

Liberty and Independence



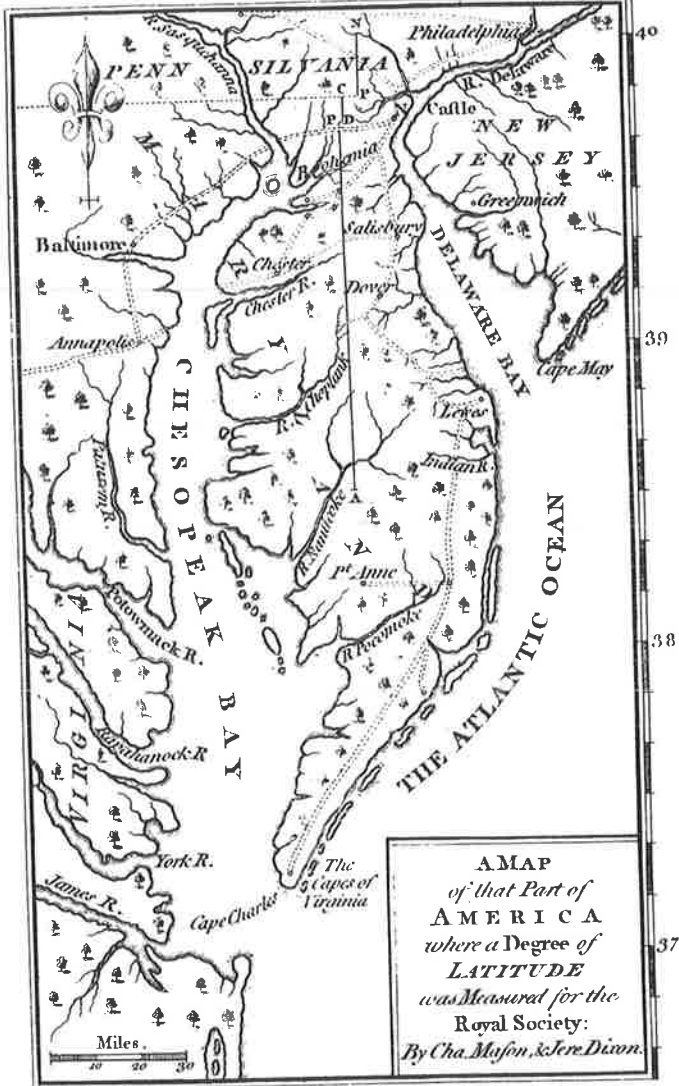
The Delaware State

During The American Revolution

Harold B. Hancock

Liberty and Independence

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Delaware American Revolution Bicentennial Commission
Wilmington, Delaware



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Preface

As these things have ever since had a controlling influence on all the politics of the country, it is doubtless necessary that the people generally should be well acquainted with them, that they may be the better enabled to judge of the view and rectitude of those partizans who wish to lead or rule them and having presented this early view of their affairs for their information I leave them to the direction of their own minds.

—“Hermes” (Thomas Rodney), “Essay on the Revolution”

With these words Thomas Rodney, a brother of a Signer of the Declaration of Independence, concluded an “Essay on the Revolution.” His intention had been to remind the public of the principles of the American Revolution at a time of political controversy. Today, when the American political system is being criticized and questioned, it is good to review how the nation was born and why men were willing to sacrifice their property and lives for political freedom. The narrative focuses on the Revolutionary experience of one colony and tells how Delawareans endured hardships and privations in those difficult years.

In writing the manuscript, the author used the facilities of the Hall of Records of the Division of Historical and Cultural Affairs in Dover; The Historical Society of Delaware; The Historical Society of Pennsylvania; the Wilmington Public Library; the Morris Library of the University of Delaware; the Eleutherian Mills Historical Library; and the Henry Francis du Pont Winterthur Museum Library.

As always, the staff of the Hall of Records was helpful: Mrs. Margaret Chambers, Miss Joan Mattern, Miss Elizabeth Moyne, and Mike Richards.

Several institutions granted permission to reproduce manuscript materials: The Historical Society of Delaware permitted the use of Thomas Rodney's "Essay on the Revolution"; The Delaware Hall of Records, of the address, "To the Kent Militia", of the maps, and of the inventory of John Vining's Library; and the Historical Society of Pennsylvania, of the letter written by Thomas Rodney to his son.

Some illustrations were drawn especially for use in this book. Much of the original artwork in the volume is part of the Delaware Trust Company's permanent collection from its Historical Calendar and its limited edition of twelve Delaware Heritage Medals. Other photographs came from the Historical Society of Delaware and the Delaware Hall of Records.

