guns, and then went out, but left their Guns in Town as this Deponent was afterwards informed—That on Monday the fifteenth of October this dept. being in the House of William Brereton about three o'Clock in the afternoon he this Deponent saw a certain James Trusham enter said House and gave Thomas Evans two blows with his fist, whereupon said Thomas Evans fell and lay for some time as dead, and when taken into a Bed Room this deponent saw [that] he the said Evans had received a Wound in his head—That soon after this deponent went into the Street and saw a certain James Pollock with a Cutlass and Pistols, and several others with Clubs, chase a certain Clement Jackson out of the Town, but whether they hurt him or not this deponent cannot say.

And this deponent saith that what is above related is all he can testify as to his own Knowledge.

Sworn and Subscribed this 3rd. day of Novemr. 1787.

William Harrison

Before, Jno. Wiltbank

1. MS, Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

23. Act Altering the Place of Election in Sussex County and Calling a New Election, 9–10 November 1787¹

In the Twelfth Year of the Independence of The Delaware State.

An Act for altering the Place of Election for the County of Sussex for the present year One Thousand Seven Hundred and Eighty Seven.

[SEAL] Whereas upon the Inquiry made, in the present Sessions of the General Assembly, into the legality of the Elections of the seven Representatives for the House of Assembly, and of the one Member for the Council, in and for the County of Sussex in the Month of October now last past, under the Constitution and Laws of the Delaware State; it appeared, that great Shew of Violence and Tumult was exhibited on divers Days just preceding, and during the Continuance of that Election, in and about the Town of Lewes, where, by the present Law of the State, such Elections are directed to be held, and the said Election having been set aside by the Determination of the Council and House of Assembly respectively, and a new Election ordered.

And Whereas it hath been resolved by this General Assembly, to recommend to such of the Inhabitants of the State as are intitled to vote for Representatives to the General Assembly, that they choose suitable Persons to serve as Deputies in a State Convention, for the Purpose of deliberating and determining on the Constitution for the future Government of The United States, as proposed by the Convention of Deputies from the said States lately assembled at the City of Philadelphia, that is, Ten Deputies from each county of this State.

And whereas it is apprehended by the present General Assembly, that a Repetition of Violence and Tumult at such ensuing Elections in Sussex County, so as afsd. ordered and recommended, will be probably prevented by altering the Place of Election in that County, and appointing a more central Situation for holding the said Elections at, other than the Court-House in the Town of Lewes:

Therefore be it enacted by the General Assembly of Delaware, that it shall and may be lawful to and for the Freemen and Inhabitants of the said County of Sussex, to meet on Monday the Twenty sixth Day of this Instant November, at the House of Robert Griffith at Deep-Creek Furnace, usually called Vaughan's Furnace, and then and there choose their seven Representatives to serve them in the House of Assembly, and one Member to serve them in the Council of this State, for the ensuing year, and then and there also choose the Ten Deputies for the said County of Sussex to serve in a State-Convention, so as afsd. recommended, for the Purpose of deliberating and determining on the Constitution afsd.; which said Elections for the County of Sussex shall be respectively held and made on the said Day and at the Place afsd. in the Manner heretofore used in the Election of the General Assembly of this State, under the present Laws and Constitution thereof, except as to the Place of Election in the County of Sussex.

And to prevent any Doubts which might be made respecting the Form of the Writs which may be issued by the Order of the respective Houses of this General Assembly, and the Time in which the same ought to be carried into Execution after Delivery,

Be it enacted, that it shall and may be lawful to and for the respective Houses of this General Assembly, to direct Writs of Election for supplying the Vacancies in each House, in the Representation from Sussex County, specifying as well the Time as the Place herein before appointed for the holding such Election; and the Sheriff, or other returning Officer or Officers, for the said County of Sussex, are hereby authorized and required to notify and proclaim in the usual legal Form, the holding of the said Election at the Time and Place as specified in any Writs that may come to his Hands for that Purpose; any Law, Usage, or Custom, to the Contrary in any wise notwithstanding.

Passed at Dover, November 10. 1787.	Signed by Order of the House of Assembly, Jehu Davis Speaker Signed by Order of the Council Tho: McDonough Speaker
--	---

1. Engrossed Act, Enrolled Bills, 1785–87, pp. 445–49, Division of Historical and Cultural Affairs, Department of State.

24. Pennsylvania Packet, 12 November 1787¹

We hear from Dover, that the county of Sussex continues unrepresented in the house of Assembly, which has induced them to pass a law making eleven members a quorum for doing business. They have also, it is said, directed the votes of all qualified persons to be admitted at the approaching election for a convention, without distinction whether they have complied with the test law or not.

1. This item was reprinted five times from New Hampshire to Pennsylvania by 27 November.

25. Thomas Rodney to John Parke, Poplar Grove, 22 November 1787¹

Can You with all your Skill [discern?]
 Or from Presient wisdom Learn
 Why all the Whigs to (Lucre Sold)
 Worship The Tory Idol, Gold?
 Prefering the fell, love of pence
 To Virtue, Honor, Glory, Sense?
 Does Moses Linger on the mountain,
 In raptures with lov's glorious fountain,
 Too long engag'd in their own Cause
 For them to wait his ruling Laws
 That they provoke the worlds dread laugh,
 By worshiping fool Aron's Calf?
 Or Why their bards Still Seek the nine
 At great Dianas Silver Shrine?
 Has not mad Trumbuls pen undone
 The freedom gaind by Washington
 Persuaded all these mighty States
 That Heaven and the ruling fates
 Has mark'd their Rotten Constitution
 For an early Dissolution
 And overturn'd, in one fell line,
 Its wisdom, and it's form Divine
 Made all the States Confirm his Thesis
 By pulling it themselves to pieces
 Least it Shoud rise up again
 Ad: be the glory of the plain
 Hence he who Sits Enthron'd above,
 Eternal Sorce of life and love,
 Whose pow'r controles the vast Expanc
 And rules the Planets Airy dance
 As well as all each Orb contains
 Of creatures with, or without brains
 From those who, he's been pleas'd to Vest,
 Like man, with pow'r above the rest

Down thro' all classes to the mite,
 That rides on those pure Orbs of Light,
 Has been displeas'd, and thence has hurl'd
 This vengeance on the guilty world
 Let mankind loose like prowling Elves
 To punish and distroy themselves.

When Brittain late grown proud of Sway,
 Devoted Fair America,
 To Servile labour, bonds and Chains,
 Or dreadful war, with all its pains,
 Did not her sons, with one accord
 Appeal to this alruling Lord
 Refer the justice of their cause
 To the decision of his Laws
 And pray that he woud aid their [band?]
 To save this once fair happy land?

When Washington on Delaware
 Roll'd down his cheek the heavy Tear
 Saw How Parade on T'other side
 And nothing but the waves divide
 While his own Troops, [or?] lost, as gone
 Had almost left the Chief alone
 And he coud see no sure defence
 But that of a kind Providence
 Did he not then With humble heart
 To this Almighty Lord impart
 The secret wishes of his Soul
 Exciting his supreme controle
 To extend his Omnipotent hand
 And save from fate the sinking land?
 And did not Congress then in Tears
 Address to him their humble pray'rs
 While each Patriot thro' the Nation
 Join'd their earnest application?

What follow'd?—Shall the muses tell?
 Trenton, Trenton—and Princetown fell:
 And he who late was bath'd in Tears,
 At Morris-town the Laurel wears.
 When Bourgine priz'd for Arts and Arms
 Deliver'd up his mighty Swarms;
 When sad Conwallace felt the stroke
 And bow'd his [— —] to the Yoke,
 While Brittain trembling on her Tow'r
 Resign'd her mighty dreams of pow'r;
 To whom did we then give the p[r]aise?

To whom our joyful Anthems raise?
 To him whose alsupreme controle
 With Aw divine had Sunk each Soul
 Who proud in Arms (vain confidence)
 Disdain'd the Laws of Providence.
 To him alone we then did raise
 The voic of Universal praise
 For all the mighty wonders done
 By Franklin Gates and Washington
 And these then thought it no offence
 To give the praise to Providence
 And shall we now with one accord
 Reject this good alruling Lord
 And Spurn that noble Constitution
 Which Bore us thro' the Revolution
 And in its place degrade the States
 To set up Washington or Gates
 While all their Peers, must Sink to slaves
 Or be Obscur'd in cruil graves.

Permit me now to ask the wise,
 Can such a thought from Whigs arise?
 Or does the foe, by force o'ercome,
 Attempt by Surer fraud, our doom?
 Does not their friends among us lurk
 To Carry on the fatal work
 Like the fell Snake of Paradise
 By Tempting us, to be more wise,
 And rise from this poor lowly State
 To be like Gods, or men as great?
 With guileful art they Idolize
 And facinate the ears and Eyes
 With dreams of wisdom, Charms of pow'r
 That Shakes fair freedoms broad built Tow'r
 But let us once remove the Screen
 And all their views are easy Seen
 Let but Ithuriel point his Spear
 The foul deception then will clear
 And Satan who abhors the light
 A monster Stand expos'd to sight
 But, if Heaven Shoud not Send,
 Some angel to reveal the fiend
 And Some led on by Temptation
 Shoud asspire to Rule the Nation
 Then the new made Constitution
 Must o'er throw the Revolution

Divide the States, throw ope' the door
 Of Anarchy and wild uproar
 And let in all the Refugees
 To burn and plunder as they please
 Till fitted in this bloody school
 We call again for Brittain's Rule
 And Washington and Franklins name
 Erased from the Roll of fame
 Sink down Involv'd in Endless Shame }
 But long ere this ye whigs Unite
 And Arm again for dreadful fight
 Return again to that Supreme
 Who ever hears you call on him
 At his dread word a mite or world
 Alike, is to distruction hurld
 And When'ere he Shall please to Say
 The Sun itself must fade away
 The moon and Stars with it decline
 Obedient to his will Divine
 And in their place more Splendid rise
 A never fading Paradise
 So Shall his aid as heretofore
 Your Sinking Government restore
 When this is done your Sense employ
 To mend it gently not distroy

Note—The Federal constitution was plan'd in 1781—as well as the association of the Cincinnati—by Gates & myself—but when the Convention affirm'd & put it into form & motion they left the Judicial greatly defective by not forming a Union of the Several States in that department So that wise men were apprehensive of its failing—This department In the Original plan was left to be adjusted by the Lawyers that might be Employ'd at the time but it is a Pitty it was—

Note—This little Poem Remembers the Sentiments that Generally prevailed among those who were opposed to the Federal Constitution—And who thought it Safest to Continue the Confederation My own Sentiments undoubtedly favour'd the Federal Constitution—as Legislature and Supreme Executive was pland by G—— [Horatio Gates] & myself in 1781—as Deputies, Sub Silencio, from Congress & the army—

1. AD, Thomas Rodney Original Poems, Rodney Collection, Historical Society of Delaware. The final paragraph, which was crossed out by Thomas Rodney, has been transcribed and lined out.

26. James Black to Levi Hollingsworth, 23 November 1787¹

I have Drawn an order on you in faver of Hartshorn & Large for upwards of twenty Pounds you'l pay it as Soon as you Can I have Sent up near 200 Bbs. [- - -] Since I Saw you and 53 Bbs. of [- - -] flour which you will Sell to as good advantage as you Can

P.S. on monday nixt we Chouse our Convention and monday folowing the[y] meet at Dover to to [*sic*] Chuse Delecats to Represent us in Congress under the new fed[e]ral Constutitio[n]—

1. RC, Hollingsworth Manuscripts, Historical Society of Pennsylvania. Black represented New Castle County in the Delaware Convention.

27 A-J. Votes Cast, Sussex County Election, 26 November 1787¹

1. The lists of votes cast are in Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

27-A. Votes Cast, Baltimore Hundred, 26 November

- ◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

27-B. Votes Cast, Broad Creek Hundred, 26 November

- ◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

27-C. Votes Cast, Broad Kiln Hundred, 26 November¹

A list of the Votes of
for Broad kill Hundred

Burton Jonson	1	Robert Holbard	22
Edmon Reed	2	Isaac wilson	23
Levi messex	3	andrew Heavelo	24
John Ingram	4	Jobe Sharp	25
Joseph Morres big	5	frazir Gray	26
Robert Jones	6	francis Conwel	27
Matthew Reed	7	Elishe Joseph	28
Jobe messex	8	Zachiriah Rannels	29
George messex	9	Thomas Lank	30
Jeames petejon	10	Jase Dukes	31
willam wilson	12	Richard hart	32
Jonathen Cohoon	13	Samuel warren	33
John Stuard	14	John Sharp Sener	34
Joshua morres	15	Joseph morres Lit	35
Samuel walles	16	warren Jefferson	36
Willam Cary	17	Aberham harres Juner	37
Joshua peper	18	Richard warren	38
Nathan Jefers	19	Stephen mitchel	39
Luke Thomas	20	Jobe warren	40
Samuel Green	21	Denes morres Juner	41
mitchel Cott	42	foster Donafen Junr	56
Griffen Jones	43	Henary warren	57
Baker Dutton	44	Leaven peper	58
Eli warren	45	John Collens Lit	59
John Conwell	46	John martain	60

Paul Dod	47	Isaac messex	61
Bevens morres	48	Zadock Lindell	62
Bengamin Jonson	49	Jobe pride	63
William morres	50	Abel Dutton	64
Jobe Reed Junr	51	Aberaham Reed	65
william Jefferson	52	John wilson Dean	66
Littelton Lofland	53	Edmon dickerson	67
Elias Jones	54	John Reed	68
Jobe Reed Senr	55		

I do certify that the within mentioned names is a true list of the Voters of Broad Kiln Hundred taken at Deep Creek furnace on ye twenty Sixt day of November 1787—as Witness my Hand—

John Reed

1. The manuscript is badly faded; therefore, this typescript has been provided.

27-D. *Votes Cast, Cedar Creek Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

27-E. *Votes Cast, Dagsbury Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

27-F. *Votes Cast, Indian River Hundred, 26 November*¹

A List of the Voats of Indian River hundred

William Blizzard Jur	1	Wm Burton Joyner	21
Joseph Warrington	2	Wm Walls Jur	22
Robert Warrington	3	Jonathan Joseph	23
Wm Blizzard Ser	4	Wm Walls Sener	24
Thos Robinson	5	Zachariah Joseph	25
Woodman Stockley Ser	6	Benja Benston Jur	26
Joseph Burton	7	Majah Pool	27
John Burton Ser	8	Elisha Dickerson	28
Wm Burton Capt	9	Brittenham Enniss	29
Thos Brereton	10	Thos Burbage	30
Leatherbury Barker	11	John Toomey	31
Andrew Simpler	12	Thos Toomey	32
Burton Prittyman	13	Thos Warrington	33
Joshua Walls Jur	14	Jessee Townsend	34
Nathan Joseph	15	Robert Prittyman of Wm	35
Robert Parsons	16	Isaac Burton	36
Thos Simpler	17	Joseph Robinson	37
Luke Burton	18	John Collins Ser	38
John Bagwell	19	Samuel Lingo	39
Joseph Joseph	20	Joseph houston	40

Jessee Dean	41	Benja Robinson	46
William Burton of Wm	42	Eli Cary	47
Henry Lingo	43	Isajah Burton	48
Thos Grice Jur	44	Henry Brereton	49
John Burton Angola	45	Isaac Mcdowel	50

I do hereby Certify that the within mentioned names is a true list of the Voters of Indian River Hundred taken at Deep Creek on the twenty Sixth Day of November 1787—as Witness my hand

Stratton Burton Clk

1. The manuscript is badly faded; therefore, this typescript has been provided.

27-G. *Votes Cast, Lewis & Rehoboth Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

27-H. *Votes Cast, Little Creek Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

27-I. *Votes Cast, Nanticoke Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

27-J. *Votes Cast, Northwest Fork Hundred, 26 November*

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

28. Legislative Council, Indenture of Election, Sussex County 26 November 1787¹

This Indenture made the Twenty Sixth day of November One thousand Seven hundred and Eighty Seven Between Peter Fretwell Wright Esquire High Sheriff of the County of Sussex in the Delaware State, of the one part and Solomon Willey, Isaac Atkinson, Isaac Beauchamp Edmund Dickinson, Trusten Laws Polk and Nehemiah Howard—

Gentlemen Freeholders of the other part Witnesseth that the said Freeholders, together with the Freeholders in General, having met at Deep Creek Furnace, usually called Vaughans Furnace in Nanticoke Hundred did then and there in full County choose, elect, and nominate Isaac Horsey—Gentleman to be Counsellor for the County afsd. Pursuant to an Act of Assembly passed at Dover within the State afsd the Tenth day of this instant November—

In Testimony whereof the said Sheriff and Freeholders above mentioned have hereunto set their hands and Seals the day and year above Written—

[SEAL]Peter F Wright Sheriff

Solomon Willey [SEAL]
Isaac Atkinson [SEAL]
Isaac Beauchamp [SEAL]
Edmon Dickenson [SEAL]

Trusten L. Polk [SEAL]

Nehemiah Howard [SEAL]

1. DS, Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

29 A-I. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787¹

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. These petitions are in Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

30 A-I. Sussex County Petitions to the Delaware Convention, 28 November 1787¹

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. These petitions, calling for a new election of Convention delegates in Sussex County, are in Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

31. Pennsylvania Packet, 30 November 1787

The following gentlemen are elected members of convention for Delaware state:

Newcastle County.—James Latimer, John James, Gunning Bedford, senior, Gunning Bedford, junior, Kinsey Johns, Nicholas Way, James Black, Thomas Watson, Thomas Duff, Solomon Maxwell.

Kent County.—Richard Bassett, Richard Smith, Daniel Cummings, Nicholas Ridgley, Joseph Bucker, George Truit, George Manlove, E. White, Allen M'Lane, James Sykes.

32. Deposition of Joseph Derrickson, 4 December 1787¹

As to any facts relating to the Petitions he is not acquainted with them, that on his return home from the Place of Election, he saw a number of armed men and counted two hundred arms, in an old field about a mile or rather less from the place of Election. Mr. Nathaniel Mitchell ordered the front to be cleared & said he thought it best to put them under guard, but knows not who he meant, he was not under guard himself nor saw any body, it was about two OClock in the Afternoon, he saw no disturbance at the election nor any vote refused nor any appearance of any being refused, previous to the election he saw a four pounder getting in order at Dagsbury, but knows not for what use, he saw no armed man at the place of Election but Mr. Evans with holsters and appearance of pistols in them; he was there about three hours, he returned home without voting and 8 or 10 with him he thinks without voting but beleives they did not

offer to vote his reasons and he believes their reasons for not voting, was, that they expected a reconcilliation of the parties but finding it not so, they did not chuse to vote. he heard no firing, he was not afraid nor did he hear any person say they were afraid to go to the Election. He did not hear of any preparation of arms against the Election. A report was spread that the militia was to be assembled and go with the Cannon, it did not terrify him, nor does he know any person it did, he heard there was about 50 or 60 of the Broadkiln men (called the whig party) marched about three miles with arms, and went no farther. Col. Neill & Mr. Peery were not at the Election. he supposes they returned to prevent others from going, as there were so many armed men there; he beleives the appearance of so many armed men, might have terrified, and prevented, some from going to the election. The armed men were on no road and might have been passed, he knows not for what intent they were collected, he supposes the number of votes at the election were about 650 or 660. the highest votes at Elections he thinks is 1100 & odd, he supposes there were few votes given in, but from the party that was armed, he met 10 or 12 armed men, he thought a Guard, but is not certain, nor does he know they belonged to the party in arms. He heard of no report of the other party saying they would brake up the Election if it was not peacable, nor of any person being stopt going to the Election, but heard of two parties being stopt he conceives from, but is not sure whether it was to or from the Election he lives about 20 miles from the place of Election and knows of no armed men but what is mentioned, he heard of Mr. Evans being wounded Mr Jackson and others being ill used at the Election at Lewis on 15th. October

1. MS, Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

33-B. Delaware Form of Ratification Retained by the State, 7 December 1787¹

We the Deputies of the People of the Delaware State as Commissioners and having taken into serious consideration the Federal Constitution proposed and agreed upon by the Deputies of the United States in a General Congress held at the City of Philadelphia on the seventeenth day of September in the Year of our Lord One thousand seven hundred eighty seven Have approved, signed and published, and by their Votes, yeas, nays, and in witness whereof we have signed our Names and Affix'd our seals to this present Act of our assent and Approbation of the said Constitution.

Done in Convention at Dover this seventh day of December in the year aforesaid, and in the 10th Year of the United States of America the twelfth. In Testimony whereof we have signed our Names and Affix'd our seals to this present Act of our assent and Approbation of the said Constitution.

Suzer County Kent County New Castle County

Richard Smith John Smith Thomas Smith James Smith William Smith	John Smith James Smith William Smith Thomas Smith Richard Smith	John Smith James Smith William Smith Thomas Smith Richard Smith
---	---	---

1. Engrossed MS, Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

[Endorsement]
Ratification of the Constitution
of the U. States by
The Convention of Delaware
7 December 1787.

34. Convention Expenses, 7 December 1787¹

	Attendance	Mileage	Total
New Castle County			
Gunning Bedford, Jr.	4	50	£4. 1.4
Gunning Bedford, Sr.	5	50	4. 13.4
James Black	5	50	4. 13.4
Thomas Duff	5	50	4. 13.4
John James	5	50	4. 13.4
Kensey Johns	5	50	4. 13.4
James Latimer	5	50	6. 3.4
Solomon Maxwell	4	50	4. 1.4
Thomas Wattson	5	50	4. 13.4
Nicholas Way	4	50	4. 1.4
Kent County			
Joseph Barker	5	9	3. 6.0
Richard Bassett	5	—	3. 0.0
Daniel Cummins, Sr.	4	12	2. 16.0
Allen McLane	4	12	2. 16.0
George Manlove	4	19	3. 0.8
Nicholas Ridgely	5	—	3. 0.0
Richard Smith	5	7	3, 4.8
James Sykes	5	5	3. 3.4
George Truitt	5	3	3. 2.0
Edward White	5	24	3. 16.0
Sussex County			
Isaac Cooper	4	50	4. 1.4
Thomas Evans	5	25	3. 16.8
William Hall	5	42	4. 8.0
Israel Holland	5	57	4. 18.0
John Ingram	5	30	4. 0.0
John Jones	5	60	5. 0.0
John Laws	5	30	4. 0.0
Thomas Laws	5	35	4. 3.4
William Moore	4	50	4. 1.4
Woodman Stockley	5	45	4. 10.0
		TOTAL	<u>£120. 10.8</u>

Miscellaneous Convention Expenses

John White, Clerk

To five days attendance as clerk	£ 3. 0.0
To one sheet of parchment	0. 7.6
To two quires of paper	0. 4.4
To engrossing the resolution of assenting to the Federal Constitution and taking a copy thereof on parchment	0. 7.6
To transcribing the votes and proceedings of the Convention	1. 16.0
TOTAL	£ 5. 15.4

Benjamin Crooks, Messenger or Doorkeeper

To five days attendance as messenger or doorkeeper for the Convention	£ 1. 17.6
To ringing the bell, five days	0. 18.9
TOTAL	£ 2. 16.3

Elizabeth Battell, Innkeeper

To the use of a room, firewood, and candles for five days for the Convention	
TOTAL	£ 2. 10.0

TOTAL EXPENSES £131. 12.3

1. This list of Convention expenses has been compiled from pay vouchers found in the Executive Papers, 1787, Convention for Ratifying the United States Constitution—Accounts, Division of Historical and Cultural Affairs, Department of State. With the exception of the President of the Convention (James Latimer) who received 18/ per diem, each delegate was allotted 12/ per diem and 8d per mile. The clerk of the Convention received 12/ per diem, while the messenger or doorkeeper obtained 7/6.

35. Public and Private Commentaries on Ratification of the Constitution by Delaware, 12 December 1787–18 January 1788

*William Shippen, Jr. to Thomas Lee Shippen, Philadelphia 12 December (excerpt)*¹

The State of Delaware are before us. They met on Monday the 3d instant and adopted it [i.e., the Constitution] unanimously on the following Thursday. . . .

*James Madison to Archibald Stuart, New York, 14 December*²

I perceive by the newspapers that Delaware has decided unanimously in favor of the new Constitution.

*Antoine de la Forest to Comte de Montmorin, New York, 15 December*³

The Special assembly [convention] of Newjersey is now meeting and it is known that it is almost unanimously disposed to adopt the new government. That of Delaware has the merit of having ratified it first on the 6. of this month and that of Pennsylvania on the 12.

*Louis-Guillaume Otto to Comte de Montmorin, New York, 15 December (excerpt)*⁴

. . . We learn, sir, that the general convention of the State of Delaware has unanimously ratified the new Constitution which I had the honor of sending you. This small state has the honor of having given the first signal of a revolution in the general government of the United States, and its example can only produce a good effect in the other conventions. . . .

*Jeremiah Wadsworth to Rufus King, Hartford, 16 December*⁵

I last night recd your favor—with the pleasing news of Delawares ratification of the new Constitution.

Hartford American Mercury, 17 December

Extract of a letter from a gentleman in New-York, dated the 12th inst. to his friend in this City.

Delaware have set us a good example—their Convention met on the 3d. and unanimously ratified the proposed Constitution on the 6th inst. Pennsylvania and [New] Jersey will adopt the measure.

*James Madison to Thomas Jefferson, New York, 20 December*⁶

Since the date of my other letter [9 December], the Convention of Delaware have unanimously adopted the new Constitution.

Boston Independent Chronicle, 20 December

A letter from a gentleman in Philadelphia, to another in this town, brought by last evening's post, mentions "That the State of *Delaware* have accepted the new government FORMALLY and UNANIMOUSLY."

*New York Journal, 20 December*⁷

Delaware, in convention, adopted it [i.e., the Constitution] on the 6th instant, as it is, after a discussion of three days.

Massachusetts Centinel, 26 December

The State of Delaware being the first to adopt, ratify and confirm the American Constitution, augurs well, says our correspondent *Sancho*. It is a good maxim which inculcates the practice of "*entering at the little end of the horn*."—As at every step we take our circle is encreased, and our basis progressively growing broader and broader.

*Timothy Pickering to John Pickering, Philadelphia, 29 December (excerpt)*⁸

You will have seen by the News-papers that the Delaware & Jersey States have *unanimously* adopted the New federal constitution; . . .

Georgia State Gazette, 29 December

The Convention of the State of Delaware on the 7th instant ratified the Federal Constitution by an *unanimous* vote. The conventions of Pennsylvania and New-Jersey were sitting, a large majority of whom voted in favor of the proposed Constitution without any alteration.

*Roger Alden to Samuel William Johnson, New York, 31 December*⁹

The opposition [to the Constitution] have many Characters of extensive knowledge and great influence—but their efforts have failed in some of the States, particularly in Philadelphia—the Question was carried in the State Convention, 46 against 23—in Delaware and New Jersey by an unanimous vote.

*George Washington to Thomas Jefferson, Mount Vernon, 1 January 1788*¹⁰

The Legislatures of those States (Rhode Island excepted) which have met since the Constitution has been formed, have readily assented to its being submitted to a Convention chosen by the People.—Pennsylvania, New Jersey, & Delaware are the only States whose Conventions have as yet decided upon it.—In the former it was adopted by 46 to 23 and in the two latter unanimously.

*George Washington to Rochambeau, Mount Vernon, 8 January*¹¹

The Constitution formed by the late Convention appears, as far as my information extends, to be highly acceptable to the people of these States—Jersey, Delaware & Pennsylvania having already decided in its favor, the two former unanimously and the latter by a majority of two to one.

*George Washington to Henry Knox, Mount Vernon, 10 January*¹²

Three states—to wit—Pennsylvania New Jersey, and Delaware having adopted the New Constitution in so decisive a manner and those of New Hampshire, Massachusetts & Connecticut having discovered such favourable sentiments of it, places the final success of it, in my judgment, upon unequivocal ground.

Helvidius Priscus II, Boston Independent Chronicle, 10 January (excerpt)

The three pillars lately erected at the southward, are like the hanging towers of Pisa, to be propped up and cemented by the blood of posterity, if ever they stand at all; for the present generation have too strong a sense of the rights of nature, of the sufferings experienced for their re-establishment, to set down passively under a tottering pile, erected on pillars of porcelain—and if half a dozen others should yet be added to the gilded dome, it will still be astonishingly defective; . . .

*George Washington to Samuel Powel, Mount Vernon, 18 January*¹³

It is with pleasure I find that the States of Pennsylvania, New Jersey & Delaware, have adopted the proposed Constitution, for a Fœderal Government; the two latter unanimously, and the former by a majority of two to one.

1. RC, Shippen Family Papers, Library of Congress (RCS:Pa., 602). This letter, and all other letters below, are excerpts.

2. RC, Miscellaneous Collections, Henry E. Huntington Library (CC:346).

3. RC (Tr), Affaires Étrangères, Correspondance Consulaires, BI 909, New York, vol. I, ff. 294–97, Archives Nationales, Paris, France (CC:349).

4. RCA (Tr), Correspondance Politique, États-Unis, vol. 32, ff. 411–14, Archives du Ministère des Affaires Étrangères, Paris, France (CC:350).

5. RC, King Papers, New-York Historical Society (CC:283-E).

6. RC, Madison Papers, Library of Congress (CC:358).

7. This item was reprinted nine times from Massachusetts to South Carolina by 17 January 1788 (CC:362).

8. RC, Pickering papers, Massachusetts Historical Society (CC:393).

9. RC, Papers of William Samuel Johnson, Library of Congress (CC:396).

10. RC, Jefferson Papers, Library of Congress (CC:400).

11. FC, Washington Papers, Library of Congress (CC:424).

12. RC, Knox Papers, Massachusetts Historical Society (CC:434).

13. RC, Washington Papers, Mount Vernon Ladies Association of the Union (CC:456).

36. *Pennsylvania Gazette*, 19 December 1787¹

Such has been the zeal of two or three *Salary Officers* of the state of Pennsylvania, to prevent the establishment of the new Fœderal Constitution, that copies of their *pamphlets* and *centinels* have been sent to the Governor [Thomas Collins], and to all the members of the late convention of the Delaware state. When the Governor opened his packet, and perceived the title of the enclosures, he threw them suddenly into the fire.

1. This item was reprinted eight times from New Hampshire to New Jersey by 5 January 1788.

37 A–P. *The Delaware General Assembly*, 10 January–2 February 1788

The proceedings transcribed below contain the record of the General Assembly's investigation of the Sussex County election on 26 November 1787. The proceedings also include a record of the expenses incurred in the election of delegates to the Delaware Convention.

The Council Proceedings are from “Minutes of the Council of the Delaware State, from 1776 to 1792,” *Papers* of the Historical Society of Delaware, VI (Wilmington, 1887). The House Proceedings are from *Votes and Proceedings of the House of Assembly of the Delaware State . . .* [7 January–2 February 1788] (Wilmington, 1788).

The proceedings transcribed also contain supplementary manuscript material in the Division of Historical and Cultural Affairs, Department of State. For the particular collections in which the material is located, see the notes at the end of this section.

37-A. *General Assembly, Thursday, 10 January*

House Proceedings, A.M., 10 January

It appears by the return of the officers of the county of Sussex, appointed by law to be judges of elections, that in pursuance of the Speaker's writ, to the sheriff of that county directed, for choosing new members for the said county, an election was held, agreeably to a late law of this state, at the house of Robert Griffith at Deep-Creek Furnace, usually called Vaughan's Furnace, in Nanticoke hundred, in the county aforesaid, on the twenty-sixth day of November last; and that the following gentlemen were chosen to represent the said county of Sussex in this House, to wit, *Rhoades Shankland, George Mitchell, Charles Polk, Jeremiah Cannon, Nathaniel Hayes, Hap Hazzard, William Massey.*

The Speaker being seated in the chair, the names of the members were called, when they appeared as follow:

For New-Castle county. *Isaac Grantham, Henry Latimer, Thomas May, Thomas Robinson.*

For Kent county. *James Raymond, John Gordon, Mark M'Call, John Vining.*

For Sussex county. *Rhoades Shankland, Nathaniel Hayes, Hap Hazzard.*

The said new members took, made, and subscribed the oath of allegiance and declaration prescribed by the constitution, and took their seats.

Adjourned to three o'clock.

House Proceedings, P.M., 10 January

The House met according to adjournment.

Mr. Revell and Mr. Rodney appeared in the House, and took their seats.

Charles Polk, one of the representatives for the county of Sussex, took, made, and subscribed the oath of allegiance and declaration prescribed by the constitution, and took his seat.

Seven petitions from two hundred and sixty-six inhabitants of the county of Sussex, were read, setting forth, that soon after the rejection of the first return of representatives for that county, the petitioners were notified by advertisements, of a second election to be held at a place commonly called Vaughan's Furnace; and as they were informed that an appearance of a force, and riotous procedure committed, on the day and at the place of election, were the principal grounds on which the former return of representatives was dismissed, they expected to have been permitted to have attended at the time and place advertised without interruption or disturbance: That contrary to their expectations, they were informed, that Charles Polk, Esq; one of the elected members, on the Saturday preceding the election, in a public company, was heard to advise his friends to carry their fire-arms; and that Rhoades Shankland, Esq; another of the elected members, on the next day, being Sunday, was seen at the head of a party, armed with muskets, going towards the place; this information, together with intelligence of several bodies of men, armed in the same manner, being seen on the last mentioned day proceeding to the place of election, made the greater part of the petitioners apprehensive that they could not attend without danger of personal abuse and public disturbance: That these apprehensions

were justified by the event; for those of the petitioners who attended the election, observed a number of men, armed with clubs, swords, and pistols, at the place, and some hundreds of men armed with muskets paraded near; a party of whom made prisoners of some of the petitioners, by presenting a gun and threat[e]ning to fire on them, and detained them in custody, until orders for their dismissal were procured from Nathaniel Mitchell, who they said was their commanding officer: That the petitioners have been informed this force was collected by a call for the militia to attend, and protect the election from expected violence: That this call, if it had been necessary, ought to have been public; but being secret, was illegal and unjust: That non-jurors, act-of-grace men, refugees, and other disqualified persons, were permitted to vote at the election, contrary to express law and the safety of the state: And praying that an enquiry be made into the facts stated; and in order to their investigation, that the petitioners may be heard by Council; and if the facts be established, that relief be granted in the premises.

Ordered, That the said petitions lie on the table till to-morrow morning.

Adjourned to ten o'clock to-morrow morning.

37-B. General Assembly, Friday, 11 January

House Proceedings, A.M., 11 January

The House met; absent Messrs. Porter, Evans, Clayton, Mitchell, Cannon, and Massey.

The House having taken into consideration the petitions complaining of the illegality of the late election for the county of Sussex,

Resolved, That Mr. Speaker issue his summons for the appearance of Peter Fretwell Wright, Esq; sheriff of the county of Sussex, before this House on Wednesday the sixteenth day of the present month of January, to testify all and singular those things which he may know, or be examined on, in any wise respecting the late election for the said county; and that the said sheriff be required to return to this House, at the time aforesaid, all the lists of the names of the taxables, which were delivered to the inspectors by the collectors of the several hundreds, and used by the said inspectors in ascertaining the persons who voted at the same election, together with the lists and tallies of the clerks, and the votes or tickets delivered in, and read at the said election.

[Writ Summoning Sussex County Sheriff.]¹

“The Delaware State. The Honorable Jehu Davis, Esquire, Speaker of the Honorable House of Assembly of the said State;

“To Joseph Harper Sergeant at Arms, or his Deputy.

[SEAL] You are hereby strictly commanded, in pursuance of a Resolution of the said House of Assembly, [of?] this Day, that you summon Peter Fretwell wright, Esquire, Sheriff of the County of Sussex, to appear before the House of Assembly aforesaid, at Dover, on Wednesday the sixteenth Day of the present Month of January, to testify all and singular those Things which he may know, or be examined on, in anywise respecting the late Election for the said County of Sussex; and you are hereby further Commanded to require the said Sheriff to return to the said House of Assembly, at the Time and Place afsd., all the Lists

of the Names of the Taxables which were delivered to the Inspectors by the Collectors of the several Hundreds, and used by the said Inspectors in ascertaining the Persons who voted at the same Election, together with the Lists and Tallies of the Clerks, and the Votes and Tickets delivered in, and read at the said Election: Hereof fail not at your Peril.

“Given under the Hand and Seal of the Speaker afsd., at Dover, this Eleventh Day of January, in the Year of our Lord One Thousand Seven Hundred and Eighty Eight.”

Resolved also, That Mr. Speaker issue summonses for the following persons, to wit, Burton Waples, Esq; Joseph Derrickson, Henry Niell, David Hall, Esq; Simon Kollock, Esq; John Collins, John Clowes, Esq; Thomas Laws, Nathaniel Waller, Jehu Evans, Nehemiah Read, the honorable John Jones, Esq; William Hurt, Joshua Morgan, Jacob Coverdale, and Cornelius Wiltbank; and also for the following witnesses on the behalf and at the request of the petitioners, to wit, James Buchannan, Isaac Atkins, John Powders, William Edenfield, Henry Edgar, Henry Edgar, jun. William Clayton Mitchell, Israel Holland, Thomas Coulter, William Vaughan, James Bratton, Anthony Bratton, Bartholomew Kennedy, and Thomas Batson, Esq; to appear before this House on Wednesday the sixteenth day of the present month of January, to testify all and singular those things which they know, or shall be examined on, in any wise, touching the late election for the county of Sussex.

[Writ Summoning Witnesses.]²

“Delaware State. The Honorable Jehu Davis, Esquire, Speaker of the Honorable House of Assembly of the said State;

“To Joseph Harper, Sergeant at Arms, or his Deputy.

[SEAL] You are hereby strictly commanded, in pursuance of a Resolution of the said House of Assembly, of this Day, that you summon Burton Waples Esqr., Joseph Derrickson, Henry Neill, David Hall Esqr., Simon Kollock Esqr, John Collins, John Clowes Esqr., Thomas Laws, Nathaniel Waller, Jehu Evans, Nehemiah Read, The Honorable John Jones Esqr., William Hurt, Joshua Morgan, Jacob Coverdale, Cornelius Wiltbank, James Buchannan, Isaac Atkins, John Powders, William Edenfield, Henry Edgar, Henry Edgar Junr., William Clayton Mitchell, Israel Holland, Thomas Coulter, William Vaughan, James Bratton, Anthony Bratton, Bartholomew Kennedy, and Thomas Batson Esqr., Inhabitants of the County of Sussex, to be and personally appear before the House of Assembly aforesaid, at Dover, on Wednesday the sixteenth Day of the present Month of January, to testify all and singular those Things which they know, or may be examined on, in any wise touching the late Election for the said County of Sussex: Hereof fail not at your Peril.

“Given under the Hand and Seal of the Speaker afsd., at Dover, this Eleventh Day of January, in the Year of our Lord One Thousand Seven Hundred and Eighty Eight.”

Resolved also, That the petitioners be heard by counsel on the subject of the said election, agreeably to the prayer of the said petitions.

On the question to agree to the last resolution, the yeas and nays were required by Mr. Grantham, and are as follow:

Yeas. Mr. *Raymond*, Mr. *Gordon*, Mr. *M'Call*, Mr. *Revell*, Mr. *Rodney*, Mr. *Vining*.
Nays. Mr. *Grantham*, Mr. *Latimer*, Mr. *May*, Mr. *Robinson*.
So it was resolved in the affirmative.

House Proceedings, P.M., 11 January

The Secretary laid before the House a message from his excellency the President, together with the papers therein referred to; which said message was read as follows:

Gentlemen of the General Assembly,

Agreeably to a resolution of the late Convention of this state, assembled for the purpose of deliberating and deciding upon the fœderal constitution, I have directed the Secretary to lay before you the proceedings of that body.

The Secretary will also lay before you a letter from the Secretary of Congress, of the 28th of November last, together with a list of the Journals of Congress for the last year, and a copy of the continuation from the 20th of September to the first Monday in November last, to complete those already delivered.

I beg leave to inform your honors, that the last annual requisition of Congress, of the 11th of October, has not been received by me in the usual, official form; and that if the General Assembly should incline to assume the consideration of this business at the present time, I must refer them to the printed Journals for that requisition.

THOMAS COLLINS.

January 9, 1788.

37-C. General Assembly, Wednesday, 16 January

House Proceedings, P.M., 16 January

The House met according to adjournment.

Mr. M'Call, and Mr. Shankland, appeared in the House.

Two petitions from two hundred and thirty-eight inhabitants of the county of Sussex, complaining of the illegality of the late election for that county, were read.

Ordered to lie on the table.

Agreeably to the order of the day, the House proceeded to the examination of the witnesses respecting the late election for the county of Sussex, having previously admitted Joseph Miller, Esq; as counsel for the petitioners.

The Speaker's writ for holding the said election, the sheriff's return thereof, and the indenture of election, being read, Peter Fretwell Wright, Esq; the sheriff, was called before the House, and his testimony being taken in writing, upon his solemn affirmation, he was discharged.

Adjourned to nine o'clock to-morrow morning.

37-D. General Assembly, Thursday, 17 January

House Proceedings, A.M., 17 January

The House met; absent Messrs. Porter, Evans, Mitchell, Polk, Cannon and Massey.

William Massey, one of the members returned from the county of Sussex, took, made, and subscribed, the oath of allegiance and declaration prescribed by the constitution, and took his seat.

The House resumed the examination of the witnesses respecting the late election for the county of Sussex; and having taken in writing the testimony of Robert Mariner, James Buchanan and Henry Edgar, separately, upon oath,

Adjourned to three o'clock.

House Proceedings, P.M., 17 January

The House met according to adjournment—and continued the examination of the witnesses respecting the Sussex election aforesaid; and having taken in writing the testimony of William Hurt, James Broughton, Bartholomew Kennedy, Stephen Coston, Capt. John Collins and William Peery, Esq; separately, upon oath,

Adjourned to nine o'clock to-morrow morning.

37-E. General Assembly, Friday, 18 January

House Proceedings, A.M., 18 January

The House met; present the same members as on yesterday.

On Motion, *Ordered*, That one of the nine petitions from the inhabitants of the county of Sussex, complaining of the illegality of the late election for that county, together with an account of the whole number of subscribers to the said petitions, be sent to the Council for their information; and that Mr. M'Call deliver the same.

Jeremiah Cannon, a member returned from the county of Sussex, took, made and subscribed, the oath of allegiance and declaration prescribed by the constitution, and took his seat.

The House resumed the examination of the witnesses respecting the late election for the county of Sussex; and having taken in writing the testimony of Nathaniel Waller and Cornelius Wiltbank, separately, upon oath,

Adjourned to three o'clock.

Council Proceedings, A.M., 18 January

At a meeting of the Council, by adjournment, at Dover, January 7th, 1788, a sufficient number of the members not having met to form a quorum, they adjourned from day to day until Friday, the 18th of the same month, when there appeared as follows:

For New Castle County—Thomas McDouough, Esq., Speaker, George Read.

For Kent County—James Tilton, John Baning, Jno. Cook.

For Sussex County—Daniel Polk, Alexander Laws.

It appears by the returns of the officers of the County of Sussex, appointed by law to be Judges of Elections, that on the 26th of November last, at the house of Rob. Griffith, at Deep Creek Furnace, usually called Vaughn's Furnace, in Nanticoke Hundred, that Isaac Horsey, of the said county, was chosen to represent the said county as a member of the Legislative Council of the Delaware State for three years next ensuing the said election.

Mr. Speaker laid on the table a petition, signed by a number of the inhabitants of Sussex County, delivered him by a member of the House of Assembly, complaining of an undue election at the time aforesaid, together with a list of witnesses for the petitioners, and praying that inquiry should be made into the truth of the facts stated therein, and that they might be heard by Council.

On motion, ordered that the same be read; which was done accordingly.

Adjourned to 3 o'clock, P.M.

House Proceedings, P.M., 18 January

The House met according to adjournment—and continued the examination of the witnesses respecting the late election for the county of Sussex; and having taken in writing the testimony of William Clayton Mitchell, Thomas Coulter, Col. David Hall, Isaac Atkins, inspector of Indian-River hundred, and Simon Kollock, Esq; separately, upon oath,

Adjourned to ten o'clock to-morrow morning.

Council Proceedings, P.M., 18 January

Council met. Present the same members, except Mr. Tilton.

* * * * *

On motion, by special order, the petition from Sussex County, complaining of an undue election, was read a second time.

Whereupon it is ordered,

That it be notified to such of the petitioners as may be in the Town of Dover, that the Council will be ready, to-morrow, at eleven o'clock in the forenoon, to go into an inquiry of the facts set forth in their petition complaining of an undue election in Sussex County, on the 26th of November last, for a member of this House, and that they may be heard by one gentleman of the law, as their counsel, on this business.

Ordered also,

That Peter Fretwell Wright, High Sheriff of Sussex County, and now in attendance in the Town of Dover under the order of the House of Assembly, be notified to attend the Council at the time aforesaid, for examination respecting the said election, and that the foregoing orders be transcribed by the Clerk, to wit: two copies, one to be served by the Sergeant-at-Arms on such of the petitioners aforesaid as may be in Dover, returning the names of the persons served therewith to this House at the time aforesaid, and the other on the High Sheriff aforesaid.

Adjourned to ten o'clock to-morrow morning.

37-F. General Assembly, Saturday, 19 January

House Proceedings, A.M., 19 January

The House met; present the same members as on yesterday.

The House resumed the examination of the witnesses respecting the late election for the county of Sussex; and having taken in writing the testimony of

Edmond Read, William Edenfield, Thomas Laws and John Read, separately, upon oath; and the examination being completed,

Resolved, That the afternoon of this day be assigned for hearing the counsel for the petitioners, on the subject of the election aforesaid.

Adjourned to three o'clock.

Council Proceedings, A.M., 19 January

Council met. Present the same members.

On motion, ordered that the doors of this House be set open during the inquiry into the validity of the Sussex election.

The Sergeant-at-Arms reported that he had notified, agreeable to the orders of yesterday, Peter F. Wright, the High Sheriff of Sussex County, and such of the petitioners as were in the Town of Dover, viz: William Clayton Mitchell, Simon Kollock, Isaac Atkinson, Nathaniel Waples, William Peery, and David Hall.

Adjourned to 3 o'clock.

House Proceedings, P.M., 19 January

The House met according to adjournment.

On Motion of Mr. Vining, seconded by Mr. Clayton, That the printed Votes and Proceedings of the last sessions, relative to the then controverted election for the county of Sussex, be delivered to the counsel for the petitioners against the late election for that county, for his perusal; the question was put, and

Resolved in the affirmative.

On Motion of Mr. Rodney, seconded by Mr. Revell, That the depositions taken at the last sessions, respecting the then controverted election, for the county of Sussex, be also delivered to the counsel for the petitioners aforesaid, for his perusal; the question was put, and the yeas and nays being required by Mr. Rodney, are as follow:

Yeas. Mr. *Gordon*, Mr. *M'Call*, Mr. *Revell*, Mr. *Rodney*.

Nays. Mr. *Grantham*, Mr. *Latimer*, Mr. *May*, Mr. *Robinson*, Mr. *Raymond*, Mr. *Clayton*, Mr. *Vining*.

So it passed in the negative.

Agreeably to the order of the day, the House resumed the consideration of the testimony respecting the late election for the county of Sussex; and Joseph Miller, Esq; of counsel for the petitioners against the said election, having been heard thereon, the House

Adjourned till Monday next.

Council Proceedings, P.M., 19 January

Council met according to adjournment. Present the same members, and Mr. Tilton.

On motion, ordered that the Sheriff of Sussex County be again notified to attend this House to be examined concerning the Sussex election, who appeared in the House.

On motion, ordered that the petition from Sussex County, complaining of an undue election, be read by the Clerk to him; which was done accordingly.

Council then went into the examination of Peter F. Wright, Sheriff of Sussex County, concerning the late election, and after some time, on motion, he obtained leave to withdraw.

Adjourned to Monday morning, 10 o'clock.

37-G. General Assembly, Monday, 21 January

Council Proceedings, A.M., 21 January

Council met according to adjournment.

The Doorkeeper informed the Speaker that Joseph Miller, Esq., as Counsel for the petitioners complaining of the undue election, then was in waiting and desired to be admitted before the Council.

Whereupon he was admitted, and made his apology for not attending sooner upon the business aforesaid. And he informed the House that such of the petitioners as had been attendant on the like complaint made to the House of Assembly, and also the witnesses produced to and examined by the House of Assembly, were gone to their respective places of residence; that the examinations had before the House of Assembly, as well of the witnesses in the petitioners list as others, were before the House of Assembly on oath and reduced to writing there, and probably did contain sufficient information for the Council to proceed into the inquiry of the facts alleged by the petitioners in their complaint, and that, as their counsel, he prayed that the depositions so taken might be admitted in evidence before this House.

And then the House took into consideration the proposition made by Mr. Miller on the part of the petitioners, Mr. Horsey, the returned member for Sussex County being present, and thereupon recommended it to Mr. Miller to reduce his proposition in writing, and present the same at the meeting of the House in the afternoon, when it was also recommended to the returned member to declare his sense thereof in writing.

Adjourned to 3 o'clock, P.M.

Council Proceedings, P.M., 21 January

Council met according to adjournment.

Mr. Miller, counsel on the part of the petitioners, presented to the Chair the following petition, viz:

To the honorable the Legislative Council of the Delaware State:

The subscriber respectfully represents, that as the witnesses summoned by the honorable Assembly to give evidence on the controverted election for the County of Sussex, agreeably to the prayer of the petition now before the honorable Legislative Council, have returned home, and as the testimony of those witnesses has been taken in writing by the other honorable branch of the Legislature, the subscriber, in order to avoid expense and delay, prays, on behalf of the petitioners, whom he represents as their counsel, that the depositions of the said

witnesses, as taken by the honorable Assembly, may be received by your honorable House as legal evidence concerning the election now in dispute.

Dover, 21st Jan., 1788.

JOSEPH MILLER,
Counsel for the petitioners.

Mr. Isaac Horsey, the returned member for Sussex County, also presented to the Chair the following declaration, viz:

I, Isaac Horsey, a returned member for the county of Sussex to the Legislative Council of the Delaware State, chosen and elected on the 26th of Nov. last, which election is now controverted, do, for the more easy and speedy determination of the legality of the said election, hereby agree that the depositions lately taken before the honorable House of Assembly of this State, touching the legality of the said election, may be read and taken as evidence in this House so far forth as may tend to prove either the legality or illegality of said election.

Witness my hand this 21st day of January, Anno Domini, 1788.

ISAAC HORSEY.

On motion,

Resolved, That this House, agreeable to the above prayer of Mr. Miller, counsel on the part of the petitioners, and the declaration of Isaac Horsey, returned member, will receive the depositions of the said witnesses, as taken by the House of Assembly, in evidence as to the election now in dispute.

It was then represented by Mr. Miller, counsel on the part of the petitioners, that the House of Assembly, not having yet acted upon the testimony contained in the depositions taken before them on the contested election for Sussex County, he could not, as yet, with propriety, apply to that House for a transmission of those depositions to Council, but that he was informed the business of considering and deciding thereon would be speedily taken up by the House of Assembly and that he should immediately after make the application for such transmission.

Adjourned to 10 o'clock to-morrow morning.

37-H. General Assembly, Tuesday, 22 January

House Proceedings, A.M., 22 January

The House met; absent Messrs. Porter, Raymond, Mitchell, Polk, Cannon, and Hayes.

* * * * *

The House resumed the consideration of the controverted election for the county of Sussex: Whereupon one of the petitions complaining of the illegality of the said election, and all the depositions relative thereto, were read; and after some time spent thereon, the same was deferred till the afternoon for further consideration.

Adjourned to three o'clock.

House Proceedings, P.M., 22 January

The House met according to adjournment;

And having resumed the consideration of the controverted election for the county of Sussex,

It was moved by Mr. Vining, seconded by Mr. Robinson, that the petitions complaining of the illegality of the said election be now dismissed; and that the House adopt the following resolution:

Resolved, That Rhoades Shankland, George Mitchell, Charles Polk, Jeremiah Cannon, Nathaniel Hayes, Hap Hazzard, and William Massey, the members returned for the county of Sussex, at an election held for the said county on the 26th of November last, were duly elected, and be the sitting members in this House: On the question to agree to the same, the yeas and nays were required by Mr. Vining, and are as follow:

Yeas. Mr. *Grantham*, Mr. *Latimer*, Mr. *May*, Mr. *Robinson*, Mr. *Clayton*, Mr. *Vining*.

Nays. Mr. *Gordon*, Mr. *M'Call*, Mr. *Revell*, Mr. *Rodney*.

Mr. Evans declined to vote, not having been present at the examination of the witnesses.

So it was resolved in the affirmative.

On Motion, *Resolved*, That the petitions, and depositions of witnesses taken before this House, respecting the late election for the county of Sussex, the lists of voters returned by the sheriff, and the poll-lists of the said election, be sent to the Council for their information.

Adjourned to ten o'clock to-morrow morning.

*37-I. General Assembly, Wednesday, 23 January**House Proceedings, A.M., 23 January*

The House met; absent Messrs. Porter, Mitchell and Polk.

Ordered, That agreeably to the resolution of yesterday, Mr. Evans wait on the Council, and deliver the petitions, the depositions of the witnesses, lists of the voters returned by the sheriff, and poll-lists of the late election for the county of Sussex.

Mr. Evans having returned, reported the delivery of the papers committed to him.

[Draft Resolutions Validating Sussex County Election.]³

“Resolved That it does not appear to this House that any unusual violence was used at the late Election for the County of Sussex, or that any uncommon number of armed Men was at the place of holding the same so as in any manner to impede the freely & conveniently conducting & carrying on the said Election—

“Resolved That it does not appear from the Testimony relative to the said Election that any such antecedent Menaces were used, or violent threats denounced as would reasonably deter the Freemen of Sussex County, from a free Exercise of the right of suffrage, but on the Contrary it appears that upwards of six hundred & fifty People did actually vote at the said Election—

“Resolved That it does not appear to this House that the Constitution of this State, was in any degree infringed, or that the Laws of the same were by any means violated, so as by a reasonable construction, to vitiate the said Election—

“Resolved That it does not appear satisfactorily, to this House, That Fear or Interruption prevented any Person from voting at the said Election, or that any disqualified Persons were suffered to vote at the same, either by the neglect of the Judges of the said Election, or by the procurement of any Member returned to this House from the said County—

“Resolved That the said Election was free peaceable & uninterrupted, & conducted agreeably to the Laws of this State in such cases made & provided

“Resolved therefore that Rhoads Shankland, George Mitchell, Charles Polk, Jeremiah Cannon Nathanl. Hays, Hap Hazard & William Massey Esquires are duly Elected & be the sitting members of this House for the County of Sussex—”

Council Proceedings, A.M., 23 January

Council met. Present the same members.

Mr. Evans, a member of Assembly, attending, was admitted and delivered to the Chair the petitions from Sussex County, signed by four hundred and five petitioners, complaining of an undue election in said county, and the depositions of the witnesses examined and taken, in writing, by the House of Assembly, together with the list of voters and polls, or tallies, concerning the same, for the consideration of this House.

Adjourned to 3 o'clock.

Council Proceedings, P.M., 23 January

Council met according to adjournment.

Mr. Vandyke appeared in the House and took his seat.

On motion, ordered,

That a verbal message be sent to the House of Assembly, representing that the Council are informed that the declaration of Rhoads Shankland, Esq., a returned member of the House of Assembly at the late contested election for Sussex County, was received in that House, of a fact stated in the petition against the said election, to wit: “That the said Rhoads Shankland was seen, on the Sunday preceding the said election, at the head of a party, armed with muskets, going toward the place of election;” and the same declaration not appearing among the written testimony laid before the Council respecting the said election, and requesting that the honorable House of Assembly will have that declaration reduced to writing and transmit the same to this House as soon as conveniently may be.

Adjourned to 10 o'clock to-morrow morning.

37-J. General Assembly, Thursday, 24 January

House Proceedings, A.M., 24 January

The House met; absent Messrs. Porter and Mitchell.

* * * * *

The following verbal message was received from the Council:

GENTLEMEN,

The Council being informed, that the declaration of Rhoades Shankland, Esq; a returned member of the House of Assembly, at the late contested election for Sussex county, was received in your honorable House, of a fact stated in the petitions against the said election, to wit, "That the said Rhoades Shankland was seen on the Sunday preceding the said election at the head of a party, armed with muskets, going towards the place of election;" and the same declaration not appearing among the written testimony laid before the Council respecting the said election, The Council request, that the honorable House of Assembly will have that declaration of Mr. Shankland's reduced to writing, and transmit the same to this House as soon as conveniently may be.

Ordered, That Mr. Vining wait on the Council with the following verbal message:

The House of Assembly beg leave to inform the Legislative Council, That the declaration of Rhoades Shankland, Esq; amounted in substance to the following information to this House: "That the said Rhoades Shankland, as the distance to the place of holding the election was considerable, went part of the way on Sunday evening, on which evening he was overtaken by three men with muskets, with whom he rode some distance, after which they separated."

Adjourned to ten o'clock to-morrow morning.

Council Proceedings, A.M., 24 January

Council met according to adjournment. Absent, Mr. Tilton.

Mr. Vining, a member of the House of Assembly, attending, was admitted and delivered to the Chair the following message, viz:

A MESSAGE FROM THE HOUSE OF ASSEMBLY TO THE LEGISLATIVE COUNCIL.

Gentlemen:

The House of Assembly beg leave to inform the Legislative Council that the declaration of Rhoads Shankland, Esquire, amounted in substance to the following information, viz: "That the said Rhoads Shankland, as the distance from his house to the place of holding the late election was considerable, went part of the way on Sunday evening, on which evening he was overtaken by three men armed with muskets, with whom he rode some distance, after which they separated."

The House now went into the consideration of the petition from Sussex County respecting the contested election, and after some time spent therein, on motion, the same was postponed until three o'clock this afternoon.

Adjourned to 3 o'clock in the afternoon.

Council Proceedings, P.M., 24 January

Council met according to adjournment, and, agreeable to order, resumed the consideration of the petitions from Sussex County, together with the testimony transmitted from the House of Assembly respecting the same.

On motion, “Shall Council postpone the business of the Sussex election until to-morrow morning?” Passed in the negative.

On motion, that the petition from Sussex County, complaining of an undue election there, on the 26th of November last, of a member to represent that county in this House, be dismissed, and that the return made of the election of Isaac Horsey as a member of this House, to represent that county, be confirmed; and thereupon

Resolved unanimously, That the said petition be dismissed, and that the said return be confirmed.

Adjourned to 10 o’clock to-morrow morning.

37-K. General Assembly, Friday, 25 January

Council Proceedings, A.M., 25 January

Council met according to adjournment. Absent, Mr. Banning.

Isaac Horsey, the returned member for Sussex County, now took the oath of allegiance and subscribed the declaration of faith prescribed by the twenty-second article of the Constitution of this State.