Many people have contributed to the development of this manuscript. I would like especially to acknowledge the work of Colwyn Krussman and Thomas R. Dew, director of public relations for the Delaware American Revolution Bicentennial Commission, for their editorial suggestions. My sister-in-law, Mrs. Ada Hancock, was especially helpful in preparing the manuscript. I would also like to thank the Commission as a whole for undertaking publication of the book.

September 20, 1976

Harold B. Hancock

To the Kent Militia

These are the times to try men's souls, the Summer Soldier, the Sunshine Patriot, and the real Lover of his Country will now appear.

—Common Sense

You, my friends, may Show your zeal by now Exerting yourselves in the hour of danger. May Eternal Infamy, then await the Dastard's Head, who upon any Pretence, will not forsake his Country's Cause.

The Shrill Cry of Justice and the Low Lamentations of Humble Distress call you forth at this time: Your aged Fathers, your distressed Mothers call you forth: The Wives of your Bosoms, with their Infant Babes call you forth: The Helpless Virgin, now flying before the Spoiler's hand, calls you forth.

Every Sacred Tie, both human and divine, re-echo To Arms: To Arms: To Arms.

And can any then be so lost to every Sense of Virtue and Humanity that now refuse to lend an assisting Hand? Yes, there are hundreds, even in this County: But about the time is near when these miscreants (who have poisoned the minds of the people) will meet with their proper deserts. Shallow-pated politicians think that by acting the skulking Neutral, they will Stear Clear of both Whigs [and Tories and] thereby save their Idol Property.

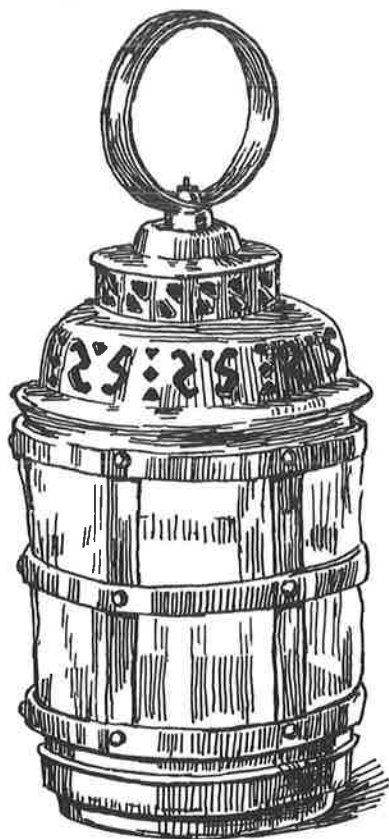
But the Jerseys, my friends, can contradict such delusions. However, when the short-lived prance is over,

these miscreants will be pointed out in their proper colours.

The Glorious Washington at the head of a brave and Respectable Army is close upon the Heels of the Enemy, Victory or Death, is the soldiers' Cry — One Heroic Spirit pervades the American Camp.

Lost to all Virtue is the man, I say, who now hangs back, or that would even attempt to raise his Greatness, upon his Country's Ruin. —

—*Germantown*



Chapter One

The Three Lower Counties on Delaware

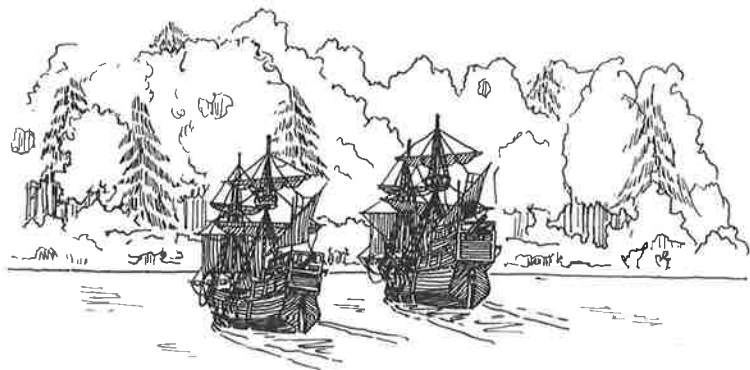
*THESE Are the times to try men's souls.
The summer soldier, the sunshine patriot,
and the real lover of his country will now appear.*
—Common Sense

WITH THIS quotation from an essay by Thomas Paine, an unknown patriot began an address "To the Kent Militia" at a low point in the American struggle for independence. Patriotic fervor ran through every line of his exhortation as he pleaded with the militiamen to come to the aid of their country in its hour of need. He implied that dire things might happen to their families unless they took up arms. Since he signed his appeal "Germantown," the time of his speech was probably in the dark period following Washington's defeat at Brandywine, which had opened the way for the British to occupy Philadelphia.