37-L. General Assembly, Saturday, 26 January

House Proceedings, A.M., 26 January

The House met; absent Messrs. Porter and Mitchell.

* * * * *

George Mitchell, one of the representatives for the county of Sussex, appeared in the House, took, made and subscribed the oath of allegiance and declaration prescribed by the constitution, and took his seat.

37-M. General Assembly, Saturday, 2 February

House Proceedings, A.M., 2 February

The House met; absent Mr. Porter.

* * * * *

The Auditor of Accounts begs leave to report, That there is due,

* * * * *

313. to Frederick Craig and Company, for printing one hundred proclamations for election members of a State-Convention, and advertising the same in the Wilmington Gazette, £ 2 5 0

* * * * *

ELEAZER M’COMB.

Auditor’s Office, January 29, 1788.

In the HOUSE of ASSEMBLY, February 1, 1788.

READ, considered and agreed to.

JAMES BOOTH, *Clk. Assembly.*

In COUNCIL, Saturday, A.M., February 2, 1788.
The foregoing report was read and concurred in.

JOHN E. CLAYTON, *Clk. of Council*

House Proceedings, P.M., 2 February

The House met according to adjournment.

* * * * *

The House allowed the following accounts for the attendance of the members, and for public services rendered the state, to wit,

* * * * *

[James Booth, Esq; Clerk of Assembly], for an express to the Sheriffs of the several counties, in pursuance of the resolutions of the 10th of November last, including horse-hire and expences, £ 5 0 0

* * * * *

On Motion, *Resolved*, That orders be drawn on the State-Treasurer, and signed by the Speaker, for the payment of the several sums aforesaid. Whereupon orders were drawn, and signed accordingly.

37-N. Witnesses Called by House of Assembly to Testify on Sussex County Election of 26 November 1787⁴

- 1 Burton Waples Esqr (Head of Indian River Warwick
- 2 Joseph Derrickson (Below Daggsbury
- 3 Henry Neill—(Lewis Town
- 4 David Hall Esqr.—Do.
- 5 Simon Kollock Esqr. Head of Indian River
- 6 John Collins (Broadkilm Forrest
- 7 John Clows Esqr.
- 8 Thomas Laws (Below Bridge Branch
- 9 Nathaniel Walter (on Gavelly Branch
- 10 Jehu Evins (near the Old Furnace
- 11 Nehemiah Read (near Clowes's
- 12 The Honble. John Jones Esqr. (near Daggsbury
- 13 William Hurt at John Clowes[']s
- 14 Joshua Morgan (BroadKilm Drawbridge
- 15 Jacob Coverdale (near Charles Polks
- 16 Cornelius Wiltbank (at Lewis Town
- 17 James Buckhannan (on Nanticoke
- 18 Isaac Atkins (Head of Indian River near Kollocks
- 19 John Powders (near Daggsbury
- 20 William Edenfield Lewis Town
- 21 Henry Edgar Broad Creek
- 22 Henry Edgar Junr. Do.

- 23 William Clayton Mitchell near Daggsbury
 24 Isreal Holland Below Daggsbury
 25 Thomas Coulter (at Lewis Town
 26 William Vaughan (Broad Creek
 27 James Bratton Do.
 28 Anthony Bratton Do.
 29 Bartholemew Kennaday Below Broad Creek
 30 Thomas Battson Esqr. Head of the Sound

*Witnesses in Support of Sussex County Petitions*⁵

Names of Witnesses to prove the Facts stated in the Petition from Sussex—

Stephen Caston—Proves Generally

John Orr—Proves that Shankd said there was Cannon &c.

Capt John Collins—Proves generally

James Wilson. (Apprentice to John Woolf)

William Edenfield

Peter Waples

Robert White—One of the men made Prisoners

James Fisher (Son of Wm.)

Spencer Lacy

Bartholomew Adams Junr.

Isaac Tunnel—Supposed to have heard the plans between Jones & Mitchell.

Mitchel Kenshaw—Generally

*37-O. Reports of the Testimony of Witnesses Concerning the Sussex Election*⁶

Richd. Green—says William Still told him that John Woolfs apprentice James Wilson by Name was ordred by his master to tel Every Body he Seed, that their was 4 Brass pieses at the place of Election—& 2 Barrels of powder & that they had been incamped Two Days at that place—this the sd. Wilson told the peopel at a Corn Gathering at Thos. Hall in Rehoboth—Wm Still, Thos Ricards, Wm. Peery William Kill Breath—& Isaacc Hall—& others were present satterday 24th Nov Mr Richd Green also informs that Wm Edenfield told him this first Decr. that he was at the Election 26th Nov. Last. Edenfield Says he will make ooth that on the day of the Eletion they fired a Number of Muskitts at the Mouth of the Lane 2 or 300 Yards from old furnis—where the Election was held

Edenfield told others that Wm Harris Son of Zachriah assaulted & Evel in-treated him without Just Cause or provocation—& Swore he Should not Sell his Cake—for they Belong to an Irishman

William Newman will be a material Witness—Mitchell Kershaw & Stephen Costan (presgrove Steel was at the old field when & where Atkinson saw the people with arms) Burton Waples Esqr tels me that Thos. Waples (Black Smith) was at the old field where they ware incampt and Saw a Keg (which he thinks will hold Ten Gallons) of powder he saw the people taking of it & they told him there was Two more Kegs of powder in the field—Leatherbery Barker one of their party told Nate Hall that they had 3 Barrels of powder—& 400 stand of arms—

Elias West was at the place of Election and before Day 26th—& about 30 men Came & ware armed & guarded them—shortly after Left that place & went he Expects to the old field Wm. Newman was with West. Drove his waggen—as a Suttler—

*37-P. Reports of the Testimony of Witnesses Concerning the Sussex Election*⁷

Memrandom—Isaac Atkinson says as he went unto the old furnice on 26th novr. Last past unto the Election, he come into an old field Neare wheare the Election was to be held. about 30 minnets after Sun Rise where he saw Geo. Mitchell Standing and about 30 other men—the horse which Geo. Mitchell roade had pistels Holsters on—soon after this Woodman Stockley & Leatherbery Barker Road up at the head of 102 men—about one half of which was armed with musketts—They halted & Begun to feed their horses with Sheef oats. (this Informant saw Nathl Mitchell ride from out of this old field when he road up) Geo mitchell—spoak to this informant & asked him if this was his road to the place of Election—he also said to him heare see what people will do for their Libertys. this informant then Left the field & went to the place of Election—

James Buchanan informed me—that Jeremiah Cannon head'd a party of Armed men to the Furnice on the day of Election—they had a Drum & Colors &c also

S. Kollock

Joshua Sharp informed Peter Hall—the man under Mitchel had three barrls. of powder in the Field and many of them was imploy'd chief of the day in Running Bullits—

1. DS, Legislative Papers, 1788, January–February, Summons. The writ was signed by Jehu Davis, the speaker of the House, and was attested by James Booth, the clerk of the House. Below the speaker's signature is this statement: "NB. The Shff must also return the Speaker's Writ for holding the late Election.—" In an endorsement, Joseph Harper, the sergeant at arms, stated that he had deputed David Harper "to do the within Service."

2. DS, Legislative Papers, 1788, January–February, Summons. The writ was signed by Jehu Davis, the speaker of the House, and was attested by James Booth, the clerk of the House. In an endorsement, Joseph Harper, the sergeant at arms, stated that he had deputed David Harper "to do the within service."

3. MS, Legislative Papers, 1787, October–November, Petitions. The document was dated "Jany 23d. 1788" and endorsed "Resolutions respecting the Election for the County of Sussex, on Nov. 26. 1788 [*sic*].—"

4. MS, Legislative Papers, 1788, January–February, Elections. It is endorsed: "List of Witnesses respecting the controverted Election of the County of Sussex in Nov. 1788 [*sic*]."

5. MS, Legislative Papers, 1788, January–February, Petitions.

6. MS, Legislative Papers, 1787, October–November, Petitions.

7. *Ibid.*

**38. Newspaper Report of House of Assembly Proceedings on
10–12 January 1788¹**

WILMINGTON. Jan. 16.

Monday the 7th inst. being the day appointed for the meeting of the General Assembly of this state, several members met at Dover, but a house was not formed till Thursday, when they proceeded to business. The rest of the week was taken up in debating the new election for the county of Sussex, against which a petition

has been presented to the house; but that business was not settled when the post left Dover.

1. This item was transcribed from the *Pennsylvania Packet*, 22 January, which probably reprinted it from the no longer extant *Delaware Gazette* of 16 January.

39. Circulation of “A Freeman” (Tench Coxe) in Delaware, 4, 25 February 1788

*Jacob Broom to Tench Coxe, Wilmington, 4 February (excerpt)*¹

I have given No. 1. of the *Freeman*² to our Printer who will reprint it this week— it is well written & I would be glad to have all the Numbers published in the Delaware Paper—

*Jacob Broom to Tench Coxe, Wilmington, 25 February*³

your favor of the 18th current came to hand enclosing the Papers; & agreeably to your request I presented the Boston paper to Mr. Dickinson with yr. compliments. &c—

It gives me great pleasure to find that the Constitution is making it's way so successfully—An event of vast importance to the United States—the present Generation & their Posterity.—

I have not seen the *Pennsylvanian* alluded to in your Letter—the *Freeman* has been republished here.—

I recd. a letter from Mr. Gibbs a few days ago informing me that he intended for Wilmington e're now; in expectation of his coming I deferred sending my vouchers until it shou'd be by himself—I look for him daily.—

1. RC, Coxe Papers, Tench Coxe Section, Historical Society of Pennsylvania.
2. “A Freeman” I was first published in the *Pennsylvania Gazette* on 23 January 1788.
3. RC, Coxe Papers, Tench Coxe Section, Historical Society of Pennsylvania.

40. Pennsylvania Packet, 11 February 1788¹

WILMINGTON, February 6.

At a meeting of Justices, at Clowes's tavern, in the county of Sussex, on the 2d inst. after business was over, a riot arose between the parties called Whigs and Tories, which continued for some time with great violence, with fists and cudgels. We are sorry to hear that such occurrences are exceedingly frequent in that county.

1. The *Packet* probably reprinted this item from the no longer extant *Delaware Gazette* of 6 February. This item was reprinted thirteen additional times from Massachusetts to Georgia by 27 March.

41. Pennsylvania Gazette, 27 February 1788¹

Extract of a letter from a gentleman in Wilmington, to his friend in this city, dated February 19, 1788.

“Be pleased to accept many thanks for thy very obliging letter of the 17th, and my hearty congratulations on the Ratification of the Foederal Constitution by the state of Massachusetts. It is indeed an event that promises most happy conse-

quences—that America will now enjoy peace, liberty and safety—be united at home, and respectable abroad. My hopes are enlivened. I look upon my children with an encreased satisfaction, because their lot in life seems to me to be rendered more favourable by the prospect of public felicity.

“May the gracious Providence, that has preserved us through so many dangers, difficulties and distresses, lead us into an establishment and conduct of beneficial influence to our fellow creatures in the other parts of the world.”

1. This item was reprinted ten times from New Hampshire to Virginia by 26 March.

42. From Thomas Rodney, Poplar Grove, 15 April 1788¹

Our government having apparently lost all respect for its Officers and Magistrates, by Subjecting them to the rude insults of every petty passion, Seems attentive only to the exercise of those powers which tend most to Oppress and distress the people, merely to Satisfy the mutual rage of Faction, or personal peak and resentment. When this is the case it does not require any Extraordinary degree of Presient Skill to decern that anarky and confusion must Shortly follow.

The Foederel Constitution is proposed as a cure for these evils, and such others as prevail at present; but I fear this will not answer the purpose. the resistance already made to it, forebodes a greater one yet to come, or if adopted that it will not be so generally Supported as to give it the best operation that its own principles would incline to: Yet it is favoured by verry powerful Influence. The people at large feel Some alteration in their government necessary; The wealthiest Citizens are for it because they know that the government must naturally come into their hands; The Officers of the Army are for it, because, by the Swords being once more put in their hands, they may Obtain their wishes: for while they ware the golden medal of the Cincinnati, they will not be easy Untill Some Order of military Knighthood is established. Perhaps when one of these Interests Obtains the government and the other the Sword they will agree, That the one Shall be Peers of the realm; and the other Knights of the Golden Eagle. This at first perhaps would not be relished by the people at large, but I do not know that it would prejudice the common welfare. The republicks of Greece and Rome Had both their Knights and Nobles, and these Seem to have been Necessary to that freedom and Splendor, of those celebra[ted] Republicks, which Still enlightens the world. Military Knighthood is an exciting reward to Young Soldiers; and pays them better than Mon[ey] and after a Man has Served his country through the prime of life He considers it as a full reward for all his Services to be raised to the highest Seat of Honour. Therefore a country that is without Honors, lacks those rewards which are a far Stronger Excitment to public Services than Money. The Article in the Constitution against conferring any degree of Nobility, is an evidence that there is a Strong disposition in favour of it, otherwise Such an Article would have been unnecessar[y] but this will be too weak to Stand in the way when there comes an Opertunity of introducing it. for it is in vain to limmit the Sovereign Power; it cannot be controled but when the people rise up in a body to resist it, and this never will happen but when some great and general calamity prevails from the misusage of it. Indeed the rights

and liberty of the people is far safer In the hands of a legislature wherein their different interests are Separately and distinctly established than in the hands of a convention Elected by themselves, for nothing is more likely than that a majority of Such a Convention would be Composed of one class of Citizens Only, in which case they would favour their Own interests to the disadvantage of the rest of the community.

1. FC, HF. Brown Collection of Rodney Papers, Historical Society of Delaware.

43. Davidson David to Mathew Carey, Lewes, 26 April 1788¹

Permit me at this time to return you my Sincere Thanks for the Favours I have received from You thro' the Winter, & believe me in earnest, when I declare, that it gives me great Uneasiness to be unable to transmit to you more substantial Acknowledgements. Fortune still [– – –] from my Pursuits, persecutes me with unrelenting Severity: The Clashing of Parties, my Antipathy to becoming an active Partizan of either Faction, Want of Friends & the Poverty of the County are Considerations which forbid me to reside any longer in Sussex, wherefore I have determined to leave the Place in a few Weeks & remove to Cecil County in Maryland. The Head of Elk the Seat of Justice for that County is excelled by Lewes in no Circumstance that I know of, but its Vicinity to the Ocean. There some, at least, of the abovementioned Inconveniences will not Operate, which will render it to me a much more eligible Situation than Lewes. At that place I shall be happy to hear from you if you will do me the Honour to write to me when Business will permit.

I expected to have seen you at Lewes this Spring, but from my short stay, which will be but two Weeks longer I now despair of that Pleasure.

1. RC, Lea and Febiger Collection, Historical Society of Pennsylvania.

44. Brutus: An Enquiry into the Present Grievances of America Philadelphia Freeman's Journal, 28 May 1788¹

Extract from "An Enquiry into the present grievances of America," signed BRUTUS, and published in the *Delaware Gazette*.

"It has given me pain to see many writers in defence of the new constitution, building all their schemes of future grandeur and importance on commerce—visions baseless as the air—hopes vain and deceitful as the element on which they are built. Men who wish to assist in raising the grand fabric of national independence, would do well to build their structure upon a more solid foundation than the waves, which the experience of five years convinces us cannot support the edifice. But those gentlemen disdain to reason from experience, as it would check the rapid succession of speculative ideas which crowd their performances; *experientia docei* is an adage too vulgar and hackneyed for a race of novalists, determined no longer to tread the beaten path of sense and reason.

"Commerce is the glory of England we all allow, but had Britain been equal in extent of territory to the United States, they had not been a naval power to this day; because they could have employed their subject better, and to more

advantage, on shore. If Europe had not been overstocked with inhabitants, Columbus had not explored a new world. Here then, to reason fairly, we may say that Britain has greater reason to deplore her situation than to boast her advantages. They may with propriety boast of commerce who cannot exist without it.

“If we ever mean to be truly independent, as individuals and as a nation, like the silkworm we must spin the web from our own bowels; and, leaving the manufactures, the fashions and vices of Europe to themselves, pursue our true interest. To illustrate this, look round among yourselves and see who are in general the most independent men in this state. The Quaker—the man who is not engaged in idle speculations—who owns no slaves—who brings up his children to trades and industry, to become serviceable members to the community—who clothes his family in homespun. This man is a more honorable member in the community, and a better subject to the government, than the speculating merchant who, after having drained the country of cash, becomes a bankrupt himself; or the Carolinian nabob, who, though tyrannizing over a thousand negroes, is continually in debt, and possessing neither honor nor honesty pays his creditor with a pine barren act.

“Commerce has been, and must continue to be to America, what the Mississippi and South Sea schemes were to France and England—bubbles which ruined thousands. But manual industry, agriculture and manufactures are the life and soul of governments, the true and only source from which happiness, riches and power can possibly be derived.

“Our children must be all doctors or lawyers, because it is mean to be an artificer or mechanic. However suitable such notions may be to the meridian of France or England, where there is more difference between man and man than between man and beast, yet surely in republican governments founded upon the broad basis of equality they are highly contemptible and ridiculous. This stupid prejudice is not the growth of America, but a poisonous weed imported from Britain with crape cushions and hoop petticoats. We are not content with aping their ridiculous fashions, but must implicitly adopt their contemptible prejudices. The plough has been always held honorable, it composes part of the arms of the state—and why not the plough maker? why should the man who drives the plough be esteemed in preference to him that made it? Away with such idle and foolish distinctions, the bane and poison of the state. So long as we wear clothes we ought to esteem and encourage our manufacturers and mechanics, not despise and undervalue them; they being in fact a principal pillar in the state, and of as much consequence as the farmers themselves. Science, agriculture and manufactures, like three beams, though standing upon different foundations, unite at the top and mutually support each other. The man of science instructs, the farmer feeds, and the mechanic clothes and furnishes us with utensils.

“Sciences are encouraged, agriculture is encouraged, but manufactures are entirely neglected;—hence all our difficulties. If this leg be taken away the other two must fall. Let me then, my fellow citizens, endeavour to persuade you to encourage your manufactures, and remember it is the only alternative which can save you from a general bankruptcy. To effect this, foreign manufactures must be immediately prohibited, for it is a farce to pretend to encourage our own,

while foreign are admitted.—No doubt the usual objection will be bandied about, that the preference ought to be given to the cheapest goods—but this objection is founded neither in sense nor reason, because, if 3s. per yard is paid for linen the manufacture of the state, the cost of the linen remains in the state, besides maintaining the different persons employed in the manufacture; but if 1s. 6d. per yard be given for foreign linen of the same quality, it is evident that the manufacture of this linen has employed no person in the state, and the whole cost goes directly from us. From hence it may be easily proved that it is cheaper to buy home made linen at 9s. than foreign linen of the same quality at 6d. per yard. But the generality of men are averse to abstract thinking—they will not look beyond the surface of things; and the few who do investigate the matter, will not act up to the dictates of their own reason, but cry out—I as an individual can contribute but little to the encouragement of manufactures, besides I do not chuse to appear singular, but wear what others wear.

“What then remains to be done, but to elect such men in your legislatures, who you are convinced will prohibit European manufactures and encourage our own, we will then have the most skillful artificers Europe can afford, they will migrate here as soon as they are encouraged, but if we do not encourage them how can we expect them? The few that are here now, are obliged to go to hard labour for subsistence; if they do not they must steal or starve.”

1. The *Journal* reprinted this item from the *Delaware Gazette*, date unknown. The item was reprinted eleven additional times from Massachusetts to South Carolina by 27 October 1788.

45. Pennsylvania Packet, 13 June 1788¹

WILMINGTON, May 14.

The present is a period of momentous concern.—To be a united nation of importance, or petty anarchies, is now the question. The inefficacy of our present government is fully proved by the encroachments of our commerce, the decline of national honour, and the confusion pervading every state. Thus matured in knowledge by painful experience, we are called upon to adopt a system, produced and organized by the deliberations of men, whose virtues and abilities will be an immortal honor to America. Should any state reject this salutary system, unbiassed posterity will consign its name to eternal infamy.

1. The *Packet* probably reprinted this item from the no longer extant *Delaware Gazette* of 14 May.

46. Thomas Rodney to Caesar A. Rodney, Poplar Grove, 14 June 1788¹

Your Letters of the 20th, 22d. & 23d. of May were the last that came to hand, one of them inclosing your Taylors bill £11¹¹s⁷, which [I] Intend to send the Money to discharge by the first Safe opportunity—I recd: your letters while the Assembly was Sitting & therefore have been too much Engaged to Answer them before—I Should not have been so Tardy in remitting Some Money to Mrs. [Maygaw²] but Corn has been So low, that I could not lend Mine without Selling to a great loss—Your Sister is at home and at work She and Sally on your Shirts, which will be ready Shortly to Send you—The House of Assembly Adjourned the

day before yesterday; and Yesterday I went to the Plantations to See how things went on there; The Season hitherto has been very fertile and promises a very find Crop of Wheat Oats and flax if no Accident Should prevent it—I have been very little unwell Since I returned from up the Country, and hope it will continue So with Me through harvest which will Occasion me two or three Weeks fatiague—Your Sister has had two or three fits of the Ague but has got very well again—I wrote you to Send her a Cookery book but am a fraid you have not recd: the letter, it went by Danl. Mifflin; She is going to turn her mind a little to domestic Affairs this Season, to preserving fruits &c. &c. and to git a little Accustomd to home—

The Legislature Was Sitting fifteen days and passed, fourteen Laws, beside doing much other business, So that you may Se[e] we were not Idle—Yet I do not Esteem industry in Making Laws very Meritorious—fluctuating Laws is a great evil, therefore the Laws Should alter Only as the circumstances of a people gradually require it, So that a Multitude of new laws are always injurious Even tho in reason & theory they Should appear best—It is easy to make Laws and political constitutions but it is not easy to reconcile the knowledge, manners, and habits of a people, grounded on long Custom and usage to new Laws or Constitutions. If legislators were Wise enough to observe them, and had virtue enough to use their Wisdom right the Circumstances of a Nation would always point out What new laws were Necessary—but to the great Injury of America, Most of her laws, are the product of Self Interest, party prejudice, Envy or Ambition. I have Indeavour'd in Our legislature these two years, to regulate in Some degree the Extreme exertions of those thwarting passions, and as far as possible to Turn the Mind of the Legislature to ward the common welfare of the people. and tho these endeavours have not been intirely Sucessful, they have been very useful in obtaining Some Necessary laws and regulations; in discarding Some injurious propositions, and Softening the Assperity of Others.

You have forgot to Send me Mr. Adams's Second Volume on Government; his first contains a great deal of useful information and tho' there is little in it but What I was before Acquainted with Yet it is convenient to have a fund of Such Material knowledge collected into one Volume, and I doubt not but his Second is equally useful—perhaps as his first Chiefly respects republican forms—his Second may Treat more of Regular Monarchies—by a regular Monarch I mean a Government Where the Prince (as In France, Prusia, Rusia, Turkey & Persia) is the fountain of power, from whom it decends to all his Officers and Subjects—If men were as wise and as good as Angels perhaps this would be the Most excellent kind of Government because it is Most like that which the Diety has Established for the Direction of the Universe: It is the Most natural Government and however unpopular among Men, every Government inclines towards it, but as the nature and capacity of Mankind is not Suited to any Simple form, One that is Mixt, and equally ballanc'd by the different [- - -] Classes that unavoidably rises up in Society, Sutes them best—The Prince or Chief Magistrate with the Officers under him Composes one Class in Society whose Interests are Similar; The fixt or Landed property forms another (of Such is commonly composed the Judicial department) The Common people compose a third class—and all

others by their Occupations or Talants are thrown into [a fourth?] of these Classes; therefore to form a permanent Gover[nment] which Neither class may have it in their power to injure the Interests of another, each of them ought to have an independant negative in the legislature. Otherwise the common people for fear of oppression will ever be Aiming at pulling down the rich to a level with themselves and the rich will ever be oppressing the poor for fear they Should git this in their power; Between the two the laws would always be fluctuating, and the Executive department be ruined by being turned first against one & then the other as either chanced to git the uper hand. This has been too Much the case in America, And I fear the new Constitution is Not Sufficiently Adjusted to the above principles or to[o] well adapted to the Manners habits customs & usages of the people as to produce an Adequate remedy. God bless you adieu N.B. let Nothing Induce you to Neglect your School.

1. RC, The Papers of the Rodney Family, General Correspondence, Library of Congress.

47. Timoleon (James Tilton), *Biographical History of Dionysius, 1788*¹

◆ *To view this document, see Evans 21498, or visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. Timoleon [James Tilton], *The Biographical History of Dionysius, Tyrant of Delaware, Addressed to the People of the United States of America* (Philadelphia, 1788).

48. Jacob Broom to Mathew Carey, Wilmington, 16 October 1788¹

Sir, it is now a Month (at least) since I recd. yours, requesting me to furnish you with a piece under the signature of Brutus; & should have answered it sooner; but a fortnights absence from home, immediately after the rect. of it, & a severe indisposition since my return, has prevented until now—I presume that your intention is to give this piece a place in your Museum; but I am of opinion that you will, upon examining its merits, be of the same mind with me, that it is not worthy of a place in your useful publication—It is very prolix, & it appears to me that the Author is not sufficiently acquainted with the subject upon which he writes to afford useful information—He begins well upon the subject of Manufactures; but reprobates Commerce (the pride & glory of a Nation) to a very great degree.—I have procured the most of his pieces; which I would now forward to you, but as I expect to be at Philada. in the course of a fortnight or 3 weeks, I will try to procure the remr. & bring them up with me for your perusal & publication if you shall deem proper.

1. RC, Lea and Febiger Collection, Historical Society of Pennsylvania.

49. Thomas Rodney to Caesar A. Rodney Poplar Grove, 10 January 1789 (excerpt)¹

Read & Bassett are the Senators to Congress and Mr. Vining Seems likely to be the Deligate but I have not heard from Sussex or New Castle—I find Myself Most Agreeable in retirement—Those that ventired Nothing in the Revolution

May Try their hands now. I verry Much fear this New Scheme will Not be Suitable to the Tempers, habits and various Interests of America, and yet I wish it May, for of all National Misfortunes a fluctuating Government is productive of the Most Evils. It leaves the Human Mind at liberty to persue So Many wild Schemes of Interprize & Ambition, that every Noble Virtue and passion of the human heart is degraded and Made Subservient to them. And all friendship, Security peace and happyness vanishes of course.

You can inform Major Moore that the Whig party (Strictly Speaking) have not a Major Voice in Any department of the Delaware Government except in the Supreme Court: So low has the Wisdom of Timoleon reduced them in less than three years. To Understand What is Meant by the Whig Party you Must be informed that there is three parties throughout America. A Violent Whig Party; A Violent Tory party, & a Revolution party. General Washington May be placed at the head of this last party And it includes all those Patriotic friends to the Revolution Whose love for the Welfare of their Country Supersedes all Violent passions and prejudices, this party is now rising up every day but has not arrived to any Systematical form yet, and has only served hitherto to Moderate the Violent Contests of the other two. In This State They Combined with the Wigs party 'Till the Contracted Violence and Self Interested views of the Timoleons drove them to the other Side. Which has Occasioned that great change in the Civil Government of this State in a bout Two years, So that those who wholly had it then, are now Wholly thrown out. And Shoud the Tory party Conduct their Measures with the Same degree of Imprudence (which is not unlikely since they possess the same violent passions and prejudices) they will experience the Same consequences, for in a free State where the people Chuse their Rulers, they will change them If their Rulers Make them unhappy by governing bad.—The Objects of a True Patriot are To Protect and defend his Country against all foreign Attacks; To protect the Citizens in their just rights and liberties, and guard them against the Tyrany & Injustice of Government; To Comfort the unfortunate, and persue Such Measures as will make the people happy and render the State great & prosperous.

1. RC, The Papers of the Rodney Family, General Correspondence, Library of Congress.

**50. Thomas Rodney to Alexander Hamilton
Poplar Grove, 10 February 1791¹**

It is very True that I was not an advocate for the Fœderal Government being adopted so soon altho I was very sensible of great defects in the Old confederation, Yet I was apprehensive it would be dangerous to Our Independance to attempt Changing that principle of Government which had conducted us Safe through the Revolution, because I was persuaded that the local attachment of The people to their State governments would prevent their consenting to a Regular & Uniform General government and that if a partial form was Established the peoples local attachment to their State government would operate Strongly against it so as to render its Operations weak & in Effectual. I find in both

Instances my apprehensions well founded. The States have deligated great powers to Congress but have reserved Enough to them selves to keep up their Old local attachments and indeed to increase them. And we already see that the State legislatures of Virginia and Pensylvania are attempting to control Congress in the Exercise of their Constitutional powers, and as the locale Attachments of the people will natur[ally] incline them to Side with their State governments, [such] conduct however unconstitutional will have a Tendency to weaken the general Government; for no resolut[ion] of the States unless agreed to by all the States ought to have any Controale on the General Government. The Føederal powers being Established by all the States, cannot be constitutionally controled by any number of them less than all. Therefore Such conduct in the Seperate States Should have no Other weight with the general Legislature than as Counsels Advising them to Consider the Subject, they Object to, with the greatest wisdom and impartiality always giving, in their results, the general welfare of all the States the preference.

Since all the S[t]ates have adopted the Føederal Constitution and it is now the Only existing principle of Union, The same reasons that induced me to be against it now induce me as Strongly to support and maintain it. Being a firm Unalterable friend to the Revolution; and believing that the Union of the States is the Only thing that can secure their Independance for a long time; I consider every measure that Indangers this Union as Adverse to the Welfare of America. Therefore I was against the Føederal Constitution on Account of the danger of its having this Effect, but Since it has become the only principle of Union it is plain that the same reason induces me to be a firm friend to it. And Certainly every friend to the Liberty and Independance of America ought to consider the Subject in this point of view. The Opinion and information of the Several States would Certainly be of great use to the general government if Communicated in a proper manner as advise or Counsel but may have a very different Effect if Couched in Terms of Censure. The legislature of Pensylvania for Instance Might have advised Congress in the most friendly manner that they considered the Excise Law as prejudicial to the Liberties of the peoples & desiring them if possible to prefer Some other Subject of revenue that would answer their purpose less adverse to the private liberty and rights of Individuals and without pointing out what other Subject the legislature of that State prefered to the Excise. Such Counsel as this would Not be adverse to, but useful to the general government. There is no Law more adverse to the rights & liberty of a free people than excise Laws for however gentle they be in their Commencement it will be found that they Cannot be Executed without a great number of petty officers, and those Officers vested with powers greatly adverse to the Liberty and private rights of Individuals. I therefore as an Individual would prefer a Land Tax or poll Tax far before an Excise. Yet perhaps the great Councils of the nation may be induced by Sufficient considerations to think other wise. In England where the rights of Individuals are more respected and better secured by the Laws than ever they were in any other nation, they have long had excise Laws and altho the petty officers of excise are vested with frightful powers yet if we may Judge by the quiet

Acquiescence of the people the Exercise of them are not So adverse to the people as the appearance of them Seem to indicate. Altho there is greater Objection to excise Laws than to Imposts & duties on commerce yet there is the same reason in Support of them. It is difficult to draw Sufficient revenues from the pepole for the support of the government of a great nation by direct Taxation therefore it is found necessary to apply to Subjects that afford it by indirect Taxation, and upon this principle perhaps the Excise may be as necessary as the Impost. Yet in my Own Opinion direct Taxation is absolutely necessary in every government for this calls forth that information from Society which is necessary to direct the Government; And I am fully convinced that the annual Support of the Civil Government of every free State ought to be by direct Taxation; I mean the Annual support of all the Civil Officers of Government. This is without doubt an Essential principle in a free Government; How much further it might be prudent to pursue direct Taxation must always depend on the wisdom of the Legislature, and the information and Sentiments of the Community Which would naturally flow on that Subject; beside if direct Taxation was felt and carried as far as the people would Chuse to bare it according to the Exigences of the Nation; they would the more willingly submit afterwards to indirect Taxation, where more revenue was Necessary, and this in all probability is the True reason that indirect Taxation is so quietly Acquiesced to in England. It therefore appears advisable to Charge the Whole Support of Civil government on direct Taxation and if the people did not Chuse to bare more in this way, then they would naturally become Advocates for Indirect Taxation. I am therefore perswaded that to propose a Direct Land Tax and Poll Tax for the Support of Civil government would Set the People right with respect to Taxation, for this would draw forth the True Sentiments of the people towards what kind of Taxation they would prefer, and for this reason every kind of Taxation ought to be pursued at the same Time because the Sentiments of the people would then plainly direct the Minister to those kind where they would Chuse he should Seek the most revenue. A free people will always g[r]umble at every Species of Taxation but nevertheless will always bare What appears Necessary to answer the purposes of government if wisely conducted.

1. RC, Rodney Collection, Historical Society of Delaware.

Appendix

Items Printed and Reprinted in Delaware Contained in
Commentaries on the Constitution: Public and Private, 1787–1788

Delaware Newspapers, 1787–88

Delaware Courant, Wilmington
Delaware Gazette, Wilmington

CC:No.	Item/Delaware Reprints
CC:7	Providence <i>United States Chronicle</i> , 29 March 1787 <i>Delaware Courant</i> , 5 May
CC:26	Baltimore <i>Maryland Gazette</i> , 22 May 1787 <i>Delaware Courant</i> , 2 June
CC:27	<i>New York Journal</i> , 24 May 1787 <i>Delaware Courant</i> , 2 June
CC:30-F	Reports of Constitutional Convention Proceedings <i>Pennsylvania Gazette</i> , 18 July 1787 <i>Delaware Courant</i> , 21 July
CC:30-I	<i>Pennsylvania Herald</i> , 28 July 1787 <i>Delaware Courant</i> , 4 August
CC:30-J	<i>Pennsylvania Herald</i> , 8 August 1787 <i>Delaware Courant</i> , 11 August
CC:30-K	<i>Pennsylvania Herald</i> , 15 August 1787 <i>Delaware Courant</i> , 18 August
CC:30-L	<i>Pennsylvania Gazette</i> , 5 September 1787 <i>Delaware Courant</i> , 8 September
CC:51-B	<i>New Haven Gazette</i> , 2 August 1787 <i>Delaware Courant</i> , 18 August
CC:66	Philadelphia <i>Independent Gazetteer</i> , 22 August 1787 <i>Delaware Courant</i> , 8 September
CC:72	<i>Pennsylvania Gazette</i> , 5 September 1787 <i>Delaware Courant</i> , 8 September
CC:96-A	<i>Delaware Gazette</i> , 26 September 1787 No Delaware reprints
CC:100-A	An American Citizen I: On the Federal Government Philadelphia <i>Independent Gazetteer</i> , 26 September 1787 <i>Delaware Gazette</i> , 10 October

CC:No.	Item/Delaware Reprints
CC:109	An American Citizen II: On the Federal Government Philadelphia <i>Independent Gazetteer</i> , 28 September 1787 <i>Delaware Gazette</i> , 17 October
CC:125-A	The Address of the Seceding Pennsylvania Assemblymen Broadside, 2 October 1787 <i>Delaware Gazette</i> , 17 October
CC:133	Centinel I Philadelphia <i>Independent Gazetteer</i> , 5 October 1787 <i>Delaware Gazette</i> , 31 October
CC:156-A	Meeting of Philadelphia Association of Baptist Churches <i>New York Packet</i> , 12 October 1787 <i>Delaware Gazette</i> , 31 October
CC:505	A Freeman III <i>Pennsylvania Gazette</i> , 6 February 1788 <i>Delaware Gazette</i> , 20 February (not extant)
CC:Volume 5 Appendix I	<i>Delaware Gazette</i> , 7 May 1788 No Delaware reprints

Index

- ADAMS, JOHN (Braintree, Mass.): *Defence of the Constitutions*, 78
- AGRICULTURE: mutually dependent on science and manufactures, 76
- ALDEN, ROGER (New York City/Lebanon, Conn.)
—letter from, 55
- AMENDMENTS TO CONSTITUTION: Va. will recommend, 7. *See also* Constitution, U.S.
- ANTIFEDERALISTS: accused of instigating civil unrest, 5; acquiescence of, 80–81; fail to stop Pa. ratification of Constitution, 55; fear Constitution will favor wealthy and military, 74–75; fear Constitution will polarize upper and lower classes, 78–79; from Pa. send pamphlets to Del. officials, 56; poem containing sentiment of, 41–44
- ARISTOCRACY: Constitution favors, 74. *See also* Government, debate over nature of; Monarchy; Rich vs. poor
- ARMY: soldiers will benefit from Constitution, 74. *See also* Cincinnati, Society of the; Military
- ARTICLES OF CONFEDERATION: inefficiency of, 77; is dead, 5; judiciary defective in, 44
- ASBURY, FRANCIS (Del.)
—journal of, 15
- ASSOCIATORS: and Sussex Co. election turmoil, 20, 33. *See also* Political parties; Whigs
- ATKINS, ISRAEL (Sussex Co., Del.): elected to Assembly, 11, 13, 47, 59; as witness of Sussex Co. elections, 59, 62, 63, 70
- ATKINSON, ISAAC (Sussex Co., Del.):
elected to Assembly, 47, 63
- BANING, JOHN (Kent Co., Del.): in Council, 24, 25, 29, 61
- BARKER, JOSEPH (Kent Co., Del.): pay for, 52
- BASSETT, RICHARD (Kent Co., Del.):
elected Convention delegate, 48; pay for, 52; elected U.S. Senator, 79
- BATSON, THOMAS (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 71
- BEAUCHAMP, ISAAC (Sussex Co., Del.):
elected to Assembly, 47
- BEDFORD, GUNNING, JR. (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- BEDFORD, GUNNING, SR. (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- BLACK, JAMES (New Castle Co., Del.):
elected Convention delegate, 48; pay for, 52
—letter from, 44–45
- BOOTH, JAMES (New Castle Co., Del.): as Assembly clerk, 31n, 37, 69, 70, 72n
- BRATTON, ANTHONY (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 71
- BRATTON, JAMES (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 71
- BROADSIDES, PAMPHLETS, AND BOOKS:
John Adams, *Defence of the Constitutions*, 78; Timoleon (James Tilton), *Biographical History of Dionysius*, 78. *See also* Newspapers; Political and legal writers and writings
- BROOM, JACOB (New Castle Co., Del.)
—letters from, 73, 79
—letters to cited, 73, 79
- BROUGHTON, JAMES (Sussex Co., Del.): as witness of Sussex Co. elections, 61
- “BRUTUS”: criticism of, 79; text of, 75–77
- BUCHANAN, JAMES (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 61
- BUCKER, JOSEPH (Kent Co., Del.): elected Convention delegate, 48
- CADWALADER, LAMBERT (Hunterdon Co., N.J.)
—letter from, 6
—letter from
- CANNON, JEREMIAH (Sussex Co., Del.):
elected to Assembly, 57, 66, 67; in Assembly, 61
- CAPITAL, U.S.: Del. House proposes cession of land for, 36

- CAREY, ELY (Sussex Co., Del.): summoned to testify, 21, 25, 34
- CAREY, MATHEW (Philadelphia):
—letters from cited, 75, 79
—letters to, 75, 79
- CINCINNATI, SOCIETY OF THE: Constitution favored by, 74
- CLASS DIVISION: Great Britain's role in perpetuating, 76; is a reality that government needs to recognize, 78–79
- CLAYTON, JOHN (Del.): on Privy Council, 8
- CLAYTON, JOHN E. (Del.): clerk of Council, 70
- CLAYTON, JOSHUA (New Castle Co., Del.): in Assembly, 16, 17, 20, 21, 22, 34, 35, 63, 66
- CLOWES, JOHN (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- COLLINS, JOHN (Sussex Co., Del.): summoned to testify, 21, 24, 34, 59, 61, 70
- COLLINS, THOMAS (Kent Co., Del.): sent Antifederalist literature from Philadelphia, 56; on Privy Council, 8
—message of, 60
—proclamation of, 8
- COMMERCE: domestic manufacturing must dominate, 75–77; the pride and glory of a nation, 79. *See also* Economic conditions under the Confederation
- CONNECTICUT: favors ratification, 7
- CONSTITUTION, U.S.: transmitted to Del. Convention, 34
—described as metaphor: a cure, 74; new scheme, 80; new system, 7
See also Amendments to Constitution
- CONSTITUTIONAL CONVENTION: state expenses for Del. delegates to, 5
- COOK, JOHN (Kent Co., Del.): in Council, 20, 25, 29, 61
- COOPER, ISAAC (Sussex Co., Del.): pay for, 52
- CORRUPTION: Del. legislature accused of, 2–4; increases under political parties, 5
- COSTON, STEPHEN (Sussex Co., Del.): as witness of Sussex Co. elections, 61
- COULTER, THOMAS (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 62, 71
- COVERDALE, JACOB (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- COXE, TENCH (Philadelphia): as author of “A Freeman,” 73, 73n; “A Pennsylvania,” 73
—letter from cited, 73
—letters to, 73, 73n
- CRAIG, EDWARD (Sussex Co., Del.): summoned to testify, 21, 25, 34
- CRAIG, FREDERICK (Wilmington, Del.): paid for printing services, 69
- CROOKS, BENJAMIN (Del.): pay for, 53
- CUMMINS, DANIEL, SR. (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- DANE, NATHAN (Beverly, Mass.)
—letter to, 7
- DAVIS, DAVIDSON (Sussex Co., Del./Md.)
—letter from, 75
—letters to cited, 75
- DAVIS, JEHU (Kent Co., Del.): in Assembly, 16, 20, 21, 22, 23; as Assembly Speaker, 24, 26, 30, 32n, 34, 35, 37, 40, 58–59
- DEBT, U.S.: federal requisitions and, 2–4. *See also* Requisitions
- DEBTS, STATE: owed to Delawareans from Revolution, 2. *See also* Requisitions
- DEEP CREEK FURNACE. *See* Vaughan's Furnace
- DELAWARE: commentaries on Del. ratification of Constitution, 53–56; favors Constitution, 6, 7, 53–54
- DELAWARE CONSTITUTION (1776), 1
- DELAWARE CONVENTION: certificate of ratification of Constitution by, 50–51; Constitution transmitted to, 34; Del. Council calls for, 27–28; Del. House calls election for, 36–37; expenses of, 52–53; proceedings of presented to Del. General Assembly, 60; resolution calling, 27–28; ratifies Constitution, 50–51, 54, 55; Sussex Co. petitions for prompt calling of, 36
- DELAWARE DECLARATION OF RIGHTS, 1
- DELAWARE GENERAL ASSEMBLY: accused of corruption, 2–4; petitions from New Castle Co. to, 9
- DELAWARE HOUSE OF ASSEMBLY: act for altering quorum of, 15, 17–19, 32, 37; proceedings of, 15–17, 19–22, 23–26, 28, 29–30, 31, 57–61, 62–63, 65–68, 69–73; proposes cession of land for federal capital, 36
—and Sussex Co.: act altering place of election in 26, 29, 39–40; expenses for summoning witnesses of election controversy, 37–38; indentures of election in, 13–14; investigation of 15 Oct. 1787

- election controversy by, 15–17, 32–36; investigation of 26 Nov. 1787 election controversy by, 48–49, 57–73; list of witnesses called to testify on election of 26 Nov., 70–71; message to Del. Council by regarding election of 26 Nov. 1787, 68; petitions from protesting 15 Oct. 1787 election, 15, 23, 26, 33–34; reads petitions regarding 26 Nov. 1787 election controversy, 57–58, 62; resolution to void 15 Oct. 1787 election, 25–26; resolution validating 26 Nov. 1787 election, 66–67; sheriff of appears before, 19–20, 22, 32–33, 60, 64; witnesses testimony concerning election of 26 Nov. 1787, 71–72; writ for new election of representatives, 30; petitions from protesting 26 Nov. 1787 election, 48, 57–58, 62, 67, 69; petition from to move county seat, 1
- See also* Delaware Legislative Council; Delaware Privy Council; Elections
- DELAWARE LEGISLATIVE COUNCIL: proceedings of, 17, 18–19, 23, 24, 25, 27–29, 30–31, 31n, 61–62, 63–65, 67, 68–69
- and Sussex Co.: on change of location of election in, 30–31; dismisses petition from claiming undue election, 69; indentures of election in on 15 Oct. 1787, 13–15; indentures of election for 26 Nov. 1787, 47–48; message from Del. House regarding election of 26 Nov. 1787, 68; 26 Nov. 1787 election of members to, 61; testimony read regarding 26 Nov. 1787 election controversy, 68, 71–72
- See also* Delaware House of Assembly; Delaware Privy Council; Elections
- DELAWARE PRESIDENT: proclamation by to protect elections, 8. *See also* Collins, Thomas
- DELAWARE PRIVY COUNCIL: advises Del. president on proclamation to protect elections, 8; deposes sheriff of Sussex Co. regarding 1 Oct. 1787 election turmoil, 8. *See also* Delaware House of Assembly; Delaware Legislative Council; Elections
- DEPRECIATION CERTIFICATES: accusations of state corruption regarding, 2–4
- DERRICKSON, JOSEPH (Sussex Co., Del.): deposition on elections, 48–49; as witness of Sussex Co. elections, 59, 70
- DICKINSON, EDMUND (Sussex Co., Del.): elected to Assembly, 47
- DICKINSON, JOHN (Wilmington, New Castle Co., Del.): sent Mass. newspapers, 73 —letter from, 6
- DORMAN, JOHN SHELDON (Sussex Co., Del.), 39
- DOVER, DEL.: as site of Del. Convention, 27, 28
- DUFF, THOMAS (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- ECONOMIC CONDITIONS UNDER THE CONFEDERATION: crippled by shortage of domestic manufactures, 75–77. *See also* Commerce; Debt, U.S.; Debts, state; Manufactures
- EDENFIELD, WILLIAM (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 63, 70
- EDGAR, HENRY (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 61, 70
- EDGAR, HENRY, JR. (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- ELECTIONS
- and Sussex Co.: act altering location of, 26, 29, 39–40; Del. House calls election for Del. Convention, 36–37; Del. House calls new election for, 39–40; Del. House validates 26 Nov. 1787 election, 66–67; Del. House voids 15 Oct. 1787 election, 35–36; indentures of election in 15 Oct. 1787, 13–15; indentures of election for 26 Nov. 1787, 47–48; investigation of 1 Oct. 1787 election controversy, 8; investigation of 15 Oct. 1787 election controversy, 15–17, 19–26, 32–36, 39–40; investigation of 26 Nov. 1787 election controversy, 48–49, 57–73; irregularities in delegate election to Del. Convention, 41; petitions protesting 15 Oct. 1787 election, 15, 23, 26, 33–34; petitions protesting 26 Nov. 1787 election, 48, 57–58, 62, 67, 69; votes cast for 26 Nov. 1787 election, 45–47; writ for electing representatives, 30
- See also* Delaware House of Assembly; Delaware Legislative Council; Delaware Privy Council
- EMOLUMENTS CLAUSE: take priority over the public good, 5
- ENGLISH, JAMES (Sussex Co., Del.): summoned to testify, 21, 24, 34; physically beaten in Sussex Co. elections, 20

- EUROPE: U.S. must restrict manufactures from, 75–77. *See also* Great Britain
- EVANS, JEHU (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- EVANS, THOMAS (New Castle Co., Del.): in Assembly, 17, 20, 21, 22, 34, 35, 66, 67
- EVANS, THOMAS (Sussex Co., Del.): summoned to testify, 21, 25, 34; physically beaten in Sussex Co. elections, 39, 48, 49; pay for, 52
- EXCISES: are problematic yet necessary, 81, 82
- FACTIONS: a disease inherited from Great Britain, 76. *See also* Political parties
- FOREIGN AFFAIRS: domestic manufactures must replace foreign imports, 76–77. *See also* Foreign opinion of the U.S.
- FOREIGN OPINION OF THE U.S.: Constitution will raise, 77. *See also* Foreign affairs
- FOREST, ANTOINE DE LA (France)
—letter from, 54
- FRANKLIN, BENJAMIN (Philadelphia), 43, 44
- “A FREEMAN” (Tench Coxe): text of, 73
- GATES, HORATIO (Berkeley Co., Va.), 43, 44
- GENERAL WELFARE: as goal of patriotism, 80; special interests overshadow, 78; political parties seek victory at expense of, 5. *See also* Happiness
- GIBBS, CALEB (Boston)
—letter from cited, 73
- GORDON, JOHN (Kent Co., Del.): in Assembly, 18, 20, 21, 22, 32, 34, 35, 57, 60, 63, 66
- GOVERNMENT, DEBATE OVER NATURE OF: every class should be represented in legislature, 78–79; a fluctuating government produces evils, 78, 80; monarchy is the most natural form of government, 78–79. *See also* Aristocracy; Monarchy; Republican form of government
- GOVERNMENTS, ANCIENT AND MODERN: ancient republics favored nobles and knights, 74. *See also* Europe; Great Britain
- GRANTHAM, ISAAC (New Castle Co., Del.): in Assembly, 20, 21–22, 24, 29, 34, 35, 57, 59, 60, 63, 66
- GRAYSON, WILLIAM (Prince William Co., Va.)
—letter from, 6
- GREAT BRITAIN: class prejudice inherited from, 76; excise laws in, 81, 82; U.S. must restrict manufactures from, 75–77. *See also* Europe; Governments, ancient and modern
- HALL, DAVID (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 62, 63, 70
- HALL, WILLIAM (Sussex Co., Del.): pay for, 52
- HAMILTON, ALEXANDER (New York City)
—letter to, 80–82
- HAPPINESS: suffers from a fluctuating government, 80. *See also* General welfare
- HARPER, JOSEPH (Del.): as Assembly sergeant at arms, 17, 21, 31n, 32, 35–36, 58–59, 62–63, 72n; expenses for summoning witnesses, 37–38
- HARRISON, WILLIAM (Sussex Co., Del.): summoned to testify, 21, 34; deposition of, 38–39
- HAVELO, DANIEL (Sussex Co., Del.): summoned to testify, 21, 25, 34
- HAYES, JOHN (Sussex Co., Del.): testifies before Assembly, 22, 35
- HAYES, NATHANIEL (Sussex Co., Del.): elected to Assembly, 19, 30, 57, 66, 67; in Assembly, 57
- HAZZARD, CORD (Sussex Co., Del.), 39
- HAZZARD, HAP (Sussex Co., Del.): elected to Assembly, 57, 66, 67; in Assembly, 57
- “HELVIDIUS PRISCUS” (James Warren?): text of, 55
- HOLLAND, ISRAEL (Sussex Co., Del.): pay for, 52; as witness of Sussex Co. elections, 59, 71
- HOLLINGSWORTH, LEVI (Philadelphia)
—letter to, 44–45
- HORSEY, ISAAC (Sussex Co., Del.): elected to Council, 47, 61, 64, 65; in Council, 69
- HOWARD, NEHEMIAH (Sussex Co., Del.): elected to Assembly, 47, 48
- HUMAN NATURE: generally averse to abstract thinking, 77. *See also* Factions
- HURLY, LEVIN (Sussex Co., Del.): summoned to testify, 21, 23, 34
- HURT, WILLIAM (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 61, 70
- HUSK, WILLIAM (Sussex Co., Del.): summoned to testify, 21, 23, 34
- IMMIGRATION: domestic manufactures will encourage, 76

- INGRAM, JOHN (Sussex Co., Del.): pay for, 52
- INSURRECTIONS, DOMESTIC: Antifederalists accused of fomenting unrest, 5; increased tensions in Md. over paper money, 1–2
- INTERESTS, PERSONAL: laws too often favor, 78. *See also* Factions; Political parties
- IRWIN, WILLIAM (Sussex Co., Del.): summoned to testify, 21, 35
- JACKSON, MR. (Sussex Co., Del.): and turmoil in Sussex Co. elections, 49
- JAMES, JOHN (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- JEFFERSON, THOMAS (Albemarle Co., Va./France)
—letters to, 7, 54, 55
- JOHNS, KENSEY [KINSEY] (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- JOHNSON, SAMUEL WILLIAM (Bermuda)
—letter to, 55
- JONES, JOHN (Sussex Co., Del.): pay for, 52; as witness of Sussex Co. elections, 59, 70
- JUDICIARY, DELAWARE: complaint of wasted court expenses, 5
- KENNEDY, BARTHOLOMEW (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 61, 71
- KENT COUNTY, DEL.: Del. representatives elected from, 57
- KING, RUFUS (Newburyport, Mass./New York City)
—letter to, 54
- KNOX, HENRY (Boston/New York City)
—letters from, 7
—letter to, 55
- KOLLACK, SIMON (Sussex Co., Del.): contested election of, 28; as witness of Sussex Co. elections, 59, 62, 63, 70, 72
- LABOR: diminishing dignity of, 76
- LATIMER, HENRY (New Castle Co., Del.):
in Assembly, 20, 21, 22, 24, 26, 29, 34, 35, 57, 60, 63, 66
- LATIMER, JAMES (New Castle Co., Del.):
elected Convention delegate, 48; pay for, 52, 53n
- LAWS: in flux are injurious, 78
- LAWS, ALEXANDER (Sussex Co., Del.): in Council, 32, 61
- LAWS, JOHN (Sussex Co., Del.): pay for, 52
- LAWS, THOMAS (Sussex Co., Del.): undersheriff for Sussex Co., 18, 19–20, 21–22, 25, 29, 31, 32–22; pay for, 52; as witness of Sussex Co. elections, 59, 63, 70
- LEWES, DEL., 15 Oct. 1787 Sussex Co. election in, 9–17, 19–26, 33–34, 38–40; petition to move county seat from, 1. *See also* Sussex Co., Del.
- LINDON, ZADOC (Sussex Co., Del.): summoned to testify, 21, 25, 34
- LLOYD, EDWARD (Talbot Co., Md.)
—letter to, 6
- M'CALL, MARK (Kent Co., Del.): in Assembly, 20, 21, 22, 23, 24, 29, 30, 34, 35, 57, 60, 61, 63, 66
- MCCOMB, ELEAZER (Del.): on Privy Council, 8; auditor's account, 69–30
- MCDONOUGH, THOMAS (New Castle Co., Del.): as Council Speaker, 24, 25, 29, 31, 37, 40, 61
- MCLANE [M'LANE], ALLEN (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- MADISON, JAMES (Orange Co., Va.)
—letters from, 6, 7, 54
- MANLOVE, GEORGE (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- MANUFACTURES: are mutually dependent on agriculture and science, 76; importance of domestic, 75–77. *See also* Commerce
- MARINER, ROBERT (Sussex Co., Del.): as witness of Sussex Co. elections, 61
- MARYLAND: factions dispute over paper money in, 1–2; favors ratification, 6; unknown prospects for ratification, 7
- MASSACHUSETTS: favors ratification, 7, 55; will not ratify, 7; ratifies Constitution, 73–74
- MASSEY, WILLIAM (Sussex Co., Del.):
elected to Assembly, 57, 66, 67; in Assembly, 60–61
- MAXWELL, SOLOMON (New Castle Co., Del.): elected Convention delegate, 48; pay for, 52
- MAY, THOMAS (New Castle Co., Del.): in Assembly, 20, 21, 22, 24, 34, 35, 57, 60, 63, 66
- MILITARY: Constitution will benefit, 74. *See also* Army; Cincinnati, Society of the

- MILLER, JOSEPH (Del.): attorney for Sussex petitioners, 60, 63, 64, 64–65
- MITCHELL, GEORGE (Sussex Co., Del.): elected to Assembly, 19, 30, 57, 66, 67; in Assembly, 69
- MITCHELL, NATHANIEL (Sussex Co., Del.): turmoil in Sussex election, 48, 58
- MITCHELL, WILLIAM CLAYTON (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 62, 63, 71
- MONARCHY: every government inclines toward, 78–79; Constitution implies present danger of, 74; would be ideal if men were virtuous, 78. *See also* Aristocracy; Government, debate over nature of; Great Britain
- MONTMORIN, COMTE DE (France)
—letters to, 54
- MOORE, WILLIAM (Sussex Co., Del.): pay for, 52
- MORGAN, JOSHUA (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- MORRIS, BEVIN (Sussex Co., Del.): summoned to testify, 21, 25, 34
- NEILL [NIELL], HENRY (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- NEW CASTLE COUNTY, DEL.: petition to Del. Assembly from, 9; Del. representatives elected, 57
- NEW JERSEY: doubtful it will ratify Constitution, 7; favors Constitution, 6, 7, 55; ratifies Constitution, 55, 56
- NEW YORK: favors Constitution, 6; will not ratify Constitution, 6. *See also* Antifederalists
- NEWSPAPERS: reports House of Assembly proceedings, 32–37

CONNECTICUT NEWSPAPERS

- American Mercury*: printed, 54

DELAWARE NEWSPAPERS

- Delaware Gazette*: printed, 2–4, 5, 15, 32–37, 75–77; quoted, 75; cited, 37n, 73n, 77n

GEORGIA NEWSPAPERS

- Gazette of Georgia*: printed, 55

MASSACHUSETTS AND MAINE NEWSPAPERS

- Independent Chronicle*: printed, 54, 55
—*Massachusetts Centinel*: printed, 54

NEW YORK NEWSPAPERS

- New York Journal*: printed, 293

PENNSYLVANIA NEWSPAPERS

- Freeman's Journal*: printed, 75–77
—*Pennsylvania Gazette*: printed, 6, 73–74

See also Broad sides, pamphlets, and books

NORTH CAROLINA: criticism of plantation owners from, 76

OLD FURNACE (VAUGHAN'S FURNACE),

DEL.: Sussex Co. election of 26 Nov. 1787 at, 45–73; Sussex Co. polling place moved to, 30–31, 39–40

OTIS, SAMUEL A. (Boston)

—letter from, 7

OTTO, LOUIS-GUILLAUME (France)

—letter from, 54

PAPER MONEY: dispute over in Md., 1–2.

See also Economic conditions under the Confederation

PARKE, JOHN

—letter to, 41–45

PARKER, JOHN (Sussex Co., Del.): testifies before Assembly, 22, 35

PATRIOTISM: description of, 80

PEERY, WILLIAM (Sussex Co., Del.):

elected to Assembly, 19, 30; as election inspector, 20; testifies before Assembly, 22; as witness of Sussex Co. elections, 61, 63

PENNSYLVANIA: divided on ratification of Constitution, 6; favors Constitution, 54, 55; influence on U.S. Congress by, 81; ratifies Constitution, 55, 56

PETITIONS: to cede Del. land for federal capital, 36; to move Sussex Co. county seat from Lewes, 1; from New Castle Co. to General Assembly, 9; for prompt calling of Convention, 36; protesting Sussex Co. 26 Nov. 1787 election, 48, 57–58, 62, 67, 69; protesting Sussex Co. 15 Oct. 1787 election, 15, 23, 26, 33–34. *See also* Delaware House of Assembly; Delaware Legislative Council

PICKERING, JOHN (Salem, Mass.)

—letter to, 55

PICKERING, TIMOTHY (Luzerne Co., Pa./Salem, Mass.)

—letter from, 55

POETRY: by Thomas Rodney, 41–44

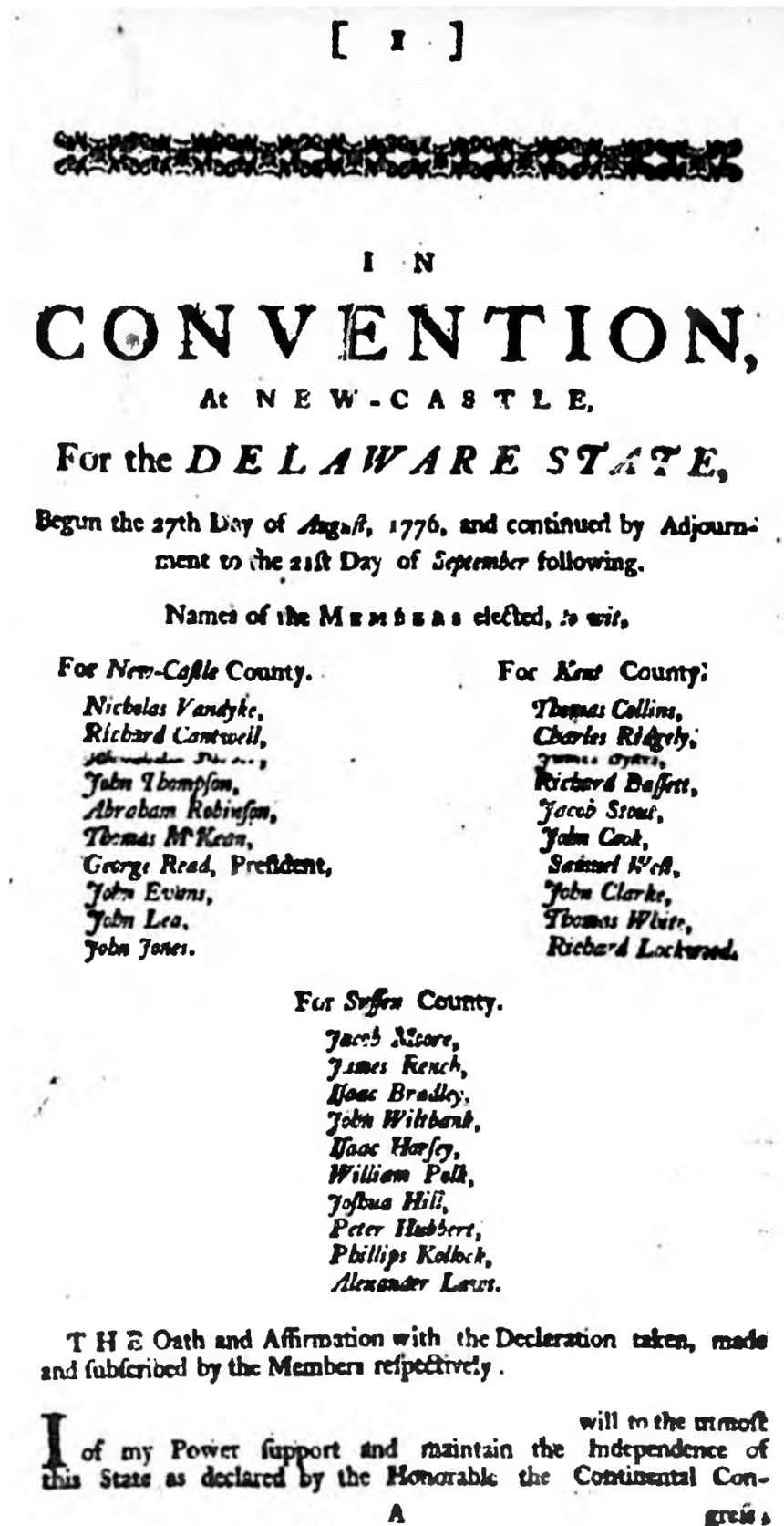
POLITICAL AND LEGAL WRITERS AND

WRITINGS: John Adams, *Defence of the Constitutions*, 78; “Timoleon” (James Tilton), *Biographical History of Dionysius*, 2–

- 4, 79, 80. *See also* Broad­sides, pamphlets, and books
- POLITICAL CONDITIONS UNDER THE ARTICLES OF CONFEDERATION: Constitution will protect against anarchy, 74
- POLITICAL PARTIES: description of American, 80; seek victory over public good, 5. *See also* Tories; Whigs
- POLK, CHARLES (Sussex Co., Del.): elected to Assembly, 19, 20, 30, 57, 66, 67; in Assembly, 21, 57; and election turmoil, 57
- POLK, DANIEL (Sussex Co., Del.): in Council, 25, 29, 61
- POLK, JAMES (Sussex Co., Del.): summoned to testify, 21, 23, 34
- POLK, TRUSTEN LAWS (Sussex Co., Del.): elected to Assembly, 47, 48
- POLLOCK, JAMES (Sussex Co., Del.): rioter in elections, 39
- POPE, CHARLES (Del.): on Privy Council, 8
- PORTER, ALEXANDER (New Castle Co., Del.): in Assembly, 16, 20, 21, 22, 34, 35
- POWDERS, JOHN (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- POWEL, SAMUEL (Philadelphia)
—letter from, 6
—letter to, 56
- PSEUDONYMS: Brutus, 75–77; A Freeman (Tench Coxe), 73; Helvidius Priscus (James Warren?), 55; Timoleon (James Tilton), 2–4, 79, 80
- PUBLIC CREDITORS: Del. legislature accused of fraud against, 2–4. *See also* Debt, U.S.; Debts, state
- QUAKERS: as examples of self-sufficiency, 76
- RATIFICATION, PROCEDURE FOR: will not be speedy, 7
- RATIFICATION, PROSPECTS FOR: Del. favors, 6, 7, 53–54; Conn. favors, 7; Md. favors, 6; Md. unknown, 7; Mass. favors, 7, 55; Mass. will not ratify, 7; N.H. favors, 7, 55; N.J. doubtful, 7; N.J. favors, 6, 7, 55; N.Y. favors, 6; N.Y. will not ratify, 6; Pa. divided, 6; Pa. favors, 54, 55; R.I. will not ratify, 7; Va. favors with amendments, 7
- RAYMOND, JAMES (Kent Co., Del.): in Assembly, 20, 21, 22, 26, 34, 35, 57, 60, 63
- READ, EDMOND (Sussex Co., Del.): as witness of Sussex Co. elections, 63
- READ, GEORGE (New Castle Co., Del.): in Council, 25, 29, 61; elected U.S. Senator, 79
—letter to, 6
- READ, JOHN (Sussex Co., Del.): as witness of Sussex Co. elections, 58–59, 62
- READ, NEHEMIAH (Sussex Co., Del.): as witness of Sussex Co. elections, 21, 24, 34, 59, 70
- REED, EDMOND (Sussex Co., Del.): summoned to testify, 21, 25, 34
- REED, JOHN (Sussex Co., Del.): summoned to testify, 21, 25, 34
- REPUBLICAN FORM OF GOVERNMENT: has historically involved nobles and knights, 4; needs virtue, 4. *See also* Government, debate over nature of
- REQUISITIONS: and Del. legislature corruption allegation, 2–4. *See also* Debt, U.S.; Taxation
- REVELL, JOHN (Kent Co., Del.): in Assembly, 20, 21, 22, 23, 34, 35, 57, 60, 63, 66
- REVOLUTION PARTY: description of, 80
- RHODE ISLAND: will not ratify Constitution, 7
- RICH vs. POOR: influence of Great Britain on class division, 76
- RIDGELY, ABRAHAM (Del.)
—letter to, 5
- RIDGELY, NICHOLAS (Kent Co., Del.):
elected Convention delegate, 48; pay for, 52
—letter from, 5
- RIDING (READING), STEPHEN (Sussex Co., Del.): summoned to testify, 21, 25, 34
- ROBINSON, THOMAS (New Castle Co., Del.): in Assembly, 18, 20, 21, 22, 24, 28, 32, 34, 35, 57, 60, 63, 66
- ROCHAMBEAU, COMTE DE (France)
—letter to, 55
- RODNEY, CAESAR A. (New Castle Co., Del.)
—letters from cited, 77
—letters to, 77–79
- RODNEY, THOMAS (Kent Co., Del.): in Assembly, 16, 17, 21, 31n, 35, 37, 57, 60, 63, 66
—letters from, 74–75, 77–79, 79–80, 80–82; with long poem, 41–45n
—letters to cited, 77
- SCIENCE: depends on agriculture and manufactures, 76
- SHANKLAND, RHOADS (Sussex Co., Del.):
elected to Assembly, 19, 30, 57, 66, 67;

- in Assembly, 57, 60; and election turmoil, 57, 67, 68
- SHIPPEN, THOMAS LEE (Philadelphia/Europe)
—letter to, 53
- SHIPPEN, WILLIAM, JR. (Philadelphia)
—letter from, 53
- SHORT, WILLIAM (Surrey Co., Va./France)
—letters to, 6
- SLAVERY: criticism of Carolinian plantation owners and, 76
- SMITH, RICHARD (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- SMITH, WILLIAM (Sussex Co., Del.): summoned to testify, 21, 25, 34
- SOUTH CAROLINA: criticism of plantation owners from, 76
- SOVEREIGNTY: of states is preserved by Union, 81; of states threatens federal government, 80–81
- SPICER, ELSEY (Sussex Co., Del.), 21, 25, 34
- STATES, IMPACT OF CONSTITUTION ON:
who do not ratify Constitution will resign to eternal infamy, 77
- STOCKLEY, WOODMAN (Sussex Co., Del.): pay for, 52
- STUART, ARCHIBALD (Augusta Co., Va.)
—letter to, 53
- SUSSEX COUNTY, DEL.: act altering place of election in, 30–31, 39–40; economic and political instability in, 75; indentures of elections in, 13–15; 1 Oct. 1787 election controversy in, 8; 15 Oct. 1787 election controversy in, 15–17, 19–26, 32–36, 39–40; 26 Nov. 1787 election controversy in, 48–49, 57–73; petitions protesting 15 Oct. 1787 election, 15, 23, 26, 33–34; petitions protesting 26 Nov. 1787 election, 48, 57–58, 62, 67, 69; petition to move county seat from Lewes, 1; representatives elected from in 26 Nov. 1787 election, 57, 61; resolution validating 26 Nov. 1787 election in, 66–67; votes cast for election of 26 Nov. 1787, 45–47; writ for electing representatives from, 30
- SYKES, JAMES (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- TAXATION: Del. legislature corruption allegation and, 2–4; excise tax, 81, 82; a free people will always grumble at, 82; need for direct and indirect, 81–82. *See also* Requisitions
- TENNANT, JOHN (Sussex Co., Del.): elected to Assembly, 19, 30, 33
- TILTON, JAMES (Kent Co., Del.): in Council, 19, 24, 25, 29, 61; as leader of “Timoleon” faction, 79n, 79–80
- “TIMOLEON” (James Tilton): *Biographical History of Dionysius*, 79, 80; newspaper text of, 2–4
- TORIES: description of, 80; referenced in poem, 41; riot in Sussex Co. reported between Whigs and, 73. *See also* Monarchy
- TRUITT, GEORGE (Kent Co., Del.): elected Convention delegate, 48; pay for, 52
- TRUSHAM, JAMES (Sussex Co., Del.): rioter at elections, 39
- UNION: will preserve state sovereignty, 81
- VAN DYKE, NICHOLAS (New Castle Co., Del.): in Council, 67
- VAUGHAN, WILLIAM (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 71
- VAUGHAN’S FURNACE, DEL. *See* Old Furnace (Vaughan’s Furnace), Del.
- VINING, JOHN (Kent Co., Del.): in Assembly, 18, 20, 21, 22, 24, 26, 32, 34, 35, 57, 60, 63, 66, 68; elected U.S. Representative, 79
- VIOLENCE: and 1 Oct. 1787 Sussex Co. election, 8; and 15 Oct. 1787 Sussex Co. election, 15, 17, 33, 39, 40; riot reported between Whigs and Tories in Sussex Co., 73; threatened at 26 Nov. 1787 Sussex Co. election, 57–58; threatened over paper money, 1. *See also* Insurrections, domestic
- VIRGINIA: favors Constitution with amendments, 7; U.S. Congress influenced by legislature of, 81
- VIRTUE: is degraded by fluctuations in government, 80
- WADSWORTH, JEREMIAH (Hartford, Conn.)
—letter from, 54
- WALLER, NATHANIEL (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 63, 70
- WAPLES, BURTON (Sussex Co., Del.): as witness of Sussex Co. elections, 59, 70
- WAPLES, NATHANIEL (Sussex Co., Del.): elected to Assembly, 19, 20, 30, 63
- WARREN, JAMES (Milton, Mass.)
—letter to, 7

- WASHINGTON, GEORGE (Fairfax Co., Va.):
 as commander in chief, 41, 42, 43, 44;
 at head of patriotic "party," 80
 —letters from, 55, 56
 —letters to, 6, 7
- WATTSON, THOMAS (New Castle Co., Del.):
 elected Convention delegate, 48; pay
 for, 52
- WAY, NICHOLAS (New Castle Co., Del.):
 elected Convention delegate, 48; pay
 for, 52
- WHIGS: declining influence of in Del.
 government, 80; description of, 80;
 poem referencing, 41–44; riot in Sus-
 sex Co. reported between Tories and,
 73; Sussex Co. election controversy
 and, 49
- WHITE, EDWARD (Kent Co., Del.):
 elected Convention delegate, 48; pay
 for, 52
- WHITE, JOHN (Del.): payment as Con-
 vention clerk, 53, 53n
- WILEY, JAMES (Sussex Co., Del.), 38–39
- WILLEY, SOLOMON (Sussex Co., Del.):
 elected to Assembly, 48
- WILTBANK, CORNELIUS (Sussex Co., Del.):
 as witness of Sussex Co. elections, 59,
 61, 70
- WILTBANK, JOHN (Sussex Co., Del.): takes
 deposition, 39
- WRIGHT, PETER FRETWELL (Sussex Co.,
 Del.): as sheriff, 8, 13, 17, 19, 22, 30,
 31n, 32n, 32, 35, 47, 58, 60, 62, 63,
 64

1. Delaware Declaration of Rights and Constitution, 1776.¹

1. In Convention, at New-Castle, for the Delaware State, . . . [27 August–21 September 1776] (Wilmington, 1776).

gress, and I will to the utmost of my Ability endeavour to form such a System of Government for the People of this State as in my Opinion may be best adapted to promote their Happiness, and secure to them the Enjoyment of their natural, civil and religious Rights and Privileges.

I do profess Faith in God the Father, and in Jesus Christ his only Son, and in the Holy Ghost, one God blessed for evermore, and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine Inspiration.

A DECLARATION of RIGHTS and FUNDAMENTAL RULES of the *DELAWARE STATE*, formerly stiled the Government of the Counties of *New-Castle, Kent and Suffex*, upon *Delaware*.

1. **T**HAT all Government of Right originates from the People, is founded in compact only, and instituted solely for the Good of the Whole.

2. **T**HAT all Men have a natural and unalienable Right to worship Almighty God according to the Dictates of their own Consciences and Understandings, and that no Man ought or of Right can be compelled to attend any religious Worship or maintain any Ministry contrary to or against his own free Will and Consent, and that no Authority can or ought to be vested in, or assumed by any Power whatever, that shall in any Case interfere with or in any Manner controul the Right of Conscience in the free Exercise of religious Worship.

3. **T**HAT all Persons professing the Christian Religion ought forever to enjoy equal Rights and Privileges in this State, unless under Colour or Religion any Man disturb the Peace, the Happiness or Safety of Society.

4. **T**HAT the People of this State have the sole, exclusive and Inherent Right of governing and regulating the internal Police of the same.

5. **T**HAT Persons intrusted with the Legislative and Executive Powers are the Trustees and Servants of the Public, and as such accountable for their Conduct; wherefore whenever the Ends of Government are perverted, and Public Liberty manifestly endangered by the Legislative singly, or a treacherous Combination of both, the People may, and of Right ought to, establish a new or reform the old Government.

6. **T**HAT

[3]

6. THAT the Right in the People to participate in the Legislature is the Foundation of Liberty and of all free Government, and for this End all Elections ought to be free and frequent, and every Freeman having sufficient Evidence of a permanent common Interest with, and Attachment to, the Community, hath a Right of Suffrage.

7. THAT no Power of suspending Laws, or the Execution of Laws, ought to be exercised, unless by the Legislature.

8. THAT for Redress of Grievances, and for amending and strengthening of the Laws, the Legislature ought to be frequently convened.

9. THAT every Man hath a Right to petition the Legislature for the Redress of Grievances in a peaceable and orderly Manner.

10. THAT every Member of Society hath a Right to be protected in the Enjoyment of Life, Liberty and Property, and therefore is bound to contribute his Proportion towards the Expence of that Protection, and yield his personal Service when necessary, or an Equivalent thereto; but no Part of a Man's Property can be justly taken from him or applied to public Uses without his own Consent or that of his legal Representatives: Nor can any Man that is conscientiously scrupulous of bearing Arms in any Case be justly compelled to do so, if he will pay an Equivalent.

11. THAT retrospective Laws, punishing Offences committed before the Existence of such Laws, are oppressive and unjust, and ought not to be made.

12. THAT every Freeman for every Injury done him in his Goods, Lands or Person, by any other Person, ought to have Remedy by the Course of the Law of the Land, and ought to have Justice and Right for the Injury done to him freely without Sale, fully without any Denial, and speedily without Delay, according to the Law of the Land.

13. THAT Trial by Jury of Facts where they arise is one of the greatest Securities of the Lives, Liberties and Estates of the People.

14. THAT in all Prosecutions for criminal Offences, every Man hath a Right to be informed of the Accusation against him, to be allowed Council, to be confronted with the Accusers or Witnesses, to examine Evidence on Oath in his Favour and to a speedy Trial by an impartial Jury, without whose unanimous Consent he ought not to be found Guilty.

15. THAT no Man in the Court of common Law ought to be compelled to give Evidence against himself.

16. THAT excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel or unusual Punishments inflicted.

17. THAT

[4]

17. THAT all Warrants without Oath to search inspected Places, or to seize any Person or his Property, are grievous and oppressive, and all general Warrants to search suspected Places, or to apprehend all Persons suspected without naming or describing the Place or any Person in special, are illegal and ought not to be granted.

18. THAT a well regulated Militia is the proper, natural and safe Defence of a free Government.

19. THAT standing Armies are dangerous to Liberty, and ought not to be raised or kept up without the Consent of the Legislature.

20. THAT in all Cases and at all Times the Military ought to be under strict Subordination to and governed by the Civil Power.

21. THAT no Soldier ought to be quartered in any House in Time of Peace without the Consent of the Owner, and in Time of War in such Manner only as the Legislature shall direct.

22. THAT the Independency and Uprightness of Judges are essential to the impartial Administration of Justice, and a great Security to the Rights and Liberties of the People.

23. THAT the Liberty of the Press ought to be inviolably preserved.

THE CONSTITUTION or SYSTEM of GOVERNMENT, agreed to and resolved upon by the Representatives in full CONVENTION of the DELAWARE STATE, formerly styled the Government of the Counties of *New-Castle, Kent and Sussex*, upon *Delaware*, the said Representatives being chosen by the Freemen of the said State for that express Purpose.

Article 1. **T**HE Government of the Counties of *New-Castle, Kent and Sussex*, upon *Delaware*, shall hereafter in all Public and other Writings be called, THE DELAWARE STATE.

2. THE

[5]

2. **The Legislature shall be formed of two distinct Branches:—They shall meet once or oftener in every Year, and shall be called THE GENERAL ASSEMBLY OF DELAWARE.**

3. **One of the Branches of the Legislature shall be called THE HOUSE OF ASSEMBLY, and shall consist of seven Representatives, to be chosen for each County annually of such Persons as are Freeholders of the same.**

4. **The other Branch shall be called THE COUNCIL and consist of nine Members, three to be chosen for each County at the Time of the first Election of the Assembly, who shall be Freeholders of the County for which they are chosen, and be upwards of twenty-five Years of Age. At the End of one Year after the General Election, the Counsellor who had the smallest Number of Votes in each County shall be displaced, and the Vacancies thereby occasioned supplied by the Freemen of each County choosing the same or another Person at a new Election in Manner aforesaid. At the End of two Years after the first General Election, the Counsellor who stood second in Number of Votes in each County shall be displaced, and the Vacancies thereby occasioned supplied by a new Election in Manner aforesaid. And at the End of three Years from the first general Election, the Counsellor who had the greatest Number of Votes in each County shall be displaced, and the Vacancies thereby occasioned supplied by a new Election in Manner aforesaid. And this Rotation of a Counsellor being displaced at the End of three Years in each County and his Office supplied by a new Choice shall be continued afterwards in due Order annually forever, whereby, after the first general Election, a Counsellor will remain in Trust for three Years from the Time of his being elected, and a Counsellor will be displaced and the same or another chosen in each County at every Election.**

5. **The Right of Suffrage in the Election of Members for both Houses shall remain as exercised by Law at present; and each House shall choose its own Speaker, appoint its own Officers, judge of the Qualifications and Elections of its own Members, settle its own Rules of Proceedings and direct Writs of Election for supplying intermediate Vacancies. They may also severally expel any of their own Members for Misbehaviour, but not a second Time in the same Sessions for the same Offence, if re-elected; and they shall have all other Powers necessary for the Legislature of a free and Independent State.**

6. **All Money-Bills for the Support of Government shall originate in the House of Assembly, and may be altered, amended or rejected by the Legislative Council. All other Bills and Ordinances may take Rise in the House of Assembly or Legislative Council, and may be altered, amended or rejected by either.**

7. **A PRESIDENT or Chief Magistrate shall be chosen by joint Ballot of both Houses, to be taken in the House of Assembly, and the Box examined by the Speakers of each House in the Presence of the other Members, and in Case the Numbers for the two highest**

[6]

in Votes should be equal, then the Speaker of the Council shall have an additional casting Voice, and the Appointment of the Person who has the Majority of Votes shall be entered at large on the Minutes and Journals of each House, and a Copy thereof on Parchment, certified and signed by the Speakers respectively, and sealed with the Great-Seal of the State, which they are hereby authorized to affix, shall be delivered to the Person so chosen President, who shall continue in that Office three Years and until the Sitting of the next General Assembly and no longer, nor be eligible until the Expiration of three Years after he shall have been out of that Office. An adequate but moderate Salary shall be settled on him during his continuance in Office.—He may draw for such Sums of Money as shall be appropriated by the General Assembly, and be accountable to them for the same.—He may by and with the Advice of the Privy-Council, lay Embargoes or prohibit the Exportation of any Commodity for any Time not exceeding thirty Days in the Receipt of the General Assembly.—He shall have the Power of granting Pardons or Reprieves, except where the Prosecution shall be carried on by the House of Assembly, or the Law shall otherwise direct, in which Cases no Pardon or Reprieve shall be granted but by a Resolve of the House of Assembly:—And may exercise all the other executive Powers of Government, limited and restrained as by this Constitution is mentioned, and according to the Laws of the State. And on his Death, Inability or Absence from the State, the Speaker of the Legislative Council for the Time being shall be Vice-President, and in Case of his Death, Inability or Absence from the State, the Speaker of the House of Assembly shall have the Powers of a President until a new Nomination is made by the General Assembly.

8. A PRIVY-COUNCIL consisting of four Members shall be chosen by Ballot, two by the Legislative Council, and two by the House of Assembly: Provided, that no regular Officer of the Army or Navy in the Service and Pay of the Continent, or of this, or of any other State shall be eligible. And a Member of the Legislative Council or of the House of Assembly being chosen of the Privy-Council and accepting thereof shall thereby lose his Seat. Three Members shall be a Quorum, and their Advice and Proceedings shall be entered of Record and signed by the Members present, (to any Part of which any Member may enter his Dissent) to be laid before the General Assembly when called for by them. Two Members shall be removed by Ballot, one by the Legislative Council and one by the House of Assembly at the End of two Years, and those who remain the next Year after, who shall severally be ineligible for the three next Years. These Vacancies as well as those occasioned by Death or Incapacity shall be supplied by new Elections in the same Manner. And the Rotation of a Privy-Councillor shall be continued afterwards in due Order annually forever. The President may by Summons convene the Privy-Council at any Time when the Public Exigences may require, and at such Place as he shall think most convenient, when and where they are to attend accordingly.

9. THE President, with the Advice and Consent of the Privy-Council, may embody the Militia, and act as Captain-General and
Commander

[7]

Commander in Chief of them and the other Military Force of this State under the Laws of the same.

10. EITHER House of the General Assembly may adjourn themselves respectively. The President shall not prorogue, adjourn or dissolve the General Assembly, but he may with the Advice of the Privy-Council or on the Application of a Majority of either House, call them before the Time they shall stand adjourned, and the two Houses shall always sit at the same Time and Place, for which Purpose immediately after every Adjournment the Speaker of the House of Assembly shall give Notice to the Speaker of the other House of the Time to which the House of Assembly stands adjourned.

11. THE Delegates for *Delaware* to the Congress of the UNITED STATES OF AMERICA shall be chosen annually, or superseceded in the mean Time, by joint Ballot of both Houses in the General Assembly.

12. THE President and General Assembly shall by joint Ballot appoint three Justices of the Supreme Court for the State, one of whom shall be Chief-Justice, and a Judge of Admiralty, and also four Justices of the Courts of Common Pleas and Orphans Courts for each County, one of whom in each Court shall be stiled *Chief Justice*, (and in Case of Division on the Ballot, the President shall have an additional casting Voice) to be commissioned by the President under the Great-seal, who shall continue in Office during good Behaviour, and during the Time the Justices of the said Supreme Court and Courts of Common Pleas remain in Office they shall hold none other except in the Militia—Any one of the Justices of either of said Courts shall have Power in Case of the non-coming of his Brethren to open and adjourn the Court. An adequate fixed but moderate Salary shall be settled on them during their Continuance in Office. The President and Privy-Council shall appoint the Secretary, the Attorney-General, Registers for the Probate of Wills and granting Letters of Administration, Registers in Chancery, Clerks of the Courts of Common-Pleas and Orphans Courts, and Clerks of the Peace, who shall be commissioned as aforesaid and remain in Office during five Years, if they behave themselves well, during which Time the said Registers in Chancery and Clerks shall not be Justices of either of the said Courts of which they are Officers, but they shall have Authority to sign all Writs by them issued, and take Recognizances of Bail. The Justices of the Peace shall be nominated by the House of Assembly, that is to say, They shall name twenty-four Persons for each County, of whom the President, with the Approbation of the Privy-Council, shall appoint twelve, who shall be commissioned as aforesaid, and continue in Office during seven Years, if they behave themselves well; and in Case of Vacancies, or if the Legislative shall think proper to increase the Number, they shall be nominated and appointed in like Manner. The Members of the Legislature and Privy-Councils shall be Justices of the Peace for the whole State, during their continuance in Trust; and the Justices of the Courts of Common Pleas shall be Conservators of the Peace in their respective Counties.

13. THE

[8]

13. **THE Justices of the Courts of Common Pleas and Orphans Courts shall have the Power of holding Inferior Courts of Chancery as heretofore, unless the Legislature shall otherwise direct.**

14. **THE Clerks of the Supreme Court shall be appointed by the Chief-Justice thereof, and the Recorders of Deeds by the Justices of the Courts of Common Pleas for each County severally, and commissioned by the President under the Great-Seal, and continue in Office five Years, if they behave themselves well.**

15. **THE Sheriffs and Coroners of the respective Counties shall be chosen annually as heretofore; and any Person having served three Years as Sheriff shall be ineligible for three Years after; and the President and Privy-Council shall have the Appointment of such of the two Candidates returned for said Offices of Sheriff and Coroner as they shall think best qualified, in the same Manner that the Governor heretofore enjoyed this Power.**

16. **THE General Assembly by joint Ballot shall appoint the Generals and Field-Officers, and all other Officers in the Army or Navy of this State. And the President may appoint during Pleasure, until otherwise directed by the Legislature, all Military and Civil Officers not herein before mentioned.**

17. **THERE shall be an Appeal from the Supreme Court of Delaware in Matters of Law and Equity to a Court of seven Persons, to consist of the President for the Time being, who shall preside therein, and six others, to be appointed, three by the Legislative Council and three by the House of Assembly, who shall continue in Office during good Behaviour, and be commissioned by the President under the Great-Seal; which Court shall be stiled *The Court of Appeals*, and have all the Authority and Powers heretofore given by Law in the last Reform to the King in Council under the old Government. The Secretary shall be the Clerk of this Court, and Vacancies therein occasioned by Death or Incapacity shall be supplied by new Elections in Manner aforesaid.**

18. **THE Justices of the Supreme Court and Courts of Common-Pleas, the Members of the Privy-Council, the Secretary, the Treasurers of the Loan-Office and Clerks of the Courts of Common-Pleas, during their continuance in Office, and all Persons concerned in any Army or Navy Contracts, shall be ineligible to either House of Assembly; and any Member of either House accepting of any other of the Offices herein before mentioned (excepting the Office of a Justice of the Peace) shall have his Seat thereby vacated, and a new Election shall be ordered.**

19. **THE Legislative Council and Assembly shall have the Power of making the Great-Seal of this State, which shall be kept by the President, or in his Absence by the Vice-President, to be used by them as occasion may require. It shall be called *The Great-Seal of the Delaware State*, and shall be affixed to all Laws and Commissions.**

[9]

20. **COMMISSIONS** shall run in the Name of **THE DELAWARE STATE**, and bear **Test** by the President. Writs shall run in the same Manner, and bear **Test** in the Name of the Chief-Justice or Justice first named in the Commissions for the several Courts, and be sealed with the Public Seals of such Courts. Indictments shall conclude, against the Peace and Dignity of the State.

21. **IN** Case of Vacancy of the Offices above directed to be filled by the President and General Assembly, the President and Privy-Council may appoint others in their Stead until there shall be a new Election.

22. **EVERY** Person, who shall be chosen a Member of either House, or appointed to any Office or Place of Trust, before taking his Seat, or entering upon the Execution of his Office, shall take the following Oath, or Affirmation if conscientiously scrupulous of taking an Oath, *to wit,*

“ **I** *A. B.* will bear true Allegiance to the *Delaware* State, submit to its Constitution and Laws, and do no Act wittingly whereby the Freedom thereof may be prejudiced.”

And also make and subscribe the following Declaration, *wit,*

“ **I** *A. B.* do profess Faith in God the Father, and in Jesus Christ his only Son, and in the Holy Ghost, one God blessed for evermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine Inspiration.”

And All Officers shall also take an Oath of Office.

23. **THE** President when he is out of Office and within eighteen Months after, and all others, offending against the State either by Mal-Administration, Corruption or other Means, by which the Safety of the Commonwealth may be endangered, within eighteen Months after the Offence committed, shall be impeachable by the House of Assembly before the Legislative Council: Such Impeachment to be prosecuted by the Attorney-General or such other Person or Persons as the House of Assembly may appoint, according to the Laws of the Land. If found Guilty, he or they shall be either forever disabled to hold any Office under Government, or removed from Office *pro tempore*, or subjected to such Pains and Penalties as the Laws shall direct. And all Officers shall be removed on Conviction of Misbehaviour at Common Law or on Impeachment, or upon the Address of the General Assembly.

24. **ALL** Acts of Assembly in Force in this State on the fifteenth Day of *May* last (and not hereby altered, or contrary to the Resolutions of Congress, or of the late House of Assembly of this State) shall so continue until altered or repealed by the Legislature of this State, unless where they are temporary, in which Case they shall expire at the Times respectively limited for their Duration.

[10]

25. THE Common Law of *England*, as well as so much of the Statute Law as have been heretofore adopted in Practice in this State, shall remain in force, unless they shall be altered by a future Law of the Legislature; such Parts only excepted as are repugnant to the Rights and Privileges contained in this Constitution and the Declaration of Rights, &c. agreed to by this Convention.

26. No Person hereafter imported into this State from *Africa* ought to be held in Slavery under any Pretence whatever, and no Negroe, Indian, or Mulatto Slave ought to be brought into this State for Sale from any Part of the World.

27. The first Election for the General Assembly of this State shall be held on the twenty-first Day of *October* next, at the Court Houses in the several Counties, in the Manner heretofore used in the Election of the Assembly, except as to the Choice of Inspectors and Assessors, where Assessors have not been chosen on the sixteenth Day of *September* Instant, which shall be made on the Morning of the Day of Election by the Electors, Inhabitants of the respective Hundreds in each County:—At which Time the Sheriffs and Coroners for the said Counties respectively are to be elected: And the present Sheriffs of the Counties of *New-Castle* and *Kent*, may be re-chosen to that Office until the first Day of *October* in the Year of our Lord One Thousand Seven Hundred and Seventy-nine; and the present Sheriff for the County of *Sussex* may be re-chosen to that Office until the first Day of *October* in the Year of our Lord One Thousand Seven Hundred and Seventy-eight, provided the Freemen think proper to re-elect them at every general Election, and the present Sheriffs and Coroners respectively shall continue to exercise their Offices as heretofore until the Sheriffs and Coroners to be elected on the said twenty-first Day of *October* shall be commissioned and sworn in to Office. The Members of the Legislative Council and Assembly shall meet for transacting the Business of the State on the twenty-eighth Day of *October* next, and continue in Office until the first Day of *October* which will be in the Year One Thousand Seven Hundred and Seventy-seven; on which Day, and on the first Day of *October* in each Year forever after the Legislative Council, Assembly, Sheriffs and Coroners, shall be chosen by Ballot in Manner directed by the several Laws of this State for regulating Elections of Members of Assembly and Sheriffs and Coroners; and the General Assembly shall meet on the twentieth Day of the same Month for the transacting the Business of the State; and if any of the said first and twentieth Days of *October* should be *Sunday*, then and in such Case the Elections shall be held and the General Assembly meet the next Day following.

28. To prevent any Violence or Force being used at the said Elections, no Persons shall come armed to any of them; and no Muster of the Militia shall be made on that Day, nor shall any Battalion or Company give in their Votes immediately succeeding each other, if any other Voter who offers to vote objects thereto; nor shall any Battalion or Company in the Pay of the Continent, or of this or any other State be suffered to remain at the Time and Place of holding the said Elections, nor within one Mile of the said

[11]

said Places respectively for twenty-four Hours before the opening said Elections, nor within twenty-four Hours after the same are closed, so as in any Manner to impede the freely and conveniently carrying on the said Election: Provided always, that every Elector may in a peaceable and orderly Manner give in his Vote on the said Day of Election.

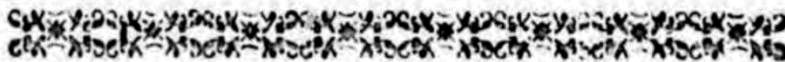
29. THERE shall be no Establishment of any one Religious sect in this State in Preference to another: and no Clergyman or Preacher of the Gospel of any Denomination shall be capable of holding any Civil Office in this State, or of being a Member of either of the Branches of the Legislature while they continue in the Exercise of the Pastoral Function.

30. No Article of the Declaration of Rights and Fundamental Rules of this State, agreed to by this Convention, nor the first, second, fifth (except that Part thereof that relates to the Right of Suffrage) twenty-sixth and twenty-ninth Articles of this Constitution, ought ever to be violated on any Pretence whatever. No other Part of this Constitution shall be altered, changed or diminished, without the Consent of five Parts in seven of the Assembly, and seven Members of the Legislative Council.

GEORGE READ, President.

EXTRACT from the Journal

Attest. JAMES BOOTH, Clk.



W I L M I N G T O N,

Printed by JAMES ADAMS, M.DCC.LXXVI.

12-A. New Castle County Petitions to the General Assembly, October 1787.¹

Petition of the Grand Jurors of the County of New
 and Wm. Jones, held at Newcastle, for the County
 of Newcastle, on Friday, the fifth Day of
 October in the Year of our Lord one thousand
 seven hundred and eighty seven
 To the General Assembly of
 the Delaware State.
 We the Grand Jurors and inhabitants
 of the County of Newcastle, deem it our duty, as
 Citizens of the State, to address to the charge
 allowed and to by the Honorable William
 Hillen, Esquire, Chief Justice of our said
 State; and by him to recommend to the
 Honorable the General Assembly of Delaware
 their approbation and concurrence to
 ratify and confirm the present system of
 Government established by the late Honorable
 convention, for the purpose of forming a
 more perfect union, establishing Justice,
 promoting the General Welfare, and
 securing the Blessings of Liberty to the
 Citizens of the United States and their
 posterity. In testimony whereof we
 have hereunto subscribed our Hand the
 fifth Day of October in the year of our
 Lord one thousand seven hundred and
 eighty seven.

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

Henry Forster Foreman

Joseph Tatlow

Robert Wallace

Alex^r. Maynolds

George Rymond

John Farou

David W. Meekers

Thomas Booth

Robert Capron

Peter Jaquet Senr

James Armstrong

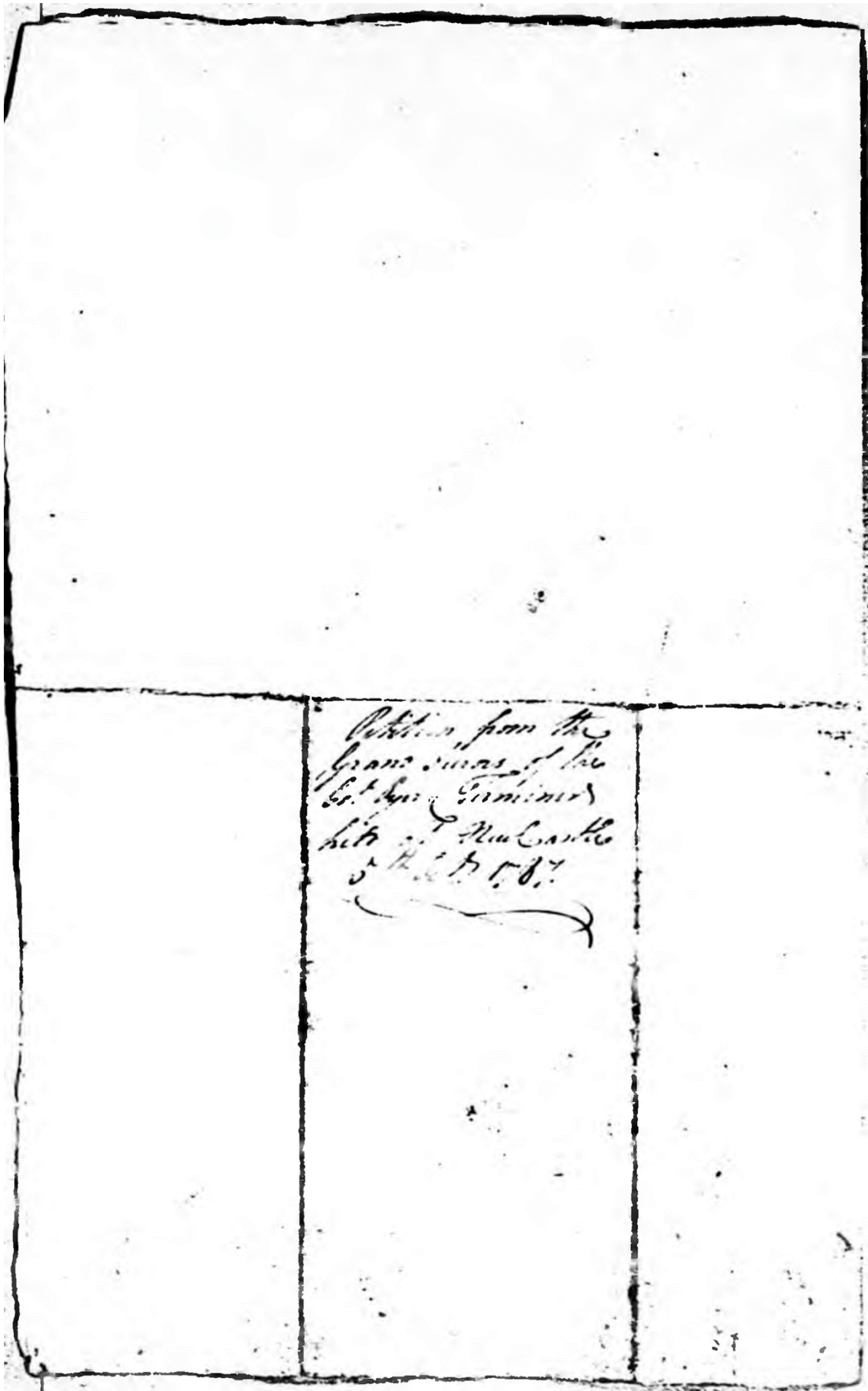
Samuel Gregg

John Ludden Senr

Jas Crofton

Wm. Senr. Hill

John Gbloen



Petition from the
Grantees of the
Col. John Grimmon
lots in New Castle
1787

12-B. New Castle County Petitions to the General Assembly, October 1787.¹

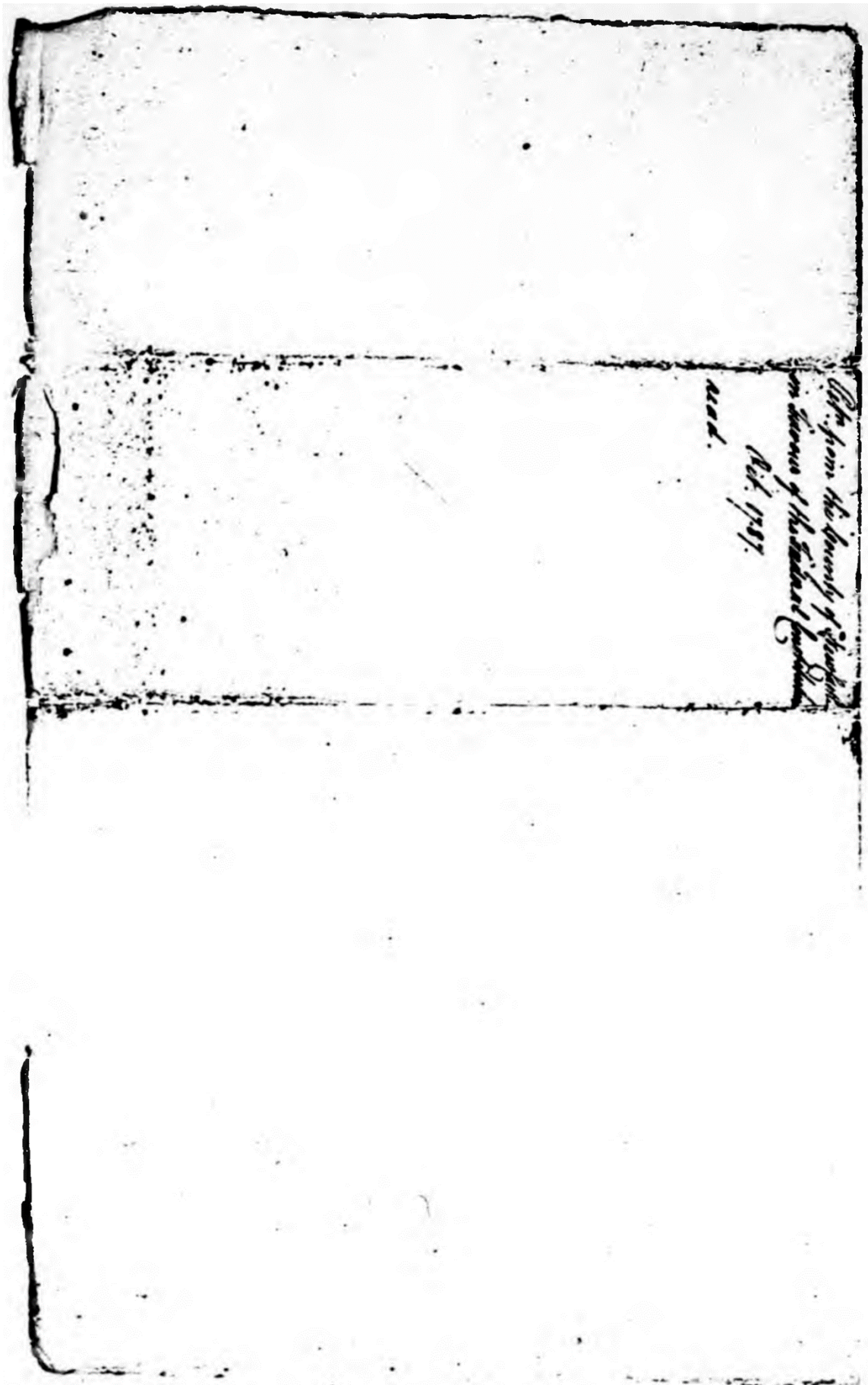
To the Honorable the Representatives of the Freemen of
the Delaware State, in General Assembly met,
The Persons, whose Names are hereunto subscribed,
Citizens of the County of Newcastle, would humbly
declare,
That they have seen with Pleasure the
Constitution of the United States, as framed by the late
Federal Convention, and consider its Establishment
as conducive to the ^{permanent} Security of Peace, Liberty &
Property. They therefore take this Method of expressing
their fullest Approbation, & have most earnestly to
pray, that the Honorable the Legislature may take
the speediest Measures for its Adoption in the
Delaware State, according to the Mode prescribed
by the said Convention. And they, as in Duty
bound, shall &c.

David Matthews
Henry Lippitt

Ja^s Lattimer
Thomas Duff

Ab^l Delaplain
Roy Delorman
Ch^s Paulson
Ja^s Delaplain
George Putnam
Charles Williams
Ann Robeson

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.



Oct. from the County of Kent
in favor of the General Assembly
Oct. 1787
read.

12-C. New Castle County Petitions to the General Assembly, October 1787.¹

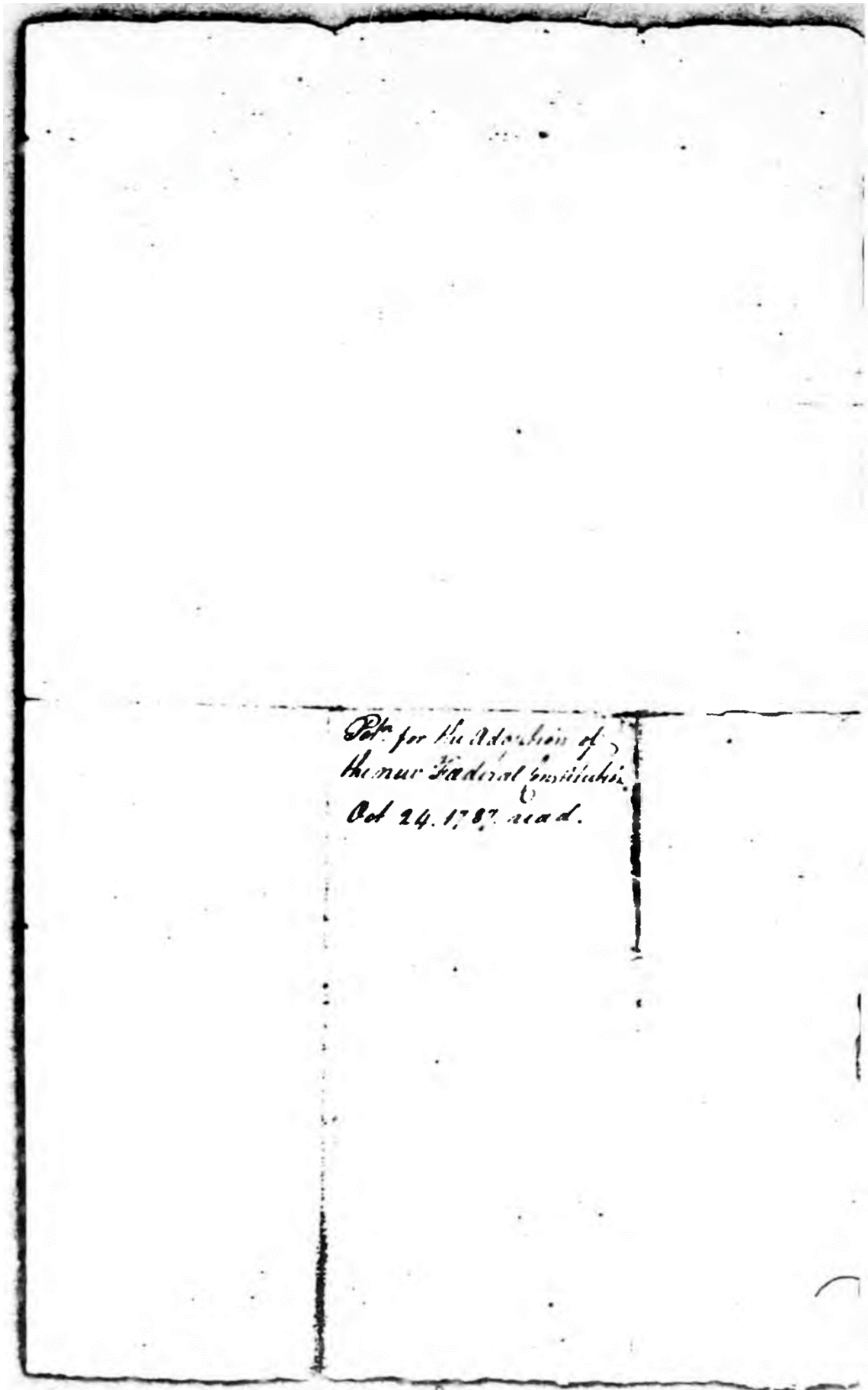
To the Honorable the Representatives of the County of the
 Counties of New Castle Kent and Sussex in the Delaware State in
 general Assembly and Council met.
 A petition of the inhabitants of the County of New Castle
 in respect to the same.
 Whereas the Citizens of this State have for some time experienced great
 inconvenience and distress by reason of the late petitioners
 have chiefly proceeded from a want of a more general Government of
 this State - and as the late general Convention appointed to meet at the
 City of Philadelphia, have with the most unanimous unanimity agreed upon and
 entered a great resolution for the establishment of a more general
 and perfect Union - establishing a more perfect Government for the
 promoting the general Welfare and ensuring the Liberty to the Citizens
 of this State and the Security - and have declared that the same be
 laid before the next Delaware Congress to be held and afterwards submitted to
 the Convention of Delegates from the States in the People thereof under the
 name of a more perfect Union for the United States and in pursuance
 of your petitioners therefore request and petition to hear that Congress
 have approved the Constitution as hereunto annexed and request
 your honorable House to appoint a committee as early as may be convenient for
 the reception of Delegates to a State Convention in order that the Citizens of
 Delaware may from time to time be generally satisfied by a speedy ratification
 and adoption of a more perfect Government in your petitioners trust will
 be attended with the most desirable consequences of Peace, Stability, Liberty
 and Prosperity in this Country in all respects and in particular to foreign
 Commerce and most especially and most as a provision of all the true
 interests of the People of this State in the said State.
 And your petitioners in duty bound pray
 That your Honorable House will be pleased to do as follows

Thos. Scattergood	Abraham Garrison	James H. Keckers
Thos. M. Worley	James M. Caldwell	Joseph Cole
Volanus M. Powell	James Lyon	John L. Tucker
Joel Lewis	William Dickson	James Cooper
Joseph Hill	John Harshbarger	James Caldwell
Joseph M. Smith	Abraham Mackay	John Parke
James Glime	Wm. P. P.	John Elder
	September 27th 1787	James M. Bland

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

Jacob & Hearis
 Levi Adams
 Hugh M. Francis
 John Hall
 Jacob Rotherham
 James Crawford
 John Toppens
 Saml. Darby
 John Hillson
 James Glasgow
 Joe Palmer
 Frank Ferris
 Pleas Montgomery
 Benj. Woodell
 Joseph Jancian
 Nicholas Campbell
 Elisha Bigg
 Joseph Richard
 Mater. McKennie
 Robt. Thompson
 John Rist
 Robert Allen
 Jos. Cottswam
 James Harris
 Robert Patterson
 Henry Darby

C. P. Loman
 Thos. L. Smith



*Pet. for the Adoption of
the new Federal Constitution.
Oct 24. 1787. read.*

12-D. New Castle County Petitions to the General Assembly, October 1787.¹

A Petition of the Freeholders and Inhabitants
of the County of New Castle to the General Assembly
of the Delaware State

Whereas the
the Citizens of this State for some time experienced great
inconveniences and disadvantages which in the opinion
of your Petitioners were being procured from a want
of more efficient general Government of the United
States and with this purpose to certain appointed Comtee
at Philadelphia have with the most unanimous unanimity
agreed upon a Constitutional Convention for the
purpose of forming a more perfect Union,
establishing justice, promoting the common defence,
promoting the general welfare and securing the
benefits of Liberty to the Citizens of the United States
and their posterity and have resolved that the same
be laid before the United States in Congress assembled
and afterwards submitted to a Convention of Delegates
chosen in each State by the People thereof under the
recommendation of their respective Legislatures and their
and ratification

Your Petitioners therefore being informed
of the great satisfaction and approbation of the
Constitution above mentioned and being
of opinion that it is expedient to ratify the same
and to be a witness of the same and in order
that the State of Delaware may have her
share in the general Government and
adoption of the same which
your Petitioners trust will give the Citizens

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

and Inhabitants of the several States, peace, stability,
efficacy & prosperity among themselves, respect and
confidence among foreign nations and obtain the
applause & cordial approbation of all true votaries
of liberty whatever country they inhabit.

William Miller. & Elizabeth Junr.

David Finney & Henry Solers

Wm. M. Finley & Wm. Keen

John Thompson & John Jones

Nicholas Kay Junr. & Jno. Garre.

Will Thornton & M. P. Parley

Thomas Duff & John Duff Junr.

Jacob Duff

Jas. Thompson Junr.

W. Edwards

Thomas Duff Junr.

Peter Jaquet Senr.

James Eves

J. H. W. W. W.

John H. H. H.

John H. H. H.

A Petition

A Petition of divers
freeholders & Inhabitants
of the Delaware State
to the General Assembly
thereof

1787

12-E. New Castle County Petitions to the General Assembly, October 1787.¹

A Petition of the Freeholders & Electors of the Delaware State to the General Assembly—
 Whereas the Citizens of this State have for some time experienced
 great Inconveniences and disadvantages, which in the opinion
 of your Petitioners have chiefly proceeded from a want of
 a more efficient general Government of the Union.
 And as the late General Convention appointed to meet
 at Philadelphia, have, with the most auspicious Unani-
 mity, agreed upon & recommended a federal Constitution,
 for the excellent purposes of forming a more perfect Union,
 establishing Justice, providing for the common Defence,
 promoting the general Welfare, & securing the Blessings
 of Liberty to the Citizens of the United States and their
 posterity— And have resolved, that the same be laid before
 the united States in Congress assembled, and afterwards
 submitted to a Convention of Delegates chosen in each
 State by the People thereof, under the recommendation
 of its Legislature to their consent and Ratification—
 Your Petitioners therefore having had the Satisfaction
 to hear that Congress have approved the Constitution
 above mentioned, most earnestly request your honorable
 Houses to appoint a time as early as may be conven-
 -ent for the Election of Delegates to a State Convention,
 in order that the Citizens of Delaware may prove their
 Zeal for the general Welfare by a speedy Ratification
 and Adoption of a plan of Government, which your
 petitioners trust will be attended with the most desir-
 -able consequences of Peace, stability, efficacy and
 Prosperity in all the confederate States, respect and
 Confidence in foreign Nations & meet the Approbation
 and cordial Approbation of all the true Votaries of
 Liberty, whatever Country they inhabit.

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

Vincent Gilpin J. Shallice J. Gibbons.
 Joel Lane And W. Gibson Watkins Crumpton
 John White W. Whipple John Hayes
 David Beeson Jonathan Humphreys Sam. Hollingsworth
 Tho. Lea James Lea J. Joseph Warner
 David Park John Shallice Thomas Lew
 William McQueen J. A. Watnough J. Inkeeper
 John Ginnell J. A. Watnough George Clarke
 Hon. J. Ginnell J. A. Watnough Vincent Bonall
 Peter Hendrichson Wm. Geddes Isaac Hendrickson
 Jo. the same Peter Brynberg Joshua Clarkson
 Jacob Carver Math. Robinson J. B. Clark
 James Nixon
 George Nixon
 J. B. Clark Henry Whittall Geo. Bush
 Nathan McKee J. A. Adams Caleb Way
 Peter Wallaver Hugh Thomson Saml Bush
 Thomas Dixon John Thelwell John Nelson
 Benjn Hartley James McCormick Wm Gregory
 J. B. Clark Jos. Capella David Bush
 J. B. Clark J. Hill Joseph Sumner
 Dan. Adams Murdoch J. B. Clark
 James Brown J. B. Clark John Erwin
 J. B. Clark J. B. Clark Sam Erwin
 David Bush J. B. Clark
 Char. H. Wharton Robert Pearce
 Joseph Shepley W. Kendrickson
 Chabonall James Montgomery

Small Preston
Isaac Stan
Wm Smith
Dashed Ashua
Cyrus Newlin
Edw. Mendenhall
Benja. Mendenhall
Timothy Mendenhall
Francis May
Hozz Niles
Thos. Babb
Matter Williamson

*Pet. in favour of the
Federal Constitution.*

Oct. 24. 1787.

12-F. New Castle County Petitions to the General Assembly, October 1787.¹

The Petition of the Freeholders & Electors of the Delaware State to the General Assembly of the same.

Whereas in the eighth section of the first article of the plan of Federal Government agreed upon by the late General Convention it is resolv'd. — That Congress shall exercise exclusive legislative in all cases whatsoever, over such district (not exceeding ten miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States.

Your Petitioners taking into consideration the central situation, plentiful supplies of every kind of provisions, and other great conveniences which would be afforded, to the seat of Congress by its establishment in Delaware, and being likewise sensible of the many advantages which would be deriv'd to the Citizens of the State in general, and moreover actuated by a federal zeal to discover an early disposition to accommodate the United States in an object of such importance.

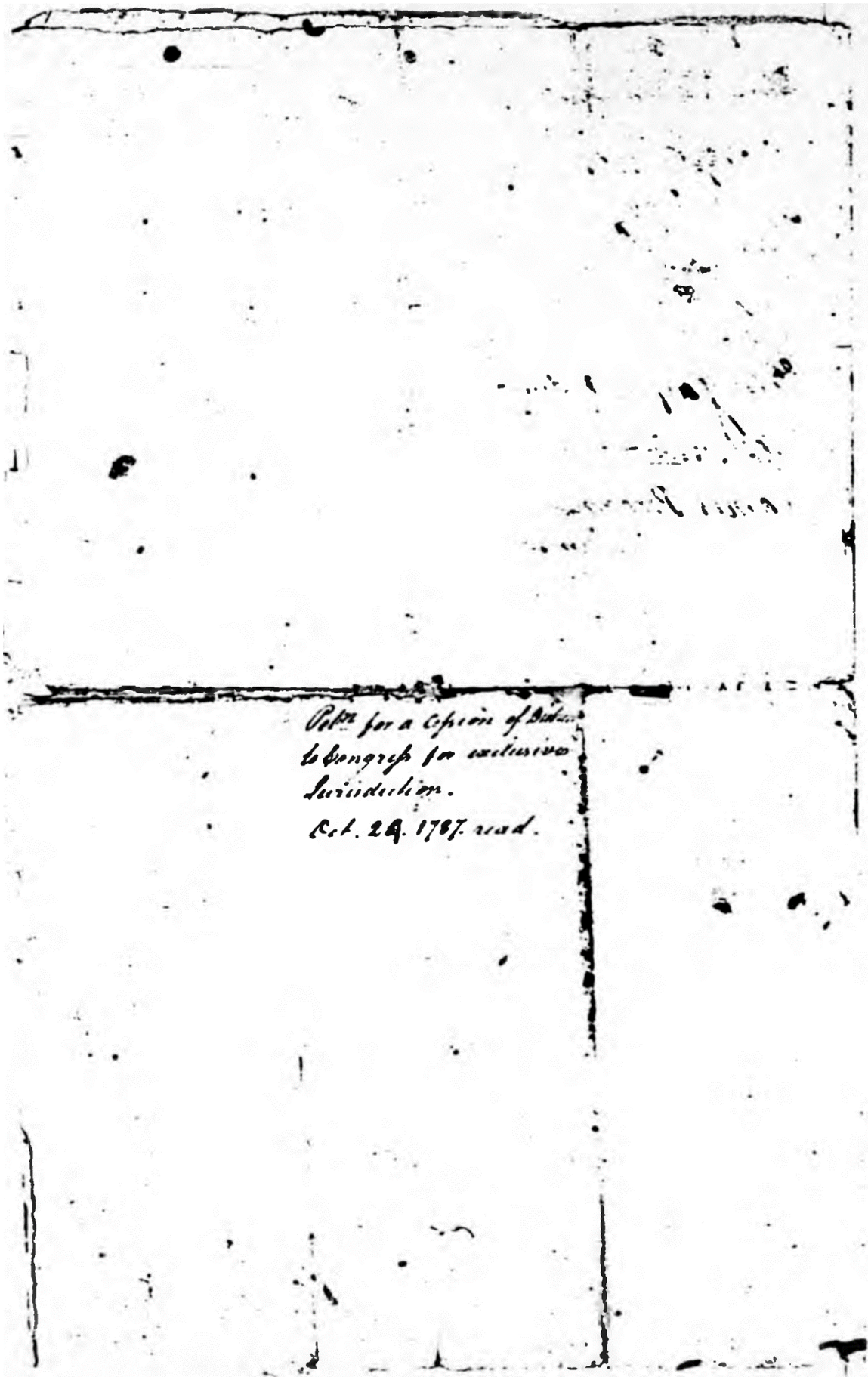
We therefore request that your Honorable Houses will immediately adopt the necessary measures by such act or resolution as you in your wisdom may judge expedient, by which an offer may be made, of granting to Congress a district of the Delaware State, for the purpose abovementioned, either in some particular desirable place, or in any part of the State which Congress may think proper to make choice of.

Robert Jones Wm. Humphrell J. Gibbons
 Wm. Greary Jonathan Thunmyre
 James Montgomery James Lee
 Joseph Shadwell John Hays
 J. Dutton J. de Bary Saml. Hollingsworth
 J. H. Wathaugh Thomas Cray
 Joseph Warner

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

Wm Geddes	James O. McIntosh
Peter Brynberg	John Garrettson
John Bickson	Jacques Stewart
Nicholas Way	Haac Devon
Henry Paphall	Robert Galbraith
Ed. Adams	Samuel Galbraith
Joshua Jackson	James Stewart
Augh Thomson	Jacob Bratten
George Clarke	Wm. Dixon junr
John Thelwell	John Groveson
James McCorkell	Peter Hendrickson
Joseph Capelle	Wm. McIntosh
Mr. Hill	James Nixon
Richard	John Nixon
John P. Flinn	George Nixon
Laurence Gregory	Vincent Bonfall
David Bush junr	Frederick
Charles H. Wharton	Nathaniel Jones
Joseph Shipley	Joseph Summers
Christopher	Peter Watson
John Lane	Thomas Wilson
Mr. M. Kinley	Benny Hartley
John White	St. Jacques
David Bepson	Israel Preston
Thos. Lea	Isaac Stan
David Park	Wm. Melmoth
William McKernan	DANIEL ADAMS
	Parker Ashum

Thomas Mandiphall
Benja Mandiphall
Timothy Hanson
Francis Way
Nehemiah
G. Bush
Peter Jasquet
The. Kabb
James Proom
Walter Williamson



*Petition for a Opinion of Duties
to Congress for exclusive
Jurisdiction.*

Oct. 29. 1787. read.

12-G. New Castle County Petitions to the General Assembly, October 1787.¹

To the Honorable the Representatives of the People of the Delaware State in General Assembly met

Whereas in the eighth Article of the first Article of the plan of Federal Government, agreed upon by the late General Convention it is resolved that Congress shall exercise legislative Jurisdiction in all cases whatsoever, over such District (not exceeding ten miles square) as may by compact of particular States and the acceptance of Congress, be within the Seat of the Government of the United States.

Your Petitioners taking into consideration the central situation plentiful supplies of every kind of provision and other great conveniences which would be afforded to the seat of Congress by its establishment in Delaware, and being likewise sensible of the many advantages which would be derived to the Citizens of the State in general, and moreover actuated by a Federal zeal to discover an early disposition to accommodate the United States in the Object of such importance

We therefore request that your Honorable House will immediately adopt the necessary measures by such act or resolution as you in your wisdom may judge expedient, by which an offer may be made of granting to Congress a district of the Delaware State for the purpose above mentioned either in some particular described place, or in any part of the State which Congress may think proper to make choice of

Jas Lotenar
 Thomas Duck
 Wm Robinson
 A. Delaplaine
 Benj Peterman
 S. P. Reece
 Jurecol peterman
 Wm Smimeth
 Jas Delaplaine
 Jurecol peterman
 Robt Scott Wilmington

J. Chamberlaine
 J. H. Waterman
 Jacob Derickson
 Samuel Delaplaine
 Geo. Paulson
 Joshua Todd
 Lewis Stone
 Henry Gifford
 David M. Eastman

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

*Petⁿ for a Division of District
to Congress for exclusive
Jurisdiction*

Oct. 20. 1787. read.

12-H. New Castle County Petitions to the General Assembly, October 1787.¹

Whereas in the eighth section of the first article of the Plan of Federal Government agreed upon by the late Convention it is resolved — That Congress shall exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may by cession of particular States and the acceptance of Congress become the Seat of the Government of the United States.

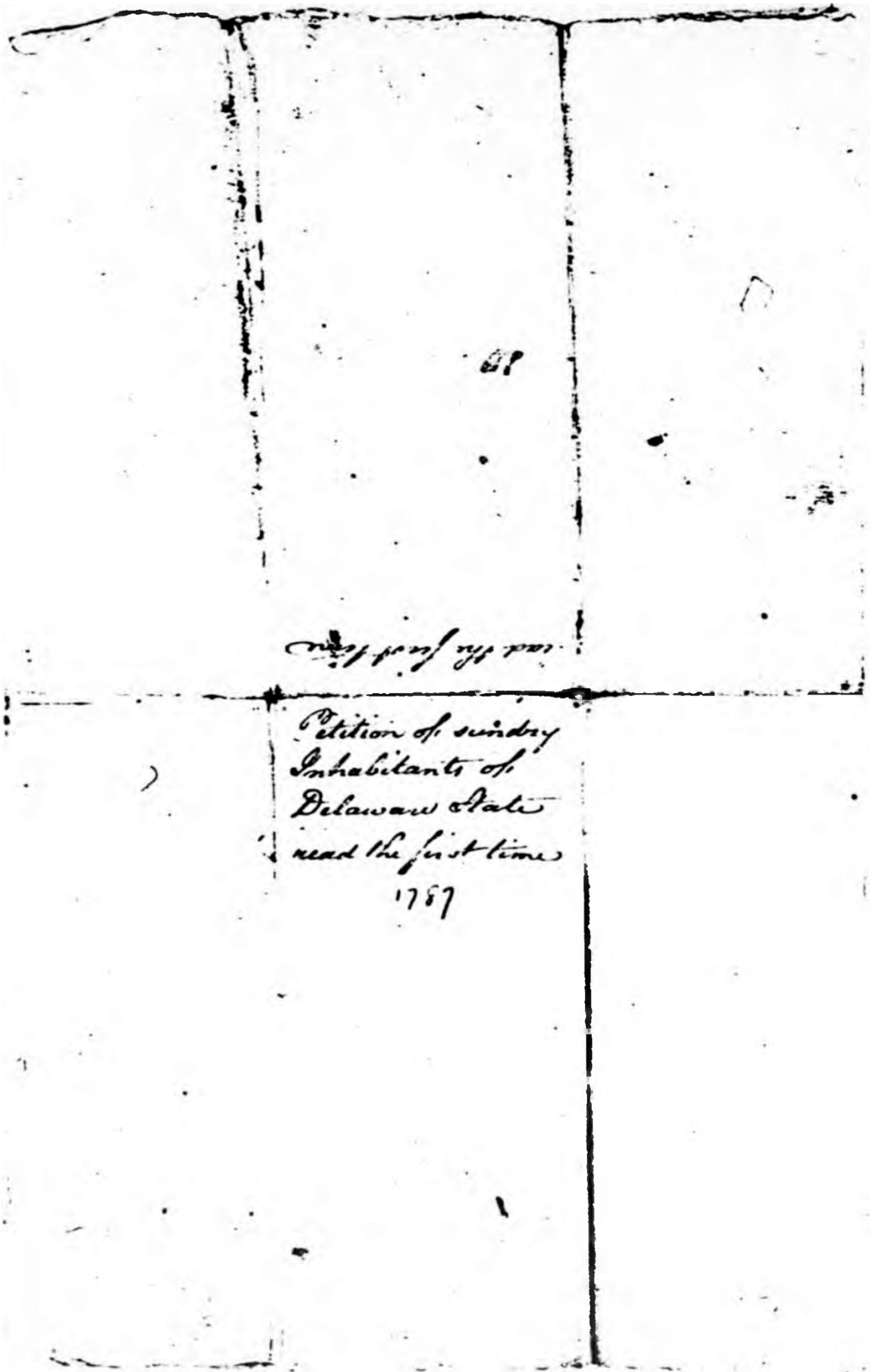
Your Petitioners taking into consideration the central situation, plentiful supplies of every kind of provision, and other great conveniences which would be afforded to the Seat of Congress by its establishment in Delaware, being likewise sensible of the many advantages which would be derived to the Citizens of the State in general and moreover actuated by a Federal zeal to discover an early disposition to accommodate the Union States in an object of such importance.

We therefore earnestly request ^{that} your Honorable Houses will immediately ^{take} the necessary measures by such act or resolution as you in your wisdom may judge expedient, by which an offer may be made of granting to Congress a district of the Delaware State for the purpose above-mentioned either in some particular described place or in any part of the State which Congress may think proper to make choice of.

Gov. Cox Hutton William Hiken
 John Thomas Shemiah Wilson David Finney
 William Cahoon Isaac Goffin John Jones
 Benjamin Stoub Joseph Davis [Signature]
 John Parker Robert Dixon [Signature]
 Major Minath Andrew Barnett [Signature]

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

Ferdinand Cohen
 William Porter
 Francis Jester
 Thomas Heath
 Henry Moteston
 Geo. Smith
 Mark Killen
 Alex. Shana
 Nicholas Ridgely
 Stephen Ableson
 Joseph Harper
 Joseph Davis
 Joshua Braithwaite
 James O'Brien
 Samuel York
 John Hays
 John Ward
 Peter Dawson
 Thomas Davis
 Matthew Willey
 William King



13-A. Votes Cast, Sussex County, Baltimore Hundred, 15 October 1787.¹

A list of the names of Baltimore
 Hundred & Votes

Samuel Dericksen	1
William Hall	2
Noah Collins	8
Benjamin Holland	4
Littleton Townward	5
Richard Parker	6

I Noah Collins Being in power
 in Baltimore Hundred in the County
 of Sussex at an Election held at
 Lewis town in County aforesaid on the
 15th day of Oct. 1787 and the
 Above is a true list of the Votes
 of aforesaid Hundred as written by my hand
 Noah Collins

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

List,
Baltimore Hundred

13-B. Votes Cast, Broad Kiln Hundred, 15 October 1787.¹

Broad Kiln Votes	Broad Kiln Votes
John Baggard votes - 1	
Abel Robinson - 2	
Stephen Mitchell - 3	
Nathaniel Hickman - 4	
James Fungus - 5	
Hugh Timbore - 6	
Wm Hall - 7	
Whitely halfpils - 8	
Wm Hayward - 9	
Sheldon Tomson - 10	
Wm Perry - 11	
Edmon Dickinson - 12	
James Wiley - 13	
Hugh Patterson - 14	
George West - 15	
Whimigh Hill - 16	
Jameson Kahoan - 17	
John Cross Eij - 18	
John Farnish - 19	
Robert Hall - 20	
Wm Matthias - 21	
Emanuel Hubern - 22	
Stephen Lecture - 23	
Boston Johnson - 24	
Abraham Conner - 25	
Parker Pruitt - 26	

William Perry Inspector for
Broad Kiln Hundred in the County
of Sussex do hereby certify that above
Listed names at the Town of Lewes
for said County on the 15th day of
October the above named Persons
Voted in said Hundred

Witness my hand
William Perry

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

List
Broad Kiln H.
1787

13-C. Votes Cast, Cedar Creek Hundred, 15 October 1787.¹

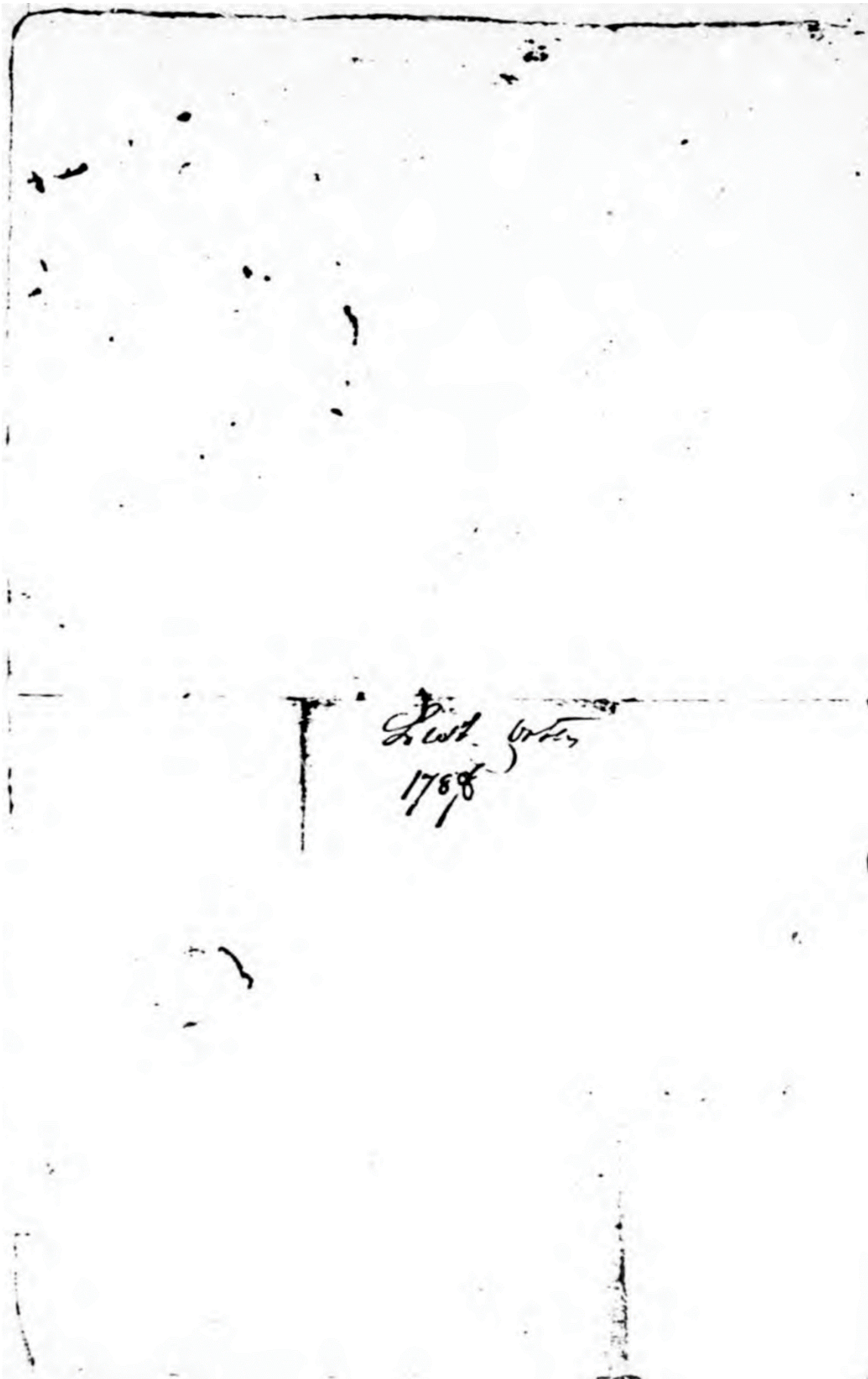
alist of the votes taken -

Luke watson -	1
Yaccora Canick	2
Levy Rogers --	3
Johnel Wapsett -	4
J ⁿ Lofland -----	5
Wm. Mochle -	6
Isaac Velduchamp -	7
David Williams -	8
J ⁿ Parker -----	9

Isaac Beauchamp, Substator
for Cedar Creek Hundred in
the County of Sussex do certify
that at an Election holden at
the Town of Newes for the County
of Sussex the 15th day of Oct- 1787
the above named Persons voted
on said Hundred

Isaac Beauchamp

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.



13-D. Votes Cast, Dagsbury Hundred, 15 October 1787.¹

A List of the persons Names Belonging to the Hundred of Dagsbury Made from the Poll of 1787

Samuel Weston	1
John Mumford	2
Joseph Benickson	3
Godock Baisey	4
Lucy Morris	5
Salomon Willey	6
Simon Kollock	7
William Barton	8
Jacob	

I Salomon Willey Inspector for Dagsbury Hundred of the County of Sussex do Certify that at an Election holden at the Town of Lewes for the County aforesaid on the 15th day of October 1787 the above named persons Value in said Hundred

Witness my hand

Salomon Willey

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

A List of Votes Belonging to the Dagsbury Hundred
The Number of Eighty Votes

List votes
1787

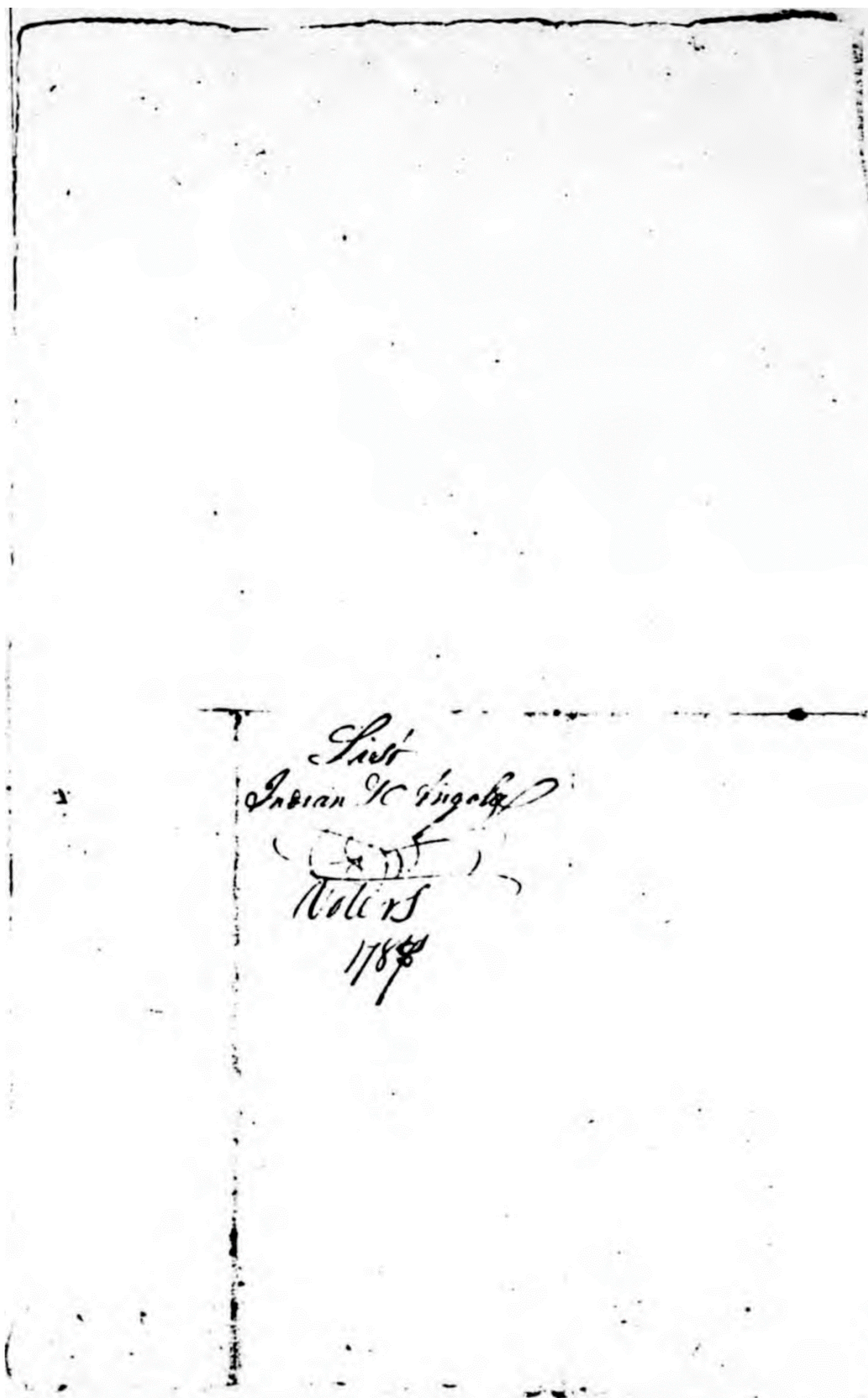
13-E. Votes Cast, Indian River Hundred, 15 October 1787.¹

*A List of the Names of the
Indian & Anglo Voters -*

David Mather	1
The Sinner	2
Henry Boston	3
Isaac Atkins	4
Andrew McLean	5
John Robinson	6
John Felt	7
George Franck	8
The Quaker	9
Mr Norton of Bin	10
The Horner	11
George Hedy	12

*I Isaac Atkins Justice for
Sussex County Clerk do hereby certify that above
election holden at the town of
for the County of on the 15th day
of October the above named
Persons voted in said Hundred
District my hand Isaac Atkins*

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

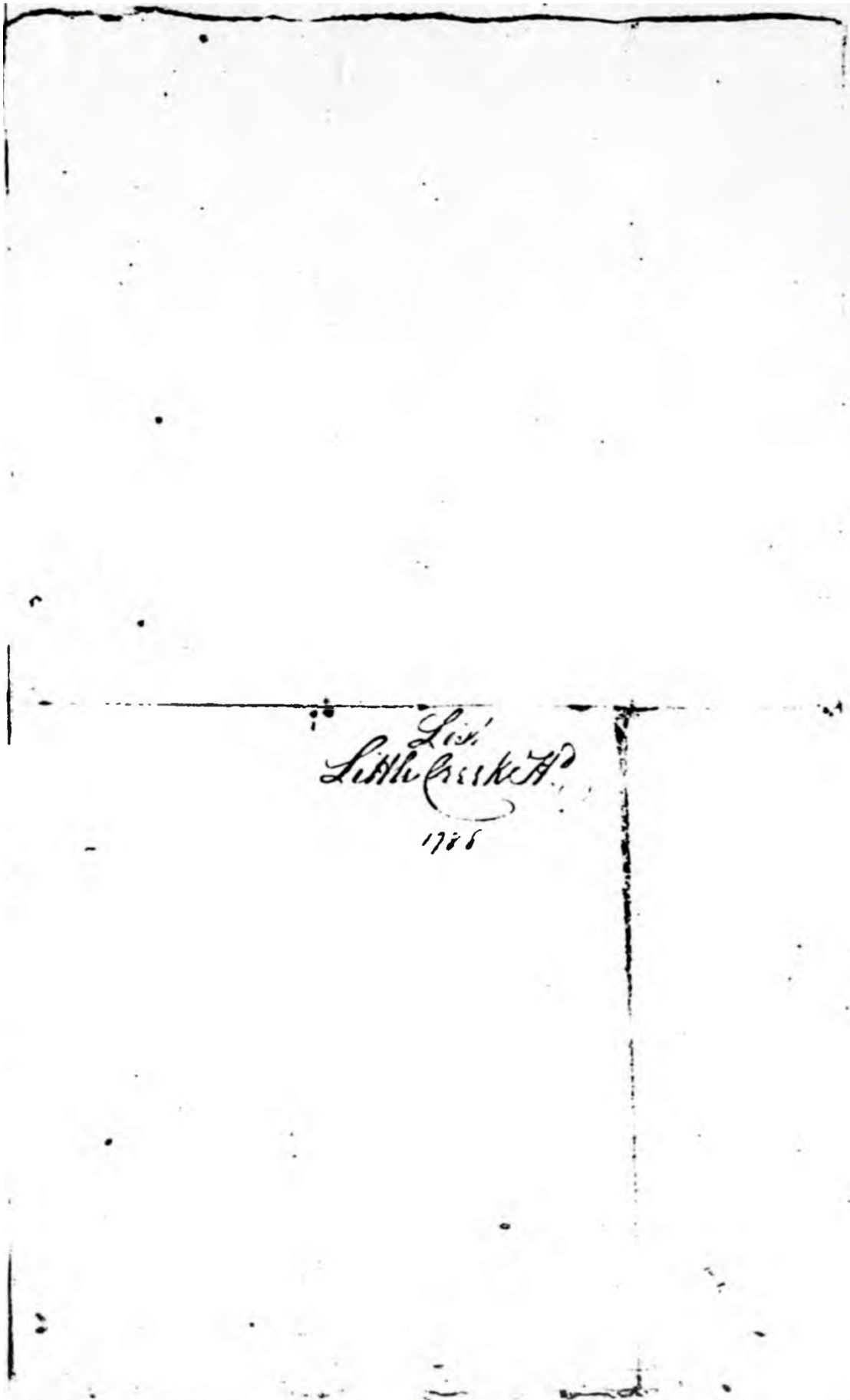


13-F. Votes Cast, Little Creek Hundred, 15 October 1787.¹

A list of the Names of the
 Little Creek Voters
 1 John King
 2 James Houston
 3 Eleazur Jackson
 4 Marshall Smith Inspector
 of the Little Creek Hundred
 in the County of Sussex
 County that are Election held
 at the Town of Lewis, Sussex
 County on the 15th day of October
 1787 the above named Persons
 Voted in the said Hundred
 without dissent

Marshall Smith

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.




13-G. Votes Cast, Nanticoke Hundred, 15 October 1787.¹

*A List of the Names of
Nanticoke Votes*

Benjamin Boye	1
Bill Parker	2
Joseph Lindell	3
Nathaniel Miller	4
Henry Coover	5
Thomas Jinnell	6
George Polk	7
John Collins	8
Chas. Spicer	9
Joseph Boye	10
John Miller	11
Nathaniel Hayes	11
Cloudbrough Whisen	12
George Hally Tucker	13
John Henson	14

I Thomas Lowrey Inspecter
for Nanticoke Hundred in
the County of Sussex do hereby
testify that the above Collection taken
at the Town of Lewis for the
County afo. on 15th day of
October 1787 by the above
named persons voted in
said Hundred
Witness my hand
Thomas Lowrey

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.



	<p><i>List</i> <i>Nanticoke Hundred</i> 1788</p>	
--	--	--

13-H. Votes Cast, Northwest Fork Hundred, 15 October 1787.¹

List of Voters of the Northwest Hundred the 15th October 1787

1.	John Grayham			
2.	Robert Williams			
3.	Thomas Lacey			
4.	Jonathan Hatfield			
5.				

I James Wright Inspector for the said Hundred in the County of Sussex do certify that at an Election holden at the Town of Lewis for said County on the 15th day of Oct. 1787 the above named Persons Voted in said Hundred

Witness my hand & Seal this 15th day of Oct. 1787

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

The image shows a large rectangular area with a rough, hand-drawn border. Inside this area, there is a small section at the top left containing handwritten text. The rest of the area is mostly blank with some faint, illegible markings and a few small dark spots. The overall appearance is that of a scan of a document page, possibly a ledger or a list, where the main content is either blank or so faded that it cannot be read.

List
Northwest Fork Hundred

17-A. Sussex County Petitions Protesting the 15 October 1787 Elections.¹

To the Honorable The Representatives of the Freemen of the Delaware State in
 General Assembly met.
 The Petition of sundry Inhabitants of Sussex County in the State above and
 Humbly sheweth

That on Monday the eighth of October instant some of the inhabitants of said County met at Lewes and formed what they call an session Ticket, for Representatives Sheriff and Coroner for said County for the ensuing year, which said Ticket and no other was by them agreed to be voted at the General Election on the fifteenth of said Month.

That the said Ticket ^{being} formed without the knowledge or consent of the Freemen in general, could not therefore be binding upon any but those who formed the same or consented to the forming thereof, being only about in number fifteen or twenty

That on the said fifteenth day of the Month the Freeholders in general attended in order to give in their Votes, but were hindered from so doing by some of the leading Gentlemen, who had agreed that only about One Hundred Votes should be taken, whereby at least nine tenth parts of the Freemen of said County were denied their right of suffrage, and abridged of one of their greatest Privileges, namely that of choosing their Representatives

That notwithstanding the aforesaid Gentlemen had pledged their Faith their Honor and all that was dear to them, that no person should be injured or abused, yet numbers of persons were beat, wounded and maimed and the lives of many others threatened by a Mob furnished with Clubs/Pistols Cutlasses &c. headed by and urged on by a certain James Trucham, James Pollock and others.

That the petitioners humbly conceive the returns made by the Sheriff and Freeholders have not the least shadow of truth in them, as the Members were not chosen in full County neither according to the Constitution or system of government of the State, but that the said Election was carried on in an unprecedented, illegal and unconstitutional manner

That from the Facts above stated your Petitioners cannot suppose

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

themselves to be legally Represented by the Members chosen in the manner
of nor do they apprehend any Acts, Statutes or Laws made by them can be
binding upon the People of this County, whose Liberties have been infringed
in the manner before described.

Your Petitioners therefore relying upon and trusting in the
wisdom of this Honorable House to redress us in as in them lies the
grievances of an injured People. Humbly pray your Honors to take the
Premises into Consideration, and out issue a Writ for a new Election, that
so your Petitioners may enjoy their just rights and Privileges, or grant
them such other relief in the Premises as to your Honors shall seem meet

And your Petitioners as in duty bound will ever pray

October 20. 1787.

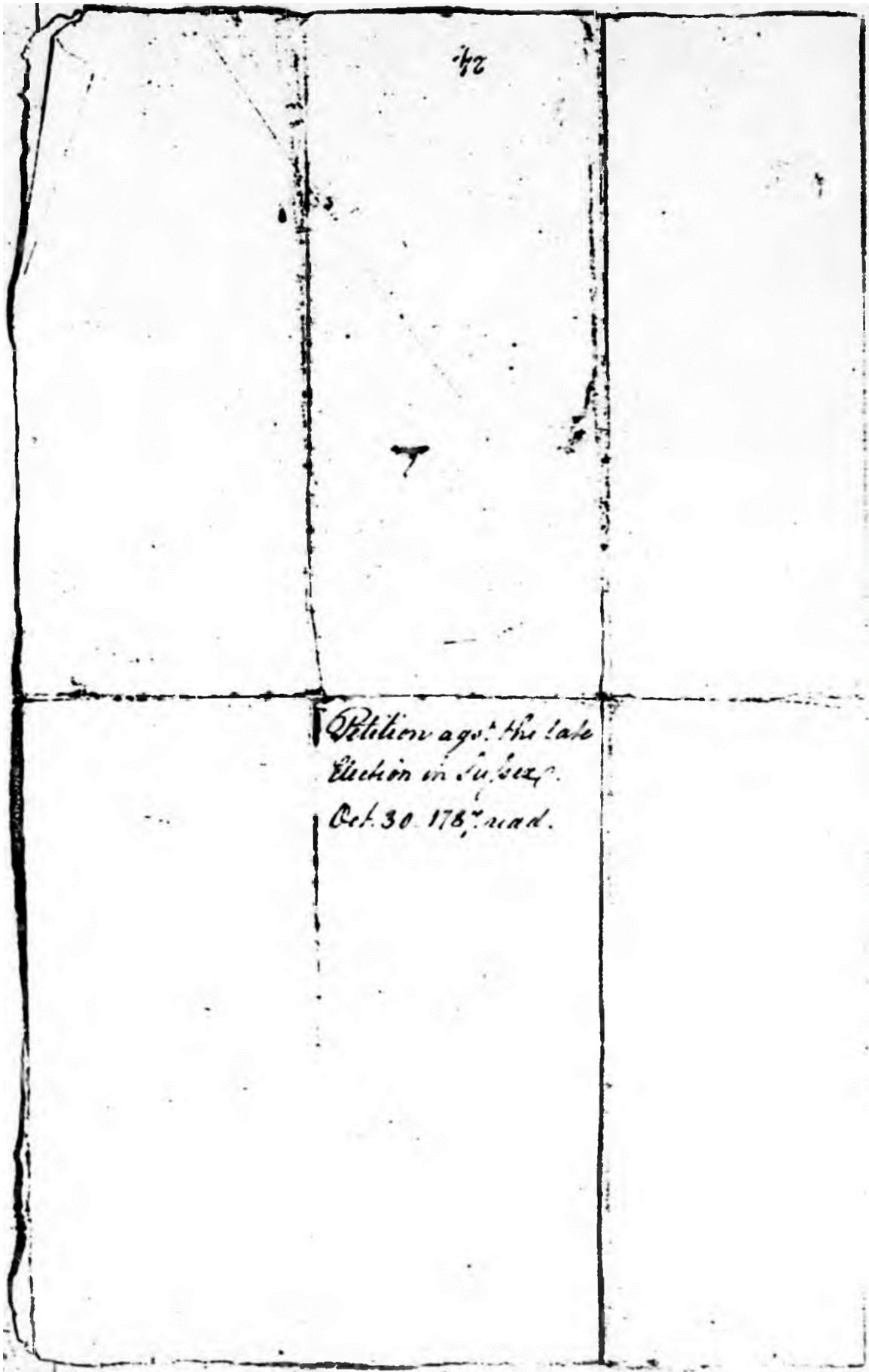
Joseph Holston
Sylvester Abbe

Anderson Parker
Corn. Willbank Junr

Jacob Townsend
Thomas Davis
The Watsons

Reverend Honor

- Edward Stapleton
- Nathaniel Stoddy
- William Richards
- Patrick Boynton
- Thomas Cor. 7. 1. 1.
- Samuel Morris
- William Walton
- John Walton
- David Smith
- Frederick Watson. Junr
- Bethuel Watson Junr
- Joseph Beard
- Jesse Willson.
- Lewis Rige
- Osaker Johnson
- Edw. Jones



24
Petition agt. the late
Election in Su. sex.
Oct. 30. 1787. read.

17-B. Sussex County Petitions Protesting the 15 October 1787 Elections.¹

To the Honorable The Representatives of the Freemen of
the Delaware State in Gen. Assembly met -

The Petition of Sundry Inhabitants of the County
of Sussex and State afo.
Humbly Sheweth

That on Monday the eighth day of this instant
October six Gentlemen of said County met at the town
of Lewes and ^{formed} what they call, an Union Ticket which
said Ticket and no other was to be admitted at the Gener-
al Election for Representatives, Sheriff and Coroner, on the
fifteenth day of October being the day appointed for the
said Election by Peter Fowell Knight Esq. High Sheriff
of said County

That on the said eighth day of October a num-
ber of Men, the amount of about two Hundred known by
the Names of Rebels and said to be two Companies
or part of two Companies of Militia commanded by
Lord Howard and John Sheldon Turman, entered the
Town with Colours flying and themselves furnished with
Pistols, Clubs Cutlasses &c. to the great terror of the
peaceable Inhabitants of said Town and did there and
there beat and wound several people, and among others
whom they attacked was a certain James English who
had been elected and returned as Inspector for Little Creek
Hundred, who being at the House of Thomas Hollock
in said Town the said House was surrounded by the said
armed Men, and the said English finding himself in
danger made his escape by jumping out of a two pair
of Stair Window, but was pursued and overtaken by
a Party of said Men who compelled him to give Bail
for his Non Appearance on the said fifteenth day of
October

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

That on the said fifteenth day of October the Freeholders in general met at Lewes afo. in order to Vote for their representatives but were denied their right of suffrage, it having been agreed among the leading Gentlemen of said County that only one thousand Votes should be taken whereby near one thousand more were abridged of one of their greatest Privileges namely that of choosing their Representatives.

That on the said fifteenth day of October afo. Mob assembled in the Town afo. and notwithstanding the faith, the Honor and all that was due to the said aforesaid leading Gentlemen, was pledged that no Person should be abused or insulted, yet the said Mob urged on by James Truesham, James Pollack and others did beat and wound many inoffensive Persons in the Presence of several Justices of the Peace and threatened the lives of many others who providentially made their escape.

That from the facts before stated your Petitioners cannot look upon themselves as Represented in general Assembly by men chosen and elected in a manner so unconstitutional illegal and precluded, neither do they think themselves bound by any Act done or Law made by such Members, the afo. Ticket having been formed without their Consent, Knowledge or Approbation could therefore only be binding on those who formed the same or consented to the forming thereof.

Your Petitioners therefore relying on your Honors who they know to be not only bound on duty but led by inclination to redress as far as in ~~their power~~ you lies, the wrongs and grievances of an injured People Humbly pray your Honors to grant them ~~their~~ ^{their} ~~petition~~ ^{petition}

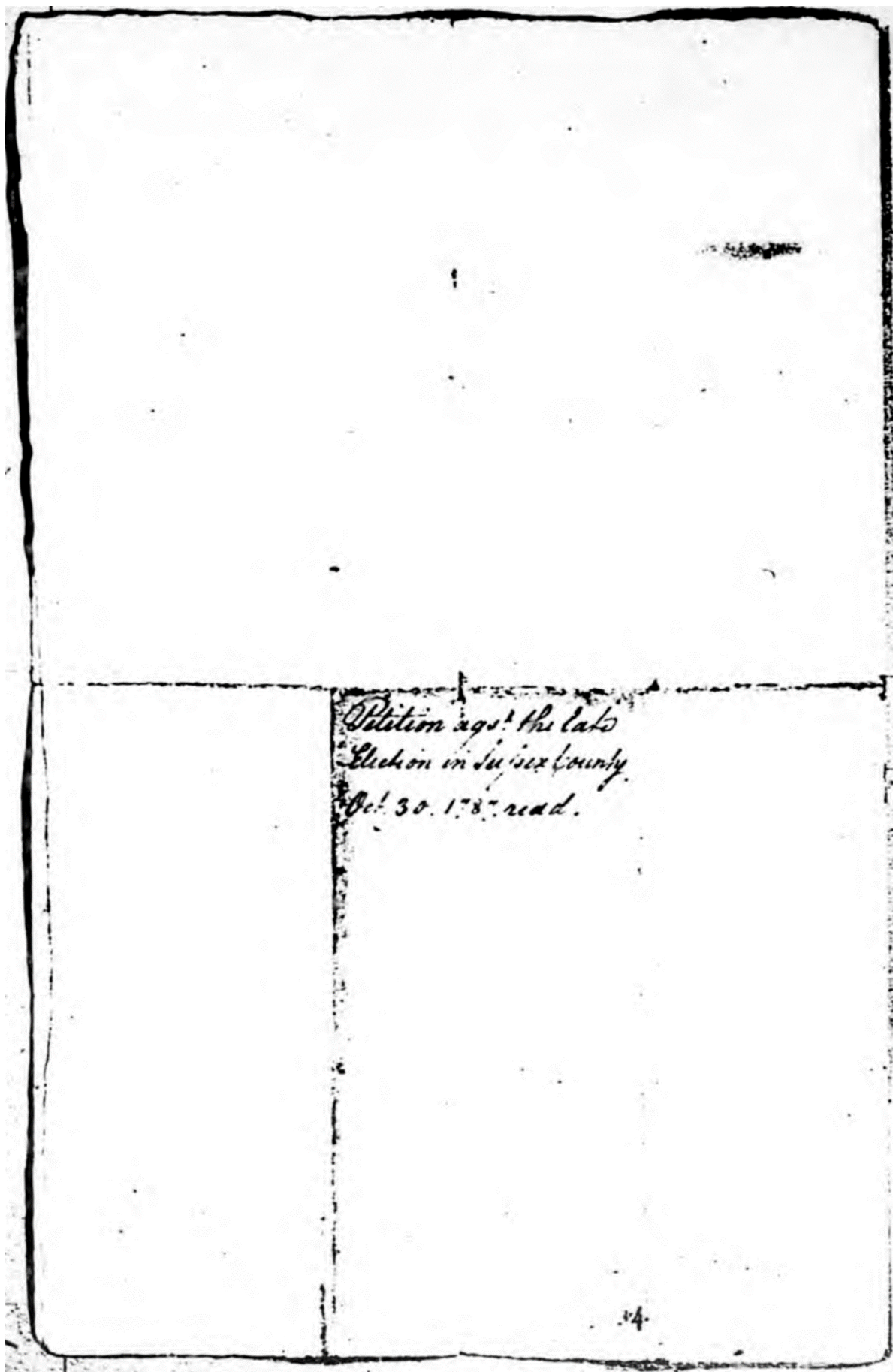
in the Premises as to you shall seem meet. that as
the good People of this County may enjoy their Rights
and Privileges, and our Demerits brought
to undignified Punishment

And your Petitioners will ever

Pray &c.
October the 27th 1787

Woodman Rockley
William Burton
Benjamin Burton
Jacob Burton
Morton Burton
Eli Cary
Joseph Burton
Ernest Johnston
John Burton
William Burton
Caleb Dean
Aaron Burton
Wm Bagwell
William Burton
Lathenbury Bagwell
Newcomb White
Benjamin Benistar Jones
Benjamin Peniston Jones
Giles Townsend
Thomas Gree
Thomas Gree Juner
Joseph Dean
Ernest Jones
Joseph Burton

Robert Burton Junr
William Rist
Luke Burton
William Burton
Robert Burton Junr
Melby Simpson
Andrew Simpson
Joseph Hous Jr
Henry Burdett
John Burton Wyeolake



*Petition agt the late
Election in Sussex County
Oct. 30. 1787. read.*

17-C. Sussex County Petitions Protesting the 15 October 1787 Elections.¹

To the Honorable the Representatives of the Freemen of the Delaware State in General Assembly met
 The Petition of sundry Inhabitants of the County of Sussex State aforesaid
 Humbly Sheweth

That on Monday the eighth of October instant, six Gentlemen of said County met at the Town of Dewors, and formed what they call, an Union Ticket, which said Ticket and union, was to be admitted at the General Election, or Representatives, Sheriff and Coroner, on the fifteenth day of October being the day appointed for said Election, by Peter F. Howell Knight Esq. High Sheriff of said County.

That on the said eighth day of October a number of men to the amount of about Four Hundred, known by the name of a ^{Militia} Association, and said to be two Companies or part of two Companies, commanded by Lord Hazard and John Holden Deane, entered the town, with Colours flying and themselves furnished with Pistols &c. with intent to the great terror of the peaceable inhabitants of said Town, and did then and there beat and wound several people, and among others whom they attacked was a certain James English who had been elected and returned as Inspector for Little Creek Hundred, who being in the House of Hercules Swilcock in the town aforesaid the said House was surrounded by the said Armed men, and the said English finding himself in danger, made his escape by jumping out of a low part of Glass Window, but was pursued and overtaken by a party of said men, who endeavored to give him a mortal wound on said fifteenth day of October.

That on the said fifteenth day of October, the Freemen in General met at Dewors aforesaid in order to Vote for their representatives, but were denied their right of Suffrage, it having been agreed among the leading Gentlemen of said County, that only One Hundred Votes should be taken, whereby near One thousand Freemen were abridged of one of their greatest Privileges namely that of choosing their Representatives.

That on the said fifteenth of October the said Petitioners assembled in the town aforesaid, and notwithstanding the faithless Honor and all that was dear to the aforesaid leading Gentlemen was pledged, that no person should be abused,

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

or insulted. yet the said Mob, urged on by James Trusham, James Folsom, & others, did beat and wound many ^{in presence of several Justices of the Peace} inoffensive persons, and threatened the lives of many others who providentially escaped made their escape.

That from the facts before stated your Petitioners cannot look upon themselves as represented in General Assembly, by men chosen and elected in a manner so unconstitutional, illegal and unprecedented; neither do they think themselves bound by any Acts done or Laws made by such Members; The said Ticket having been printed without their Consent, Knowledge or Approbation, could therefore only be binding on those who formed the same, or consented to the forming thereof --

Your Petitioners therefore relying on your Honors, who they know to be not only bound in duty, but led by inclination, to redress, as far as in you lies, the wrongs and grievances of an injured People, Humbly pray your Honors to grant them such relief in the Premises as to you shall seem most, that so the good People of this County may enjoy their rights and Privileges, and our domestic tranquility brought to entire enjoyment.

And your Petitioners will ever pray &c

- John Crandle
- John Clendaniel
- John Collins
- William Smith son of John
- Joseph Stokely
- Bennett
- William Shochley
- John Morris
- Littleton Loftley
- George Loftland
- John Davis son
- Joshua Bennett
- Charles Draper
- Johna Morris
- Joseph Draper
- John Lindell
- James Cook
- William Hinds
- Robert Wallborn
- Mardox Davis
- Thomas Davis
- John Pittcall
- Richard Mills
- Isaac Townsend
- Conrad Spencer
- William Coffey
- John Smith
- John Young
- Benjamin Davis Junr

Oct. 30. 1787. made
ago: the above Election
Petition

17-D. Sussex County Petitions Protesting the 15 October 1787 Elections.¹

To the Honorable the Representatives of the Freemen of the Delaware State
in General Assembly met

The Petition of sundry inhabitants of the County of the first Willats of
the County of Sussex

That on Monday the Eighth of October instant six Gentlemen
of said County met at the Town of Sussex, and formed what they
called, an Union Ticket which said Ticket and no other, was
to be admitted at the General Election for Representatives, Sheriff
and Coroners, on the fifteenth day of October, being the day ap-
pointed for said Election by Peter Kristinell Wright Esq. Sheriff
of said County

That on said Eighth day of October a number of
men to the amount of about Two Hundred, known by the name
of Speculators and said to be Two Companies or Part of two
Companies of Militia, commanded by said Hazard and John
Shelton Dorman, entered the Town with Colours flying, and themselves
furnished with Pistols Clubs Cudgils &c. to the great Terror of the
Peaceable Inhabitants of said Town, and did then and there beat
and wound several people, and among others whom they
killed was a certain James English, who had been killed and
returned as Inspector for Little Creek Hundred, who being in the
House of Hercules Kattocks in the town aforesaid, the said House was
surrounded by the said Armed men and the said English finding
himself in danger, made his escape by jumping out of a
Pair of these windows, but ~~was~~ was pursued and overtaken by
a Party of said Men, who compelled to give Bail for his next
Appearance on following day of October —

That on said fifteenth day of October the Freemen in general
met at Sussex aforesaid in Order to vote for their Representatives, but were
denied their Right of suffrage, it having been Agreed among
the Leading Gentlemen of said County, that only one Hundred, or
less Votes should be taken, whereby Nine one Thousand Freemen
were deprived of one of their greatest Privileges, namely that of
choosing their Representatives

That on the said fifteenth day of October the said
Mobs assembled in the Town aforesaid, and that with standing the
faith the Honour and all that was Dear to the aforesaid Leading
Gentlemen was pledged, that no person should be abused or
assaulted

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

Yet the said Mob. Uged on by James Ketchum James Ballack & Others did beat and wound many inoffensive persons in presence of several Justices of the Peace - and Threatened the Lives of many Others who providentially made their escape.

That from the facts before stated your petitioners cannot look upon themselves Represented in General Assembly, by men Chosen and Elected in a Manner so unconstitutional illegal and unprecedented: neither do they think themselves bound by any Act done or Laws Made by such Members: The said Mobel having been formed without their Consent Knowledge or Approbation, could therefore only be binding on those who formed the same, or consented the forming thereof

Your petitioners therefore Relying on your Honours who they know to be not only bound in duty, but led by Inclination to Aid us as far as in you lies, the Rights and Grievances of an injured People, Humbly pray your Honours to grant them such Relief in the Premises as to you shall seem meet: that so the Good People of this County may enjoy their rights and Privileges, and our domestic enemies brought to condign Punishment

- And your petitioners will ever pray &c
- | | | |
|-----------------|----------------|---------------------|
| William Weard | Nathan Clifton | Benjamin Hudson |
| James P. Weard | Nathan Clifton | William Deputy Junr |
| Josiah Goffeth | Levythrop | David Morgan |
| James Heaverlo | James Weard | William Hudson |
| Andrew Heaverlo | John Shepard | Benjamin Trust |
| Thos. Williams | John Norton | Dorman Leland |
| William Wills | Samuel Weard | George Richards |
| Elias Weard | Robert Owens | Howard Wall |
| Solomon Teach | John Hudson | Wizom Warren |
| Thos Voack | Thomas Daniel | Elizabeth |
| Eli. Williams | William Pameil | Thos Hudson |
| Gabriel Leland | | |
| John Hudson | | |

†
Petition agst the late
Election in Sussex County.
Oct. 30. 1787. read

12

17-E. Sussex County Petitions Protesting the 15 October 1787 Elections.¹

To the Honorable the General Assembly of the State of Delaware

The Petition and Remonstrance of the Free Men Electors of the County of Sussex humbly sheweth:

That your Petitioners and others on the first of October instant met at the Town of Lewis for the Purpose of choosing Representatives in the General Assembly, Sheriffs and Coronors for the ensuing Year for the said County agreeable to the spirit, true intention and meaning of the Constitution of this State and the several Laws thereof made for regulating Elections &c.

But your Petitioners are constrained to say that the Election as carried on was they conceive not only unwarrantable, but expressly contrary to the Constitution of this State and the Laws aforesaid for the following Reasons:—

- 1st For that several Men were going about the said Town of Lewis armed, and insulting abusing and beating divers of your Petitioners and declaring that any Person who would vote for particular Persons who were set up in Contention that his Arms, Head, Throat &c. should be cut off.
- 2^d For that two Men to wit William Giffkins and John Peth stand at the Door of the Court-house a considerable part of the 1st Day of the said Election with Arms in their Hands and there insisted on searching and inspecting their Votes which were produced were by them immediately torn and sover they would not suffer any Person to vote any such Vote, or Writings that offend.

Your Petitioners further beg leave to represent that they

1. Legislative Papers, 1787, October–November, Petitions, Division of Historical and Cultural Affairs, Department of State.

convince me of the Persons (whom your Petitioners are informed is) reduced
 as one of the Members of the Assembly for said County, Lewis with
 the Whites to have had a very considerable Hand in promoting the
 Violence and Riots which happened on the said Day of Election
 for the following Reasons to wit.

1. That your Petitioners are informed that some
 of the Election the said Villagers they are reported as
 having an armed Guard placed about one or two Miles out of Town
 at different Times to prevent and examine every Person who
 should come to Lewis to vote on said Day of Election and that
 Information they believe to be true and if such Information
 were to make the same effect by your report.

2. That on the said Day of Election during the Time
 of the Disturbances in the Town above mentioned the said
 Nathaniel Waters for a long time interrupted the
 Election with any attempt to stop the said Election and that
 much.

That Reports had been industriously propagated and
 circulated by some Persons in the Election that a Guard
 would be placed in the said Town on the said Day of Election
 who were to be prevented if any Vote had been cast in
 the Name of those now returned should be mentioned therein.

That by Reason of the said Reports and the said
 kind of Behaviour in the Town of Lewis on the said Day of
 Election many of your Petitioners and others were prevented from
 going to Lewis Town and giving in their Votes.

Your Petitioners therefore pray the General Assembly

to the ^{their} Consideration and do therein what to them in
 their Wisdom shall seem necessary.

And your Petitioners are ^{and} Duty bound

will pray
 Daniel Palk James ^{his} ^{will} ^{pray} ^{for} ^{the} ^{County} ^{of} ^{Sussex}
 Wm Bradley ^{Mark} Henry King Leven tall
 John Fenwick Lewen Cannon Thomas Colburn
 Jeremiah Cannon Jesse Cannon William Colburn
 Thomas Hubbert Peter Hubbert Edward Cannon
 Peter Hubbert William Cannon William & Dams
 Jaci Cannon Joseph ^{mark} ^{Leip} John Flowers
 Jeremiah warwick Joseph ^{mark} ^{Leip} Charles flowers
 Charles Jean James Brotherton John Furpin
 Daniel Jeynes Lewen Clarkson Robert Williams
 William Cannon ^{mark} ^{Leip} Thomas Giger Chadwick Wallin
 Francis ^{mark} ^{Leip} John Tull Henry Hooper
 Rich: Tull Thomas flowers Peter Rust
 John Inge Julius ^{mark} ^{Leip} Lewis ^{mark} ^{Leip}
 Thomas Inge Henry flowers James Cannon
 Chamber Tull William Clarkson James Cannon Junr
 James Tull James Moor Henry Smith
 Ephraim Tull Joshua & Occin Robert Watts
 Jonathan pollard ^{his} ^{will} ^{pray} ^{for} ^{the} ^{County} ^{of} ^{Sussex}
 John ^{his} ^{will} ^{pray} ^{for} ^{the} ^{County} ^{of} ^{Sussex} ^{mark} ^{Leip} ^{with} ^{Matthew} ^{Smith}
 John ^{his} ^{will} ^{pray} ^{for} ^{the} ^{County} ^{of} ^{Sussex} ^{mark} ^{Leip} ^{with} ^{Matthew} ^{Smith}
 So. ^{his} ^{will} ^{pray} ^{for} ^{the} ^{County} ^{of} ^{Sussex} ^{mark} ^{Leip} ^{with} ^{Matthew} ^{Smith}
 William Tull George ^{mark} ^{Leip} ^{with} ^{Matthew} ^{Smith}
 Peter Tull John Cannon Hughitt Cannon
 Dickson Peacham Hadson Cannon Robert Lacey
 Robert Tull ^{mark} ^{Leip} ^{with} ^{Matthew} ^{Smith}

William Cannon	
William St. Cannon	
James Governor	
George Brown	
George Fordy	
Stephen Cooper	
John Jackson	
John Jackson	
John Jackson	
Henry Cannon	
Thomas Brown	
James Williams	
William Jackson	
John Brown	
Thomas Williams	
John Williams	
John Collins	
Abraham Cannon	
Samuel Cannon	
Joseph Cannon	
White Brown	
Jonathan Shehorn	
Joseph Dawson	

27-A. Votes Cast, Sussex County Election, Baltimore Hundred, 26 November 1787.¹

Baltimore List of Voters
 Nov. 26th 1787

- 1 John Jacob
- 2 John Jones Esq.
- 3 John W. Bayson
- 4 Matthias Smith
- 5 Stephen Taylor
- 6 William Marsay
- 7 Joseph Whorton

I do hereby certify that the list
 mentioned above is a true list of
 the Voters of Baltimore Hundred
 taken at Deep Creek Quorum on
 the twenty sixth Day of November
 1787 — at this my Hand
 Thomas Fisher junr.

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

27-B. Votes Cast, Sussex County Election, Broad Creek Hundred, 26 November 1787.¹

List of the Votes of
Broad Creek Hundred

Samuel Bechtelmeier	18	1
Abraham Beets	-	2
John Best	-	3
Richard Short	-	4
John Parters	-	5
James Fruit	-	6
John Chapman	-	7
John Maffey	-	8
Benjamin Allen	-	9
Joseph West	-	10
Thomas Tippet	-	11
Joseph Wilson	-	12
John Hallman	-	13
John Stokely	-	14
John Cannon	-	15
Joseph & Nelson	-	16
Joseph Cannon	-	17
Eliza Sweeney	-	18
Daniel Kelly	-	19
Robert Robinson	-	20
John Sues	-	21
John James	-	22
Eliza Morgan	-	23
Thomas Sharp	-	24
John Short	-	25
James Orval	-	26
Robert James	-	27
Conventon Myrick	-	28
Levy Moor	-	29
Eliza Mads	-	30
Elonged Cannon	-	31
Daniel Baker	-	32
Clement Baker	-	33
John Grace	-	34
Phillip Hinget	-	35
John Loverton	-	36
John Algood	-	37
Thomas Algood	-	38
Eliza Seal	-	39
Phillip Hinget	-	40
Phillip Hinget	-	41

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

Brought over 41

Thomas Smith	42
Henry Smith	43
Charles Peachem	44
Lezue Mathies	45
Phillip Mathies	46
Oliver James	47
Wingt Garrison	48
Thomas Hopkins	49
Charles Hood	50
Wm Hunt	51
Jesse Bond	52

I do certify that the within mentioned names is a true list of the Voters of Broad Creek Hundred taken at such Creek Courthouse on the twenty Sixth Day of November 1787 -

Abel Bond
off my hand

27-D. Votes Cast, Sussex County Election, Cedar Creek Hundred, 26 November 1787.¹

Cedar Creek Hundred. List of Voters	
William Ashworth	1
William Barnard	2
Robert Hutton	3
Howard Wallis	4
William Hooper	5
John Barnard	6
Thomas Evans	7
Robert Mathew	8
Richard Hays Junr	9
Cartor Shookley	10
Nathaniel Hays Junr	11
Nobel Cordley	12
Aaron McNamee	13
Blair Davis	14
George Lofland	15
Job Smith	16
Rattley Carter	17
William Miller	18
Henry Mathew	19
Sylvester Deputy	20
Thomas Miller	21
Nutter Lofland	22
Thomas Davis	23
Bennet Warren	24
George Richerts	25
James Brian	26
Ely Shookley	27
Nathaniel Shookley	28
Thomas Hunter	29
Joshua Hickman	30
Miller Richcords	31
Robert Hill	32
Benjamin Hart	33
Levy Pugga	34

All hereby certify that the within mentioned names is a true list of the Voters of Cedar Creek Hundred taken at Bush Creek on the twenty sixth day of November 1787
 Attesty: My hand John Lofland

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.



A handwritten list of names and vote counts on a rectangular slip of paper. The text is written in cursive and includes the following entries:

Brought up	70
Jacob Hays	71
Edmund Spencer	72
Abraham Horner	73
Benjamin Burdett	74
Abraham Parks	75
William Keach	76
Jacob Townsend	77
Sylvester Webb	78
Charles H. Hales	79
William Hancock	80

27-E. Votes Cast, Sussex County Election, Dagsbury Hundred, 26 November 1787.¹

*A List of the voters of
Dagsbury Hundred*

Chas. Keil Freeman	1
Job Ingram	2
Thomas Ingram	3
Eliza Collins	4
Philip Marvel & Sons	5
John Rogers	6
Robert Kilyman	7
George Kilyman	8
John Truvel	9
Philip Short	10
James Steen	11
William Atwell-Smith	12
Wolsey Burton	13
John Jefferson	14
Richard Jefferson	15
John Philip-James	16
Charles Jones	17
Jobe Jefferson	18
Jobe Gordon	19
William Shays	20
William Kitham	21
Parker Marvel	22
William Morris	23
Barton Prityman	24
William Thomson-James	25
Jacob Short & Sons	26
William Prityman	27
Trud Thomson	28
John West	29
Benjamin Phillips	30
Robert West	31
Joseph Robins	32
John Morris	33
Brothers Hatfield	34
Anna Robinson	35

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

Thomas West	36
Elihu Jefferson	37
Ebenzer Cary	38
Winget Neil	39
Thomas Norvell Stearns	40
Robert c Morris	41
Joseph Piper	42
David Maxwell	43
John Winget	44
Birden Morris	45
Benjamin Johnson	46
Lucas Ingraham	47
Abraham Millia	48
Joseph Morris	49
David Johnson	50
Jonathan Brito	51
Brothelomaw Johnson	52
William Valenmikel	53
Isaacnah Jones	54
Thomas Prityman	55
Samuel Fendall	56
Daniel Johnson	57
Isaac Morris	58
John Johnson	59
Winget Jones	60
Robert Hopkins	61
Robert Maxwell	62

I do hereby certify that the above
 mentioned names are the names of
 the Electors in Dagsbury Hundred
 taken at Dagsbury Hundred on the twenty
 sixth Day of November 1787
 in Witness whereof
 Thomas Jefferson

27-G. Votes Cast, Sussex County Election, Lewis & Rehoboth Hundred, 26 November 1787.¹

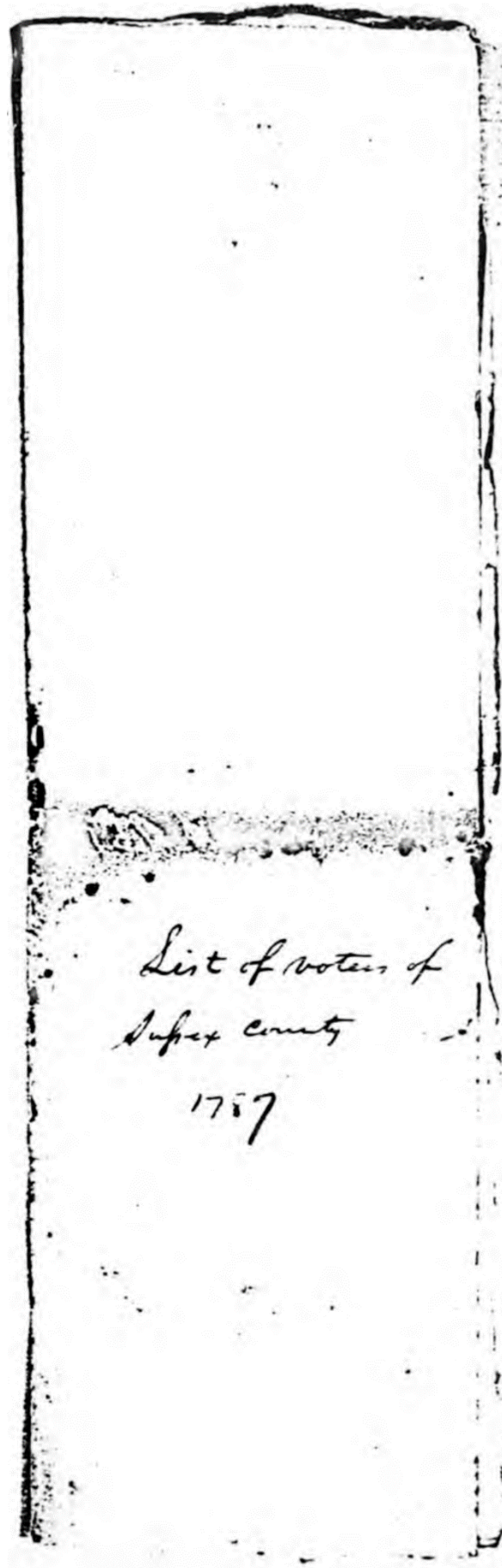
Lewis & Rehoboth Hundred
 List of Voters -
 Nov: 26, 1787

- 1 Daniel Rodney -
- 2 Jacob Stockley
- 3 John Cidey
- 4 Woodman (Nellyman)
- 5 John Fisher Junr
- 6 Edward Craig
- 7 Elijah Garbison
- 8 Isaac Holland
- 9 John Holland
- 10 James Russell
- 11 Joseph Turby
- 12 Wm Nellyman
- 13 John Parker
- 14 Wm Biscuton
- 15 Charles Robins
- 16 John Coleman
- 17 John Wolf
- 18 John Thornton
- 19 John Willbank Esq^r
- 20 Phillips Stock
- 21 Wm Harrison
- 22 Woods Shankland
- 23 Wm Newman
- 24 Nath. Mitchell
- 25 Cornelius Willbank

I do hereby certify that the within
 mentioned Names is a true List of
 the Voters of Lewis & Rehoboth
 Hundred taken at my Court
 house on the twenty sixth Day
 of November 1787 - as Witness my
 Hand - Daniel Rodney Clk

D. Rodney

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.



27-H. Votes Cast, Sussex County Election, Little Creek Hundred, 26 November 1787.¹

*A List of the Voters of
Little Creek Hundred*

Joseph Cannon Senior	1
Isaac Collings	2
Obediah Mowel	3
Louise Ellis	4
Aaron Owens	5
Lawder Hearn	6
Joseph Collings	7
Elipah Hitch	8
George Henry	
George Henry	9
Mathew Klencken	10
Isaac Merine	11
John Grumble	12
Jonathan Howler	13
Wigton Klencken	14
John Bownet	15
James Howler	16
James Nels	17
Dived Howard	18
Daniel Winson	19
Abraham Henderson	20
William Moor	21
William Law	22
Thomas Bradley	23
Charles Keene	24
George Grier	25
Curtis Hitch	26
Daniel Killohon	27
John Moor	28
Thomas Killohon	29
Joshua Collings	30
Shiles Moor	31
Elipah Moor	32
Godden Bradley	33

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

Isaac Owens -	34	William Moor -	69
Noble Moor -	35	Obadiah Moore -	70
William Shaw -	36	Lewis Jackson	71
Geo. Goslee -	37	Richard Phillips Junior	72
Dives Balyly	38	John Bodden -	73
James Howard	39	Obadiah Houston	74
Geo. Ralph -	40	Stephen Moor -	75
Joshua Phillips	41	William Houston	76
Joshua Hasty	42	Jonathan Hearn Junr	77
Samuel Hearn	43	Isaac Wooden -	78
Richard Phillips	44	James Low -	79
Thomas Moor	45	Henry Wilson	80
Geo. Moor	46	Simon H. Right	81
Charles Moore Junr	47	Barkley Townshend	82
Thos. Culver -	48	Isaac Howey -	83
Masbach, Nelson	49	Isaac Jones	84
James Cannon	50	Hugh King -	85
Joshua Bonnet	51	Geo. Hubbard	86
Jonathan Hearn	52	John James	87
William Bonnet	53	Nathaniel Howey	88
Benjamin Hearn	54	Samuel Hitch -	90
William Hearn	55	Noble Winsor	91
Nemiah Moore	56	Joshua Kenney	92
Samuel Flea -	57	Elijah Kenney	93
William Howard	58	Thomas Moor -	94
Rowenton Nichols	59	William Whaley	95
Lowder Grauer -	60	James English -	96
John Collings	61	John Crouch -	97
Obadiah Moore	62	John Williams -	98
John Pritchett	63	Samuel Ellet -	99
John Moor -	64	David Ellet -	100
John Moor	64	Samuel Hull -	101
George Mauler	65		
John Owens -	66		
Isaac Hitch -	67		
John Cordia	68		

I do hereby certify that the within
mentioned names, is a true list of
the voters of Little Creek Hundred
taken at Susse's Creek pursuant to
the twenty sixth Day of November
1787 - D. Wilson, my Hand -
Geo Cannon

27-I. Votes Cast, Sussex County Election, Nanticoke Hundred, 26 November 1787.¹

Nanticoke Hundred List
of Voters

Jshat Coverdel
 Henry Coffender
 George Williams
 Mathew Coverdel jun
 Elyy Spier — 5
 Richard Coverdel Jun
 Jas Woods
 Henry Fisher
 Brad Henry Morgan
 Tom Parks — 6
 Tho? Pruitt
 Robert hart
 Eli Short
 Major Densho
 Jacob Coverdel — 5
 Watson Smith
 Johnson Williams
 Samuel Sindal
 Joseph Smith
 Daniel Knorr — 5
 Tho? Knorr
 John Polk of Jas
 Robt Wotan Woley
 John Conway of Juner
 Eli Woley — 5
 Jas Walker
 Nathur Ingram
 Jacob Adams
 John Oslay
 Tho? Marvel — 5
 Adam Short Junr
 Jshas Polk of Jas
 Jshn Owens
 Jshas Murphy
 Jshy Fowler — 5

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

<p>(37)</p> <p>Joseph Lintal</p> <p>George White</p> <p>Wm. Sattmore</p> <p>Joseph Fisher</p> <p>George Short — 5</p> <p>Phillip Thier</p> <p>Eli the Long</p> <p>George Polk</p> <p>John Conway Senr</p> <p>George Marfey — 5</p> <p>Alexander Laws</p> <p>Jelathel Smith</p> <p>Joseph Ingram</p> <p>Henry Spears</p> <p>John Conway Senr — 5</p> <p>Francis White</p> <p>George Adams</p> <p>John Boyce</p> <p>Matthew Cowardel Senr</p> <p>Wm. Wolker — 5</p> <p>Ellenore aryo</p> <p>Robert Griffith</p> <p>Eligah Royal</p> <p>Samuel Griffith</p> <p>Daniel Long — 5</p> <p>Solomon Long</p> <p>John Mullenen</p> <p>Clouds Crough Worin</p> <p>Elas Cowardel</p> <p>Lover Cowardel — 5</p> <p>Whitenton Jonson</p> <p>John harness</p> <p>Richard Sumner</p> <p>Joseph Griffith</p> <p>Moses Griffith — 5</p>	<p>(7D)</p> <p>Elias Jonson</p> <p>Eli Parker</p> <p>Mathw. Merine</p> <p>Joseph Saac Jonife</p> <p>John Short of Daniel — 5</p> <p>John Fisher</p> <p>Jonathan Porfen</p> <p>James Wilkens</p> <p>Arroy Stephens</p> <p>John Jonson — 5</p> <p>Wm. Ratliff</p> <p>Mathias Jonse</p> <p>Wm. Turner</p> <p>Moses McDaniel</p> <p>Charles Polk — 5</p> <p>Thomas Laten</p> <p>John Winson</p> <p>Nehemiah Fleetwood</p> <p>John Griffith</p> <p>John Laws Senr — 5</p> <p>Richard Durham</p> <p>Jonathan hemers</p> <p>Jacob Jonson</p> <p>Jacob Conway</p> <p>John Williams — 5</p> <p>James Jones</p> <p>Samuel Donoho</p> <p>Ezekel Willey</p> <p>Charles Cowardel</p> <p>Joseph More — 6, 100</p> <p>James freewater</p> <p>Charles Bindal</p> <p>Abraham Short junr</p> <p>Wm. freewater</p> <p>Wm. Waller — 5</p>
---	---

Selathel griffith
 John hinson
 Wm anderson
 Praben Hallif
 Joseph froth of W^m — 5.
 phillips Conway
 Owen oday
 John A. B. [unclear]
 Adam Shortland
 I do hereby certify that
 within mentioned names
 a true list of the votes of
 Nanticoke Hundred taken at and
 held pursuant to the County
 sixth Day of November 1787
 in the presence of David Short

27-J. Votes Cast, Sussex County Election, Northwest Fork Hundred, 26 November 1787.¹

*A list of the Votes of
Northwest Fork Hundred*

Joseph Gage
John Collier
Abelam Cannon
Robert Cannon
Whitton Brown
Levi Cannon
George Smith
Curtis Smith
Atter Smith
Robert Ross
Jacob Cannon
Charles Brown
Joseph Board
Elisha Cannon
Levin Tubb
Howard Cannon
Wm Ross (Short)
William Garrison
Wm Wilson
Joseph Cannon
John Robinson
William Garrison
Jesse Griffith
Henry Smith
Whitton Cannon
Rubin Allen
Wm Brady
Wm Layton
Wm Ross (Long)
Levi Stafford
Silkman Layton
Wm Richards
Wm Hatter Cannon
Newton Cannon
Curtis Jacobs
Joseph Brady
John Richard
Robert Williams

1787

1. Sussex County Records, 1787, Sussex Elections, Division of Historical and Cultural Affairs, Department of State.

55	3	11
Seth Griffith	Wm Jacobs	
Josac Griffith — 5	Thos Colborn	
Robert Laws	Jubias Jackson — 5	
Francis Brown	Wm Pelt Esq	
Francis Brown	John Wheatly	
Josiah Griffith	Blomphris Brown	
Wm Griffith — 5	Wm Melony	
Anderson Brown junr	Josac Dubler — 5	
John Handy senr	Truiston Laws Pelt	
John Handy junr	Thos Gray	
David Richard	Thos Layton	
James Daughters — 5	Edward Ross	
John Blomer	Beniah Clarkson — 5	
Wm Smith	Daniel Pelt Esq	
Obediab Smith	Parris Griffith	
Whitenton Hitch	Robt Deatt	
James Adams junr — 5	Francis Turpin	
John Adams	Whitenton Williams — 5	
Ezekiel Brown	Jeremiah Hasty	
Stephen Adams	Ruff Jackson	
Highett Cannon	Rudon Cannon	
Morgan Williams — 5	Michael Colborn	
David Wether		
Spencer Hiley		
Thos Wether		
Thos Curry		
Lewis Clifton — 5		
Jacob Kinder		
John Jones (of Gastin)		
Edward Minner		
John Cannon senr		
Zadoc Ross — 5		
Charles Richards		
Dudrick Clifton		
John Smith		
John Cannon junr		
Caleb Wether — 5		
Edward Cannon		
Elijah Adams		

I do hereby Certify that the above mentioned names is a true list of the votes of North West Fork Hundred taken at Supr Court house on the County Court Day of November 1787 - as Witness my Hand.

Thos Layton

Brought over	34
Alexander Laton	35
Charles Macklen	36
John Smith Sent	37
Joseph Hutton	38
Samuel Owens	39
General Mulner	40
William Mulner	41
Isaac Hutton	42
John Hutton	43
Robert Bell	44
Hubert Herriot	45
Thomas Conlon	46
Alexander Horner	47
Robert Owens	48
William Burrow	49
James Hutton	50
Richard Mills	51
Thomas Stappleton	52
David William	53
Edward Stappleton	54
Isaac Hogg	55
John Hogg	55
Joseph Hutton	57
William Hutton	58
Jacques Hutton	59
Leaven Kelly	60
Ladock Conill	61
Thomas Hay	62
Duke Clonnon	63
John Corlile	64
John Hutton	65
John Young	66
John Clondane	67
William Price	68
William Leland	69
Joseph Stuckly	70

29-A. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

In the honorable the Representatives of the
 Delaware State in General Assembly met
 The Petition and Remonstrance of sundry Inhabitants
 of Sussex County
 Respectfully represent

That your Petitioners are very unwilling at
 this important Time, when the safety and the very Existence of
 the Union depends on the Preservation of good Order & Tranquility
 in the States, to retard or interrupt the Progress of Government,
 But they find themselves called upon by their Feelings as
 Men and their Duty as Citizens to represent to your Honors
 a Matter which involves in its Consequences the present
 Interest and future Peace of the Community, and that
 while they represent to your Honors in the humble Language
 of Petitioners you will pardon them for discharging their Duty
 with Freedom and with Firmness.

That soon after the Reception of the first return of repre-
 sentatives for this County your Petitioners were notified by
 Advertisements of a second Election to be had at a Place commonly
 call'd Swamp's Furnace, and as your Petitioners were inform'd
 that an Appearance of Force and a violent Proceeding committed
 on the Day at the Place of Election were the principal grounds
 on which the former return of representatives was voided they
 expected to have been permitted to have attended at the same
 and Place adivided without Interruption or Disturbance.

That your Petitioners contrary to these Expectations
 were inform'd that Charles Peck Esquire one of the states Members
 on the 26th of Novr preceding the Election in a publick Company
 was heard to advise his Friends to carry their Arms &
 that Rhoads Shandland Esquire another of the states Members
 on the next Day being Sunday was seen at the Head of a Boat
 drawn with Mules going towards the Place. This Information
 together with Intelligence of several Parties of men armed in the
 same Manner being seen on the last mentioned Day proceeding
 to the Place of Election, made the greater Part of your Petitioners
 apprehensive that they could not attend without Danger of personal
 Injury and publick Disturbance.

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

... were judged by the
 for some of your Petitioners who attended the Election desired a
 number of them armed with Clubs Swords and Pistols at their
 Heads and some hundreds of more armed within Musquets were
 present near a Party of whom made Prisoners of some of your
 Petitioners by presenting a gun and threatening to fire upon them
 and ordered them in Custody until Orders for their Discharge
 were received from Nathaniel Mitchell who they just was
 the commanding Officer

That your Petitioners have been informed that this Force
 was solicited by a Call for the Militia to attend and protect the
 Election from expected Violence that this Call if it has been necessary
 might to have been public but being secret was illegal and
 unjust but your Petitioners apprehend that the Call has
 been general it would have been so in private in the Constitution
 and in some as to invalidate his authority the Election for
 continuity of our Nation is permitted to be the Petitioner and
 Guardians of our Nation by an armed Force one year another
 may claim the same privilege the next and thus our Elections
 will be in the hands of the Petitioner and the People will be
 the slaves of their Blood, Sins and Passions

That in addition to the above Facts your Petitioners
 will only remark that Anonymous Out of Grace men, Infidels and other
 disqualify persons were permitted to vote at the Election contrary
 to every Law and to the safety of the State, for it is impossible and
 unjust that their should govern a Community who would seek to
 destroy it.

That the Wish of your Petitioners to promote the
 Tranquillity of the Government and avoid the Noisy attendance
 in a meeting, therefore their present Address, that they beg
 for a quiet and undisturbed way for some time the same
 shall be in our Request, and your Petitioners desire of
 nothing so much to contribute the public Discontent and
 to vitiate the Government as the disturbing an Election
 brought with Violence, Partiality and Injustice.

That your Petitioners sensible of the Importance and knowing
 the Importance particularly of your young and your former possession
 of preserving the Laws of this State and inviolate, would be equally
 sensible that the same should be the Guardian of the Laws and
 the same should be the Guardian of the Laws and

that if our Country is ever to be free and independent
 for Liberty and in our own hands we must have a Government of the
 government are to be ruled by persons who oppose their power
 in any Manner their Prerogative who fought against it to the
 that will support our Liberties and by any means in their
 power to preserve the Independence of America
 Your Petitioners therefore relying on the Wisdom Justice
 and Integrity of your Honorable Body sincerely trust that you
 will be guided by the Truth of the Facts herein before stated
 and in consequence thereof will be obliged to hear your Petitioners
 by Council and if the above Facts are supported that you will
 be obliged to grant them that Relief in the Prerogative which to
 your Wisdom shall appear equitable and just
 And your Petitioners as on duty bound
Wm Waples
 Moderator of Meeting
 William Carter
 Morris Tindler
 Benjamin Nicolson
 Jonathan Gordon
Henry Martin
 Samuel Hall
 William Martin
 John Martin
 David Stewart
 Thomas Sirmann
 Thomas Waples Smith
 Benjamin Waples
 George Frame
 Thomas Waples
 John Bradley
 Wm. D. ...
 Benja. Polyan
 James ...
 David Richards
 Robert ...
 Joseph Waples
 James Oliver
 Peter Waples
 William Waples
 James Wilkins
 John Wyatt
 Robert Jacey
 Wm. ...
 James ...
 John ...
 Samuel ...
 John Davidson
 David ...
 William ...
 Robert ...

[Faded handwritten text, likely names of petitioners]

Thomas Gordon
Isaac Mephist
Ed Mephist
Jacob White
William Waples
John Rice
George
James
Thomas Sherman
George
William Pittman
Ephraim
Darius
Alexander
William
William
Allen
Lynn
Thomas
Joshua
William

Joel Ready Salmo
James Roach
Edward Hill
Samuel
William
Waples

[Faded handwritten text, likely names of petitioners]

William
George
William
Ephraim
Darius
Alexander
William
William
Allen
Lynn
Thomas
Joshua
William

29-B. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

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

The Petitioners and Memorials of sundry Inhabitants
 of Sussex County

Respectfully sheweth

That your Petitioners are very unwilling; at this important
 Period when the safety and the very Existence of the Union depends
 on the preservation of Peace and good Order in the State, to retard or
 interrupt the Progress of Government, but they find themselves called upon
 by their Duties as Men and as Daily as Citizens to interment to your
 Honor a Matter which involves in its consequence in the Interest
 of Liberty and Justice of the Community; and which they represent
 to your Honors in the humble Language of Petitioners you will pardon
 them for discharging their Duty with a Freedom and with a Firmness

That soon after the adjournment of the first Session of the Legislature
 for this County, your Petitioners were notified by advertisement
 of a second Election to be held at a Place usually called through the
 name, and as your Petitioners were informed that an Obstruction of Peace
 and a violent Proceeding committed on the Day of said Election
 on the principal grounds at which the former Election of Representatives
 was determined, they expected to have been invited to attend at
 that time and place advertised without Interruption or Disturbance

That your Petitioners contrary to their Expectations were informed
 that Charles Bell being one of the elected Members on the Saturday preceding
 the Election in a public Company was hired to receive his Friends to carry
 their Arms and Ammunition to the Place of Election and another of the elected Members
 on the next day being conveyed was seen at the Site of a Party armed with
 Muskets going to visit the Place This Information together with Intelligence
 of several bodies of Men Armed in the same Manner being seen on the last
 mentioned Day proceeding to the Place of Election made the greater heart of
 your Petitioners apprehensive that they could not attend without danger of
 personal Liberty and Health & Disturbance

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

That these Oppositions were justified by the Point for them of your Petitioners who attended the Election, observed a number of them armed with Sticks, Swords and Pistols at the Place, and some hundreds of them armed with Muskets, Swords &c. were a Party of ^{some} ^{of} your Petitioners, by presenting a Paper and threatening to fire on them, and obtained them in Custody until Order for their Dismissal was procured from Nathaniel Mitchell who they said was their commanding Officer

That your Petitioners have been informed that there were collected by or call for the Militia to attend and protect the Election from a publick Notice that it would not had been necessary, ought to have ^{been} ^{given}, but being recent was illegal, in consequence of your Petitioners objection ^{to} the call had been given, it would have been so consequent in the Constitution, and in Law and in Justice, and that your Petitioners for certainty of your Election is admitted to be the Government and Protection of an Election one way, another may claim the same Privilege the next, and that our Elections unless a Law can limit with leave and grace Order will be a scene of civil Discord, riot and Bloodshed

That in relation to the above Stated your Petitioners will submit that the same is not of your own free Will, and that the same is not a necessary consequence of the Election contrary to express Law and the Equity of the Law, for it is unlawful and unjust that there should be any a Government which would wish to destroy it

That the wish of your Petitioners to promote the Tranquillity of the Government and avoid the Horror attendant on a civil War influenced their insurrection. That their hearts are Clouded and our this Country for some time threatening Effects terrible war in Prospect, and your Petitioners are unwilling to contribute to aggravate the publick Disturbance and annihilate the Government as the same is a Nation fraught with Division Partiality and Injustice

That your Petitioners are with of the Princes & increasing the Impostance particularly in a young and new formed Community, pursuing the Law of Election pure and simple would be equally ready to assist the Legislature in the Execution of the Law and the subject in Defense of his Rights, for in vain have we opposed Tyranny, in vain have our Stains been washed with the blood of our brethren in vain have we pursued a happy

Aids for Liberty, and in various have we established Governments -
 if these Governments are to be ruled by persons, who ^{are} their formation in every
 Stage of their Progress - who fought against it - who supplied and supported
 it - and in various means in their Power, retarded the Independen-
 dence of America.

Your Petitioners therefore relying in the Wisdom Justice and
 Impartiality of your Honorable Body, humbly pray that you would
 enquire into the Truth of the Facts herein before stated, and in order
 to this Investigation, to hear your Petitioners by Council, & if they
 shall be found to be unjust, that you would grant them that
 relief in the Premises, which to your Wisdom shall seem equitable
 and just

And your Petitioners with duty bound will ever remain

- Charles Morris
- Daniel Morris
- Robert Morris
- Benjamin Morris
- Colebrook Morris
- Stephaniah Pollock
- Francis Wright
- John Bradley
- James Dickinson
- John Wright
- John Miller

Witnesses for the Petitioners

James Buchanan,

Isaac Atkins,

John Ponders,

William Edenbild,

Henry Edgar,

Henry Edgar Jun^r,

Wm Clayton Mitchell

Israel Holland,

Thomas Coulter,

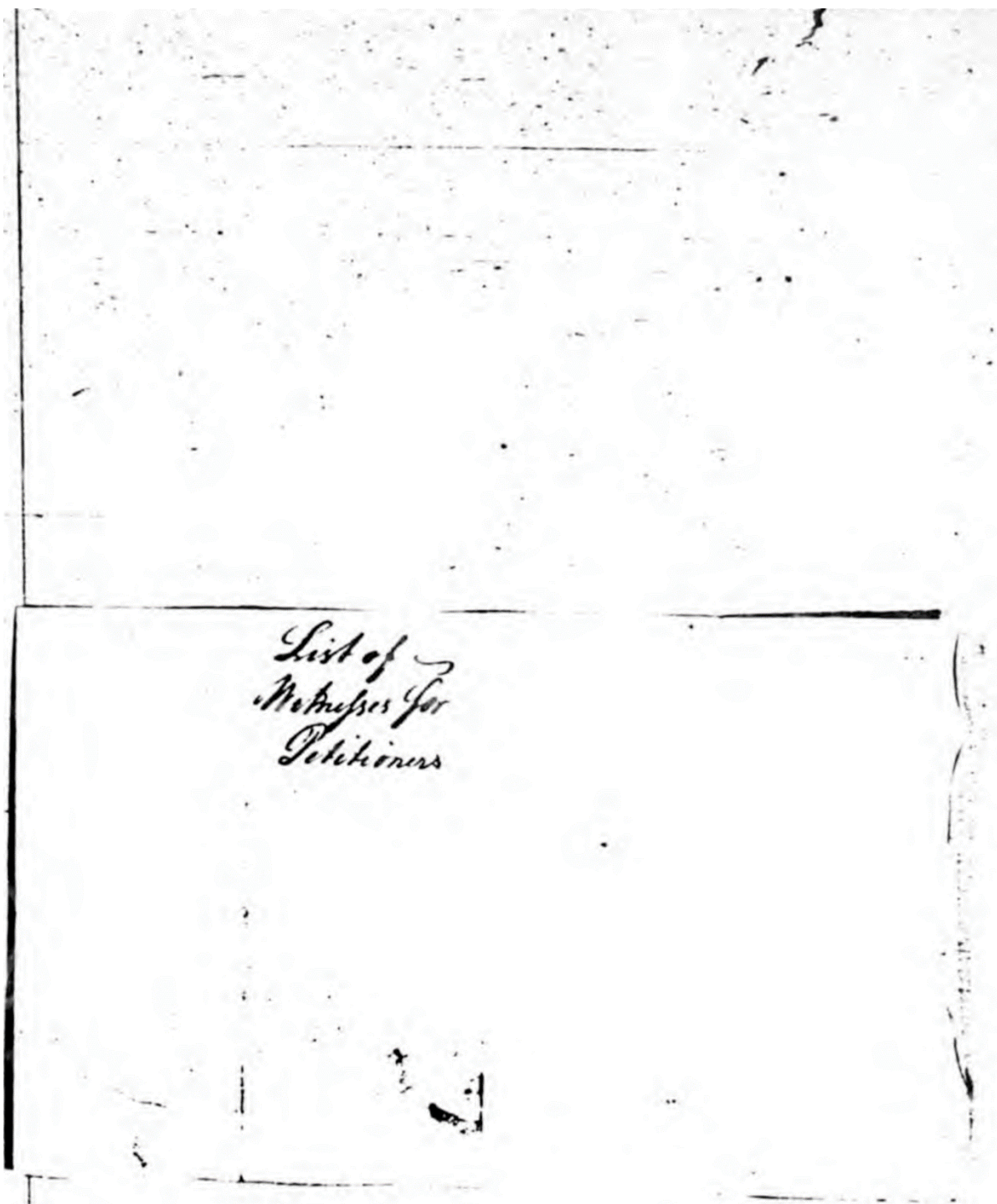
William Vaughan,

James Broughton.

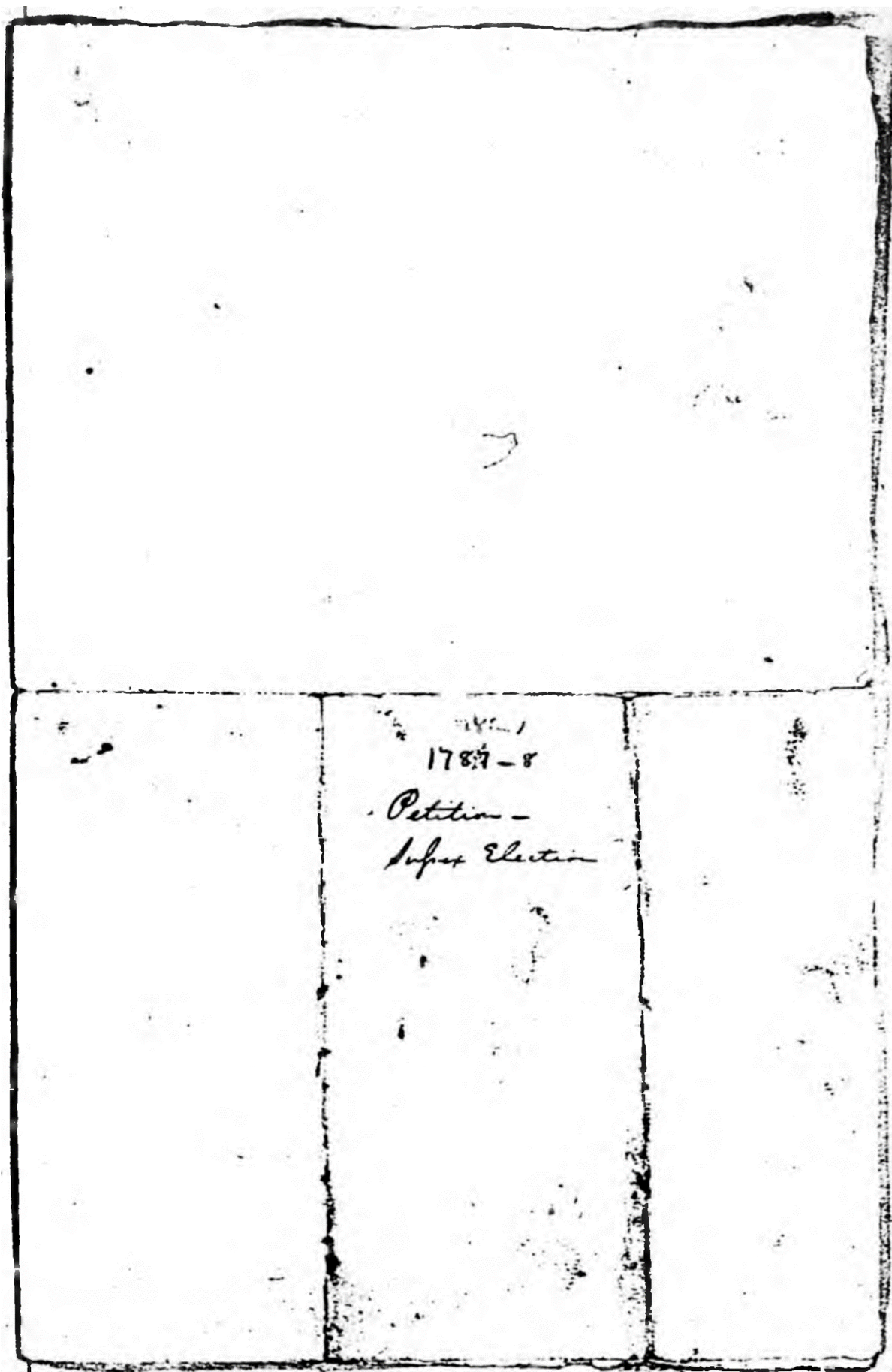
Anthony Broughton,

Bartholomew Kennedy

Thomas Batren, Esq.



*List of
Witnesses for
Petitioners*



1787-8

Petition -
Supra Election

29-C. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

223

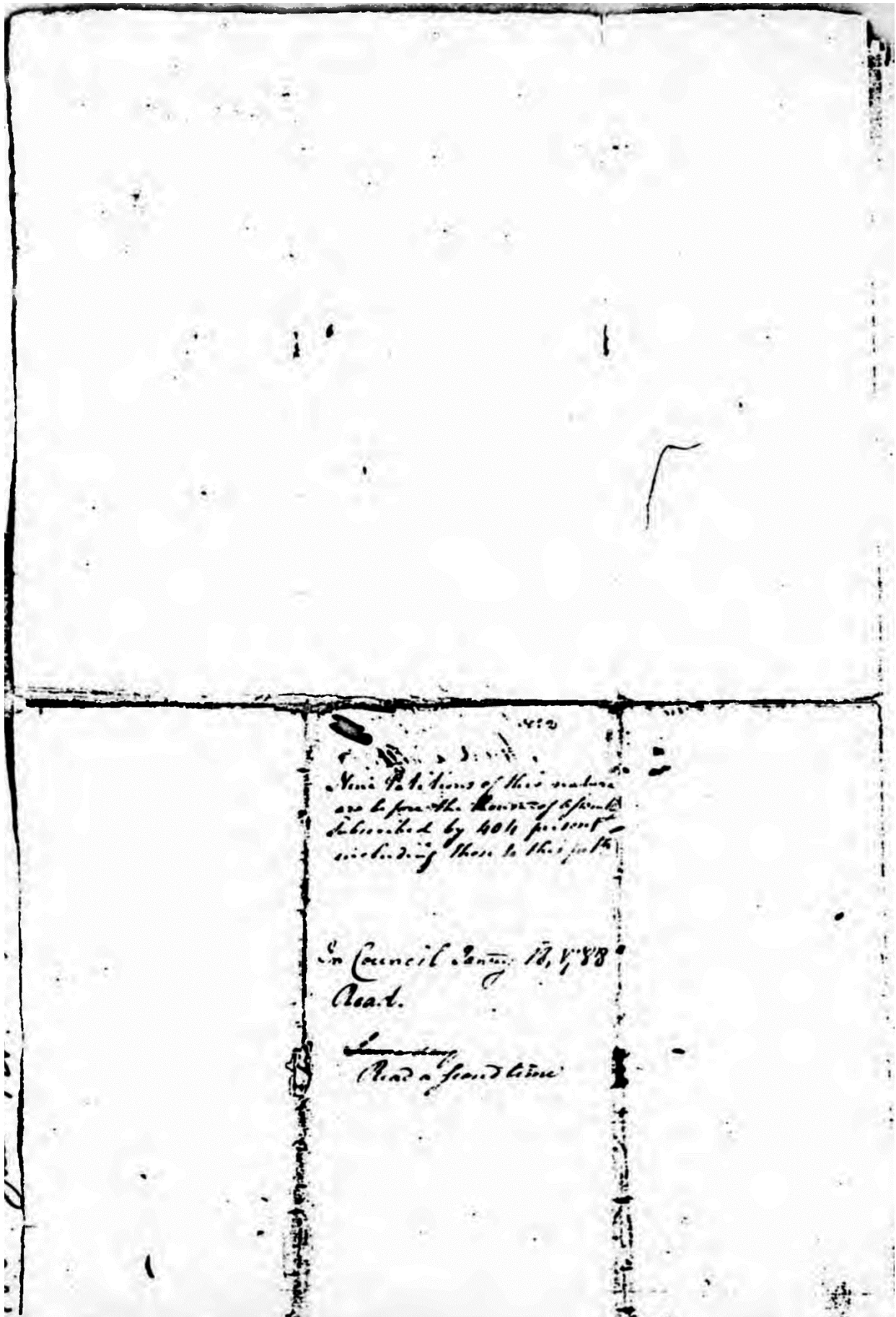
To the Honourable the Representatives of the Province of the State in
 General Assembly met
 The Petition and Remonstrance of sundry Inhabitants
 of the County
 Thus unjustly represents
 That your Petitioners were very unwilling at their Inauguration
 should, when the safety and the very Existence of the Union depend on the
 Preservation of good Order and Amity in the States, be called on to
 oppose the Prerogative Government. But their Duty in this respect is
 their Duty as men and their Duty as Citizens, to represent to you their
 own a Nation which involves in its Constitution and its
 and Justice. They are not permitted, and that while they sit in your
 House, to oppose the Prerogative Government of the State, and to
 for Dissension and their Duties, and with a Remonstrance
 That after the great Expectation of the Inhabitants of the Province
 to see your Petitioners united by a unanimous vote in
 Election is to hold a free Community called Chaperon's request, and
 your Petitioners were informed that in the Election of 1787, your
 Proceedings committed on the day at the place of Election were
 all observed on which the former Election of 1787, your Petitioners
 were informed that in the Election of 1787, your Petitioners
 and, thus, the Election was without Interruption or Disturbance
 That your Petitioners continue to be informed that in the Election
 which preceded the Election, was a public Temperance and some
 two or three to carry them to the Election, and that your Petitioners
 another of the elected Members on the next day being absent was
 at the Head of, in your words, a long and a long and a long
 This information together with Intelligence of several other
 and in the same manner being seen in the Election of 1787
 Proceeding to the place of Election in your words, the great
 Petitioners & the Members that they were not to attend unless
 of personal abuse and the Disturbance of the same, your
 were provoked by the Conduct of those your Petitioners who attended
 the Election, showed a number of the above mentioned
 at the Election, and showed hundreds of them armed with
 means; a Party of whom made possession of some of your
 by maintaining a gun, and threatening to fire upon them
 in order to compel them to withdraw from the Election, and
 which they used was their commanding officer

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

Yours petitioners with the truth of the facts herein before stated and in answer
to their said investigation do humbly request your Petitioners be remitted and if
the above facts are perfected that your said be pleased to grant them
that relief in the Premises which is your Honours duty & in witness
whereof

I and your Petitioners in due form and with due
S^t 7 Male Royal Power

- | | |
|---|---------------------------|
| J ^r Dronkman | James Dronkman |
| William Ake | John Hart |
| James Hill | Sam ^l Dronkman |
| Rob ^t Hill B. 12 th | Isaac Dronkman |
| William Nail | Joseph Freeman |
| | John Dronkman |
| | Mr. Harnoy |
| | Mills Harnoy |
| | John Harnoy |
| | William Bowers |
| John Robert | James Mitchell |
| Isaiah Martin | Joshua Talbot |
| Jonathan Martin | Thomas Evans |
| Subree Cord | Lewis Hill |
| John Evans | Warrick Hill |
| Eli Hill | William Hill |
| William Evans | Joshua Harnoy |
| John Evans | Benjamin Long |
| Jacobs Hill | Isaac Long |
| John Hill | |
| Thomas Hill | |
| Eli Hill | |
| William Hill | |
| John Hill | |
| John Hill | |
| John Hill | |
| John Hill | |
| John Hill | |



Nine Petitions of this nature
are before the Honourable House
submitted by 404 persons
including those to this date

In Council January 18, 1788
Read.

Read a second time

29-D. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

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

The Petition and Remonstrance of sundry Inhabitants
 of Sussex County

Respectfully sheweth.

That your Petitioners are very sensible of the importance
 and honor which the safety and the very existence of the Union depends
 on the Observation of their said Rights in the Acts to select or elect
 and the Regis of Government but they find themselves called upon
 by their Duties as Men and their Duty as Citizens to be bound to
 your Honors's Matter which involves the Preservation of the present
 Liberty and Justice of the Community: and that while
 they adhere to your Rights in the several Branches of Liberty
 you will pardon them for discharging their Duty with a Freedom and
 with Firmness.

That your Petitioners in objection of the great Liberty of repre-
 sentation for this County your Petitioners were entitled by Constitu-
 tions of a second Election to a full and true assembly with
 Justice, and as your Petitioners were informed that on the 26th day
 of Election was the meeting of your said Assembly the Honorable
 Representatives was compelled they expected to have your Honors
 attend at the time and place appointed without disturbance or
 disturbance.

That your Petitioners contrary to their expectations were
 informed that Charles Cook Esquire one of the elected Members on the
 Saturday preceding the Election, in a public Company was heard to
 utter his words to carry this Assembly and that Charles Hamilton
 another of the elected Members on the next day being standing was seen
 at the Head of a party armed with Muskets going towards the place
 the Information together with the Intelligence of several houses of arms
 were in the same manner being seen on the last mentioned day
 according to the place of Election made the greater part of your Petitioners
 apprehensive that they could not attend without danger of violence
 their said Liberty.

That these apprehensions were justified by the deed for those
 of your Petitioners who attended the Election shewed a number of mus-
 kets with their barrels and Pistols at the place and some were
 of your Petitioners with a Musquet barrel near a party of your
 Prisoners of some of your Petitioners by, making a gun of threatening
 to fire on them, and detained them in custody until Orders for their
 Discharge were received from Nathaniel Mitchell who they said
 was his commanding Officer.

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

That your Petitioners have been informed that Town was collected by a Gate for the Militia to attend and protect the Election from ~~any~~ ^{the} Violence. That this Gate, if it had, been necessary, ought to have been public, but being secret was illegal and unjust. But your Petitioners apprehend were if the Gate had been general, it would have been so necessary in the Constitution and on Law as to invalidate and destroy the Election; for certainly if one faction is permitted to be the guardians and protectors of an Election one year another may claim the same Privilege the next. In these our Petitioners instead of being consulted with their own good Order will be deemed of civil Disobedience and ~~disrespect~~ ^{disrespect}.

That in Addition to the above Gate your Petitioners will only request that the necessary Aid of your own, Officers and other respectable Persons, be permitted to vote at the Election contrary to express Law and the Safety of the State; for it is impossible and unjust that those should govern a Community who wish to destroy it.

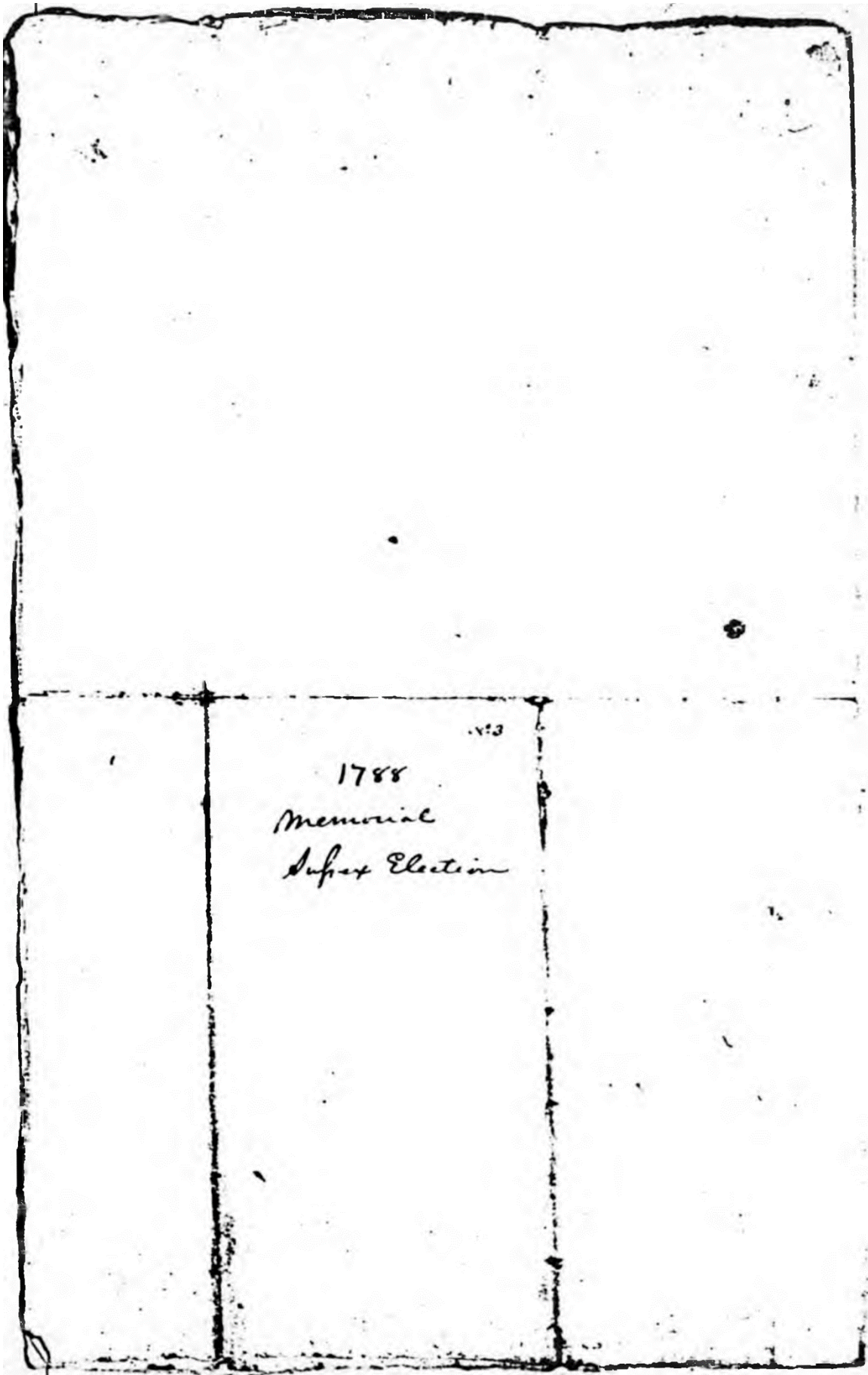
That the Wish of your Petitioners to promote the permanency of the government and avoid the serious attendant on a civil War; induces their present Objections. That there has been a Town collected in this County for some time threatening effects terrible even our President, and your Petitioners have with a like solicitude to maintain the public Independence and to maintain the government as the sanction of a Nation amongst the Nations, but they are ~~disappointed~~ ^{disappointed}.

That your Petitioners sensible of the Importance of knowing the Intention of the Legislature in a young and nascent Community of securing the Laws of Liberty, and not invade with a spirit ready to assist the Magistrate in the Execution of the Law, and the Subject in Defense of his Rights. In vain have we opposed Tyranny in various and various Instances stained with the Blood of our Brethren, in vain have we profaned a happy Revolution for Liberty and in vain have we established governments, if these governments are to be ruled by persons who are ~~in~~ ⁱⁿ the same spirit in every Stage of this Progress - who fought against it - who supplied and sustained our Enemies, and by every means in their Power, hindered the true Justice of America.

Your Petitioners therefore relying on the Wisdom Justice and Impartiality of your Honorable Body humbly pray that you would examine into the Truth of the above stated Facts and in Order to their Investigation to hear your Petitioners by Council, & if they shall be found to be unjust that you would grant them that Relief in the Petitioners wish to your Wisdom shall seem reasonable and just.

And your Petitioners as in duty bound will ever pray.
 Messrs ~~John~~ ^{John} ~~James~~ ^{James} ~~Wm~~ ^{Wm} ~~Light~~ ^{Light} : : John Flowers
 William ~~James~~ ^{James} ~~Wm~~ ^{Wm} ~~Light~~ ^{Light} : : John ~~James~~ ^{James} ~~Wm~~ ^{Wm} ~~Light~~ ^{Light}

John Collings
 Thomas Leventy
 Levin Hurley
 John Mann
 John Bollock -
 Stephen Skyles
 W. H. and J. King
 Matthew J. King
 Robert Owens
 Joshua Polk
 James Polk
 David Polk
 Mark
 Edmund Hurley
 John Polk
 Owen Polk
 Minder & Crutten
 Wm J. Crutten
 Wm. Resdore
 Stephen R. Dore
 Robert Star
 William Tull
 John Charles
 Thomas M. Mann
 Richard son Case 30.



1788
Memorial
Sussex Election

113

29-E. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

To the Honorable the Representatives of
the Delaware State in General Assembly met
The Petition & Remonstrance of Divers Inhabitants
of Sussex County.
Respectfully Sheweth.

That your Petitioners are very unwilling
at this important Period, when the Safety and very Existence
of the Union depends on the preservation of Good order and
tranquillity in the States, to retard or interrupt the Progress
of Government, but they find themselves called upon by
their feelings as Men, and their duty as Citizens, to represent
to your Honor, a Matter which involves in its consequences, the
present Interests & future Peace of the Community:— and
that while they represent to your Honor, in the humble
Language of Petitioners, you will pardon them for dis-
charging this duty, with freedom & with firmness.—

That soon after the Rejection of the first return
for Representatives for this County, your Petitioners were in-
formed by Advertisements, of a second Election, to be held at
a place commonly called Doughboys Furnace; and as
your Petitioners were informed that an appearance of force
& a riotous Struggle committed on the day and at the Place
of Election, were the principal grounds on which the for-
mer Return of Representatives was dismissed. They expected
to have been permitted to have attended at the time & place
advertised without interruption or Disturbance.

That your Petitioners contrary to their Expecta-
tions, were informed that Charles Feltz Esquire one of
the elected Members, on the Saturday preceding the Electi-
on in a public Company, was heard to advise his Friends to
carry their Fire Arms, and that Richard Starkland Esquire
another of the elected Members, on the next day being Sunday
was seen at the head of a Party, armed with Musquet going
towards the place;— this information, together with the
intelligence of several bodies of Men, armed in the same Manner,
being seen on the last mentioned day, proceeding to the place of
Election made your Petitioners that they could not attend, with-
out danger of Personal Abuse & public Disturbance.—

That these Apprehensions were justified by the
Event: for those of your Petitioners, who attended the Election,

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

about a Number of Men, armed with Clubs, Swords & Pistols at the place, and some hundreds of Men armed with Musquets, paraded near, a party of whom made Prisoners of some of your Petitioners, by presenting & threatening to fire on them, & then detaining them in Custody, until their discharge were procured from Nath: Mitchell, who they say was their commanding Officer. —

That Your Petitioners have been injured, that this force was collected by a Call for the Militia to attend & protect the Election from expected violence, that this Call if it had been necessary, ought to have been public, but being sent was illegal & unjust. — But Your Petitioners apprehend even if the Call had been general, it would have been unconstitutional and in Law, as to invalidate and destroy the Election. — For certainly if some Faction is permitted to be the Protectors & the Guardians of an Election one Year, another may claim the same Privilege the next; and thus our Elections instead of being conducted with peace and good order, of Civil Disorder, Riot, Confusion & Bloodshed! —

That in addition to the above facts, Your Petitioners will only remark that Non-jurors, & it of Grace Men, & Refugees & other disqualifid persons, were permitted to vote at the said Election — contrary to express Law and to the safety of the State, for it is unconstitutional and unjust that these should govern a Community that would wish to destroy it.

That the wish of your Petitioners to promote the tranquillity of the Government and avoid the Horrors attendant on a Civil War, influence the present Address. — That there has been a Cloud collected over this Country for some time, threatening Effects terrible even in prospect; and your Petitioners know of nothing so likely to accelerate the public disturbances & annihilate the Government as the sanctioning an Election fraught with violence, partiality & Injustice — — — —

That your Petitioners sensible of the Justice
and knowing the Importance particularly in a young
& New formed Community, of preserving the Liberty of
Election pure and inviolate would be equally ready
in assisting the Magistrate in the execution of the
Law, and the Subject in Defence of his Rights.

For in vain have we opposed Tyranny; - In vain have
our fields been stained with the blood of our Brethren.
- in vain have we prepared a happy Residence for Liberty
if in vain have we established ^{governments} those Governments
to be ruled by persons who opposed their formation
in every Stage of their progress - who fought against
it - who supplied and supported our Enemies
by every means in their power, retarded the Inde-
pendence of America.

Your Petitioners therefore firmly
relying on the Justice & Impartiality of your
Honorable Body, humbly pray that you would
be pleased to take the premises into consideration
and in order to their investigation, is near your Pe-
titioners by Council and if the above facts are sup-
ported, you would a good know what relief is due
to your Wisdom shall appear equitable & just.

And your Petitioners as in Duty
bound will pray

John Hancock
George Nelson
William Wharfen.
John Sessier
Jonathan Belts

J. Molloch
William DeWitt
Spencer Benson
Nathaniel Thoroughgood
Heli Bondfield
William Dingle
Robert Houston

Thomas Cary - Jan 21
 Joseph Houston
 Paul Waples
 Wm de Veer
 Thomas Waples
 Ely Waples
 Eliska Cottingham
 Benj^d Sabron
 Eki Timmon
 Zeannah Ellingwood
 Johnathan Bellamy
 Abidiah Callaway
 William White
 Thomas D. ...
 Isaac ...
 ...

8811
 of Sussex County
 1788
 ...

Robert Kinnick
 Peter ...
 Jn ...
 ...
 ...
 William ...

23

29-F. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

To the Honble the Representatives of the
 Delaware State in General Assembly such
 The Petition, Remonstrance of sundry Inhabitants
 of Sussex County.
 Respectfully Represent,
 That Your Petitioners and by consulting
 at this important period, when the Safety & the very existence
 of the Union depends on the preservation of good order & tran-
 quillity in the States, to retard or interrupt the progress of govern-
 ment but they find themselves called upon by their duty,
 as Men, & their duty as Citizens, to represent to Your Honor
 a Matter which involves in its consequences, the present in-
 ternal & future Peace of the Community: and that while
 they present to Your Honor, in the humble language
 of Subjects, you will pardon them for discharging this
 duty with freedom & with firmness.
 That soon after the Rejection of the first Petition of
 Representation for this County Your Petitioners were
 notified by advertisements, of a second Election to be
 held at a place commonly called Vaughan's (Farm),
 and as Your Petitioners were informed, that an Ap-
 prehension of (Violence & a Custom, Procedure) committed
 on the day & at the place of Election were the prin-
 cipal grounds, on which the former Petition of Re-
 presentation was dismissed, they desired to have been
 permitted to have attended at the time & place
 advertised without interruption or disturbance.
 That Your Petitioners contrary to their ex-
 pectations were informed that Charles 10th Esq. one
 of the elected Members on the Saturday preceding
 the Election in a public Company, was heard to
 advise his Friends to carry this (Week) arms, and that
 Rhoads Shankland Esq. another of the elected Members
 on the next day being Sunday, was seen at the head
 of a Party, armed with Muskets going towards the
 place, — this information together with the intelligence
 of several bodies of Men, armed in the same manner,
 being seen on the last mentioned day, according to
 the place of Election, the greater part of your Peti-
 tioners apprehending, that they could not attend, with-
 out danger of personal Abuse & public disturbance,
 by the Court: For that your Petitioners, who attended
 the Election, found a Number of Men, armed with their
 Swords & pistols at the place, and some hundreds of Men, ar-
 med with Muskets, were paraded about the place, &

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

of whom made prisoners of some of your Petitioners, by threatening a gun & threatening to burn or detain them in custody, until order for their discharge were procured from Nathaniel Mitchell, who they said was their commanding officer.

That your Petitioners have been informed, that this force was collected by a call for the Militia to stand against the Election from situated Violence, that this call, if it had been complying, ought to have been full, but being scant, was illegal & unjust. But your Petitioners apprehend, even if the call had been general, it could have been so enforced in the constitution & in law, as to invalidate & destroy the Election & certainty of your Election is committed to in the Statutes & Guardians of an Election by an armed law and your another may claim the same privilege the rest, and thus our Elections, instead of being conducted in peace & good order, will be scene of civil discord, Riot & bloodshed.

That in addition to the above facts, your Petitioners will only remark, that Non-Sussex, Refugees, out of your men, & other disaffected men were admitted to vote at the Election, contrary to the spirit & the safety of the State; for it is established & unjust that should govern a Community, who would wish to destroy it.

That the spirit of your Petitioners to promote the tranquillity of the Government, and avoid the Storm attendant on a civil war, influence their present address. That there has been a cloud collected over this County for some time, threatening Efforts terrible even in prospect, and your Petitioners know of nothing so likely to accelerate the public disturbance, & annihilate the Government, as the continuation of an Election fought with Violence, partiality & injustice.

That your Petitioners, sensible of the Perils, & knowing the importance, particularly in a young new formed Community, of preserving the Laws of Election pure & inviolate, would be equally ready to assist the Magistrate in the Execution of the Law, & the Subject in the loss of his Rights. In vain have we deplored Tyranny, in vain have our faith been stained with the blood of our Brethren, in vain have we prepared a happy Residence for Liberty, & in vain have we established Governments, if those Governments are to be ruled, by Men who opposed their formation, in every stage of their Progress, who fought against it, who supplied

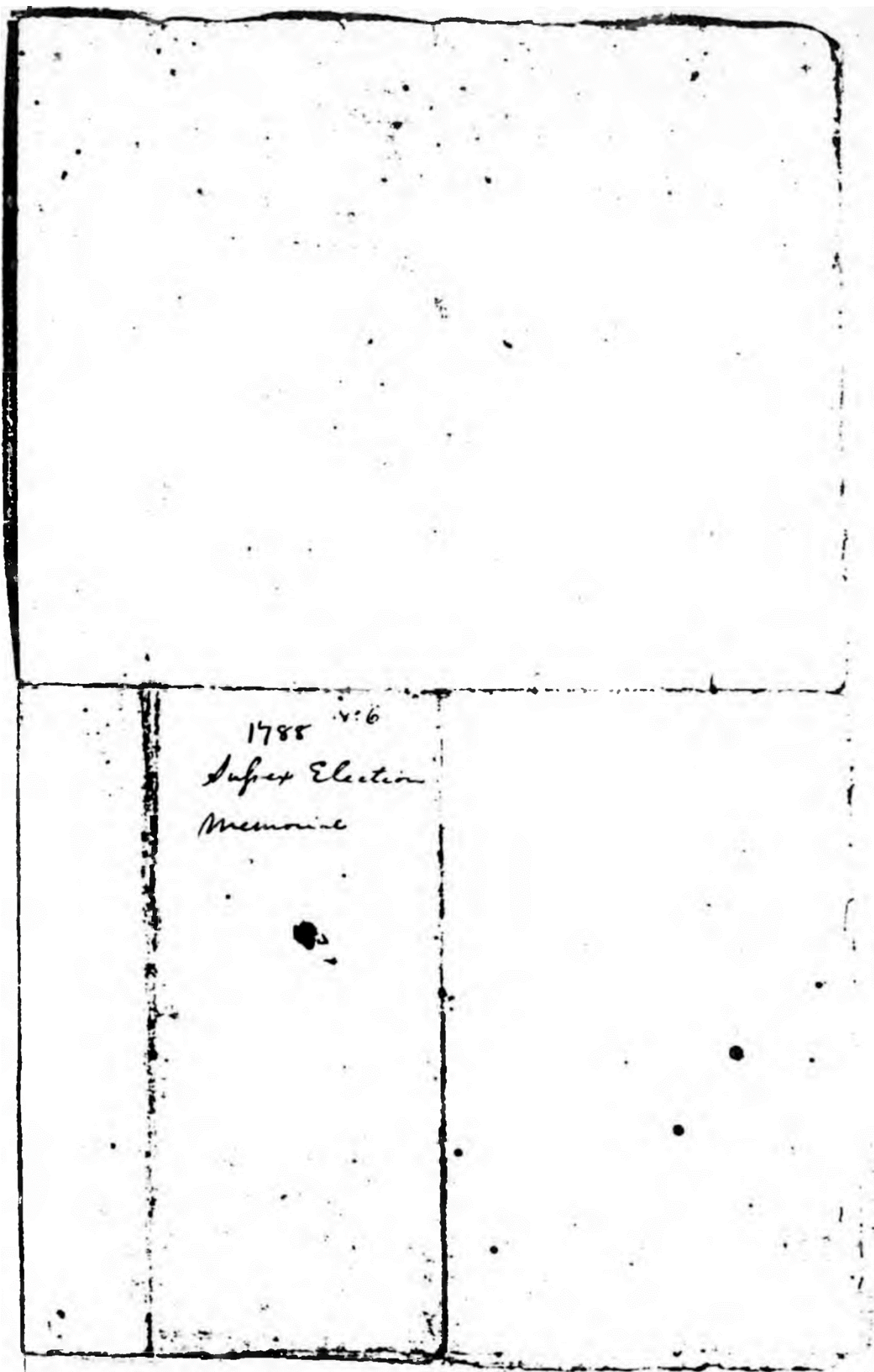
supported our enemies, & by every means in their
power retarded the Independence of America.

Your Petitioners therefore relying on the
Wisdom, Justice & Impartiality of your Honorable Body
humbly pray that you would be pleased to enquire into
the truth of facts herein before stated, and in order to
their Satisfaction to hear your Petitioners before
if the above facts are substantiated, that you would
be pleased to grant them that Relief in the Premises
which to your Wisdom shall appear equitably just.

And your Petitioners in duty bound will
ever remain

Henry Neill
Wm. Call
Richard Little
Thomas Junderville
John Wilby
John Neal
Jos. Tupper
Adam Hall
Isaac Love
John Jackson
Simon Hall
Peter Hall
Jacob Conwell
Jonathan Woolf
Danl. Murguley
William Harris
Robert Mays
George Willbourn
Samuel Thompson
Smith Willford

Samuel Thompson
Wm. West
John Orr
Levin Key
Mr. Miller
Monro
John Hall
John
like this to 30.



1788 v:6
Sussex Election
Memorine

29-G. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

To the Honorable the Representatives of the Delaware State in General Assembly met

The Petition and Remonstrance of sundry Inhabitants of Sussex County

Respectfully represent

That your Petitioners are very unwilling at this important Period, when the safety and the very existence of the Union depends on the Preservation of good order and tranquility in the Field to retard or interrupt the Progress of Government, but they find themselves called upon by their feelings as men, and their duty as Citizens to represent to your Honors, a matter which involves in its Consequences the present Interests and future peace of the Community, and that while they represent to your Honors in the humble Language of Distress, you will pardon them for discharging this Duty with freedom and with firmness.

That soon after the Rejection of the first Return of Representatives of this County, your Petitioners were not justly by Advertisement, of a second Election to be held at a place commonly called Vaughan's Furnace, and as your Petitioners were informed that an appearance of Force, and a riotous Breach were committed on the day at the place of Election were the principal grounds on which the former Return of Representatives was dismissed, they expected to have been permitted to have attended at the time & place advertised without Interruption or disturbance.

That your Petitioners contrary to these Expectations were informed that Charles Pelt kept one of the elected Members, on the Saturday preceding the Election, in a public Company was heard to advise his Friends to carry their fire arms; and that Abner Shankland Esq^r one of the elected Members on the next day (being Sunday) was seen at the head of a Party armed with Negroes, going toward the

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

the Place; this Information together with Intelligence of several bodies of men armed with the same arms being seen on the last mentioned day proceeding to the place of Election made the greater part of your Petitioners apprehensive that they could not attend with the danger of public Abuse and public Disturbance.

That these Apprehensions were justified by the Fact, for that of your Petitioners, who attended the Election, observed a number of men armed with Clubs, Swords & Pistols at the Place, and some hundreds of men armed with Musquets were paraded near, a party of whom made Violence of some of your Petitioners by preventing a Guard & threatening to fire upon them and detained them in Custody until Orders for their discharge were procured from Nathaniel Mitchell who they said was their commanding Officer.

That your Petitioners have been informed that this Force was collected by a call from the Militia to attend and protect the Election from expected Violence that this call if it had been necessary ought to have been public and being secret was illegal and unjust: but your Petitioners apprehend even if the call had been general it would have been so ungrounded in the Constitution and in Law as to invalidate and destroy the Election: for certainly if one Election is permitted to be the Property and the Guardians of an Election by an armed force one year another may claim the same Privilege the next and thus our Elections instead of being conducted in peace and good order will be Scenes of civil discord and bloodshed.

That in addition to the above facts your Petitioners will only remark that an unjust Act of Grace may be refused and other disqualified Persons were permitted to vote at the Election contrary to a proper Law and to the Safety of the State for it is impolitic and unjust that there should govern a Community who would wish to destroy it.

That the wish of your Petitioners to promote the tranquility of the Government and avoid the horrors attendant on a civil war influenced their present address that there has been a blood collected over this Country for some time threatening effects terrible even in prospect and your Petitioners have a nothing so likely to accelerate the public disturbances and annihilate the Government as the Sanctioning an Election brought with Violence partiality & injustice.

That your Petitioners sensible of the Premises and knowing the importance particularly in a new formed Community of preserving the Law & Elections pure and inviolate would be equally ready to assist the Magistrate in the Execution of the Law, and the subject in defense of his Rights for in vain have we opposed Tyranny in vain have our Fields been stained with the blood of our Brethren in vain have we prepared a happy Residence for Liberty, and in vain have we established Governments if those Governments are to be ruled by Persons who opposed their formation in every Stage of their Progress - who fought against it - who supplied and supported our Enemies - and by every means in their Power retarded the Independence of America.

Your Petitioners therefore firmly relying on the wisdom, Justice and impartiality of your Honorable House - humbly pray that you would be pleased to enquire into the truth of the facts herein before stated and to order to their Investigation to hear your Petitioners by Counsel, and if the above facts are supported that you would be pleased to grant them their Relief in the Premises which to your wisdom shall appear just & equitable.

And your Petitioners as in duty bound will ever pray &c

Peter Marsh John Davis
 Sumner Woods of William Small 32.
 Rebron Dodd
 J. H. Marsh
 William Burnsall
 David Hazard
 Robert Hill
 Mr. [unclear]
 John Chambers
 Thomas Stone
 Cornelius Stocking
 Leonard M. Stone
 Richard [unclear]
 John [unclear]
 John Little
 William [unclear] [unclear] [unclear]
 Ambrose [unclear]
 Levan Ennis
 William [unclear]
 [unclear]
 [unclear]
 Stephen [unclear]
 And [unclear]
 John [unclear]
 William [unclear]
 William [unclear]
 James Thompson
 William Thompson
 William [unclear]
 Nathaniel Gordon
 Nathaniel [unclear]

7. Pet. signed to be on the 26th Nov. 1787
 So. Horrow.
 200 [unclear] Nov. 1787.

29-H. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

To the Honorable the Representatives of the Delaware State in General Assembly met

The Petition and Remonstrance of Divers Inhabitants of Sussex County Respectfully Represent

That your Petitioners are very unwilling, at this important Period when the safety and very Existence of the Union, depends on the preservation of Good Order and tranquillity in the States, to retard or interrupt the Progress of Government, but they find themselves called upon by their feelings as men, and their Duty as Citizens to represent to your Honor, a Matter which involves in its Consequences the present Interests and future Peace of the Community, and that while they Represent to your Honor in the humble language of Intreaty, you will pardon them for discharging this duty with freedom and with firmness.

That soon after the rejection of the first Return for Representatives for this County that your Petitioners were notified by Advertisements, of a second Election, to be held at a place commonly called Vaughans Furnace and as your Petitioners were informed that on a appearance of force and a riotous procedure committed on the day, at the place of Election were the principal grounds on which the former Return of Representatives was disanished, they expected to have been permitted to have attended at the time and place advertised without Interruption or Disturbance.

That your Petitioners contrary to these Expectations were informed that Charles Cold Esquire one of the Elected Members on the

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

Saturday preceding the Election in a Public Company, was heard to advise his friends to carry their fire Arms, and that Rhoads Shankland Esquire one other of the Elected Members on the next day being Sunday, was seen at the ^{place} Party armed with Muskets going towards the Place; - this information together with Intelligence of several Bodies of Men armed in some manner ~~being~~ on the last mentioned day preceding to the place of Election, the greater part of your Petitioners apprehensive they could not attend without danger of personal abuse and public Disturbance

(C) That these Apprehensions were justified by the event, for three of your Petitioners who attended the Election observed a number of Men armed with Clubs, Swords & Pistols at the place, and some hundreds of men armed with Muskets were paraded near a party of whom made Prisoners of some of your Petitioners, by presenting a Gun, and threatening to fire upon them, and detained them in Custody until orders for their dismissal were procured from Nathaniel Mitchell who they said was their Commanding Officer

That your Petitioners had been informed that this force was collected, by a call for the Militia to attend and protect the Election from expected violence that this call if it had been necessary, ought to have been public, but being secret was illegal & unjust, but your Petitioners apprehend even if the call had been public, it would have been so confounded in the Constitution and in Law, as to be unavailing to destroy the Election; for certainly if one faction is permitted to be the Protectors & Guardians of an Election by an armed force one Year, another

claim the same privilege the next, and thus our Elections instead of being conducted with peace & order with business of Civil discord, Riot & Bloodshed

That in addition to the above facts your Petitioners will only remark, that Non Jurors, Act of Grace Men, Refugees and other disqualified Persons were permitted to vote at said Election contrary to express Law and to the safety of the State; for it is impolitic & unjust, that those should govern a Commonwealth or who would wish to destroy it.

That the wish of your Petitioners to promote the tranquillity of the Government and avoid the horrors attendant on a civil war in future than present distress, that there has been a Cloud collected over this County threatening effects terrible even in prospect. and your Petitioners know of nothing so likely to accelerate the present Disturbances & annihilate the Government as the sanctioning an Election fraught with violence, partiality & Injustice

That your Petitioners sensible of the premises and knowing the Importance particularly in a young & new formed Commonwealth of preserving the Laws of Election pure and unviolated, would be equally ready to assist the Magistrate in the Execution of the Law & the Subject in defence of his Rights, - for in vain have we opposed Tyranny in vain have our fields been stained with the Blood of our Brethren in vain have we prepared a happy Residence

by persons who opposed their formation in every Stage of their Progress - who fought against it who supplied and supported our Enemies - and by every means in their power, retarded the Independence of America

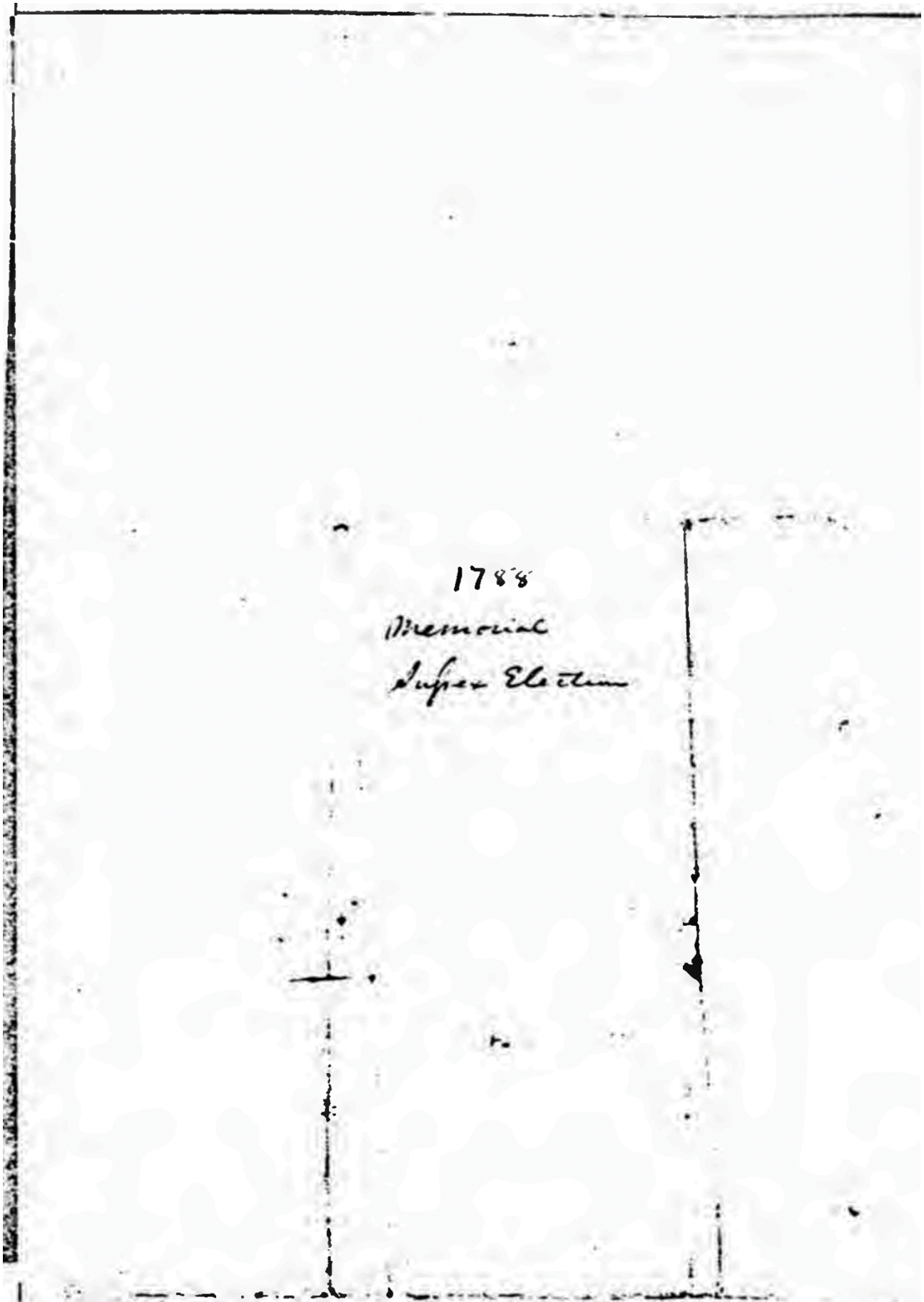
That your Petitioners therefore pray your Honorable Houses to enquire into the truth of the facts stated in the above petition and if they appear to be true, that you would be pleased to order a New Election that your Petitioners may have an opportunity of exercising the right of free suffrage, free of all kind's interruption and your Petitioners as in Duty bound shall ever Pray &c

- John Bacon
- John Gosson
- Alexander Smith
- William Vanhook
- Rev. Mr. Lee
- Jedad Bacon
- John Lusk
- John H. B.
- James Brattan
- Aaron Gordon
- Abner Woodcock
- James Brattan
- John Bump
- Samuel Hutchings
- Elisha Hutchings
- Samuel Hutchings
- James Chipson
- James Boyce
- Canon Wingate
- John Houston
- Smith Wingate
- Samuel
- E. G.
- Elizabeth
- Henry
- John
- James
- Caleb
- Thomas
- Samuel
- William
- John
- James
- James
- John
- James
- John
- James
- John
- James

John Smith	George Goddard	Conrad Wingate
John Bacon	James Burman	John Houston
John Good	Francis Goddard	Squith Wingate
Alexander Smith	Henry Costin	Hemitt Salters
William Van Dyke	Isaac Phillips	E. G. 9 th Dy
Reverend Hall	Lebin Thomas	Isaac Timmons
Isaac Brown	Jonathan Costin	Henry Vaffard
John Lythart	Richard Pollock	John Hoar
John Holm	Wm. Powell	John Saffer
Nathan Burman	James Lythart	Caleb Baling
Aaron Goddard	John Bump	Thomas St. John
Isaac Woodcock	John Cornors	Samuel St. John
John Hall	Elihu Hitching	William St. John
Guthrie	Eosand Hitching	James St. John
Doll	James Chipman	James Boyer

63.

John Batty
 Isaac Hall
 Mitchell Purthaus
 Wm. H. H. H.
 Simon Hitching
 Robert Jones
 Bartholomew Halloran
 Jonathan Tron
 Adin. Tron
 Ezeiel Wright
 Asahel Phelps
 Jonathan La till
 Levin Vaughan
 Charles Vaughan Sr.



29-I. Sussex County Petitions to the General Assembly Protesting the Election of 26 November 1787.¹

To the Honorable the Representatives of the Delaware State
in general Assembly met

The Petition and Remonstrance of sundry Inhabitants
of Sussex County

respectfully represent

That your Petitioners are very unwilling, at this important Crisis, when the Safety and the very Existence of the Union depend on the Preservation of good Order and Tranquillity in the States to stand or interrupt the Course of Government; and they find themselves called upon by their Princes no more and their Duty as Citizens, to represent to your Honors a Matter which involves in its Consequences the present Interest and future Peace of the Community, and that while they represent to your Honors in the humble Language of Entreaty, you will pardon them for discharging their Duty with Freedom and with firmness. —

That soon after the Rejection of the first Return of Representatives for this County, your Petitioners were notwithstanding Determined on a second Election to be held at a Place usually called Chatham's Tavern; and as your Petitioners were informed that an Appearance of Force and a violent Process committed on the Day at the Place of Election were the principal Grounds upon which the former Return of Representatives was rejected, they expected to have been, without Interruption or Disturbance, —

That your Petitioners contrary to these Expectations were informed the 26th inst. Express one of the elected Members, on the Saturday preceding the Election in a public Company was heard to advise his friends to carry their Fire arms and their Ammunition (some another of the elected Members, on the next Day being Sunday, was seen at the Head of a Party armed with Muskets going toward the Place. This Information together with Intelligence of several Parties of your arms in the same manner being seen on the last mentioned Day, tending to the Place of Election, made the greater Part of your Petitioners apprehensive that they could not attend without Danger of personal Abuse & public Disturbance.

That these Apprehensions were justified by the Event for those of your Petitioners who attended the Election observed a Number of them armed with Cut-throats, Swords and Pistols at the Place; and some hundreds of men armed with Muskets, loaded with a Party of others and Witnesses of some of your Petitioners, by brandishing a gun and threatning to fire on them, and detaining them in custody until Orders for

1. Legislative Papers, 1788, January–February, Petitions, Division of Historical and Cultural Affairs, Department of State.

these Troopmen were procured from Nathaniel Mitchell, who they
said was their commanding Officer.

That your Petitioners have been informed that
this Force was collected by a call for the Militia to attend and protect
the Election from expected Violence: that this Call, if it had been necessary
ought to have been publick, but being secret, was illegal and unjust.
But your Petitioners apprehend even if this Call had been general, it would
have been so unprovided in the Constitution and in Law as to invalidate
the Election: for certainly if one Faction is permitted to be the Protectors
and Guardians of an Election by an armed Force one year, another
may claim the same Privilege the next and thus our Elections, instead
of being conducted with Order and good Order, will be scenes of civil Disor-
der and Bloodshed.

That in Addition to the above Facts your Petition-
ers will only remark that Non-jurors, Out-of-law-men, Refugees
and other disqualified Persons were permitted to vote at the Election,
contrary to express Law and to the safety of the State; for it is impo-
-ssible and unjust that those should govern a Community who would
wish to destroy it.

That the Wish of your Petitioners to promote the tran-
-quillity of the Government, and avoid any future attendance on a
- civil War, induces their present Address: — That there has been
a blood shed over this County for some time threatening Effects,
terrible even in Prospect, and your Petitioners know nothing so likely
to remove the publick Disturbances and annihilate the Government
as the sanctioning an Election granted with Violence, Partiality
and Injustice.

That your Petitioners sensible of the Pernicious & dangerous
the Impotence, particularly in a young & unformed Community of preserving
the Law of Elections free and inviolate would be equally ready to assist the
Magistrate in the Execution of the Law and the Subject in Defense of his
Rights: — In vain have we opposed Tyranny — in vain have our
- Names been stained with the Blood of our Brethren — in vain have we
- prepared a happy Wisdom for Liberty, and in vain have we established
- Governments — if these Governments are to be ruled by Persons who oppose
- their Formation in every Stage of their Progress — who fought against it —
- who subverted and supported our Enemies and by every means in their
- Power retarded the Independence of America.

Your Petitioners therefore relying on the Wisdom, Justice
and Impartiality of your Honorable Body humbly pray that you would
- announce to the Truth of the Facts herein before Stated, and in Order
- to this Investigation to hear your Petitioners by Council, and if they
- shall be bound to be supported, that you would grant them that Relief.

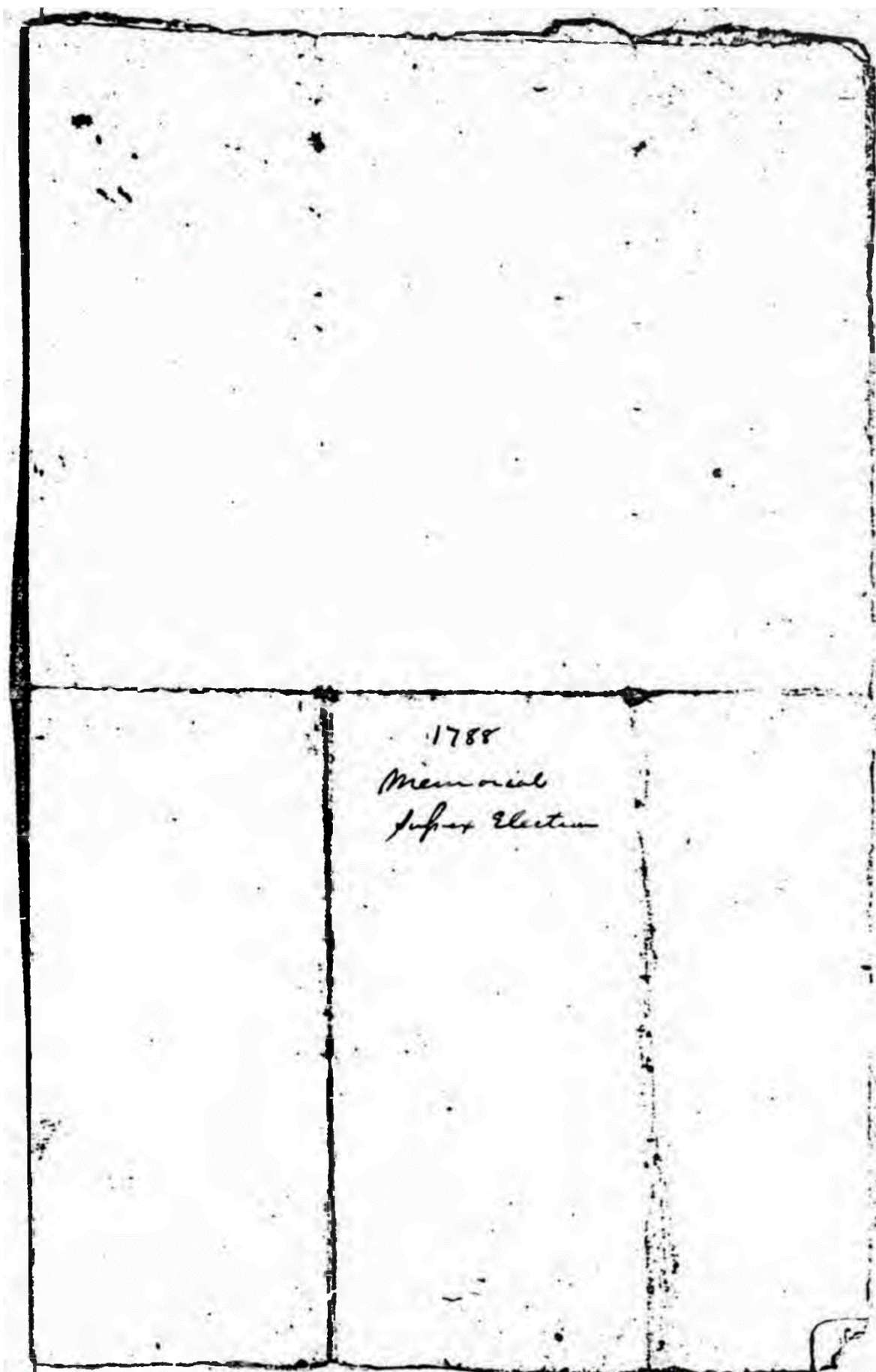
in the Provisions which to your Widows shall seem equitable & just
 And your Petitioners as in duty bound will ever pray

Wm C. Gunn
 Robert Morris
 William Walton
 William Cook
 Luke Walton
 George Clappier
 Luke West
 Levi Ruffel
 Samuel Willbank
 Cornelius Willbank
 Samuel Bais
 James Snowden
 Peter Truitt Jr
 Robert Banca
 Thomas Gordon

William Remy
 Robert Hood
 Henry Edger
 Legum
 Archibald Hepburn
 John Clark
 Charles Moor
 John West
 Samuel Calings
 John Stephenson
 Tugie No. henson
 William Martin
 James Pont
 John Hupier
 John Conroy
 George Whitt
 William Coffin
 Emanuel Ruffel
 John Hupier
 John Firgus
 David King
 Levi Vanden
 Levin Dickerson
 Joshua Morgan
 John Collier
 Casa Hall
 John Stephenson
 William Gutter
 Andrew Hoaxter
 John Cadden
 Joseph Mason

John C. Gunn
 John Wiley
 Kay & Harrison
 John Tom
 John S. Tomason
 Joseph Mason
 William King
 James Star
 Eli doodd
 Thomas S. Sweetwood
 Elizabeth Wilkins
 Thomas West
 John Hazard
 William Mathews
 Presker Lovitt
 William Cornwell
 John Morrison
 Abraham Cornwell
 George Cornwell Jun
 John Smith
 William Hazzard
 John Glover
 Amos Glover
 Henry Smith
 John Heavelo
 Edward Heavelo
 John Cader
 Richard Starr
 Joseph Hayton
 Hill Hayton
 Joseph Mason

Number of Signatures 75



1788

Memorial
Super Election

30-A. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

To the Honorable the Convention for the Delaware
 State to be held at the Town of Dover the twenty third day
 of December next.

The Petition & Remonstrance of sundry
 Subscribers of Sussex County most humbly sheweth

That your Petitioners were notified by Resolves
 of the two Houses of the General Assembly published
 by their ^{Order} that the Election for choosing Persons to represent this
 County in said Convention, was to be held on the 27 day of this
 at the old Justice court called ^{Prussborough} ~~Old~~ ^{Prussborough} ~~Prussborough~~ ^{Prussborough} That one
 of the said Resolves of the General Assembly your Petitioners intended
 to ~~have~~ to the Place of Election for the purpose of electing Persons
 to represent this County in said Convention but they were deterred
 on being informed that Rhoads Shankland one of the Persons
~~to represent this County in the House of~~ ^{to represent this County in the House of}
 Assembly the ensuing year had declared there were Cannon at the
 Place and that ~~the Election~~ ^{the Election} ~~was to be held~~ ^{was to be held}
 they were determined to carry the Election as long as they could
 and two Gentlemen being seen on the Sunday evening preceding
 the Election day going towards the place at the head of a Party of
 Men armed with Musquets and further information of other
 bodies of armed Men going to the place appointed for holding
 the Election your Petitioners were apprehensive they could have
 no share in holding the said Election without exposing the
 the effusion of human blood rather than do which most of
 them declined going. Their apprehensions it appears were well
 founded, for some hundreds of them armed with Musquets
 were paraded near the place of Election on the day and some
 Prisoners of some of your Petitioners, by cocking a Musquet &
 threatening to shoot them, and then detaining them in East
 by the orders were procured from Nathl. Mitchell, Esq. who
 who they said was their commanding Officer for the

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

and those by an armed and unblameful force
 which thousands of the freemen of the County have deprived of the
 right of free suffrage which by a law of this State, and by the
 fundamental principles of all Republican Governments is
 declared to be the basis of the liberty of the people, and that
 the one cannot exist without the other is destroyed

Your Petitioners impressed with a proper sense of the
 critical and important situation of public affairs at this time
 when the eyes of all blessed of Citizens ought to be fixed on the
 Federal Constitution proposed by the Convention of the United
 States lately held at Philadelphia, and knowing that it cannot
 be considered as binding on them without their assent expressed
 either by themselves or their Representatives freely chosen, do
 hereby solemnly remonstrate against the legality of the
 Election of those persons returned by the Sheriff of this
 County to represent the same in said State Convention

Your Petitioners therefore firmly relying on the wisdom and
 impartiality of your Honorable body humbly pray that you
 would be pleased to inquire into the truth of the facts stated
 in this Petition and if they appear to be true that you would
 also be pleased to reject the Sheriff's Return, and order a new
 Election to be had for the purpose of choosing persons to
 represent this County in your Honorable body, that your
 Petitioners may have an opportunity of exercising their
 right of free Suffrage on so important an Occasion as

30-B. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

To the Honorable the Convention for the Delaware
 held at the town of Dover on the 28th day of December 1787
 The Petition and Remonstrance of divers Inhabitants of
 of Sussex County most humbly sheweth,
 That your Petitioners were notified by Resolves of the
 House of the General Assembly, and published by their Order
 that the Election for choosing Persons to represent this County
 in said Convention, was to be held on the twenty-ninth day of
 the said Month at the place usually called Vaughan's Furnace
 That in pursuance of the said Resolves of the General Assembly
 your Petitioners intended to repair to the place of Election for
 the purpose of choosing persons to represent this County in
 said Convention: but they were alarmed on being informed
 that Phoebe Threlkeld one of the persons chosen at said
 Election to represent this County in the House of Assembly the
 ensuing year had declared themselves a Barron at the place
 and that when with the names of the County had said they
 were determined to carry the Election or lose their lives and their
 two Gentlemen being seen on the day evening preceding the day
 going towards the place at the head of a party of men armed
 with Muskets and further Information of other bodies of armed
 Men going to the place appointed for holding the Election, your
 Petitioners were apprehensive they would have no show in the
 said Election without acquiring the Office of Blood rather
 than do what the greater part desired going free apprehensive
 it appears even will founder for with their arms of muskets
 with Muskets and paraded near the place of Election on the
 day and made Prisoners of some of your Petitioners, by which
 a market and threatening to fire upon them and thus detain
 them in custody until orders were procured from Nathaniel
 Melkell, who they said was their commanding Officer, for
 their redemption. Thus by an armed & unlawful force have
 some hundreds of the freemen of this County been deprived
 of the right of free Suffrage what by a Law of this State, and

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

...the basis of the Liberty of the people and that the one
 cannot exist when the other is destroyed.

Your Petitioners impressed with a proper Sense of the
 critical and important situation of public affairs at this time
 and the cause of all blessings of Citizens ought to be had on the
 Federal Constitution proposed by the Convention of the United
 States lately held at Philadelphia, and knowing that it must
 be considered as binding on them without their consent expressed
 either by themselves or their representatives freely chosen do
 hereby solemnly remonstrate against the legality of the Election
 of those persons returned by the Sheriff of this County to represent
 the same in said State Convention.

Your Petitioners therefore firmly relying on the wisdom
 and impartiality of your Honorable Body humbly pray that
 you would be pleased to enquire into the truth of the facts stated
 in this Petition and if they appear to be true, that you would
 also be pleased to reject the Sheriff's Return and order a new Election
 to be holden for the purpose of choosing persons to represent this
 County in your Honorable Body that your Petitioners may
 have an opportunity of exercising their right of free suffrage
 in so important an affair as the present, freely and
 without Interruption

And your Petitioners, as in duty bound will ever pray

November 28th 1787

Henry Veell
 J. Hall
 Andrew Willey

Richard Little
James Hall
Simon Hall
Joseph Hall
Samuel Franklin
Danl. Murphy
John Davis
George Willard
John Clarke
Mark Clark
William Cornwell
Joshua Morgan
William King
Charles Lewis

30-C. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

[names on the other petition]

Nov. 28, 1787.

Richard Green

John Little

John Paynter

William Paynter

Hinmon Koades

Hebron Dodd

William Dodd

James Gordon

John Chambers

John Gordon

Nathaniel Gordon

Leaven Ennis

James Newbold

William Thompson

William Steel

Nathaniel Steel

Peter Marsh

And^w Canraen

Thomas Marsh

William Still

Peter Harmonson

Gilbert Mariner

William Roach

Paul White

Robert White

Levi Roach

Thomas Fisher ^{Son of adam} Seyned by Order

Robert Mariner

John Orr by Order

Charles Oliver

John Fleming

William Hurt

Henry Edger Jun^r

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

30-D. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

To the Honorable the Convention
 the Delaware State, to be held at the town of
 Dover on the 23^d day of December next.
 The petition & remonstrance of divers
 inhabitants of the county of Sussex most humbly
 sheweth.
 That your petitioners were notified by
 of the two houses of General Assembly of this State
 by their order, that the election for choosing persons
 to represent this county in said Convention, was
 to be held on the twenty sixth day of this inst.
 at the old furnace a place called Warehous place
 near in pursuance of the resolves of the said
 General Assembly your petitioners intended to
 go to the place of election for the purpose of choosing
 a man to represent this county in said Convention
 but on their way they were informed that
 a crowd of men were gathered at said place
 to prevent the county in the road or stopping
 the way, and several men were cannon
 at the place of the election the officers of
 the county had had the more determined to carry
 the election a large number of men were sent
 men being seen on the evening preceding the
 election day going toward the place at the
 head of a company of men armed with muskets
 and further information of other bodies of armed men
 going to the place of holding the election your peti-
 tioners were apprehensive they would have as their

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

the election without suffering the effusion of
 blood rather than do which the greater part desired
 going. These apprehensions it appears were well
 founded for some hundreds of men armed with
 muskets were paraded near the place of election on
 the day & made prisoners of some of your elect-
 ors by cocking a musket & threatening to fire
 upon them & then detaining them in custody un-
 til orders were procured from Nathl. Mitchell who
 they said was their commanding officer for the
 Dominion. Thus by an armed & unlawful force were
 some hundreds of the freemen of this county been
 deprived of the right of free suffrage which by a law
 of this state & by the fundamental principle of
 all republican governments is declared to be the
 basis of the liberties of the people & that the one
 cannot exist when the other is destroyed.

Your petitioners impressed with a proper sense
 of the important & critical situation of public affairs
 at this time when the people on all sides of concerns
 ought to be had on the federal constitution proposed
 by the convention of the United States lately held at
 Philadelphia and knowing that it cannot be con-
 sidered as binding on them without their assent expressed
 either by themselves or by their representatives freely
 chosen do hereby solemnly remonstrate against the
 legitimacy of the election of those persons returned by the
 Sheriff of this county to represent the same as said

Your petitioners therefore humbly relying
 the wisdom & impartiality of your honorable
 body humbly pray that you would be pleased
 enquire into the truth of the facts stated in
 this petition, & if they appear true that you
 would also be pleased to reject the Sheriff's re-
 turn, & order a new election to be holden for the
 purpose of choosing persons to represent this
 county in your honorable body, that your petiti-
 oners may have a right of exercising the right
 of free suffrage in as important an occasion as
 the present & without interruption.

And your petitioners as in duty bound
 will ever pray.

Nov. 25. 1787.

William Vawter Thomas Cory John Thoroughgood Matthew Scott Isaac Mabeck Peter Mace William Deane William White Edward Hall George Ledge Miller Thomas Samuel Simon John	Thomas Kellack Nisha Cottingham Joseph Horston Robert Hueston Philip Marvel Junr William Waples Junr Wm Magee Junr William Moore Junr Nisha Staples William Doyle Nisha Broadfield Benjamin Salmons George Mefick Thomas Barter Williams Calaway
--	--



30-E. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

To the Honorable the Convention of the Delaware State, to be held at the Town of Dover on the Day of December, next.

The Petition & Remonstrance of divers Inhabitants of the County of Sussex most Humbly sheweth.

That your Petitioners were notified by the order of the two Houses of General Assembly & published by the order, that the Election for choosing persons to Represent the County in said Conventions, was to be held on the twenty first day of this Inst^t at the old furnace usually called Daughens Furnace. that in pursuance of the Resolves of the General Assembly your Petitioners intended to repair to the place of Election for the purpose of choosing persons to Represent the County in said Convention but they were alarmed on being informed that Rhoad Shankland one of the persons chosen to Represent the County in the ensuing year had declared there were Garrison at the place and that John Wolfe the Coroner of the County had said they were determined to carry the Election or lose their lives and these two gentlemen being seen on the Evening preceding the Election day going toward the place at the head of a company of men armed with Muskets and further information of other bodies of armed men going to the Place of holding the Election your Petitioners were apprehensive they could have no share in the said Election without requiring the effusion of blood rather than do which the greater part declined going. These apprehensions it appears were well founded, for some hundreds of Men armed with Muskets were paraded near the place of Election, the day and made Prisoners of some of your Petitioners, by cocking a Musquet & threatening to

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

was their Commanding Officer for their dismission. Thus by
 an armed & unbecomful force have some hundreds of the Free
 men of this County been deprived of the right of free suffrage
 which by a Law of this State & by the fundamental Principles
 of the Constitution all Republican Governments is declared
 to be the basis of the Liberties of the People & that the one can
 not exist where the other is destroyed.

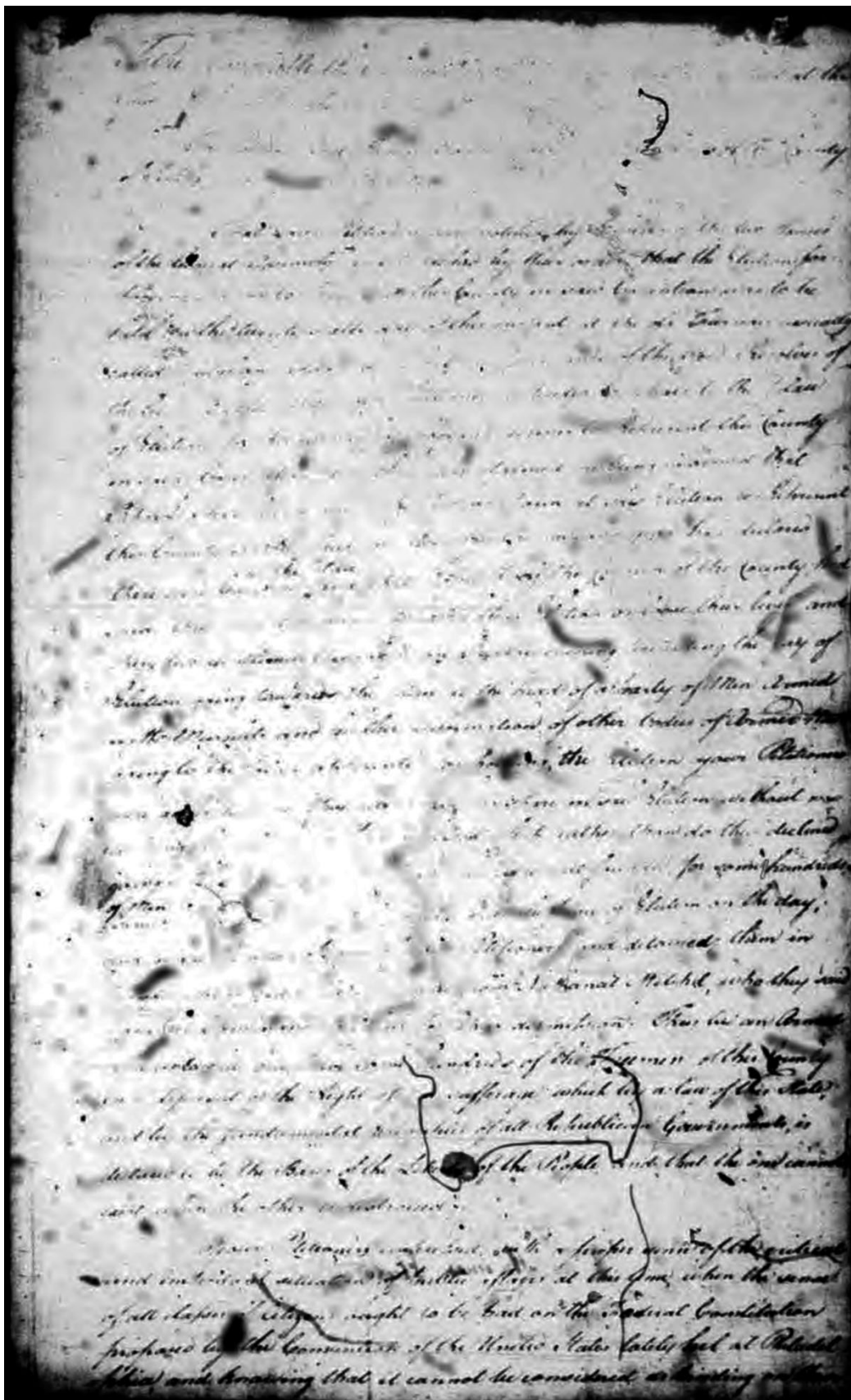
Your Petitioners impressed with a proper
 sense of the Important & critical Situation of Public
 Affairs at this time when the sense of all Classes of Citizens
 ought to be had on the Federal Constitution proposed by the
 Convention of the united States lately held at Philad., and
 knowing that it cannot be considered as binding on them
 without their Assent expressed either by themselves, or by
 their Representatives freely chosen so freely & voluntarily remain
 a vote against the legality of the ~~return~~ of those persons
 returned by the Sheriff of this County to represent the
 County in said Convention of this State.

Your Petitioners therefore firmly relying
 on the wisdom and impartiality of your Honorable Body
 humbly pray that you would be pleased to enquire into the
 truth of the facts stated in this Petition, and if they appear
 to be true, that you would also be pleased to request the Sher-
 iff's Return. And order a new Election to be holden for the
 purpose of choosing Persons to represent this County in your
 Honorable Body: that your Petitioners may have an opportunity
 of exercising the right of free suffrage in so Important
 an occasion as the present & without Interruption

And your Petitioners as in Duty bound will

ever Pray
 your Obedient
 Servants

30-F. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹



1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

I, the undersigned, do hereby certify that the within and
subscribed names of the inhabitants of the County of Sussex
have signed the same, and that they are true and
correct copies of the original which are on file in the
County Clerk's Office.

Nov. 28, 1787

William [unclear]	James [unclear]
George [unclear]	Thomas [unclear]
John [unclear]	Samuel [unclear]
Stephen [unclear]	Jonathan [unclear]
Edward [unclear]	George [unclear]
Richard [unclear]	George [unclear]
John [unclear]	John [unclear]
John [unclear]	Thomas [unclear]
Richard [unclear]	George [unclear]
William [unclear]	Thomas [unclear]
Thomas [unclear]	John [unclear]
James [unclear]	George [unclear]
Jonathan [unclear]	Thomas [unclear]
David [unclear]	Thomas [unclear]
Samuel [unclear]	Thomas [unclear]
William [unclear]	Thomas [unclear]
John [unclear]	Thomas [unclear]
Stephen [unclear]	Thomas [unclear]
David [unclear]	Thomas [unclear]
Jonathan [unclear]	Thomas [unclear]
Samuel [unclear]	Thomas [unclear]

24

30-G. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

State of the State of Delaware on the third day of December 1787
 The Petitioners and Remonstrators of said County most humbly sheweth
 That your Petitioners were notified by Resolutions of the
 two Houses of the General Assembly, and published by their
 Order that the Electors for choosing Deputies to represent this
 County in said Convention, were to assemble on the twenty sixth
 day of this month at the old Courthouse, usually called Courthouse
 Fairway that in pursuance of the said Resolutions of the General
 Assembly your Petitioners intended to repair to the place of
 Election, for the purpose of choosing Deputies to represent
 this County in said Convention but they were alarmed and
 being informed that the Lord's Marshal was of the purpose
 chosen at said Election to represent this County in the House
 of Assembly the coming year and detain them were bound
 at the place and that if they kept the peace of the County
 had said they were determined to carry the Election as best they
 could and thus the question being now on the Sunday evening
 preceding the day going towards the place at the head of a
 party of men armed with muskets, and further information
 given of other bodies of armed men going to the place upon
 and for holding the election your Petitioners were apprehensive
 they could have no share in the said Election without incurring
 the Offence of Blood with the same in which the quality had
 desired going their apprehensions of a severe and cruel punishment
 for several hundreds of men armed with muskets were joined
 near the place of Election on the day and under the presence
 of some of your Petitioners, by arming a musket and thrust
 into the fire upon them and then returning them in
 custody until orders were received from Nathaniel Smith
 who they said was their commanding Officer, for
 their discharge. Thus by an armed and unlawful force

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

... of this County
 deprived of the right of free suffrage, established by a Law of
 this State, and by the fundamental Principles of all repub-
 lican Governments, is desired to be the Basis of the Liberty of the
 people and that the one cannot exist when the other is destroyed.
 Your Petitioners informed with a proper
 sense of the critical and important situation of public affairs
 at this time when the voice of all citizens ought
 to be heard on the Federal Constitution proposed by the
 Convention of the United States lately held at Philadelphia
 and knowing that it cannot be considered as binding on
 them without their assent expressed either by themselves
 or their representatives fully convened do hereby solemnly
 remonstrate against the equality of the Station of their
 persons returned by the Sheriff of this County to represent
 the same in said State Convention.
 Your Petitioners therefore justly relying on the wisdom
 and impartiality of your Honorable Body do hereby pray, that
 you would be pleased to inquire into the truth of the facts
 stated in this Petition and if they appear to be true, that
 you would also be pleased to repeal the Sheriff's Return and
 order a new Election to be had for the purpose of allowing
 persons to represent this County in your Honorable Body, that
 your Petitioners may have an opportunity of exercising their
 right of free suffrage, on so important an occasion as the pres-
 ent July and without Interruption.
 And your Petitioners, ever Duty bound
 to obey pray
 Done at Cambridge 28th 1787.
 N. Waples
 Bruton Waples
 George France
 Joseph Waples

30-H. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

To the Honorable the Convention of the Delaware State
 at the Town of Dover on the twenty third day of December 1787

The Petition and Remonstrance of several Inhabitants of
 the County of Sussex most humbly sheweth

That your Petitioners were notified by Resolves of the
 house of General Assembly and published by their order that the
 Election for choosing persons to represent this County in said
 Convention was to be held on the twenty fifth day of this month
 at the old barn now usually called Caughans barn that in
 pursuance of the Resolves of the General Assembly your Petitioners
 intended to repair to the place of Election in the purpose of
 choosing persons to represent this County in said Convention
 that they were alarmed on being informed that Edward Mitchell
 one of the persons chosen at said Election to represent this County
 in the House of Assembly this coming year had delivered those
 words common at the place and that John Wood of the County of
 Sussex had they were determined to carry the blood
 from their lives and their two Quarters in being
 the day evening preceding the Election day going toward
 the Place at the head of a Company of men armed with
 Muskets and further Information of other bodies of armed men
 going to the place of holding the Election your Petitioners
 were apprehensive they could have no share in the said Election
 without requiring the Effusion of Blood rather than to submit
 the greater part declined going these apprehensions & fears
 were well founded for some hundreds of men armed with
 Muskets were paraded near the place of Election on the day and
 made prisoners by locking a Market & threatening to keep open
 them & then detaining them in custody until orders were received
 from Nathaniel Mitchell who they said was their commander in
 office for their detentions thus by an armed force you
 have some Hundreds of the freemen of this County been
 deprived of their right of free Suffrage which by a Law of
 this State and by the fundamental principles of all

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

and the Government is declared to be the basis of the Liberty
 of the People & that the one cannot exist without the other is desired
 Your Petitioners impudently with a proper Sense of the
 important & critical Situation of public Affairs at this time
 when the Lives of all Citizens ought to be had on the
 Federal Constitution proposed by the Convention of the United
 States lately held at Philadelphia and knowing that it cannot
 be considered as binding on them without their consent or approbation
 either by themselves or by their Representatives freely chosen,
 do hereby solemnly remonstrating against the legality of
 the Election of their persons returned by the Sheriff of this
 County to represent the same in said Convention of the
 State
 Your Petitioners therefore joining in the
 petition and impudently your honorable body humbly
 request that you would be pleased to inquire into the
 facts stated in this Petition and if they appear to be
 true you would also be pleased to reject the Sheriff's Return
 and order a new Election to be held in the County of
 showing persons to represent this County in your honorable
 body that your Petitioners may have a right of exercising
 the right of free Suffrage in so important an Occasion
 as the present and without Interruption
 And your Petitioners your duty bound will pray
 Nov 28/87
 James Brattain
 Thomas [unclear]
 John [unclear]
 John Mitchell
 Richard Moore
 Henry [unclear]
 John Mitchell
 William Benson
 Richard Moore

<p>John Will Rob^t Brown Timothy Langfield John Maffery John Ke Maffery Marcus Wm Moore Chas Moore Henry Safford Sam^l King Sept Sultan Thomas Noel Thomas Cranch Thos^t Burt</p>	<p>Peter Hopkins E. J. Langton James Chipman Richard Collins John Plonster Ebenezer Hitchens Jonathan Tho^s Hopkins</p> <p>5-</p>
<p>Bacon George Bacon Hazelton, A. Veal William A. Veal Thos^t A. Veal Joseph Hise Geo^g Cooper Cannon Wingate Joseph Cooper Smith Wingate Edmond Hitchens Edmond Hitchens Richard Ellingsworth John Maffery John Benjen James Boyce John Anderson William Hobbs</p>	<p>5</p>

30-I. Sussex County Petitions to the Delaware Convention, 28 November 1787.¹

*Copied from the original in
the Legislative Papers*

To the Honourable the Convention for the Delaware State, to be
held at the Town of Dover on the third day of December next
The Petition and Remonstrance of divers Inhabitants of
Sussex County most humbly sheweth.

That your Petitioners were notified by Resolves of the two
Houses of the General Assembly, and published by their Order that
the Election for Choosing Persons to represent this County in
said Convention, was to be held on the twenty sixth day of this
Instant at the old Furnace usually called Vaughans Furnace that
in pursuance of the Resolves of the General Assembly your
Petitioners intended to repair to the place of Election, for the
purpose of choosing persons to represent this County in said
Convention: but they were alarmed on being informed that Rhoads
Shankland one of the persons chosen at said Election to represent
this County in the House of Assembly the ensuing year had declared
"that there were Cannon at the place" and that John Woolf the
Coroner of the County had said "they were determined to carry the
Election or loose their lives" and these two Gentlemen being seen
on the Sunday evening preceeding the day going towards the place
at the head of a party of men armed with Muskets, and further
Information of other bodies of armed Men going to the place
appointed for holding the Election, your Petitioners were
apprehensive they could have no share in the said Election without
risquing the Effusion of Blood rather than do which the greater
part declined going. These apprehensions it appears were well
founded, for some hundreds of men armed with muskets were paraded
near the place of Election on the day and made prisoners of some
of your Petitioners, by soaking a musket and threatening to fire
upon them and then detaining them in custody untill Orders were
procured from Nathaniel Mitchell, who they said was their Commanding
Officer, for their dismissal. Thus by an armed and unlawful force

1. Folder 181, Convention to Ratify the Constitution of the United States—1787, General Reference Collection, Division of Historical and Cultural Affairs, Department of State.

- 2 -

Have some hundreds of the Freemen of this County been deprived of the right of free Suffrage which by a Law of this State, and by the Fundamental Principles of all Republican Governments, is declared to be the Basis of the Liberties of the Peoples and that the one cannot exist when the other is destroyed.

Your Petitioners impressed with a proper sense of the critical and important situation of public affairs, at this time when the sense of all Classes of Citizens ought to be had on the Federal Constitution proposed by the Convention of the United States lately held at Philadelphia, and knowing that it cannot be considered as binding on them without the assent expressed either by themselves or by their Representatives freely chosen Do hereby solemnly remonstrate against the Legality of the Election of those persons returned by the Sheriff of this County to represent the same in said State Convention.--

Your Petitioners therefore firmly relying on the wisdom and impartiality of your Honorable Body humbly pray, that you would be pleased to enquire into the truth of the Facts, stated in this Petition, and if they appear to be true, that you would also be pleased to reject the Sheriffs Return and Order a new Election to be holden for the purpose of choosing persons to represent this County in your Honorable Body, that your Petitioners may have an opportunity of exercising their right of free Suffrage, on so important an occasion as the present, freely and without interruption.

And your Petitioners as in duty bound will ever Pray
&c.

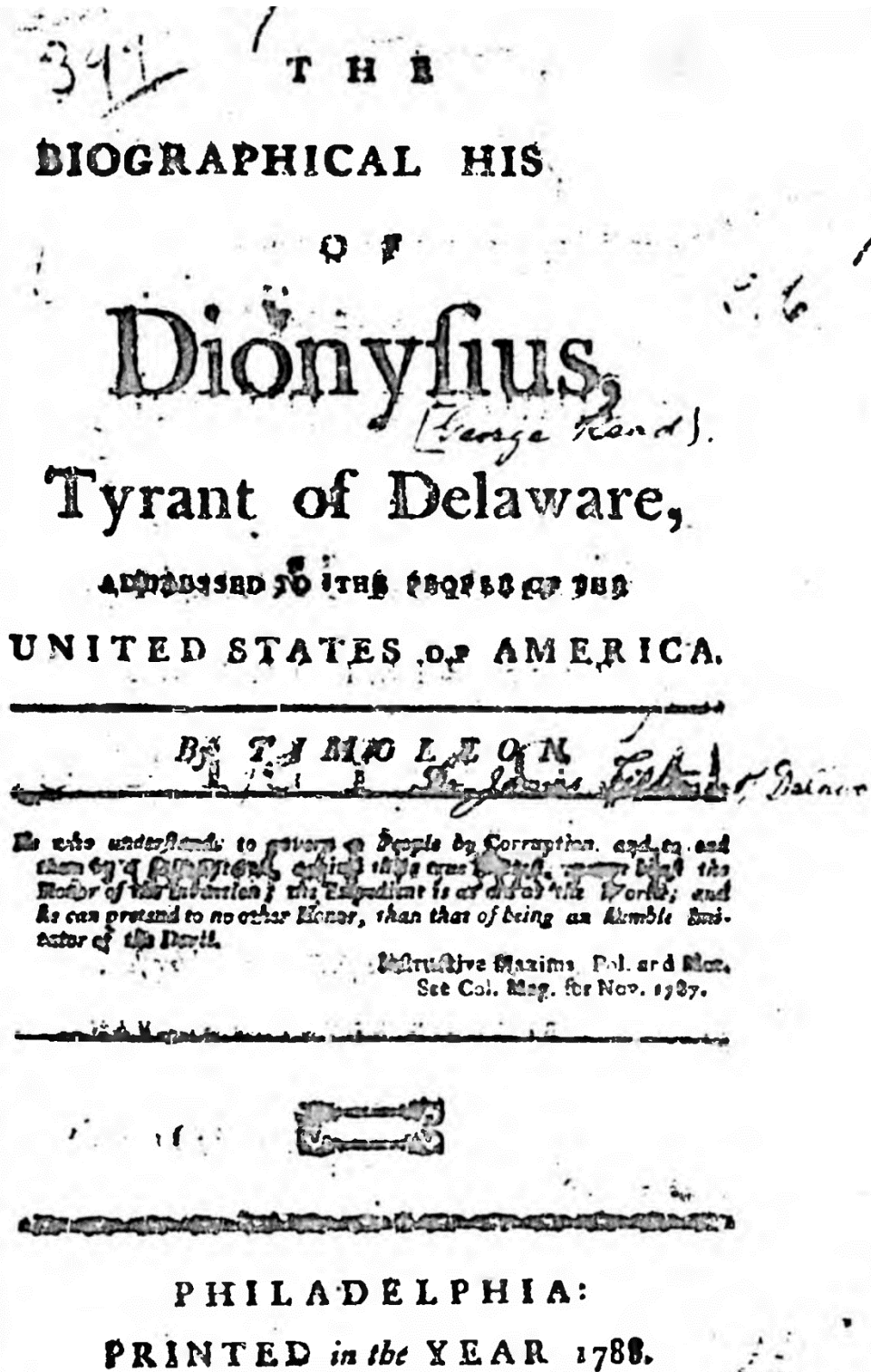
[names on one petition]

November 29th 1787

William Peery
 Abel Nottingham
 George West
 Robert Hopkins
 Aaron Peery
 Charles Conley
 Samuel Hudson
 John McKnitt
 John Campbel
 Robert Hood
 Andrew Colter
 Joseph Hazzard
 James Wiley
 John Tam
 Marnix Virden
 Henry Martin
 James Vent
 Thomas Coulter
 Wm. Young
 Josiah Martin
 John Martin
 John Kustard
 William Hall
 John Coulter
 David Hazzard
 Robert Stevenson
 John Stephenson
 Woodman Stockley

John Hall
 Eli Coulter
 Wm. Coffin
 Archibald Hopkins
 William Frame
 William Hopkins
 Robert Coulter
 William Mathews
 William Knox
 James Rickerts
 Jesper Wyatt
 Joseph Staton
 William Lingo
 John Holland
 Hugh Stephenson
 Nathaniel Hatfield
 Richard Rolenson
 John Conway
 John S. Dorman
 James Fergus
 John Woods
 Samuel Wilbank
 John Dutton
 James Hall
 William fitchett
 John Knjs
 Joshua Hall by order
 William Jordan hall Jun^r

47. Timoleon (James Tilton), Biographical History of Dionysius, 1788.¹




1. Timoleon [James Tilton], The Biographical History of Dionysius, Tyrant of Delaware, Addressed to the People of the United States of America (Philadelphia, 1788).

To the People of the United States of America,
 FROM A SENSE OF
Common Interest,
 AND
Common Danger,
 THIS HISTORY OF
DIONYSIUS,
Tyrant of Delaware,
is most Respectfully addressed,
 BY THEIR DEVOTED SERVANT,
TIMOLEON.

1788

PRINTED



Biographical History

○ 9

DIONYSIUS, &c.

SECTION I.

Introduction.

IN offering some political observations to my fellow citizens of Delaware, the last year, it may be remembered, that, without an amendment of the political system of my native state, I promised a more extensive performance—The Biographical History of Dionysius, Tyrant of Delaware—to be addressed to my countrymen of the United States of America. The event more than justifies the undertaking. Injury has been added to insult; and

no year of the Tyrant's reign has been marked with more pointed injustice and cruelty to individuals, or more disgrace to the state, than that immediately past. I therefore hold myself bound to fulfil my engagements, so far at least, as relates to the Tyrant himself. As to those lieutenants and adjutants, whom he hath taken to his assistance, in corrupting and oppressing the people, whose histories are also promised, and all conspire to illustrate that of the Tyrant, they shall follow in due season, if necessary. But I still hold myself at liberty to decline this disagreeable task, as soon as there shall be no further occasion for prosecuting the work. Uninfluenced by any personal motive whatsoever, this history is undertaken with a view to a common benefit only. When this is attained, the author will be content to rest from his labours, and not before.

This profession is in no wise inconsistent with the personal application of this performance. It has availed nothing to remonstrate against measures. The subject of public credit, particularly, has been exhausted, with no better effect, than the utter destruction of it. Since the more delicate means have failed, it only remains to expose the authors of our disgrace and misfortune, as the last resource for obtaining the aid and assistance we stand in need of.

I mean not to indulge the fancy of *Tacitus*, or the wit and humour of *Moore*; but with the candor of *Ramsay* to join the unreserved plainness of *Common Sense*. The simple truth well told, will make my story of that extraordinary nature, as sufficiently to engage the reader. And I have only to request of those who may think the subject of an interesting nature, to examine well into the truth of the facts alledged.

(5)

alleged, and then to judge of those inferences and reflections, which naturally accompany this kind of history.

Although all tyrants are proper subjects of satire and lampoon, and none can be better fitted for, or more deserving of such treatment than our, this history shall, nevertheless, spare him on that score. It is intended not as an address to the fancy and passions of the weak and unthinking; but as a solemn appeal to the sober sense and understanding of enlightened minds. Private character, therefore, shall have no admittance into this work. The public or political character of *Dionysius*, shall alone be exposed. His family, only, are interested in the former: All America have an interest in, and a right to know the latter. By means of intrigue and faction, he has found it but too easy to maintain his power, and practice the most unrighteous administration, within the small circle of *Delaware*. We have some curiosity to know whether his address will serve him, at the more impartial tribunal of the continent. It is also hoped and expected, that the people of *Delaware*, themselves, are prepared at this crisis, by awakened attention, to receive the truth, and be duly guarded against the wiles and impositions of a man, who does not hesitate, in any instance, to sacrifice the honor and interest of the state, to his own ambition.

The nature and design of this performance necessarily requiring brevity, does not admit of descending to minute particulars, of little or no importance. The great outlines, the strong features of character and conduct, are all that are necessary to our present purpose. The historian of more leisure, who shall
record

(6)

record the transactions of Delaware, may note *mi-
gria*, that would only lengthen out this treatise
unnecessarily. The most important facts are esta-
blished by authentic records of the state; and the
whole evidence shall be so arranged, as we trust will
sufficiently fortify the truth of our history, against
party and prejudice, and carry conviction to every
impartial inquirer.

As this history will necessarily involve in it, those
causes and events, which, during the revolution, im-
posed on Delaware the appellation of a *Tory State*,
every honest man, as he reads, will be induced to re-
flect, how far he may have been imposed upon, by
the arts and assiduity of the *Dionysian* faction, and will
be doubly guarded in future. Without the state, all
intelligent men will readily determine, that the dan-
ger of such a character as is here described, will not
be confined to Delaware, especially under the new
constitution of the United States. They will recol-
lect what is past, and take care for the time to come.

It is a vanity the author has a right to indulge, that
no mean person has ever been suspected of employ-
ing his signature. The host of pedagogues and pid-
ding geniuses employed to calumniate rather than
answer him, have designated as the objects of their
reproaches, none but men of known integrity, and
strongly marked as decided revolutionists: * such
indeed as were most likely to oppose a corrupt and
tyrannic administration. So far as names and repu-
tation

* The Chief Justice, and the President of the State Society of the
Cincinnati, have been specially pointed out. In the contemptuous
language of our court, these are *Little Tim*, and *Big Tim*.

(7)

tation could influence, these would be of sufficient authority: But as this history is intended to rest upon its own merits alone, the author has assumed a name of no other importance, than as it is adapted to the nature and design of the work.

As it is not wished to profit by names of characters, so neither is there the least desire to injure them. It has been promised, and is therefore expected, that the violent abuse of last year, will, on this occasion, be multiplied many fold.

It cannot be expected of a writer in a public cause, that he should undertake the defence of all who may be reproached, for what he has said or done. Those gentlemen who may feel themselves in any wise scandalized by the writings of Timoleon, have an easy redress, by disclaiming the work. As to the real author, were it the fashion, he would as leave sign his proper name, as any other; and should our Court Sycophants happen to guess right at him, he is not to weak a man, as to be under any apprehension, they can injure him in the good opinion of any person, whose esteem and friendship he has any regard for. At all events, and at the risk of every possible consequence, he is resolved to obey the dictates of his conscience, in exposing to a fair and open view of the world, a shameful tyranny, the more disgraceful to his native state, as it has not been accomplished so much by open force, as the ~~best~~ means of *deception, seduction, and corruption.*

384

SECTION II.

A general Account of Dionysius, previous to the declaration of Independence.

IT is a circumstance of peculiar aggravation to the tyranny of DIONYSIUS, that he was born in *Delaware*. The love of country had as little restraint upon his ambition, as a sense of morality. With liberal advantages in the profession of the law, he was esteemed a plodding rather than a sprightly genius. But without abilities to take a fair lead of his contemporaries, his earliest life is marked with a superior dexterity in all the arts of intrigue.

The simple manners, and small advances in civilization at that time, in *Delaware*, rendered it a stage less adapted to the cultivation of his native cunning, than the more courtly province of *Maryland*. At his first entrance on the business of his profession, *Maryland* was his principal theatre; and it was not until he entered into views of ambition, that he rode the circuit of *Delaware*. As the law was in high cultivation in *Maryland*, he must have made some improvement in his legal knowledge, during his practice there. But what was of more consequence, he acquired

(9)

acquired an obsequious and courtly form of manners, and had an opportunity of observing and becoming well acquainted with the means employed for deceiving the people, and the greater advances made by Lord Baltimore, in subjugating and oppressing that province, than had been attempted by the proprietaries of Delaware.

Although the Penn family had not made such advances in subjugation, as their neighbour Baltimore, yet they were making the best progress in their power. For this purpose, it was necessary to engage in their faction, some leading men of abilities. Neither the talents, nor connections of DIONYSIUS, entitled him to their first choice; but he was the first among his contemporaries, to accept upon their own terms: and from that day to this, he is truly to be considered as a proprietary retainer.

With this connection, it is easy to conceive how DIONYSIUS arrived at great power and influence in Delaware. The proprietaries, or their Lieutenant Governor, appointed all the officers of the government, by the advice and recommendation of DIONYSIUS and his faction. Superior genius and talents weighed lightly in the balance, in competition with creative powers: and happy was he who could gain the patronage of this mighty man.

It is not necessary to our purpose to shew, by innumerable instances that might be adduced, how totally the government was subjected to the proprietary faction, by the time of the revolution: especially as this leading trait of character will be evinced by the whole history of DIONYSIUS; that he has never relinquished his proprietary connection; that he has on all occasions during the revolution, betrayed the people, whenever their interest came in competition

(10)

with that of the proprietaries; and is now as firmly attached to their interest, and zealously engaged in their service, as ever he was.

From the memorable year of 1763, the progress of British jealousy, and consequent attempts at arbitrary power and domination over the colonies, are notorious. The nature and history of our troubles, from the stamp-act of 1765, to the commencement of hostilities, and the succeeding events of the war, are also well known, so far as respects transactions that had a relation to the whole union. But there was a peculiarity in the proprietary provinces, that may not have been generally observed, especially by people who resided in the kingly governments: for certainly less notice has been taken of the circumstance I am about to mention, than it deserved.

At the commencement of our troubles, the proprietaries had a common interest with the people at large. These petty sovereigns were as much afraid of having the powers and emoluments of government wrested from them, as the people were of losing their liberties. Hence during the stamp-act, and so long as we humbly memorialized the sovereign as his legitimate subjects, the proprietaries and all their connections, throughout their several governments, were in strict league with the people. We all remember *Lulamy's* celebrated piece written against the stamp-act. In Pennsylvania, the relations and friends of the proprietaries were most active in Congress, and forward to enter into our army. *Dionysius* in 1765, attended the first American Congress at New-York, and acquitted himself to the satisfaction of the people of *Delaware*. He was again appointed to the Congress which met in 1774—favored the non-importation agreement,

3 (11)

agreement, the appointment of committees of inspection, and he did not oppose the association and mustering of the militia. During this period, toryism was chiefly confined to the kingly governments. The greatest unanimity pervaded the proprietary colonies.

But the bare mention of independence by John Adams was a mighty scarecrow exceedingly reprobated, by every proprietary connection. The writings of *Common sense* early in 1776, like the voice of inspiration, fired the minds of all unbiassed men, with a zeal for independence, and effectually cooled the patriotism of every proprietary tool. In May, of the same important year, Congress recommended it to the united colonies respectively, to adopt such independent government, as in the opinion of the representatives of the people, would conduce most to their happiness and safety. By this time the tables were so far turned, that that toryism which was subdued in the kingly governments, was paramount in the proprietary colonies. In Maryland, the proprietary influence so far prevailed in their Convention, that they rejected the recommendation of Congress, and entered into a set of resolutions alleged and believed to have been drawn up in Philadelphia. The struggles at this time in Pennsylvania cannot be forgotten. As a specimen of what passed in *Delaware*, I hereunto subjoin the instructions of the whigs of Kent county to their representatives, and the remonstrances of our proprietary agents, who were the ring-leaders in this business, and by this time had associated all sorts of tories.

Instructions

(14)

366 *Instructions of the Subscribers, Freemen and Inhabitants of the County of Kent on Delaware, to the Honorable Caesar Rodney, William Killen, John Banning, John Hallet, Thomas Rodney, and Vincent Lockerman, Esquires, their Representatives in Assembly.*

WHEREAS the representatives of the united colonies in North America, assembled in Congress, at Philadelphia, on the fifteenth day of May, did first declare, " That his Britannic Majesty, in conjunction with the lords and commons of Great Britain, has by a late act of Parliament, excluded the inhabitants of these united colonies from the protection of his crown, &c. and that it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies, &c. And therefore 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, has 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."

And whereas it is our opinion, that our present government is not " Sufficient to the exigencies of our affairs," and we having full faith and confidence in the virtue and wisdom of the Congress, and being convinced of the propriety and necessity of complying with the above recommendation, and not doubting but it will answer the valuable purpose thereby intended.

We

(13)

We do therefore hereby instruct and require you to exert your utmost virtuous endeavours in assembly to have the same complied with, always saving to the freemen and inhabitants of this colony, the full enjoyment of their just rights and liberties, agreeable to the constitution, laws, customs and usages of the said colony, so far as the same are not injurious or destructive to the union, and general safety, and happiness of the united colonies.

But in case the house of assembly shall refuse or neglect to comply with the above recommendation; we do further hereby instruct and require you to exert your utmost virtuous endeavours, to get the said assembly to direct the appointment of a convention in this colony, to be held for the purpose aforesaid, and not to consist of less than ninety members, and if this shall be denied, that you then withdraw yourselves, and dissolve the said assembly.

We trust that you will discharge your duty as before directed with the greatest fidelity, and in such manner as shall best conduce to the happiness and safety of your constituents in particular, and America in general.

To the honorable the Representatives of the Freemen of the Counties of New-Castle, Kent, and Sussex, on Delaware, in Assembly met.

The Address and Remonstrance of the subscribers, Inhabitants of Kent County, on Delaware.

WHEREAS to our great concern and surprize, we have been informed that a paper called a Petition, Remonstrance, or Instruction to the house of assembly of this government, has been handed about
among

367
among the good people of this county, purporting a change in the constitution of this government, upon principles which we conceive must be erroneous and unsound, and by no means supported, or even countenanced by the late resolution of the continental congress, entered into May the 15th, 1776; upon which resolution we suppose said Petition, Remonstrance, or Instruction, is pretended to be founded, viz. "That it be recommended to the respective assemblies and conventions of the united colonies, where no government, sufficient to the exigencies of their affairs, has 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."—Which we conceive must refer only to such colonies as are in confusion, from the prorogation or dissolution of assemblies; and in no measure intended to affect the good people of this government, whose assembly has been, and still is competent and adequate to the exigencies of their affairs; and have had all due obedience paid to their acts and resolutions by their constituents.

But the movers of the above Petition, Remonstrance, or Instruction, as we understand, having taken the said resolution in a different sense, (as if the congress had intended another mode of representation and government, than by assemblies, under which we have long considered ourselves a happy people, and which we look up to with reverence and the warmest affection) we should think it criminal, not to declare to your honors, our sentiments, which we are fully convinced are those of a large majority

(15)

of the inhabitants of this country, and, as we believe, of this government.

We beg leave to observe, that the present unhappy disputes in which the colonies are involved, we began for the defence and preservation of the chartered rights and privileges of the colonies, and their then forms of government. And we humbly apprehend, that the changing the constitution at this critical period, would be acting contrary to the avowed principles on which the opposition was made to the oppressive measures of the British ministry, would tend very much to disunite the people, and be productive of the most dangerous consequences.

The experience of all ages and nations, clearly manifesting, that constitutional changes never fail to alarm the people, and rouse their fears; and unless they are gone into with the greatest delicacy, deliberation and caution, and with the entire approbation of the people in general, are attended with the most violent convulsions, often fatal to their liberty and property.

We farther beg leave to say, that if the honorable house should adopt our ideas, and determine to continue to exercise the powers the constitution hath invested them with, we are firmly persuaded they may rely upon the support of their constituents.

We therefore humbly pray, that the house may not, by dissolving itself, or otherwise, yield up any of the powers the constitution hath entrusted them with, under the pretence of conveniency or necessity. But retaining them in their own hands, may continue to exercise them for the good of their constituents; and we, as in duty bound, &c.

“*These were times that tried men's souls.*”

DIONYSIUS could no longer impose on men of sagacity, who were not willingly deceived. Maryland soon subdued all proprietary opposition. Pennsylvania also passed through this difficulty with honor. But, alas! for Delaware, subjugated as she was, with the chief powers and emoluments of government in the hands of proprietary agents; drained of many of her best whigs, by the regiment raised at that time; and seduced by the arts and assiduity of the proprietary adherents, she fell even from the attainments she had made; and under the absolute direction of DIONYSIUS, was held in constant readiness to be delivered up to the enemy, if ever a practicable opportunity had offered. All this will appear manifest from what follows: and that DIONYSIUS must have sunk with DULANY, and the proprietary friends in Pennsylvania, under the reputation of a Tory, and lost all power and influence in any state of the union, except Delaware.

Independence was now the question: and although the whigs made some exertions, by instructing their representatives, the proprietary tools surpassed them in zeal and activity. Runners were employed in the two lower counties particularly, to circulate their memorials and remonstrances against independence. The fears of the people were most industriously alarmed with the irresistible power of Great Britain; and the Church was put into imminent danger from a Presbyterian faction. Every other argument, which could be supposed to influence an uninformed people, who acted by the advice of others, rather than from the exercise of their own reason, was inculcated with great assiduity. In short, this was the

time

(17)

time, when the minds of the people of Delaware were most poisoned. Multitudes were induced, for the first time, to oppose by remonstrances, the recommendation of congress. This extorted reproaches from the revolutionists. A factious spirit was created, which established a line of distinction between Whigs and Tories, that lasted throughout the war.

Although DIONYSIUS lay snug during these transactions, it was easy to discover his directing hand. His friends, indeed, in circulating the remonstrances against independence, did not hesitate to declare they were to be put into his hands, and used at his discretion. Every man elected or appointed to office, under the influence of these false colourings, acted in strict concert with him, or rather under his direction and influence. It was his repeated declaration, *There was not a tory in Sussex county.* And when Tom Robinson was arrested by the light infantry of Dover, as a person made infamous and scandalous, by the publication of the committee of inspection of Sussex, DIONYSIUS caballed for a week, until he established his seat in the house of representatives.

But to explain the attachment and connection of DIONYSIUS with Robinson, and the other representatives from Sussex, it will be necessary to give some account of this county, and their election at Lewes, in October, 1775. This Robinson was a man of property, and had been a leader in the proprietary faction for some years. Perfectly unprincipled, and subservient to direction, he of course at this time, became a leader in opposition to independence. With all the industry of interested tools, he, and his associates of the same connection, prejudiced

G

a majority

(18)

a majority of the people of Sussex against independence. Upon this principle it was, that Robinson, and others of the same political creed, were elected representatives of the people.

The whigs bore all this with a degree of patience peculiar to Delaware. Robinson, rendered fearless by his success, and the forbearance of the whigs, proceeded boldly in his villainies. By every means in his power, he seduced the people to break through the non-importation agreement. In particular, he purchased a large quantity of tea, and dealt it out to all whom he could persuade to use it. Having by this time a degree of contempt for all opposition, there was so little reserve in these transactions, that the committee of observation of the country, could not avoid taking notice of them. After a mature hearing, and judgment of his conduct, the committee published him in the newspapers, as an enemy to his country. It was upon this ground, the light infantry company of Dover seized upon Robinson, on his way to take his seat the house of representatives, at New-Castle; and demanded of the legislature, that he should not be permitted to sit as a representative of the people, while covered with charges of so malignant a dye. Instead of regarding the iniquities of this culprit, DIONYSIUS talked in a high strain of the breach of privilege of the house. An order issued, summoning the infantry to attend the house, which they instantly obeyed. Mention was even made of imprisoning them for so daring an offence. But the spirit of New-Castle county, did not at that time, favor this measure. It was suggested, they must find means of confining a regiment or more of their militia, or they would not detain the infantry long.

For many days after the examination of the witnesses, which went chiefly to an inquiry into the offence of the infantry, there was no open discussion as usual in the house. At the ringing of the bell, a minority of patriotic members met regularly: but DIONYSIUS, in secret cabal, threatened some members, and allured others with promises, until he brought his measures to bear. Finally, it was resolved, that Robinson and his associate (who had also been arrested for standing in his defence) should take their seats; and the light infantry were dismissed.

This transaction had a malignant influence on *Delaware*. The whigs thus brow-beaten, were discouraged, and the tories, assured of the patronage of DIONYSIUS, became bold and persevering in their arts and industry for deceiving the people. *Constitutional liberty*, an artful phrase, implying dependence, and a retention of the old form of government, was cried up in opposition to the tyranny of congresses and committees. All people were warned against the violence of *Presbyterians*, who had long ago made havock in New-England, and were now in concert with the *yankees*, no doubt for the purpose of some secret mischief. The specious epithet *moderate* was assumed by the tories, and given to all their men and measures. Every proprietary tool that could be roused up, was now brought into action. Magistrates and other officers, who in the beginning, to encourage the people to act in opposition to ministerial measures, alledged it would be most proper for men uncommissioned by the government to serve in committees, at the second election pushed themselves into these bodies, in every hundred where it was practicable

(20 .)

370 practicable: not with design to forward their measures, but, if possible, to annihilate their authority. In the committee of Kent county, some of these tools alledged, that having made the only practicable opposition, it was time now we should submit to the irresistible power of Great Britain. One *Clark*, who had been bold and insolent in urging this doctrine in the committee, was seized upon by the people of *Dover*, and put into the pillory; where he was pelted with eggs, and disgraced as a traitor. This man being a justice of the peace, and of some consequence in the uninformed district where he lived, in a few days found means of arming some hundreds of deluded followers, and marched them 18 or 20 miles, to be avenged of *Dover*. A company of light horse, which from various piques and prejudices, at this time industriously excited, had associated under officers perfectly disaffected, assembled on the road above the town, ready to act in concert with *Clark* and his associates from below. The infantry, however, commanded by a man of spirit and address, at the shortest notice put themselves in a suitable posture to give their assailants a warm reception. *Clark* understanding this, thought proper to halt about a mile from the town, until his herd of dupes, by the mediation of a couple of clergymen, were persuaded to return home. As to the heroic light horse, disappointed of their hopes, in effecting a complete surprise, they affected the most awkward ignorance of what they were about, and every one straggled his own way. In this manner was disconcerted a plan laid by the tories, at once to be avenged of *Dover*, and, if possible, to quell that zealous spirit of independence, in the light infantry of the town, which from thence irradiated throughout the county.

Thus

(21)

Thus the first insurrection in *Delaware*, happened in the county of Kent. But this was soon followed by a more serious one in *Sussex*. Instead of collecting from a single district, the tories flocked together from the whole county. Instead of hundreds, their numbers were reported by thousands. And to quell them, it was thought necessary to require aid of Congress. Two battalions under the command of Col. Miles, and the *Delaware* regiment commanded by Col. Hasket, were sent down to Lewes for this purpose. The house of representatives also commissioned three of their own body to enquire into this affair. In this enquiry the commissioners had full evidence that the leaders of the insurrection had held correspondence with the enemies ships, then in the bay; that they had taken advantage of the general disaffection of the people of this county, to collect them under various pretexts; that they expected to have been joined by a detachment from the *Roebuck*, but in this they were disappointed; that many of the most zealous tories had rode and laboured whole nights in their secret machinations, to accomplish this grand insurrection; and that the ignorant multitude had been stamped with bitter prejudices against the prevailing measures of the continent. All this appeared from letters and transactions, read and declared upon oath, before the commissioners. Many of the deluded wretches, terrified with the unusual appearance of the military force now in their county, confessed their guilt, and supplicating pardon for their past offences, promised the most faithful submission in future, to all the regulations of Congress. Others, of whom it was proven that they had gone on board the ships of war, and solicited

(22)

Solicited assistance against their countrymen, had absconded, and could not be taken. Finally, the commissioners ordered all those who were convicted from overt acts of an intention of joining the enemy, to be disarmed. With the utmost humility, and apparent gratitude for the lenity of their judges, they hastened to obey the mandate, brought in and delivered up their arms. The declaration of these delinquents, subscribed by a long list of their names, was returned to the house of assembly, and recorded on their minutes, where it stands as a lasting monument of disgrace to the state, as will more fully appear in the sequel.

During these transactions in Delaware, the question of Independence was agitated in congress; and the respective legislatures were instructing their delegates on that subject. From the description of the Suffex election, in 1775, and the transactions of the county afterwards, nobody will doubt that their representatives were tories or anti-revolutionists. The representatives from Kent this year, were as decidedly whigs or revolutionists. The important question, therefore, whether we should instruct for or against independence, was determined by the representatives of New-Castle. The people of this county, almost universally well disposed, were therefore the less suspicious; and DIONYSIUS had so contrived as to have a majority of their representatives, though men of specious characters, his fast friends, and totally under his direction. Thus, by means of the Suffex tories, and his friends from New-Castle, DIONYSIUS procured instructions from the house, to himself and colleagues, our delegates in congress, to oppose independence.

In

(23)

In congress, **DIONYSIUS** faithfully obeyed his instructions, throughout the whole debate upon this important question; and his colleague, knowing how these instructions were obtained, and that they were not the sense of the virtuous part of the community he represented, more faithfully disregarded them. Without powers to corrupt congress, **DIONYSIUS**, on this occasion, could only betray his honesty, and the confidential commerce between him and the proprietary friends. Hence it was, that some of the most sagacious men at that time in congress, pronounced him better fitted for the district of *St. James* than the region of *America*.

Finally, although to avoid singularity, he agreed to sign the declaration, yet how well he intended to fulfil the solemn engagement he had thus subscribed, let every reader judge from what follows.

S F C

372

SECTION III.

A general account of
 Dionysius, from the
 declaration of Inde-
 pendence, to his ap-
 pointment to a conti-
 nental office, in De-
 cember, 1782.

UPON the declaration of independence, a new and farcical scene opened. However mortified at this event, the tories did not despair of finally succeeding; but with design to prevent, if possible, the establishment of independence, it was convenient to hold fast the powers of government. With an address, therefore, peculiar to themselves, men who had been the most avowed advocates for the king, now appeared at the head of processions for burning his arms, and forward in all the parade of the people. Those who had rode through the country, preaching against independence, were now equally active in soliciting votes for themselves and their friends, as members of the state convention,
 for

(25)

for framing the new constitution. To the open force of authority, they joined the lap of secret machination. All who had ever taken the wrong step of opposition, were confirmed in their prejudices, and new converts were added by every possible device. Men of property were alarmed with the horrors of civil war, and the confiscations and death consequent upon a conquest of the country. A cry of humanity for the poor went forth; and all were exhorted to choose moderate men, as more likely to give a chance of reconciliation, than violent whigs.

The tories succeeded in their elections in both the lower counties. From Sussex, indeed, there was a double return of whigs and tories. The whigs, to avoid cabal and violence, chose to meet in their respective hundreds for the purpose of electing, after the manner of choosing committee-men. The tories elected at Lewes, by a general meeting of the county. Although the whig delegates were returned by most votes, DIONYSIUS alleged the tories were elected more conformably to the direction of the legislature: and upon this principle, they were established in their seats. From New-Castle, there was a respectable delegation; but DIONYSIUS among the rest, and not without his usual complement of adherents.

The convention met in August, 1776. DIONYSIUS, now acting before the face of the continent, did not dare to obtrude any of his corruptions on the new constitution. The present Chief Justice of Pennsylvania took a leading part in this business; and a constitution was formed, upon the principles adopted by the states which had gone before us. Like most of the other state constitutions, the execu-

D

tive

372

{ 26 }

tive is light in the balance: a circumstance of which DIONYSIUS did not fail to take the earliest advantage. Notwithstanding DIONYSIUS submitted to the new constitution, as a measure of course, that could be no longer avoided, it will appear, that he ardently sought to maintain his power paramount in the state, for the purpose of returning to his favorite dependence on Great-Britain, and proprietary domination, if ever practicable, or otherwise to make the best of the new constitution.

Although in forming the new constitution, and sundry other transactions relative to the continent, this convention acted with a specious shew of regard to the authority of congress; yet before they rose, by an assumed authority, they restored to the Sussex insurgents their arms, and even their respective commands in the militia: and it was not long afterwards, before several of the Sussex deputies, who had served in convention, took up their residence with the enemy.

The first election for representatives, agreeably to the new constitution, was held in October following. This was a most important election, as all the offices of government were to be filled up by those elected. On the day of election, the tories of Sussex assembled in a tumultuous manner at *Lewes*, cut down the liberty-pole, set it up at vendue, and called upon the whigs to bid for their wooden god. To complete the farce, they sold the flag to a foreigner, for *thirteen pence*. Bullies with clubs, were placed at the court house door, and the electors, as they entered to vote, were questioned *whether they were for the King, or not?* Those who answered in the affirmative, were permitted to vote; but if in the

(27)

negative, they were driven away. The whigs petitioned the general assembly, that the election might be set aside, as unfair and illegal. But DIONYSIUS on this occasion, set up this doctrine——That those, who had been restrained by violence, from voting, ought to seek redress, as in other cases of civil injury, by an action at law for damages; and the election was established.

With redoubled diligence in deceiving and corrupting the people, the tories carried their election in Kent also; and DIONYSIUS was not without his friends, even in New-Castle. He himself was elected into the legislative council. He was now absolute, with dictatorial powers: and from the manner in which he filled up the government, we may judge perfectly of the man.

Probably to gain time, make some arrangements, and have further communication on the subject, the business of filling up the new government, was put off from the October sessions, until the next meeting of the legislature, and the government transacted in the mean time, by the council of safety.

In February, 1777, the solicitous curiosity of every whig was gratified, in his complete mortification. The first officer appointed, was the president of the state. Our noted president, who first filled the chair of office, had behaved well enough in the beginning of our troubles. Being a weak and vain man, he had performed the parade of a militia officer, with apparent zeal. But, as some supposed, from a little cultivation of his vanity; or, as others alledged, from a timidity with respect to his great estate, he was at this time considered as a mere patch upon the back of DIONYSIUS. Although this man

was a *Presbyterian*, he carried his election by a great majority, against *Cesar Rodney*. The *Presbyterians* of his own county voted against him; but the *Tories* of Kent and *Sussex* carried him with zeal. This circumstance is noted particularly, to expose the detestable affectation of the *Tories*, at all times, in sacrificing the sacred rights of religion, to their base political prejudices.

The appointment of the judges of the supreme court came next upon the carpet. The first or chief justice appointed to this court, held the same office, with other lucrative employments under the proprietary government. He relinquished the lucrative employments he held under the former government, rather than take the oaths to the new one. Both the other judges, under the old government, were of professed revolution principles: the one from Kent county was elected; but the other, from *Sussex*, was rejected, and a man of known opposition to independence, appointed in his place. Finally, however, none of them qualified.

It is remarkable, that the minutes of the house of assembly declare an unanimous vote in favour of the justices appointed to fill the courts of common-pleas, in the respective counties, owing to a piece of finess, for which *DIONYSIUS* alone can be suspected. It was proposed in private, that the representatives from each county, should determine the persons to be elected from their own counties respectively. The patriots from *New-Castle*, trembling for the reputation of their own county, durst not oppose the proposition. Hence *New-Castle* obtained a respectable appointment; and the two lower counties, men of the following description.

In

(29)

In Kent county, the chief justice appointed to the piers, was a man too honest, and consequently possessed of too squeamish a conscience, to swear to maintain a government which he wished never to be established: he therefore declined to take the oaths. The famous Clark, who had been pilloried and egged at Dover, was appointed 2d justice. A noted bully, who, on all occasions, cursed the Bostonians as rebels and traitors, and had fortified his house with loop-holes and guns, for his defence against whigs and committees, was appointed 3d justice. And a man, detained a long time under guard, by General Smallwood, for a well grounded suspicion of traitorous and treasonable practices, was appointed 4th justice. Some time afterwards, Clark was advanced to the place of chief justice, and his place of 2d justice, was filled by a man, who, at the same time Clark was pilloried, escaped from a window, from fear, excited by conscious guilt only, and hiding in the swamps, did not dare to come forth, until he had written the most abject concessions to the captain of the light infantry. These men all swore a allegiance to the state; and we may judge of the sincerity of all the rest, by the 3d justice, who, through a professed infidel, did not hesitate to subscribe the declaration of faith in the trinity, required by the constitution.

In Sussex county, the judge of the highest description, if not of highest appointment, was a militia captain, who, after vain attempts to seduce a brother officer of the same battalion, to engage in the insurrection, with an armed force, plundered his whig neighbour of his arms and ammunition, and with many execrations against congresses and committees, joined the insurgents: he was disarmed,

275

(30)

and recorded on the black list of Sussex, on the minutes of the assembly in 1776; and in 1777, he was selected to administer righteous judgment to the whigs of that county. Another justice appointed to this court, was a militia colonel, who had drawn all of his batallion that he could, into the insurrection. The other two justices, if not equally disgraced, were as professedly opposed to independence. They considered their appointment, as merely to fill a gap for a season; and had no idea that the new government could long stand.

The justices of the peace, and other officers of government, were appointed upon like principles. Officers under the old government, any ways distinguished for revolution principles, were left out of all appointments under the new constitution: or if very respectable in the eyes of the people, perhaps, appointed to some inferior office. Thus Cesar Rodney was packed into the supreme court, between two Tories; and N. V. Dyke was appointed judge of the admiralty. These gentlemen, recollecting that there are times when a private station is the post of honour, refused to serve. T. Rodney, though a magistrate under the former government, was now left out of commission. He was captain of the light-infantry of Dover, and therefore very obnoxious to the representatives of his county.

These facts are so astonishing, as hardly to gain credit out of the state. Nevertheless, upon the truth of these facts, shall rest the credit of this whole history. It is also true, that the concert between DIONYSIUS and the Tories at this time, and ever after, renders it indisputable among the whigs of Delaware, that he was the author and contriver of these

(31)

these measures: and hence we reasonably conclude, that from this time forward, his objects were to maintain a fair face to the continent, and the county of New-Castle, and to employ the Tories of Kent and Suffex, as the chief instruments of his power and influence.

It is a maxim known and established in all deliberative assemblies, never to appoint or employ men to execute what they do not approve. But to establish our independence, the *Dionysian* policy was to prefer men possessed of the most bitter prejudices against it. Is it not then a most reasonable conclusion, that it was his intention to put the government into such hands, as to surrender it conveniently, with claims for his meritorious services, whenever a suitable opportunity should offer?

Notwithstanding the repeated declaration of DIONYSIUS, that *there were no Tories in Suffex*, Tom Robinson and Boaz Manlove, who had both been his fast friends in the legislature, were now detected in a traitorous correspondence with the enemy. The latter had embezzled a large sum of paper money, entrusted with him for the purpose of signing. And a letter from the former, giving a most exulting description of the success of the King's friends, at the late election in Suffex, was intercepted on its way to New-York. A secret messenger was dispatched, to seize and bring them before the legislature; but they had friends who gave them more secret notice, and they escaped to the enemy. A number of others, from the same county, taken in an illicit commerce with the enemy, and confined in the goal of Philadelphia, petitioned to be released; and by the interposition of our legislature, were discharged, but never punished.

(32)

The capture of our president by the enemy, with the train of consequences attendant thereon, happened in September, 1777. This had so little the appearance of accident, that many people suspected design. It must be confessed, however, the better opinion is, that it was owing to the stupidity of the man himself, rather than to any direction of DIONYSIUS. For this contingency brought DIONYSIUS into a responsible situation, at a critical time, when he by no means liked it. As speaker of the legislative council, it now became his duty to administer the government. Instead of subtil arts, the time and circumstances required a bold and offensive behaviour in the first magistrate. This did not suit the genius of DIONYSIUS; and he betook himself to a place of safety in the Jersey. The government then devolved upon the speaker of the house of Assembly. He exerted himself amidst the dangers that surrounded him, like a brave man; and, hunted to the borders of Pennsylvania, by refugees and emissaries sent out by the enemy to take him, was protected by providence. But DIONYSIUS, at a convenient season, was conducted to his own shore, most complaisantly, by a British barge.

In October, 1777, the tories of Sussex being again intolent at the general election, the whigs, emboldened by the use of arms, and irritated by their last year's conduct, drove them in a body out of town. The whigs, on this occasion, made a great parade of arms, and the tories were exceedingly panic-struck. In New-Castle county this same year, it being unsafe to meet at the town of New-Castle, the election was held at New-Ark. This circumstance was attended with the rare contingency, that every member re-
turned

(33)

returned for New-Castle; were whigs, or *Anti-Dionysians*, which implies the same thing. Thus the house of assembly consisted of whigs from New-Castle, and Tories from Kent: from Sussex there was no return. Thus constituted, the house sat for a fortnight, without appointing a speaker: for from whichever county the speaker should be appointed, the other would have the majority upon the floor. The Tories were afraid of a severe tell act; and the whigs did not choose to give them the advantage at so critical a conjuncture. Finally, they broke up, without doing a single legislative act. At their next meeting, however, after previous stipulations solemnly entered into, a Kentish man took the chair, and writs were issued for a new election in Sussex. The Tories, on this occasion, did not appear; and the whigs carried their election, with little or no opposition.

The whigs now had a decided superiority in the house of assembly; but DIONYSIUS maintained his majority in the legislative council: for the elections, which had brought about the revolution in the lower house, had changed but a member or two in the other branch of the legislature. Long debates of course ensued, relative to a tell act: and it was not until May, 1779, that the whigs could obtain the "Act for the further security of the Government."

In the meantime, every one did that which was right in his own eyes; and our wily magistrates, in the two lower councils especially, appeared to smile at our misfortunes. They seemed to indulge the pleasing hope, that the distresses of the country would redouble the disaffection of the people. It was frequently suggested, *These are the blessings of Independence.* The refugees plundered our whole coast.

(34)

coast; but DIONYSIUS constantly opposed measures for our effectual defence against these robbers. Tories from among ourselves penetrated to every part of the state, seized our most zealous whigs, and carried them on board the British ships. Various insurrections took place; and formal camps were instituted, in both Kent and Sussex. These, in most instances, were subdued, by the voluntary and brave exertions of the whigs. The government lay prostrate as it were, and wishing to be conquered.

In this state of our affairs, the refugees did not discriminate so accurately between whigs and tories, as was hoped and expected by the latter. It became an object then with all parties, to have a court established, capable and willing withal, to take notice of bold offenders against the peace and order of the state. The present chief justice was therefore solicited to fill the chair of the supreme court. He was a professional man, and of independent principles. But the two puisne judges appointed to his assistance, were in strict subserviency to the policy of DIONYSIUS. The chief justice, not much approving his colleagues, and the assistants having no solicitude about the duties of their appointment, these judges never met in court. After the election of 1777, the chief justice, with design of obtaining a reformation in the court, resigned his appointment; and the only assistant, who had qualified, followed his example. The general assembly then reappointed the chief justice; and instead of the two former assistants, another lawyer was added to the court; and for the third justice, a man of genius and knowledge, and of known revolution principles. Thus one independent judicatory was obtained; but unattended

(35)

with those advantages to the state which might have been expected. With a thirst of his own connection, to return juries, DIONYSIUS found no difficulty in screening the vilest culprits from the vengeance of strict justice: and the court had the mortification to see, that they contributed more to the emolument of the unprincipled advocates of tories and refugees, than to the suppression of those enormities and violences practiced against the community.

The elections of 1777, also favoured the appointment of a president faithful to the revolution, in place of him who had been captured. But the body of the people had been so deceived, and stamped with prejudices against independence, by their leaders, and even by many officers of the government, who, notwithstanding their oaths, continued to practise all the arts of disaffection, that it was not possible to reduce them to order and good government. Laws were made in compliance with the recommendations of Congress; but effectual pains were taken, that they should never be carried into execution. This was especially observable in training the militia. Whenever laws were made for this purpose, the tories constantly exerted themselves to put the command into the hands of disaffected persons; and withal to have the law clogged with some unpopular clause or impediment, that might render the execution of it impracticable. Finally, militia laws and mustering became unpopular, and all militia exercises were discontinued.

The sure protection of the tories encouraged them to be obstinate in their rebellion against the new government.—Neither the influence of a whig president, nor the institution of the supreme court, aided

by

(36)

by a number of well-affected justices of the peace, (appointed in lieu of those who had fled to the enemy, turned refugees, or otherways abdicated their office) were sufficient to prevent the insurrection called the Black Camp, so late as August, 1780. This was a *petite guerre* instituted by the Tories, for the express purpose of resisting the execution of the laws under the new government; and was not suppressed without considerable bloodshed.

From the institution of Cheney Clow's camp, in 1778, until this time, there were many indicative signs, that the British would seize upon the Delaware state, or, perhaps, the whole peninsula. In the gloomy season of October, 1779, DIONYSIUS gave the hint to his followers, by refusing all governmental employments, even to be elected in the legislature, or to serve in congress. The British, however, on their way from New-York to Charleston, in December 1779, passed us by unnoticed; and in October following, a complaisant set of inhabitants, about New-Castle, who never liked to be called Tories, gratified his wish, by placing DIONYSIUS in the house of Assembly.

The British power in America, now in its wane, and the efficient aids granted us by the French Monarch, presaging the exploits of 1781, rather than our return to a dependent state on Great Britain, DIONYSIUS, therefore entered into views of ambition and emolument, under the new government. For those purposes, it was necessary to form alliances, and to employ suitable persons in Congress. Our delegates were therefore chosen from another state; and every interest of Delaware was sacrificed at the shrine of Pennsylvania, for her influence, in the appointment of DIONYSIUS to a high office under congress,

(37)

gress, with a revenue of several thousand dollars per annum.

The county of New-Castle ought to blush for this shameful transaction. The whigs of Sussex voted against it; the tories of Kent and a majority of DIONYSIANS from the upper county, carried the measure. With the aid and influence of the Pennsylvania delegates, DIONYSIUS got his office; and judging from what has since happened, we have reason to conclude, that to this day he holds himself bound in gratitude, to betray the interest of Delaware, as often as it comes in competition with that of Pennsylvania.

S E C T I O N IV.

A general account of the Dionysian policy from his appointment to office, under the United States, until October, 1787.

DIONYSIUS had now a double part to act, to carry a fair face to congress, and maintain his tory influence in the state at the same time. Hitherto the tories had but too successfully obstructed
and

and frustrated every scheme of revenue. DIONYSIUS apparently entered sincerely into the views of the *Financier*; and laid specie taxes, even in opposition to some of his tory connections. He also promoted a law for collecting the taxes by county collectors, and for appropriating them more certainly to continental use, than had been done. But he could never be prevailed on to let a law pass for the *more equal assessment of property*. And wherever men were concerned, it was most manifest, that his chosen vessels were such as were either narrowed by *bigotry*, prejudiced through *ignorance*, or soured by the malicious enmity of *apostasy*: for an open discovery of these malignant passions was, and continues to be, the surest means of promoting the low ambition of those who are capable of them.

The success of the campaign of 1781, with the regular prospect of peace and independence, made a strong impression on the minds of the people. They were now convinced, that the tories had treated them with great deception, and that the whigs had been honest. Many of our leading tories lost all popularity and influence. In Suffex the multitude of tories, who had refused or neglected to give allegiance to the state, agreeably to the test act, seemed disposed to rest in peace, without further disturbing the government. All this had a favourable influence on the electors and elected, in October, 1782, a noted and important year, when our president abdicated the government.

Our president signified his acceptance of the government of Pennsylvania in January, and the general assembly proceeded to the appointment of another, in his stead, in February 1783. DIONYSIUS did

(39)

did not attend at the first of the session. In this interval the Tories solicited the chief justice to accept the presidency of the state. Some supposed this was only finesse, to divert the Whigs from the choice they had fixed upon; others that the Tories wished to fill the judge's seat with a man after their own heart; every body was soon convinced that this proposal was not from personal regard for so good a man as the chief justice. For on the arrival of DIONYSIUS, he with dictatorial authority ordained, that they should choose a *quondam president* who had been captured. All who were completely trammelled obeyed. But DIONYSIUS's confidence so far deceived him, that he incautiously counted upon a man or two, who felt the force of independence too powerfully, to yield such abject submission. He therefore lost his tool, and we got an independent governor.

The disgrace of being represented in congress by foreigners, had, in two years time, become so generally impressed upon every man of the least delicacy, that it was now no difficult task to appoint residents of the state, instead of our delegates from abroad. But what was most mortifying to DIONYSIUS, staunch Whigs only were delegated to congress. DIONYSIUS, though foiled in this manner, was far from giving up the objects of his ambition. He contrived to hedge the president about, with a privy council to his own liking; of which two out of four held the most lucrative offices of the state, by his patronage: and he so managed at the next general election, that with the members returned, and especially from New-Castle, he turned out, without ceremony, all the Whig members of Congress; and

(40)

among those appointed, put in his *quondam* Govern-
or.

The example thus set for turning out and putting in, by dint of majority, afforded a prospect of so slight a tenure of office, that of all those appointed, but one consented to serve, and the state went unre-
presented a whole year.

The elections of 1783, in both Kent and Sussex were disputed. There being no dispute, however, as to the councillor for Kent county, the same person being carried by all parties, DIONYSIUS entered into a long discussion of the subject; for no reason that can possibly be imagined, but that of injuring the name and reputation of a number of respectable whig citizens. Thus it is *resolved* of one, that he was in liquor—of a second, that he forcibly carried off the box containing in it the uncounted votes or tickets—that the votes or tallies were saved from a third, who made an attempt to seize them, that a fourth behaved himself in a very disorderly and unbecom-
ing manner—that a fifth had knowledge of the at-
tempt to take away the box before it was put in ex-
ecution. Finally, however, as an example for the house of assembly to follow, the election for Kent was established, that of Sussex declared void.

The ~~house~~ of assembly, after a long hearing by council, made a kind of drawn battle, they agreed that both elections should be established. At this DIONYSIUS was much enraged. He reproached the New-Castle members particularly for disregarding his advice and example; and swore a lot taken from the county at large, might give them a chance of better members.

The

(41)

The county of **Suffex** returned the same member of council as before, and under the same regulations of the election. **DIONYSIUS** did not think proper to reject him again; but at the same time the election was confirmed, he dictated to council a long string of resolutions containing such explanations of the laws relative to elections, as were aptly fitted to encourage the tory non-jurors to qualify and oppose the whigs. It was further resolved that the council were vested with right and power of judging of the qualifications and elections of its own members; and consequently, to declare and make known its opinion upon the laws or any of them, prescribing or limiting the qualifications of the electors. And lastly, copies of the foregoing resolutions and determinations of council were ordered to be sent to **Suffex**, and publicly read at the opening of the next election.

It was very offensive in the eyes of the people, that sundry respectable justices of the peace, whose commissions had expired, were now discontinued, and others recommended in their places. To circumstances contributed to aggravate this transaction. It appeared to have been accomplished by mere chicanery; and afterwards avowed to be for no other reason, than because they were not of *the right political connection*,

These and other acts of tyranny, by this memorable session, so far excited the resentment of the people, that in October following, 1784, the whigs succeeded in their elections throughout the state. Even **New-Castle** on this occasion, seemed more awake than usual. **DIONYSIUS**, however, had before

before obtained a seat in the legislative council, and could not be shaken.

This general assembly, with a decorum proper to whigs, reappointed the member of congress of the preceding year, who agreed to serve; and appointed others in the place of those only, who had refused to attend upon that duty. They also redoubled to the utmost of their power, those honest magistrates, whom the party rage of the preceding assembly had unwarrantably affronted. They were now reappointed by the house of assembly, to receive the president's commission.

Although by the dominion of the DIONYSIAN faction in the legislature, he had it less in his power to tyrannize, during this session than usual; yet he did not fail to discover the strong features of his character. The "Act for calling in and destroying such of the Bills of Credit emitted by any of the laws of this State, &c." commonly called the Loan-Office Law, could not pass the council without an amendment, for inserting the *quit-rents* due to the proprietaries, as an excepted incumbrance upon mortgaged premises. The money called in and burned by this act was notoriously hoarded up by disaffected persons. DIONYSIUS therefore entered on the minutes his dissent to the passing of the Law; and protested solemnly against the breach of faith, in calling in the bills of credit, at so depreciated a rate, as *seventy-five for one*. — This advocate for public credit, nevertheless found means of preventing any resolutions whatsoever from passing the council, for the payment of the interest due on the depreciation certificates, in the hands of military men and other revolutionists; until by accident his official duty called

(43)

him to Virginia in June 1785, during the session of the legislature; and in his absence, resolutions passed without difficulty for a more liberal and timely payment of interest to the public creditors, than had ever before been offered.

Thus it appears, that according to the DIONYSIAN policy, public faith is to be immaculate with respect to Tories, but of no force and validity in regard to Whigs. The transactions of the ensuing years relating to the business of finance, will afford still more striking specimens of the public faith and virtue of this leading politician.

So many of the disaffected in Sussex had refused to take the test necessary to qualify them to vote, that the Whigs of that county had uniformly carried their ticket, at the general elections, from the year 1777, until October 1785. Previous to this election, an effectual arrangement was made for turning out all the Whigs. The Tories of Sussex are so destitute of talents, that we never suspected them for devising the measures now pursued; but that an *adjutant general* went down from Kent county, properly instructed to settle and arrange their plans. Certain apostate characters were employed to hunt up and qualify all the disaffected who could be prevailed on to take the test. As the law for the further security of the government did not expressly forbid it, *refugees* and *black-campers* who had fought against the Whigs so lately as 1780, were now diligently sought for, and by a cultivation of their resentments against their late conquerors, were excited to qualify. Magistrates were carried about to administer the oath to these miscreants. The vouchers, according to the strict construction of the law and the practice of that county, swore they believed them to be good friends to
the

the government. Occasionally whole crowds were thus vouch'd for at once. They were furnished with formal certificates of their qualification, and enjoined to attend the election.

With these auxiliaries the tories out-numbered the whigs, and carried their election. There was indeed a suspicion of fraud also; but as that could not be proved, the whigs submitted to the event.

The conduct of the tories on this occasion, towards the sheriff of the county, illustrates the spirit from which they acted. This officer was a brave man, who, in quality of a captain in the Delaware regiment, was among the gallant defenders of Mud-Island. By the bursting of a shell near his head, he was deprived of his hearing, and compelled to quit the service. On the return of health and restoration of his hearing, in some degree, the whigs, in gratitude for his gallantry and sufferings in the cause of independency, elected him sheriff of the county: but the tories with unfeeling hearts, or rather with prejudiced resentment, at the glory which shone around this brave man, employed their refugees and black-campers to deprive him of his office, a year before the expiration of the time, which the law permitted him to hold it. This was done without the shadow of complaint against him as an officer, and is as unprecedented as it is disgraceful to the county.

The elections of the two upper counties this year, succeeded well enough, except that DIONYSIUS was returned a member of the legislative council, by the county of New-Castle. His peculiar efforts were therefore confined to the transactions of council. But his influence and tyrannic exertions were not the less conspicuous.

The

(45)

The patriots of the house of assembly, observing that the lucrative offices of the state were generally employed by the DIONYSIAN faction as mere sinecures, for retaining advocates; that independent men were crowded out whenever it was possible, and the plainest indications given, that none could enjoy the emoluments of office, but such as would meanly bow the neck, and take on them the drudgery of faction, passed a bill through the lower house for taxing the lucrative offices. They hoped thus to have corrected the vice of corruption, and improved the finances of the state. But DIONYSIUS opposed this law with all his powers; and effectually obstructed its transit through the council.

The member of council last elected for Kent county, boldly advocated the tax upon lucrative offices. This man moreover was a *far n'big*, whom DIONYSIUS had probably long before marked as not to his purpose. His next project therefore was to wreak his vengeance upon a man, whom he despised of corrupting or misleading. Sundry circumstances in the manner and plan of his attack, at the last meeting of the legislature in this year, serve to evince, that he had premeditated the design, and came prepared to subdue and disgrace this inconvenient member by a *coup de main*.

The tax-bill for raising £21,000, for the year of 1786, had been sent up to council at a preceding session, and detained by DIONYSIUS to plod upon, during the recess of the legislature. Immediately upon the meeting of the general assembly, in June, 1786, the collector of New-Castle county came to Dover, and on behalf of a number of taxables of that county, demanded of the loan-officer (the obnoxious member

member before mentioned) written certificates of interest, conformably to the requisition of 1784. There is reason to believe the collector acted on this occasion by the direction of DIONYSIUS, merely as a pretext for what followed; because he had been repeatedly informed before, that the loan-officer had no such power. DIONYSIUS, however, made this a matter of clamorous complaint, in the open street, until a mere mob was collected to hear him declaim against the loan-officer. Curiosity led the loan-officer to attend and hear among others, and not comprehending well the meaning of DIONYSIUS, he told him flatly, that he made but a rude and ill-judged apology for the delinquency of New-Castle county: for he hastily concluded DIONYSIUS had nothing else in view. This mode of attack proving unsuccessful, DIONYSIUS withdrew suddenly; and in council, soon convinced the loan-officer, he had something more at heart than merely an apology for his county.

In council, the tax-bill was committed to a committee of three, for amendment. Two members were appointed with DIONYSIUS to this duty. DIONYSIUS cajoled his colleagues, and easily persuaded them to agree to 49 amendments; the result of his secret lucubrations. Among the rest was one declaring the office of state treasurer, held by the obnoxious member, to be incompatible with that of continental loan-officer, which he also held. The loan-officer took exception to sundry of the amendments, as incongruous and repugnant to the requisition of congress; but took no notice of that which related to the treasurer's office. DIONYSIUS took frequent and taunting notice of this article; but nothing

(47)

thing could be extorted from the member whom it was intended to provoke into some indiscretion, but that he was ready to resign the office, when those who gave it were disposed to resume their appointment: and he resigned accordingly, as soon as the amendments were sent to the house of assembly. By DIONYSIUS's amendment, not a moment was allowed the treasurer to make up his accounts. The office was, as it were, to be snatched from under him. The house of assembly, however, thought ten days little enough to settle and deliver over the books of the office, to the succeeding treasurer: and this was acquiesced in, without complaint.

DIONYSIUS accounted this the cutting off of one head, but another remained which he wished to wound at least, if not dis sever. The loan-officer did not think proper to relinquish his continental appointment, and now stood collected in his own defence. It would take up too much time to recount here, all the vociferous declamation of this *Sempronian* Orator. Suffice it to observe, that all his arguments were drawn by insinuation and implication, rather than by any direct or fair mode of reasoning. Thus, in debating the amendment for a suspension of the collection of taxes, in case the loan-officer should neglect or refuse to settle and certify the interest due on certificates, &c. with affected zeal for the public weal, he lamented the misfortunes of the state, from a neglect to issue facilities to the citizens, agreeably to the requisition of 1784. He even threatened to address the president of the state, requiring him to complain to congress, that the loan-officer had not yet qualified and entered on this business. But he could not be brought to say, in direct terms, that the

786

(45)

requisite qualification would authorize the loan officer to issue any certificates or facilities whatsoever, before the law then under consideration had passed the legislature.

This was his conduct, until by open cabal and secret intrigue, he had engaged the council generally in his measures. They had concurred in his amendments and messages, probably, without understanding the design of them, until they could not decently retract from what they had done. Then it must be confessed DIONYSIUS was explicit enough. In one of the messages from the council to the house of assembly, there is this notable sentence relative to the 46th amendment: "The council think it their duty to guard against a refusal or neglect of this kind, with respect to their constituents, at the same time that they make it compulsory on them to contribute a supply to the wants of congress, by this rendering the security mutual between the payers and the receivers; and *what has lately happened*, still renders the provision in this clause the more necessary; and the council willingly hope, that any *jealousy* that may have taken place, will by the present form of the amendment be done away." The loan-officer remonstrated against this article particularly, by observing that neither congress nor their officers had ever deserved from council, language importing *jealousy* or *distrust*. DIONYSIUS now sure of his majority, replied shortly, that it was not meant for congress, but the *officer*, who might think himself well off to be let down so easily. The loan-officer, fired with resentment at the insolent import of the word *officer*, in the singular number, with so pointed

an

(49)

an explanation, declared he would not tamely submit to be thus held up as a public delinquent; that he was resolved to appeal to the public, by using the privilege he had of entering his dissent, and protesting against the proceedings of the council. DIONYSIUS agreed he had a right to do so; and all the council echoed their consent to the measure.

The next day, however, when the loan-officer presented his reasons of dissent and protest, to be entered on the minutes in their proper place, DIONYSIUS laboured to modify them to his own liking, after the manner of a common report, before he would permit them to be entered. The loan-officer insisted on his right to use his own language, declared his resolution to abide by the public opinion, and to reject all correction from a party concerned. DIONYSIUS preached whole hours together, and discovered the utmost solicitude for some days, to prevent the entry: until he at length became hoarse with talking, and apparently sick with fatigue. The loan-officer sat all this time with his protest in his hand; urged at every opportunity he had of speaking, that it might be entered on the minutes. Finding, however, that all other resources failed, he resolved to make a formal question of this matter before the house, and found means to get his motion seconded. DIONYSIUS not chusing the yeas and nays on this question, instantly withdrew all opposition; he consented to the entry, and all the council said *Amen*.

A laughable scene ensued, which cannot be better exposed, than by transcribing, from the minutes, the protest at large, with the resolutions of council that immediately succeeded it.

(50)

305

“ On motion, made and seconded,

“ That the sense of council be taken, whether Mr. Tikon have leave to enter his reasons at large upon the minutes of council, for disagreeing to sundry amendments proposed by council to the bill for raising £21000, &c. and for protesting against a message from the council to the house of assembly of the twenty-second instant, agreeably to leave then had and obtained of council; the question was put, and it was

“ Resolved in the affirmative.

“ Whereupon Mr. Tikon laid on the table a paper, exhibited as containing his reasons for his disagreement and protest, which is as follows:

“ 1. Because the end proposed by the first amendment, for increasing the sum to be raised, and all the numerous amendments dependent thereon, is attainable in another way, and more to the advantage of the state; instead of paying one third of the requisition of the 4th of September, 1782, in specie, agreeably to the intention of this amendment, it is admitted, the whole might be paid in facilities. By a separate provision then, for this requisition, such as we have reason to believe the house of assembly intend, our tax-laws would be more simple and easily executed, more facilities might be brought into circulation, and as their value would be enhanced they would circulate more currently, and be of greater public utility; and in proportion as this state is enabled easily and speedily to comply with the requisitions of congress, the federal government will be benefited.

“ 2. Because the articles of confederation expressly declare, that the proportion of taxes to be raised

“ h

1 3 1

“ by each state, in support of the federal govern-
 “ ment, shall be laid and levied by the authority
 “ and direction of the legislatures of the several
 “ states, within the time agreed upon by the United
 “ States in congress assembled; and the United
 “ States have required the legislatures of each state
 “ in the union, to provide in the act complying
 “ with their requisition of 27th of September, 1785:
 “ That if on the first day of January, 1787, the
 “ said states quota of facilities shall not be in the
 “ hands of the state treasurer, or other proper officer,
 “ the deficiencies shall be collected and paid into the
 “ continental treasury in specie; therefore the forty-
 “ fourth amendment for postponing the completion
 “ of this collection, until the thirty-first of May,
 “ 1787, cannot be considered as a compliance with
 “ the said requisition; and this circumstance of time
 “ must be regarded as essential to the requisition,
 “ and not as mere matter of form, as was alledged
 “ and maintained in council.

“ 3. Because the forty-fifth amendment, for au-
 “ thorizing and requiring the state treasurer to ex-
 “ change specie for facilities, is contrary to the spirit
 “ and letter of the requisition with which our act is
 “ intended to be a compliance. This amendment
 “ will also have a manifest tendency to depreciate
 “ the facilities, and, if adopted, must prove injurious
 “ to the honor and interest of the state, by opening a
 “ partial and dangerous speculation at the state-
 “ treasury.

“ 4 Because the forty-sixth amendment, in its ori-
 “ ginal form, to enable the president, with the ad-
 “ vice of the privy-council, to suspend the operation
 “ of the tax-laws as well as in the amended form in
 which

(52)

" which it now stands, to enable the president with
 " the advice of the privy-council, to summon the ge-
 " neral assembly, for the express purpose of taking
 " cognizance of officers appointed by congress, and
 " accountable to them alone, must be considered as
 " manifestly tending to an encroachment on the just
 " rights and prerogative of congress, engaged for
 " by the plighted faith of this state, through their
 " delegates in congress assembled. It also behoves
 " council to have a due regard to the honor of this
 " state, by a strict conformity to the requisitions of
 " congress, and to be seriously concerned, to guard
 " against a measure which might induce that honor-
 " able body to consider our present act as a non-
 " compliance with, or repugnant to their late requi-
 " sition, whereby our constituents might be depri-
 " ved of the benefits thereby proposed and held out
 " to them.

" 5. Because in the message of council to the
 " house of assembly, with reference to the commis-
 " sioner of the loan-office in this state, for not
 " having issued interest certificates on loan-office
 " certificates and other certificates of liquidated
 " debts, up to the end of the year 1782, to be re-
 " ceived in discharge of taxes for fulfilling the requi-
 " sition of 1784, it is said, " And what has lately
 " happened still renders the provision in this clause
 " the more necessary; and council willingly hope
 " that any jealousy that may have taken place, will
 " by the present form of amendment be done away."
 " As it was sufficiently explained to the understand-
 " ing and conviction of council, previous to the
 " sending of this message, that neither congress nor
 " their officer could do more for the state than was
 " done

(53)

“ done, and that so far as the state may have suffered
 “ an inconveniency, it must have been owing to
 “ contingency in the death of the late loan-officer,
 “ and neglect on the part of the state to procure
 “ another, before an entire change took place in the
 “ system for conducting the continental treasury ;
 “ whereby it became impracticable to afford relief
 “ to the state, but by a speedy compliance with the
 “ requisition of 1785 ; it therefore becomes the
 “ duty of this dissentient to declare and protest, that
 “ language importing jealousy or distrust of congress
 “ or their officers is without foundation, altogether
 “ unmerited by the officers of congress, and when
 “ adopted by council, tends directly to disturb the
 “ harmony, and impair the mutual confidence,
 “ which ought to subsist between this state and the
 “ united states.

“ JAMES TILTON.

“ Upon the entry of the paper delivered by Mr.
 “ Tilton as aforesaid, it was thereupon observed to
 “ the house that the facts as stated therein, to which
 “ his reasons referred, were misrepresented, and not
 “ truly stated.

“ Whereupon it was moved by Mr. Read, se-
 “ ceded by Messrs. Neill and Craghead, separately,
 “ that the sense of the council be taken with respect
 “ to those facts ; and council proceeded thereon as
 “ follows :

“ The first of which facts alleged to be misre-
 “ presented is as follows, to wit “ Instead of paying
 “ one third of the requisition of the fourth of Sep-
 “ tember 1782, in specie, agreeably to the intention
 “ of this amendment, it is admitted the whole might
 “ be paid in facilities.”

“ The

1 39 1

“ The question, whether this fact is truly stated,
“ being put, it was

“ *Resolved in the negative.*”

“ The second misrepresentation is as follows, to
“ wit: “ By a separate provision then for this requi-
“ sition, such as we have reason to believe the house
“ of assembly intend.”

“ The question, whether this fact is truly repre-
“ sented, being put, it was

“ *Resolved in the negative.*”

“ The third, whether the following is a true re-
“ presentation of the facts, to wit: “ The forty-
“ sixth amendment in its original form to enable
“ the president, with the advice of the privy-council,
“ to suspend the operation of the tax-laws, as well as
“ in the amended form in which it now stands, to
“ enable the president, with the advice of the privy-
“ council, to summon the general assembly for the
“ express purpose of taking cognizance of officers,
“ appointed by congress, and accountable to them
“ alone.”

“ And the question being put thereon, it was

“ *Resolved in the negative.*”

“ The fourth misrepresentation is as follows, to
“ wit: “ As it was sufficiently explained to the
“ understanding and conviction of council previous
“ to the sending of this message, that neither con-
“ gress nor their officers could have done more for
“ the state than was done.”

“ The question, whether this fact is truly repre-
“ sented, or not, being put, it was

“ *Resolved in the negative.*”

It is difficult to say whether this mode of *resolving*
is most childishly weak, or contemptibly mean.

The

(55)

The appeal to the public was as to matters of fact; but DIONYSIUS and his majority undertake to pre-judge their own cause, and *resolve* what the public shall believe, concerning the facts or subjects in dispute referred to them. Thus in the first article or fact said to be misrepresented, although the resolutions of congress were express, that the whole of the requisitions of 1782 might be paid in facilities, and the law finally passed upon that principle, yet it is "*resolved*" that this fact is not truly stated. In the second instance, although a member declared in his place, that he had satisfactory information from members of the other house, that they were engaged in maturing a plan for a separate provision for the requisition of September 1782, yet this was not sufficient evidence, and "the question whether this fact" "is truly represented, being put, it was *resolved* in the negative." As to the third article, the 46th amendment in its original and amended forms stand at large upon the minutes, with the yeas and nays to them; the loan-officer in his protest, has not copied the tautologous language of the original, but has retained the sense, to the satisfaction of the public; nevertheless on the question as to the true representation of the facts, it was "*resolved* in the negative." It indeed requires the aid of a rhetorical figure, in which a part is taken for the whole, to defend the loan-officer from the charge of misrepresentation, in the 4th and last article. It is most probable, a majority of council did not think or care any thing about it. No doubt however, but it was sufficiently explained to the understanding and conviction of DIONYSIUS, "that neither congress" "nor their officers could have done more for the

(56)

DNC

state than was done." He knew too, that his majority were ready to follow his example, in saying *yea* or *noy*, as to the true representation of this fact.

These resolutions expose in a striking point of view, the littleness of DIONYSIUS's character. For the momentary satisfaction of misleading a majority of a few weak and inconsiderate councillors, he has exposed himself to the scorn and contempt of all the unbiassed and competent judges in America. Perhaps he might intend, that according to the previous example of council, their minutes should never be published. Advantage, however, has been taken of his absence, and these records are now printed. Thus we have brought to light, the vice and meanness of this leading character; and the weakness and folly of those who vote by his authority.

DIONYSIUS's malicious attack upon the loan-officer was not more remarkable, on this occasion, than his utter disregard of all congressional authority. The tax bill sent up by the house of assembly was in strict compliance with the requisition of 1785; but DIONYSIUS with a sovereign contempt for congress, mangled it by his 49 amendments into the most indirect form imaginable. Thus congress ordered the money collected for the discharge of interest certificates, to be paid by the *loan-officer*, without *discrimination*, expressly to avoid *depreciation* — But DIONYSIUS in his amendment or rather debasement of the act, directed, that this fund should be disposed of by the *state treasurer*, with a *discrimination* among the holders of public securities, and no doubt, for the express purpose of creating further *depreciation*. Indeed, so little reserve had he upon this score, that in opposing the proposition of the house of assembly for a *state speculation*.

(57)

ulation, in public securities, he reasoned specially from the probability of a *scale of depreciation* for certificates, as well as continental money: and all his conduct served to shew, that he wished such an event to happen. Again, Congress, agreeably to their powers, had ordered the money to be raised by a limited time mentioned in their requisition; but DIONYSIUS, after detaining the act of compliance unnecessarily, from February till June, now proposed to amend it by dispensing with the limitation of congress, and extending the time of collection. He adhered most tenaciously to his amendments, and by stickling for forms and ceremonies, baffled the endeavours of the house of assembly, to obtain a committee of conference on the subject: until the house, in a message declared their patience was exhausted by the delays of council; that they conceived themselves justifiable in adjourning the next day, and appealing to their constituents for the rectitude of their conduct, and the propriety of their measures. An accommodation then took place. The bill passed it is true, mutilated enough, but without the more obnoxious amendments.

Considering DIONYSIUS had professed great regard for Congress and their measures, ever since they had honored him with a lucrative post, it was difficult at first to account for his present conduct. Casting about, however, it was presently discovered, that Congress had lately reduced his annual salary, to a *per diem* allowance for his service. This with persons but moderately acquainted with the man, was sufficient to unriddle the whole mystery of his behaviour.

The

(33)

The antipathetic resistance to the measures of DIONYSIUS, this year, only spurred his ambition the better to secure his majority the next. Having formed a majority of partisans in Suffex, an arrangement was now made for Kent. The question of independence being now settled, and the distinction of whig and tory very much obliterated in this county, the DIONYSIANS therefore resolved to rely on the cultivation of religious prejudices as the main anchor of hope, for the ensuing election. The Presbyterians make but a small part of the people of this county. There are however, some very respectable citizens of this denomination; and with very few exceptions, they have been uniform and steadfast revolutionists. A new and extraordinary cry was therefore raised against Presbyterians. No man of that denomination was suffered to enter the DIONYSIAN ticket of candidates. And although but two men out of the eight whig candidates, had any connection with Presbyterians, and those two of the most liberal characters, yet this was gravely and seriously denominated the *Presbyterian* ticket. All other denominations were exhorted to beware of *Presbyterians*. As if by concert, men were employed according to the nature of their talents in this dirty work. Some who had so much knowledge, and such a sense of decorum, as to make them ashamed of openly declaiming on this subject, would nevertheless whisper in secret, and counsel their weaker brethren, to be guarded against the violence of *Presbyterians*. Ignorant pimps and bullies would roar out in the streets against *Presbyterians* and *Calvinists*; or in public companies ask those, whose political sentiments might not accord with their own, if they did not

we are

(59)

wear blue stockings? or tell others significantly they were spotted with blue. If any explanation was required, they would be asked, if they had not joined the *Presbyterian* party? These bravadoes were not picked from the lowest of the people, as a stranger to the politics of Delaware might imagine: for however surprizing to tell, it is not the less true, that low prejudices of this sort, are with us the surest recommendations to office. One of the judges of this county, on the day of the election, flourishing his walking stick denominated it *John Wesley's staff*, with which he intended to break *Jack Calvin's head*: thus insulting two denominations at once; one as the object of his malice, the other as the instrument of his power. And to heighten the picture of this defender of the true faith in religion as well as politics, he openly professes as little regard for the Scriptures of the Old and new Testaments, as for the Alcoran of Mahomet.

The whigs relying on the good sense of the people of Kent, and too secure from the success of the preceding election, were not sufficiently guarded against the machinations of their opponents. The **DIONYSIANS** therefore carried their representatives. The same majority prevailed in Suffex as did the last year; and New-Castle as usual divided. By accident, however, the member of council returned for New-Castle was a man of abilities and integrity; and although possessed of extreme modesty, contributed by his example and authority, to guard the disinterested members against the seducing influence of **DIONYSIUS**. Thus the sessions opened with a majority of the house of assembly at the devotion of the *tyrant*; the only check to his absolute control was

(60)

was in the council. But however honest a majority of this body might be, they were not in every instance, proof against his arts and influence.

Passing over matters that have an equivocal, or no relation to his character, we shall in this session confine our remarks chiefly to the subject of finance, as most descriptive of the tyranny of DIONYSIUS: It was in this session that he passed his own account, in which it must be confessed there was no charge for his important services in the *Jersey*; but when disallowed in part by the auditor, he appealed to the general assembly, and got an order on the state treasurer for all he was pleased to ask. This was the session in which he passed the accounts of his noted runner, a *quondam President*; in this session it was, that he passed the Act for extending the time for collection of the unpaid state-tax, directed to be raised in the year 1787; whereby, in violation of all good faith, and in utter contempt of the compact, entered into with congress, by a solemn law of the state in compliance with the requisition, the fund provided for the payment of interest on continental securities was destroyed. These are said to be the acts or transactions of DIONYSIUS, because they were done and accomplished by his advice and influence; and without him, no person, in the council at least, would have presumed to advocate them.

In passing the "Act for raising £10,500 for the service of the year 1787" it was contended by the patriots of both houses, to provide for both the requisitions then before the legislature, viz. one for the Indian expedition; and the other for the annual payment of interest on the public debts. DIONYSIUS permitted the small sum required for the Indian expedition

(61)

petition to be included in the bill ; but upon his plea of *depreciatio*, prohibited a farthing from being raised, for the payment of interest on public securities. In opposition to this requisition, he alledged the times were hard, and the people unable to pay.

Thus according to the DIONYSIAN policy, the people were able enough, and ought to be made willing to pay for his important services, *not in the Jersey*. It was also right and necessary, that his electioneering runners, for their recent labours, should be paid both principal and interest, of all their demands, however their accounts might be disputed by people of an ordinary way of thinking. But the *time, health and wealth* expended in the army, are claims that ought to be paid off by a scale of depreciation, instead of the money promised. And the people who enjoy the blessings of independence, however inestimable the prize, cannot bear to pay for it.

It was in this session, a bill was brought into the council for the more equal assessment of the inhabitants, *according to a return of property*. As the people had petitioned for an equitable law of this sort, and cited the example of all the other states, DIONYSIUS affected to favour the measure ; but he attacked the bill in his usual side way, and found means of mutilating the Court of Assessment, in such a manner, as to be capable of raising money independent of the people. Thus moulded and mangled, the bill was sent to the house of assembly for concurrence, where it was lost in oblivion, and has never since come to light, in one form or another.

Further to illustrate the DIONYSIAN character, and the tyrannic influence prevalent in the Delaware government, it will be necessary to take notice here
of

of something that **DIONYSIUS** did not do. The legislature met in May 1787, when our chief ruler was absent in the continental convention. A bill was now brought in for appropriating so much of the remaining unappropriated part of the sum of 10,500l. raised for the year 1787, as was sufficient to pay off the interest on the state securities, or depreciation certificates. The *Prime Minister* secretly remonstrated against this law, as utterly repugnant to the views and directions of **DIONYSIUS**. Nevertheless, a sense of justice and propriety so far influenced both houses, that they passed the law. It was also on this occasion that an order of council was obtained for publishing their minutes, from their session in October 1783, to their present session inclusive. How **DIONYSIUS** relishes this appropriation act, will appear in the next section.

S E C.

(63)

SECTION V.

A more particular account of the policy and transactions of Dionysius, during the sessions commencing the 20th of October 1787, and continued by adjournments until June following.

AS this is a session in which DIONYSIUS reigned with full powers, according to his sovereign will and pleasure, the transactions of this period shall be more particularly related: for herein we have the express image and true likeness of our tyrant's character.

We have already described the manner, and the successive efforts of the DIONYSIAN faction, by which they succeeded but too well in regaining their superiority, in both Kent and Sussex. In this

(64)

1788
 This year it was, that a grand effort was made for subduing the whig influence, in New-Castle county also, and not without success.

In effecting an entire choice of men to his purpose, DIONYSIUS found it necessary to set up a very different pretext in this county, from what had been done in Kent and Sussex. The *presbyterians* are most respectable for their numbers in this county; and however the *Dionysians* may whisper in secret, they dare not openly and insolently declaim against them, as in Kent and Sussex. DIONYSIUS, however, was not without resource. At this time efforts were made from New-Hampshire to Georgia, by the Tories and British emissaries, for the destruction of *public credit*. DIONYSIUS joined in this scheme, as best fitted to gull and impose on the unguarded inhabitants of New-Castle county. He had already disclosed his scheme of depreciation and scaling away the public debts. His runners from that time forward were most officiously employed in decrying and inveighing against speculators. A professed advocate * of the tyrant published in the gazette, a *defence of a scale of depreciation for certificates*. So general was the uproar against speculation and speculators, that most men were ashamed of holding the public securities, and fond of declaring, they were not contaminated with any such trumpery. Some, more fond of popularity than stern in the cause of justice and truth, even published in the news-paper, how few certificates they had, and how honestly

* A Farmer.

honestly they came by them. In this crisis of affairs, sundry writers ventured to publish as their opinion, that it was honorable to individuals to hold the public securities; that it was advantageous to the state, the inhabitants should hold as much of this kind of property as they could conveniently procure; that they should, therefore, be encouraged to buy, rather than frightened by ridiculous alarms to sell their certificates; that a scale of depreciation as proposed, was impracticable, calculated only to impose on the unguarded &c. To this it was deemed a sufficient reply, to pronounce these authors mere scribblers and insignificant speculators, not to be put in competition with certain great personages,* whose names were "consecrated in the temple of virtue." To damn the notes of the state as well as those of the continent, a *quondam* president was sent forth with a memorial praying the legislature to repeal the late appropriation act, for the payment of interest on the depreciation certificates. Finally the public prints resounded with exhortations not to chuse any man as a representative, who had purchased certificates, or advocated the payment of them.

An indolent habit in the inhabitants of the remoter parts of New-Castle county in neglecting to attend at the general election, except when a new sheriff is to be introduced, contributed very much to the success of this enterprize of DIONYSIUS. This was not one of those years which brought in the remote electors. The DIONYSIANS abounding at and about the court or place of election, and excited

by

(66)

by extraordinary efforts of their leaders, flocked in from all quarters sufficiently numerous to carry their whole ticket; consisting of men of specious and decent appearance, but of perfectly *adjective* characters unaccustomed to stand alone, and so destitute of talents as to be admirably fitted to act by authority.

It was a great triumph to have carried the election *entirely*, at New-Castle. But the faction had not succeeded so well in Kent and Sussex. The cry against *Presbyterians*, though kept up with the usual officious impertinence, had by this time, so far abated of its force with the sharp-sighted people of Kent, that, in this county, the DIONYSIANS carried but about half their ticket.

In Sussex, the whigs had unanimously and resolutely resolved, that this election should not be carried by refugees and other enemies to the country; who were so far from shewing any repentance for their former offences, that they now acted professedly with a vindictive spirit towards the whigs. The whigs made public declaration of the principle from which they acted; and gave full evidence of their stern purpose. Considering themselves as betrayed by the legislature, in permitting characters of a description so wicked and base to interfere in their elections, they determined the revolutionists should not be thus trampled upon by their enemies; that our constitution and laws should not be thus perverted into an engine of corruption, whereby the most bitter enemies to our liberty were enabled to avenge themselves, upon those who had vanquished them in the struggle for independence; and they called upon the common sense and common feelings of mankind, to justify them in the use of force, if necessary

⁶⁷
 necessary, in so good a cause. Though inferior in number, they relied on the continued favour of heaven, in finally vanquishing their mean and degenerate opponents. They made a shew of arms in their previous meetings, but on the day of election, appeared only with sticks in their hands (a few individuals excepted) in a connected form, and with a countenance and manner resolute and determined. The sheriff, by the advice of the magistrates, adjourned the election early in the morning, and kept it open from the 1st to the 15th of the month. In the mean time, the president visited the county, and interposed his influence to prevent further disorder. He advised an union ticket, consisting of equal numbers from both parties; this compromise was apparently agreed to; and it was expected the election would be held peaceably on the 15th day. The whigs met at the usual place in Lewes, and the tories assembled a mile or two out of town. It was soon discovered the parties had no confidence in each other. Ambassadors were mutually exchanged, and as the only means by which confidence could be ensured, it was agreed that only fifty on each side should vote, and the election be then closed. Such was the common consent to this measure, that no man was prohibited from voting, who insisted upon his right. Thus was the election conducted, and the return made accordingly.

It must be noted, however, that after the election was closed, the whigs were guilty of an indiscretion. Some angry spirits, who had bridled their passions during the election, considering the treaty as subsisting no longer, gave a loose to their resentment, and called upon their companions to drive the tories out
 of

(68)

of town. The tories fled at the first onset; and some of the more obnoxious were caught and beaten. The tories in return way-laid the whigs on their return home, and avenged themselves on individuals, whom they caught straggling from the main body.

At the first meeting of the legislature, the DIONYSIAN partizans considered their majority as secure enough. The tory members from Suffex, willing to acquiesce in the election, expressed their desire that it should be established; and it was expected for many days, that the election would be confirmed. But DIONYSIUS, upon his arrival, penetrated the members, with an eagle's eye, and found them not to his purpose. Besides the great abhorrence he had to a certain whig of notable abilities returned from Suffex, he must have been sensible that the Kent members (with an exception or two) however returned, were too independent for him to rely upon. By an influence secret and unaccountable, a tide of opposition, to the establishment of the election, suddenly arose; and two of the tory members from Suffex, were sent down to hunt up petitioners, against the election.

In the mean time a law passed for lessening the quorum of the house of Assembly. This was esteemed a great piece of policy, necessary to guard against all possible obstruction to the measures intended by a secession of the minority.

The lacquey members returned from Suffex, with petitions signed by 121 inhabitants, complaining of the manner of conducting the late election, and praying relief in the premises. The house then proceeded to a formal enquiry, and determined the
election

(69)

election of members returned for Suffex to be illegal and void. Here it is to be observed, that although it was given in evidence in support of the freedom of the election, that no elector was restrained or prevented from voting, who insisted upon his privilege; yet the Kent members, unwilling to give any countenance to tumults or riots, with great candor acknowledged, that the election was informal, and by an unanimous vote it was set aside and a new one ordered.

In council, after examining the sheriff and his deputy, and one of the inspectors, though none of them upon oath, DIONYSIUS observed that the disorders of Suffex were deeply seated in causes of long standing, which ought to be thoroughly investigated. A member replied, that he liked the hint, and proposed on this occasion a thorough enquiry, on both sides of the question, into those latent causes, which produced so much mischief; that by fairly exposing their vices and prejudices, whence the evils complained of resulted, the most probable remedy might be obtained. But DIONYSIUS did not approve a cure of this sort; he changed his ground suddenly; called for a vote upon the election; it was adjudged, that it was not freely, legally, and indifferently made; and that the member returned was not duly elected.

It was alledged on this occasion, that, however illegal the election might be, there was no sufficient evidence before the council, to determine them in their resolution; and the member who was of this opinion, offered his reasons of dissent, and protest against the proceeding, as partial and unprecedented. But DIONYSIUS made a

motion for prohibiting all reasons of dissent and protest, from being entered on the minutes, on the present or *any other occasion*. The dissenting member ridiculed the idea of restraining future councils, who would be judges of their own privileges, and would have precedents enough for the practice. But nevertheless, on this extraordinary question, whether such reasons of dissent and protest, on this or *any other occasion*, should be entered on the minutes, it passed in the negative.

Having set aside the preceding election, it was consulted between the *Sussex Tories* and *New-Castle patriots*, how they might secure that which was ordered. It was alledged that if the place of election could be changed from Lewes, where the whigs abounded, to some of those swamps, where the Tories had been used to maintain their camps, they might succeed better. A few petitioners were procured for this purpose; and a bill was brought in and passed "for altering the place of election, for the county of *Sussex*, for the present year 1787." The place appointed by this law, was the house of a noted *refugee*, and in one of the most dreary haunts of the black-campers.

Resolutions were then entered into by both houses, recommending to the inhabitants of the state, to elect delegates to a state convention, who should be authorized to assent to and ratify the new federal constitution; and that the elections should be held on the 26th November 1787.

It might have been expected the general assembly would now have adjourned, but as if impatient of waiting for the representation of *Sussex* county, a bill was brought in by leave of the house of assembly
for

(71)

for repealing the late appropriation act, for the payment of interest due on depreciation certificates; and for other appropriation thereof. This bill was drawn with a legal precision, that the member presenting it was utterly incapable of, and passed through both houses suddenly without amendment. The reasonable presumption from hence is, that it was drawn in New-Castle most probably by the *prime minister*, under the leisure inspection of the *tyrant*; and only required a *parliamentary register* to give it sanction.

It affords a curious speculation to read the minutes of our house of assembly, on this subject. The extraordinary memorials, so industriously circulated by a *quondam president*, and signed by 270 inhabitants of New-Castle county, are most respectfully cited; and a committee reports, that an "Act for the appropriating the sum of 10,500*l.* by directing the payment of two years interest on the depreciation certificates, gives an *unjust preference* to a particular class of citizens." Therefore that a law should pass repealing so much of the said act, as enables any other description of holders of certificates, than the *original* holders, their widows or children, from receiving the two years interest. The law however passed in such form, as to exclude all sorts of holders from part or lot in this fund. Their specific fund sacredly appropriated by law, to the particular purpose of paying two years interest, is consolidated with others into a common fund, and all manner of debts principal and interest, made payable before the interest on depreciation certificates. With the payments made to runners and favorites, the expences of the civil list must absorb the funds as fast as

(71)

they are productive, and the holders of certificates can have no prospect of payment, until further provision is made.

We may here remark on the insidious policy of this transaction. The affectation of *discrimination* is put upon the face of the minutes, as the most effectual means of further *depreciation*. A meritorious class of public creditors is held up in an invidious point of view, and all others are invited to lend their aid in robbing them, that they may be sooner paid. The faith of the state is with a numerous and respectable class of citizens forfeited, by a retrospective law, for seizing on their legal fund, with a special eye to the speedy payment, of the disputed demands of a *slavish individual*. Could any thing more tyrannical or with less regard to decorum be devised? Yes, transactions shall now be related, that have less regard to decorum, and are in their nature still more tyrannical.

In the recesses of the legislature, the tories went immediately to canvassing, for the election of convention men. As if by concert, they spread rumours throughout the state, that the whigs would be averse from the new federal constitution; and they every where set themselves up, as the patrons of it. They asserted in the most false and scandalous manner, without the least foundation, that certain respectable characters, in each county, were opposed to the constitution. As nobody in the state opposed its establishment, their lying and slandering and affected eagerness, in defence of the new constitution, could only be accounted for, from a desire of gaining popularity, and seizing upon the powers of the new government. The whigs rejoiced at the prospect

(73)

part of any government, that would probably re-
 lieve them from the wanton tyranny of **DIONY-**
SIUS. Those more adequate to the task soon de-
 termined, that the new constitution was formed on
 republican principles; that its powers were no more
 than adequate to good government; that the people
 were free enough, and had full powers to maintain
 their liberty, so long as they were virtuous. There
 was this odds indeed between the whigs and tories,
 that the latter approved by authority, the former
 from reflection and judgment. We were led to this
 discovery by observing, that a number of the more
 intimate acquaintance of **DIONYSIUS** lamented,
 that the government had not been more *monarchical*.
 This led into an enquiry into the **TYRANT's** own
 sentiments. We soon found that his wish was to
 hark in the sunshine of *monarchy*; that the scheme
 of government which he had advocated in the con-
 vention, was a *monarch chosen for life, senators also*
chosen for life, and an entire abolition of state govern-
ments. Nevertheless, his followers make a mere
 hobby-horse of the federal constitution; and let the
 government be what it may, they hope to ride in
 chief authority.

The people of New-Castle, probably from a more
 early discovery of the **TYRANT's** sentiments and
 views, chose most of their delegates, respectable
 whigs. In Kent, the whigs not caring by whom
 the government was ratified, made no opposition,
 and the tories carried their election in great triumph.
 Some noted tories declared they had been hindmost
 in a former revolution, but they were determined to
 be foremost in this. The same spirit seemed to per-
 vade the whole.

(74)

In-Suffex, they were to elect representatives, as well as delegates to the state convention. The tory candidates had gone home from the last meeting of the legislature minutely instructed as to a plan, by which they might defend the freedom of election for their refugees and black campers. The constitution of the state requires, that no military force shall be within a mile of the place of election. They were therefore instructed to raise what force they pleased, only to keep it a mile off to serve in case of exigency. Secure in the favour and protection of the legislature, the tories made large provision of arms and ammunition; marked out a camp, at a proper distance, before hand; and on the day of election, marched in companies, with drums and fifes, to the appointed field of encampment. From this place of arms, where a guard of several hundred men stood constantly paraded, they marched in companies to the place of election, and carried their whole ticket of representatives and convention-men, without opposition. For certain leading characters among the whigs, employed all their assiduity and address, to prevent the whigs from going to the election. They foresaw that blood-shed would be the inevitable consequence of a meeting of the parties in arms; and they could not imagine any possible event of the election to be equivalent to such a misfortune. With much difficulty the whigs were restrained and encouraged to hope for a constitutional redress of their grievances.

At a meeting of the state convention, the whigs of Suffex signified by a memorial, what had happened, without expressing any desire to incommode that body, in ratifying the federal constitution, but merely

(75)

merely as preparatory to their intended remonstrance against the election of representatives, at the next meeting of the legislature. The convention agreed, that they had no powers to send for witnesses, for a formal enquiry into the legality of the *Suffex* election; and that, if they had, it would only be wasting time, as all were agreed in ratifying the federal constitution; and it could be an object with nobody to set the election aside. The members returned from *Suffex*, were therefore permitted to answer for their county, and the new constitution was ratified by an unanimous vote.

At a meeting of the legislature, in January, petitions were received from 504 inhabitants of *Suffex*, praying to be heard by council, as to a variety of facts stated in their petitions, shewing the late election for representatives to be illegal. *DIONYSIUS* being absent, at the first meeting of the house of assembly, the petitioners were permitted to be heard by council. This brought on the open enquiry the whigs wished for. Many witnesses were summoned on both sides.

It was proved and admitted on all hands, that with the cognizance and concurrence of the members elected, companies of armed men with drums and fises, moved on from all quarters of the county, and joined in full force at an old field, about a mile from the place of election; that they there formed in military array, under superior and inferior officers; that their commander in chief was a member of *Congress*, and their second in command a *refugee*; that their ostensible purpose was to protect the privileges of election; and their chief conversation consisted of cursing *Presbyterians* and *Irish-men*; that sundry of
the

The whigs were taken prisoners by this armed body, and could no otherwise be released, but by order of the *Commander in Ch.*;* that the body of the whigs of the county did not attend the election, on account of this armed force; that from the field they marched in companies and voted, while a guard of several hundred remained constantly under arms. It was further proved by a respectable witness,* who had himself served against the black-campers and other inturgents, that there were not less than sixty of these miscreants under arms on this occasion. It was also proved,† that from two hundreds only, between 40 and 50 persons voted, whose names were not in the recorded list of those who had taken the test. Many witnesses declared, that a number of persons were armed at the place of election, as well as in the field; and one witness deposed, that he believed half the people at the house of election were armed with clubs and other weapons. It was also given in evidence, that sundry persons were insulted and violently assaulted, professedly because they were *whigs, Presbyterians, or Irish-men*; that one fellow in particular, after assaulting a whig with several blows, swore his teeth had grown an inch, on that day, that he might eat Presbyterians and Irish men; that some huzzaed for the *King*, and others expressed a hope, that they might again come under the old government. It was agreed by all, and acknowledged by the sheriff, that, before the election was closed, he had called in 40 or 50 armed

* James Buchanan.

† By Major Feery and Col. Hall.

armed men from the field, as a guard round the house, where the election was held.

The council for the petitioners respectfully set forth, the dangers of infringing the freedom of election; that from the testimony adduced, the whigs and best citizens of the county of Sussex, were manifestly restrained from attending, and the freedom of the election infringed; lastly, that calling in the aid of an armed force, to protect an election in a military manner, must vitiate such election. Besides the constitution and laws of the state, many learned authorities* were quoted, to shew the great abhorrence the freedom of election had to every kind of military force. He therefore hoped and expected, the honorable house of assembly would wisely determine the late election of Sussex to be illegal and void.

A member of the house well acquainted with the rights of a free people, modestly observed, that waving all personal considerations and those indiscretions which proceed from party or prejudice, he begged leave to call the attention of the house, to the single circumstance of carrying the election under the influence of a military force. He said, however it might serve one party this year, it might serve another party next year; and he shuddered at the idea of a precedent being set, for establishing such a rule of conduct throughout the state.

The returned members employed no council. They relied upon a speaker on the floor, and were secure in a majority. It was contended on their behalf,

*Montesq. Locke, Hume, Adams, &c.

(78)

that, that the previous riots and disturbances were a just and reasonable apology, for the measures taken at the late Suffex election; * that the people had a right to assemble as they did, in defence of their rights and privileges; nor did the election laws forbid whole armies from assembling, in military array, if they only kept a mile off from the place of election; that the indiscreet expressions of individuals, a few clubs, pistols and swords, and even boxing and fighting about indifferent matters, were no impediments to the freedom of voting; that all present might have voted if they pleased, and all who stayed away, might have come if they would. Finally with an air of triumph it was declared, that the electors, on this occasion had behaved like *genuine sons of Delaware*.

The question being put, it was *resolved*, that the several persons mentioned in the Sheriff's return, were duly elected. It deserves to be noted, that a member from each of the counties of Kent and New-Castle were absent, that another member from New-Castle declined to vote, because he had not been present at the examination of the witnesses, that the speaker's vote was not required; and that therefore, this important question was determined by the voice: of ten men only, 4 against 6 for establishing the election.

The council for the petitioners did not think it necessary to give himself any trouble in advocating their
their

* There is a curious anecdote of one of our representatives. Being asked if the election had been carried in New-Castle as it was in Suffex, whether he thought it would be legal and ought to be established? He answered, that for New-Castle it ought to be set aside, but established for Suffex.

(79)

their cause, before the legislative council. It was agreed, that the depositions taken before the house of assembly, should serve as evidence before the council. These were read and the petitions dismissed.

The reader may here indulge his own reflections, in comparing the judgment on the present election, with that on the last, or any former occasion, when the tories were petitioners. We shall proceed in our narrative. No sooner was the election established, than the most cordial and inviolable connection took place, between the DIONYSIANS of Newcastle, and the tories of Sussex. The cordiality indeed was established before, the treaty was now only to be definitively ratified. On all important questions, especially those which were intended to influence the policy of the state, they uniformly voted together. The patriots of Kent were left to wrap themselves in their virtue; and in return for their multiplied mortifications, to derive consolation from the approbation they might receive from distant states, or the honors paid to their recorded names, at remote periods of time. The DIONYSIAN power was now paramount in both branches of the legislature; and the leader of the faction seemed determined, to exercise it in a very exemplary manner.

The first instance he gave, was in cutting out for himself a lucrative job. Repeated efforts had been made for revising and reprinting the laws of the state. DIONYSIUS being one of the three appointed to carry this work into execution, constantly frustrated and hindered the design, according to his own account, because he would not depend upon a discretionary reward, after the work was done

(80)

done. At a preceding session, that the reward might be undivided, **DIONYSIUS** made proposals, for doing this business alone. The house of assembly complaisantly agreed to his proposals; but the council rejected them as extravagant. The same proposals were now renewed, and both houses agreed to them without hesitation. According to this agreement, another person was to be hired by the public to collect and provide him with all the laws, and **DIONYSIUS** was to be paid for revising, superintending the printing &c. between three and four hundred pounds while the work was in hand, and as much more as the general assembly should think right and reasonable, when the business should be completed: amounting in the whole, at a moderate computation, to an expence of about 600l. All this was agreed to, although it was notorious that the chief justice, a man better qualified, both by leisure and talents, would have undertaken the whole service for 150l. **DIONYSIUS**, however, took care before the end of the year to have orders drawn upon the loan-officer of New-Castle county, for a principal part of what was stipulated to be paid, previous to the delivery of the work: lest his own example in legislation, should induce a future legislature, to undo, what this obsequious assembly had done for him.

The next project which ripened into view, was most diabolical. This was materially to injure in his property and reputation; one of the most distinguished citizens of Delaware, a man equally exemplary for an amiable disposition and engaging manners, as for his disinterested patriotism; and who could not have given just offence, nor disoblige

DIONYSIUS

(81)

DIONYSIUS otherwise, than by the envy excited at his deserved reputation, and great popularity in New-Castle county.

To give a correct detail of this transaction, it will be necessary to go back a year or two, when the worthy character was president of the state. It is also proper to be observed, that he was elected president, in opposition to a creature set up by **DIONYSIUS**; and was so universally established in the esteem and affections of the people, that an open and bold attack, like that upon the loan-officer, would have been vain and hazardous: a proceeding by law, therefore, became necessary.

When the commissioners for issuing depreciation certificates, were about to close the business of their appointment, by a report to the legislature, concerning the certificates due for services done by persons who died in the army, and left no heirs or legal representatives; a conversation arose upon the subject, among the members of the legislative council, convened in the council chamber. **DIONYSIUS** suddenly declared, that all certificates of the above description, belonged to the president; he produced the body of the laws, read the law, and thus confirmed the judgment he had given. The councillors present generally expressed their satisfaction, that a man who had deserved it so well, should receive an accidental reward of this sort, as some compensation for the sacrifices he had made. The opinion became generally known, and was not controverted. The chief justice was one of the auditors, and from a persuasion of the truth and justice

(82)

justice of this opinion, did not hesitate to issue* the certificates to the president. The state treasurer, having heard the judgment pronounced by DIONYSIUS, with his own ears, and not hearing it controverted by any body, paid the interest due, agreeably to the president's order. The matter rested thus for 12 or 18 months, until the rage happened for depreciation and scaling away of the public securities. Then we find among the important prayers of a noted memorial from the county of New-Castle, there is one for an enquiry to be instituted by the legislature, whether more certificates have issued, than for which just claimants have appeared; and if so, to oblige the receivers to pay the same speedily into the state treasury. This language of the memorial is respectfully cited on the minutes of the house of assembly, in the November sessions 1787. In January following, a committee reported, "That all such persons as have heretofore drawn any monies upon the above described certificates, from the treasury of this state, shall be directed and compelled to refund the same." During the last session in June, a bill was brought in and passed the house of assembly, conformably to the report of the committee. When sent to council for concurrence, DIONYSIUS had the effrontery to advocate this

* Note. The receipt given for these certificates, specified, that the principal and interest should be paid over to each of the soldiers in whose names they were issued, or their representatives, when called for. Those for whom no legal demand should ever be made, were deemed escheatable property. The late president, probably, also received of the agent for the Delaware line, sundy, final settlement certificates, under like circumstances. These might be equally the object of legislative proceedings, though not so immediately the subject of DIONYSIAN duplicity.

(83)

bill; and declared his surprise, that any man should suppose himself entitled to receive such certificates, or any emoluments from them. A member then rose and begged leave to say a few words, by way of information on this subject. He remarked first, that there was something curious in the title of this bill, and recited it as follows. "A bill entituled an act to provide for the appropriation of such certificates of depreciation, as have not been claimed by persons justly intitled to the same." He said, whether justly or unjustly, such certificates and the interest upon them, had been paid to the late president, upon the advice and opinion of the worthy member last upon the floor; and called to mind the time and occasion before stated.

DIONYSIUS in trembling astonishment, replied, that the gentleman must be mistaken; that he did not recollect having given such an opinion, and if he had, he said it must have been without book, and was not now to be regarded. The member rejoined, that it was not done without book; but upon opening the book, and reading the law, the judgment was pronounced. The bill rested from this time to the end of the sessions, without any further proceedings upon it; and remains as a matter of curious speculation until some future sessions shall take it up.

It is not necessary here to decide upon the late president's claim to these certificates. This may eventually be determined by a court of justice. We would only remark upon the astonishing duplicity of DIONYSIUS, and leave every impartial enquirer to judge for himself, as to the extent of the object,

and the detestable nature of the whole of these proceedings.

This was esteemed a glorious opportunity by the DIONYSIAN faction, for filling up all offices in the appointment of the legislature. Under various pretexts, the judges of the court of appeals had never been appointed. There were sundry vacancies in the courts of common-pleas, which ought to have been filled up before; but a law was made, to enable a less number to serve. This favorable juncture was seized with avidity; and all the vacancies in the judiciary and executive departments were filled up. In almost every instance, men were chosen for their partial and prejudiced attachment to the tyrant and his measures. It must be confessed, however, they were not generally mean or scandalous in their characters, like those appointed in the first organization of the government: and not to dwell upon equivocal circumstances, our observations shall be confined to the court of appeals.

This is an important court, consisting of the president and six others, three to be appointed by the house of assembly, and three by the legislative council; to whom appeals from the supreme court of Delaware lie in matters of law and equity; and who have all the authority and powers, given by law in the last resort, to the King in council, under the old government. Of the six men appointed, there were but two lawyers; and there were at least the same number, who could not write English or any other language grammatically. It was well known at the same time, that two other lawyers,*
men

* Col. Hall and Major Peery.

(85)

men of honor and talents, would have served, if appointed. But they had both fought for independence, and had never yet bowed the neck to our TYRANT; they were therefore ineligible! Illiterate persons were not appointed, because those better qualified could not be had. Must it not then have been to secure an undue influence, in this last resort of justice; whereby exorbitant fees might be exacted, and vengeance taken of those who shall presume to resist the tyrant and his prevailing faction! These are matters of serious consideration with the people of Delaware; and ought to engage an eye of pity towards us, even from the neighbouring states.

Towards the close of the session, two laws passed with a special view to securing the ensuing elections. One was for repealing the test law, or the act for the further security of the government. The other was for again altering the place of election for Suffex county, and holding it in the swamps, at the place so successfully defended by the tories and black-campers. All this was done, without being asked for by the people; but sundry petitions from the people of New-Castle, praying for a law to make their general election more convenient, by holding it in districts, instead of one place, in a corner of the county, were utterly disregarded.

Every reader beyond the bounds of Delaware would suppose, from the relation given of the Suffex elections, that the general assembly would have been solicitous to protect the brave whigs of that county, from the insolence of those tories and refugees, whom they had, with so much patriotism and manly spirit, subdued in the revolution: and who will not be astonished at being told, that the laws of Delaware

ware were prostituted to the infamous purpose of reducing those very whigs, tried as in the furnace, and proven to be genuine, to the feet of those very tories and refugees, who made savage war upon us during the revolution, and were chiefly concerned to deliver up the country to the British! Who would imagine, when elections are carried by the force and influence of arms, that tories and refugees from all parts of the world, would, by law, be invited to Delaware, to glut their vengeance on the revolutionists! Nevertheless, with candid men, this is the most obvious meaning and construction of these laws. The one law indeed serves to explain the other. Nobody will suppose that the place of election was removed to the swamps of Sussex, and fixed in the midst of the body of black-campers, for the protection or benefit of peaceable and good citizens. Neither will it be supposed, that the Test Act was repealed for the sole purpose of embracing in the privileges, and attaching to the interests of government, a few dispassionate and good men, who from religious connection, or a reluctance to interfere in the transactions, and especially the turbulence and disorders of government, have hitherto neglected to qualify. This is the more manifest, as the nature of our test law is such as to interfere with the conscience of no man well affected to the government; and there is no limitation of time for qualifying. Many of the Quakers had therefore qualified; and, indeed, in the two upper counties, but few men remained unqualified. The conclusion is therefore fair, that these laws were not made in favour of the virtuous and quiet; but for the gratification and encouragement of the most prejudiced and

and disaffected among ourselves; and for calling in auxiliaries of the same stamp, even from other states and countries.

These active doings of the DIONYSIAN faction are further explained by what they did not do. Two requisitions of congress, for the payment of interest on the public debts, at this time lay on the tables of the legislature, but neither of them was regarded otherwise than as a matter of triumph, that it appeared by the last of these requisitions, congress were unable to provide a fund for the redemption of the facilities which had been issued by their authority. Indeed this requisition, most probably, was brought about in the form it stands, by the influence of those states, who pay their own citizens the interest arising on their public securities; and might have signified to the government of Delaware, that their citizens must be great losers, unless they provided a fund for their relief. But as if rejoicing in their former perfidious conduct, they now added contempt and insult to injury, by refusing and neglecting to comply with the requisitions in any form whatsoever. What would they have done, had the TORIFS been specially interested in a compliance, instead of the whigs or revolutionists? Is it not manifest, that by thus destroying the faith of government, the public securities are driven from among us, and center in the neighbouring states? And how severely will the whole community suffer, when compelled by an efficient government, to pay the principal and interest, to citizens of such states as are wise enough to protect the public faith, and encourage a confidence in government. Is it possible, that a policy so manifestly injurious to the whole

(88)

whole community, can proceed from any other root, than a malignant enmity to the revolution, and those specially concerned in bringing it about.

SECTION VI.

Conclusion: exhibiting a connected View of the Rise, Progress and present State of the Delaware Tyranny.

By a review of what has been delivered, and reducing the sum and substance into method and order, agreeably to the nature of the subject, may be obtained a concise and connected view of the *rise, progress and present State of the Delaware Tyranny*. In this disquisition, the person or character of leading influence and specially answerable for what has happened; the means employed to effect his purposes; and the consequences of his measures or policy upon the government, are especially to be regarded.

It appears the three lower counties upon *Delaware* were a proprietary colony before the revolution; and before the troubles came on, by various arts and intrigues, the free constitution of this beautiful little government,

government, was nearly subverted, to serve the lucrative views of the proprietaries.

Delaware was remarkably unanimous in her patriotic opposition to the oppressive encroachments of Great Britain, so long as the proprietaries were led to make a common interest with the people, by their fear of the crown's assumption of the government; but on the first suggestion of the necessity of the people's assuming the government; DIONYSIUS and all the proprietary tools he could influence, grew jealous and cool in their opposition; and before the declaration of independence, were not only violently opposed to it themselves, but with astonishing art and assiduity, deceived and seduced into their opposition, a majority of the people of the state.

The faction thus numerous and powerful, by the conjunction of all sorts of tories and disaffected, would have given up the state at once to the enemy, had they not been over-awed by the transactions and influence of the surrounding states. A bold surrender they dared not attempt, but they threw cold water on every recommendation, and with reluctant steps advanced always in the rear, in complying with the measures of Congress.

The manner of filling up the new government, discovers manifestly, that after independence was declared, the hopes and design of surrendering the state to the enemy remained, whenever a favorable opportunity offered. The government was not only put into disaffected hands, but such as were rivetted in their prejudices, and inspired with revenge against the revolutionists, by treatment the most shameful and disgusting.

The

M

(90)

The notorious concert of DIONYSIUS with the tories and disaffected of every description, his zealous patronage of Robinson and other offenders, his opposition to independence in congress, as well as the state legislature, in short, his measures, connections and influence combined shew to a demonstration, that he was the head and leader of this motley faction.

The means employed by DIONYSIUS to effect his purposes, may be divided into the instruments of his power, and the measures he pursued; or according to common phrase, *men and measures*.

Beyond all controversy, *proprietary* influence was the root of the evil—the principal source of toryism in Delaware. Most of the officers of the proprietary government were led off by DIONYSIUS, into the opposition to independence; and such were their powers and influence over the people, and such their success in exciting new and unreasonable prejudices, that notwithstanding the unanimity which prevailed the state, in favour of congressional measures, during the first of the troubles, the tories carried their elections in October 1776.

From this time forward the tories were the chosen instrument of DIONYSIAN power. On all occasions, he encouraged them in their disaffection; and they were uniformly and obsequiously devoted to his will and pleasure. Nothing is more astonishing, than the means employed annually to elect a majority of tories, except the partiality of DIONYSIUS, in case of any dispute in the elections. In 1776 when the Suffex tories, besides other outrages, which their numbers enabled them to commit, stood at the court-house door with clubs, and permitted none to
vote,

(91)

vote, but such as would previously declare for the *King*, DIONYSIUS referred the complaining whigs to an action at law, for any damages they might have sustained in their civil privileges; but a few clubs, or the least appearance of force any where in the street, or any disturbance about an indifferent matter, no ways relating to the election, were at all times sufficient to overthrow an election, when the whigs prevailed. Whole armies indeed may be employed on the part of the torics; while a few clubs, or accidental weapons of any kind, are insufferable on the part of the whigs. The late stretch of power, in changing the place of election in *Suffex*, and repealing the *Test Act*, can have no possible object, but an election of ignorant and prejudiced characters, favourable to the DIONYSIAN system.

The character of the members so strenuously contended for, beyond all bounds of the most factious partiality, will serve further to illustrate this matter. The present representatives of *Suffex* consist of ten members, three of the legislative Council, and seven of the house of Assembly. Of this whole number there is not one who can write a common letter, in grammatical construction; much less are they qualified to draw a law, or perform any legislative duty, except that of saying *yea* or *noy*, according to the example of their leader. If any thing can heighten the picture and choice of such representatives, it is the contrast of those persons elected by the whigs, and with so much partiality rejected by the *Dionysian* faction; to make room for the fitting members; they were men of talents as well as disinterested patriotism, and qualified for every transaction of government.

From

From the first apprehension of it, *independence* was the ostensible pretext of opposition. The most violent opposition was made to it, until formally declared by the United States; and afterwards, until the peace was ratified, the *Dionysians* constantly amused their deluded followers, with the hopes of returning to a dependence on Great Britain. It is true there were other auxiliary motives added to this leading principle, The violence of republicanism, and the danger of presbyterianism, were occasionally preached; and the folly of resisting the mighty power of *Britain*, was an hackneyed argument in Delaware, until the peace was ratified.

Since the peace, all hopes of returning to the arms of Britain being cut off, religious prejudices were cultivated by the *Dionysians*, with redoubled energy, as the main spring of action. The outrageous declamation against presbyterians, in the two lower counties, would lead a stranger to imagine, that this denomination had been guilty of some conspiracy or massacre; and the same principle is not without cultivation, *under the rose*, even in New-Castle. In Kent and Sussex, presbyterians are as carefully excluded, from the *Dionysian* tickets of candidates, as if one would contaminate the whole bunch; and in New-Castle, where the number of presbyterians commands respect, and to save appearance it is necessary to admit *a few*; yet it is curious to observe how cautiously they are chosen. The utmost clamour is raised against those of any talents, whilst weak men, who have no object beyond the honor of a seat in the general Assembly, are alone admitted into the *Dionysian* connection.

This out-cry against Presbyterians is the more extraordinary, as no denomination whatsoever have been

been more generally revolutionists. They are indeed almost without exception. Neither are any overt actions of the Presbyterians in Delaware, cited for the affected apprehensions of them. The clamour raised against them is altogether in general terms. The most dreadful consequences are threatened, in case the Presbyterians are suffered to get into power. Their ambition is represented as unbounded; and the tragedies of New-England are brought into frequent view. As to political measures and considerations, in which all denominations are alike interested, these are kept out of view, by cherishing and inculcating publicly and privately, the imminent dangers resulting from *Presbyterian* influence.

The Author of all religion, has not enjoined any set form of worship. The mere mode of worship is left very much at discretion, to be accommodated perhaps to the various circumstances of the church. A most liberal writer* observes, that Providence may have permitted so great a variety of modes of worship, for good purposes particularly to serve as a *censur morum* upon each other. It is generally agreed, that faith is subservient to morality; and we have reason to believe, that man's faith will serve him best, which is productive of the best life and conversation. We know that charity is the end of the law, and the fulfilment of the gospel; and what God specially requires of all his creatures, is, to be *worshipped in spirit and in truth*. To love God and our neighbour, is the sum of true religion. What then must we think of those politicians, who do not hesitate to destroy all charity, and wantonly sacrifice the very essence of religion, to their mean prejudices and low ambition? Can such men be *religious, vir-*

tuus,

sons, or bones? No, to the honor of the christian religion, bold offenders in this way, are only to be found among the openly profane and vicious, professed infidels, or the grossly ignorant. We forbear to comment on those weak men, and that unfortunate people, who may be duped by such politicians.

As the leaders of disaffection lost their influence by the peace, new and increased efforts were required, for three years past, to establish DIONYSIUS and his faction, in their tyranny. They began with reducing the brave and genuine whigs of Suffex. For this purpose, besides the usual uproar against presbyterians, the black-campers, refugees and non-jurors of every description, were hunted up, and as many as could be prevailed on, were qualified for voting, and gave the tories of that country, a decided majority.

In Kent they relied on an increased assiduity and inveighing more bitterly than ever, against *presbyterians*. The *presbyterian* ticket was the familiar butt of opposition, though but two men out of eight, were supposed to be of that persuasion, and their religious connection not well ascertained. As manœuvring is of great consequence in this county, probably their art in this branch of policy, contributed not a little to the success of the faction.

But in New-Castle they had a very different card to play. Here the presbyterians are to be patted asleep, and even a presbyterian agent of *quondam rank and authority*, was engaged, by the hope of reward, to memorialize and preach incessantly to the people on the subject of the public debt. As in Kent and Suffex all denominations were summoned to league against a few *presbyterians*; so in
New-

(95)

New-Castle, all other citizens were invited to share the plunder of the public creditors. Great advantages were promised the public, from a scale of depreciation for certificates; and the electors were harangued to be guarded in their choice, against the holders of public securities. The success of this election should be a sting to the people of New-Castle, as lasting as it is poignant and mortifying. Instead of a scale of depreciation and the mighty benefits promised, they now behold an *expensive job* cut out for DIONYSIUS; and the fund appropriated to the payment of interest to the army creditors, seized upon to make the more prompt and ready payment to the TYRANT and his *quondam governor*.

This being accomplished, we hear no further talk of public debts; and we are led to imagine, that the government is totally unconcerned about those that remain unsatisfied. We are also left to conjecture, whether something more than a little emolument, did not spur on DIONYSIUS and his partizans, in the extraordinary exertions of last year. Quere: Might not the ambition of our TYRANT have been fired with the design of filling up the new federal government to his liking? And quere, whether in organizing the new government, *New-ware* and all America should not be strictly guarded against such a man as DIONYSIUS? A man by whose influence every attempt to open a land-office, has been frustrated; who on all occasions has maintained the *proprietary claims* upon this state *untouched*; and who, by every discerning man, is considered as retained to this day, by the *proprietaries*, in opposition to the people of the state; who, as the head and source

source of disaffection, has established a tyranny in his native state, and perverted the constitution and laws to the most unjustifiable purposes; and of whom it has been predicted* with great sagacity long ago, that if ever he got his foot on the threshold, he would make his way into the cabinet of any government.

As a means of encouragement and gratification to the tories, and disaffected partizans of DIONYSIUS; and to depress, if possible, all spirit of resistance in the whigs; the proceedings or minutes of the legislature are made a mere record of scandal against the whigs. If the honest zeal of a whig of any note, led him into any intemperance or indiscretion, it was registered of course, especially if any dispute happened about the election. But the professed disaffection, the riots and blasphemy of the tories, so notorious and common at the elections of Suffex, especially, have always been passed over in silence, and hid as much as possible from the world.

Not only the minutes of the legislature, but the laws of the state are prostituted, as mere engines of faction. In legislation, DIONYSIUS is the champion of public faith and credit, in those matters wherein the tories are interested; but for rewarding the officers and soldiers, he exhibits a plan of depreciation, and scaling away the public debts. Laws and resolutions are passed for paying himself and others subservient to his views, all they ask and without delay; and in the aid of the funds, necessary to accomplish this purpose, there is no hesitation, by an *ex post facto* law, to seize upon a fund solemnly appropriated

* Bryan Adams:

(97)

appropriated to the discharge of the interest due upon depreciation certificates; and to declare that it is *unjust and unreasonable*, that this interest should be paid, until the principal and interest of all other debts are discharged. According to the nature of the case, bold attempts are made, or the more cautious method of *sap* and undermining pursued, for destroying the reputation and property of the most upright and faithful individuals. DIONYSIUS and his faction, indeed pretend to do all things according to law. According to law, they raised an army for the protection of the freedom of election, for the refugees and black-campers. By a law, they have again changed the place of election, to the swamps of Suffex, and in the midst of the black-campers. By *ex post facto* laws, they constantly break the public faith and contracts with individuals, for defrauding the revolutionists. In short, the most infamous transactions are thus sanctioned by law.

But no department in the government of Delaware is more perfectly enslaved to DIONYSIUS, than the executive. As this derives its appointment and subsistence from the legislative, the prevalence of the DIONYSIAN faction, for several years past, in the legislature, has moulded the executive to their own liking. The time has been, when there was at least so much decorum in our executive; that DIONYSIUS found it necessary to write long and voluminous epistles, to compass his designs with that body. But he may now save himself the trouble. Our executive glory in being the tools of a party. Their honors and rewards are bestowed *professedly* in subserviency to their party. Thus the brave Col. Hall, acknowledged to be the best qualified *probonary* in the government, was told by a

N

member

(98)

member of the *privy council*, as the *only* reason for *dismissing* him; *he was not of the right party*. He was accordingly dismissed from his office; and, contrary to all former precedent, another was appointed, who came recommended to their honors, for having gallantly defended the black-campers and refugees, in the privilege of voting. This man was no doubt of *the right party*.

Some idea of our courts of justice may be formed from the nature of the appointments, at the first organization of the government. Nor have our courts been improved by every appointment since. The DIONYSIANS, on all occasions, when it is in their power, fill our courts with men possessed of the most bitter and inordinate party prejudices, and especially such, as by overt actions and behaviour, are most obnoxious to the whigs. The supreme court must be acknowledged an independent judicatory. It would be tedious by numerous instances to point out the ignorance and partiality of the other courts. This single circumstance may serve to characterize them; that the most ignorant and stupid pleaders at the bar, in sundry instances, are able to extort the most inordinate fees; men who have not talents to stand alone, whose importance depend, solely upon their factious connection, obtain the most lucrative practice, from a supposed influence with the courts, which is but too well founded.

In short, the honours and rewards of the Delaware Government are lavished upon men capable of those bigotted and mean prejudices, both religious and political; that would degrade them any where else; but talents and integrity serve only to render a man obnoxious, and perhaps the object

(99)

ject of some legal enterprize, for destroying his reputation and property. All confidence in the public is lost, and it is so far destroyed between individuals, that little more than personal honour remains to be relied upon. We can neither borrow nor lend, and are cramped in all the enterprizes encouraged by good government. The public securities of every kind, are driven out of the state; and thus what should serve us as the most convenient resource for paying our share of the national debt, will, as soon as the federal government shall acquire a due efficiency, become an impoverishing drain from our industry, that may even affect the population of the state. The public revenues, instead of being *specifically appropriated*, as in other states and countries, are consolidated into one fund, and appropriated at the *discretion* of our TYRANT, for the payment of himself and favorites; whilst the army creditors are openly defrauded, with all the forms of law. We had the reputation of a torpid state during the revolution; and we deserve it better since. All this disgrace, all this misfortune has been brought upon us by DIONYSIUS. Good men having been occasionally seduced, or weak and unguarded whigs corrupted into his connection, afford no apology for him. However others may have shared with him the wages of unrighteousness, he is answerable for the whole. No other man had powers to do us the same injury. He alone devised the enterprize, and effected the measures, for thus enslaving his *native state*.

The whigs of Delaware, however, are not without hope. Although the county of New-Castle, through inadvertence, has hitherto furnished a TYRANT for the state; yet this same county contains

(100)

Fountains of virtue, scaled up and pressed down, as it were, which we may reasonably hope will, one day, burst forth, and overwhelm the adversaries of truth and good government. The notable league between the DIONYSIAN representatives of New-Castle, and the inflexibles, has already brought the *goad* to the backs of the New-Castle whigs, and will probably soon rouse them from their lethargy, and bring them to a quick sense of feeling. They will then no longer make light of the struggles of their lower country brethren; but leaguering in the common cause, will have it amply in their power to give a new *face* to the government, adequate to an entire redress of our grievances.

Although every other means under Providence should fail us, we hope at least to derive some consolation from the NEW FEDERAL CONSTITUTION. From hence we may expect some standing institutions to walk by. fraudulent retrospective laws, will be no more. The injured and oppressed army creditors of Delaware, may hence expect a just reward to their patient virtue, and hope to derive some emolument from their public securities. All good men will rejoice in the new prospect of an uniform act of naturalization, and that DELAWARE will not be destined as the sink of TORYISM. And although it should be long, before Virtue shall become triumphant over Vice, good men will nevertheless be more out of the reach and power of unjust and wicked oppressors, than heretofore.

F I N I S.