Two hundred years later it is fitting to commemorate these fateful days by recalling the heroic efforts and

sacrifices of our forefathers. The Three Lower counties on Delaware, renamed the Delaware State in 1776, participated fully in these struggles. The colony was well represented in the Continental Congress, and its three delegates signed the Declaration of Independence. The Delaware Blues was one of the most distinguished regiments in the Continental Army. At home Delawareans faced the problems of invasion by British troops, of brigandry by refugee Tory privateers, and of the disloyalty of friends and neighbors to the colonial cause. Truly, these days tried men's souls—and real lovers of their new country did step forth.

The Three Lower Counties on Delaware had a varied colonial history, their suzerain changing several times. Fertile soils, abundant fish, fowl, and game, and a strategic location on an important waterway attracted several European powers to Delaware.



The first permanent European settlers, the Swedes, arrived in 1638. They established Fort Christina (Wilmington) on a stream leading into the Delaware River and named both the tributary and fort in honor of their queen. After some lean early years, New Sweden had just begun to attain success and stability when conflict with her Dutch neighbors arose over the Dutch stronghold at Fort Casimer (New Castle). The Dutch, already secure and

prosperous in New Amsterdam (New York), captured the Swedish colony without firing a shot.

Dutch control was to last only nine years. As part of a European war resulting from commercial rivalry between England and Holland, an English naval expedition captured the Dutch colonies on the Hudson and Delaware Rivers in 1664. Except for a short period, 1673-1674, when it was temporarily recaptured by the Dutch, the colony on the Delaware River henceforth remained English.

The Duke of York, brother of King Charles II, was the first English owner; but in 1682 he was persuaded to give the colony to William Penn. Penn already owned Pennsylvania, and he was greatly concerned about maritime and naval access to his colony, fearing that some hostile nation or group might gain control of the Delaware River.

After the Delaware territory was ceded to Penn, the representatives of the Three Lower Counties (of Penn's colony) at first met with the representatives from Pennsylvania in a single legislative body. Anxious because they were likely to be outnumbered, the people of Lower Counties asked William Penn to permit them to have their own legislature. In 1704 Penn reluctantly granted this request, though he continued to be the governor of both the colonies.

Under William Penn's policies of religious freedom and cheap land, Delaware and Pennsylvania grew rapidly in population. The members of Penn's family who succeeded him as proprietors followed the same policies. By the time of the American Revolution the Three Lower Counties contained a population of some 37,000 persons, divided as follows:

	<i>White</i>	<i>Black</i>
New Castle	13,829	466
Kent	8,210	786
Sussex	13,180	748
Totals	35,219	2,000

When the first white settlers came to New Sweden in 1638, they found the Lenni Lenape Indians living in villages along the tributaries of Brandywine Creek. In southern Delaware were the Nanticoke Indians, living along the banks of the stream of that name. As white settlers moved into the Three Lower Counties, the Indians migrated first to Pennsylvania and later to the west. Today people of Indian descent still live in Delaware along Indian River Inlet in Sussex County.

Many descendants of the Swedes and the Dutch still lived in the colony at the time of the American Revolution. As the years had passed under English rule, their ties with Sweden and Holland had grown weaker. In Old Swedes Church in Wilmington, the colony's only Lutheran church, services in Swedish had been discontinued before the Constitution of the United States became effective in 1788.

Most of the colony's European inhabitants in 1776, probably two-thirds of the total population, were of English descent. English settlers by the hundreds had come to the colony after Penn acquired it in 1682, seeking land and new economic opportunities. In the 18th century, numerous Scotch-Irish arrived from northern Ireland, wishing to escape English oppression and looking for economic advantages. Relatively few immigrants from southern Ireland came to Delaware before the American Revolution; in the 1770s only one Catholic priest resided in the colony. (In the mid-19th century, however, the Irish were to come in large numbers.) A group of Welsh settlers lived on the "Welsh Tract" (near Glasgow) and organized the colony's only Baptist church. Some colonial residents in 1776 were immigrants from Scotland.

Very few settlers in the Three Lower Counties came from Germany. German colonists preferred to be with their friends and relatives in southern Pennsylvania.

The black population in the Three Lower Counties had come unwillingly to the New World. They provided much

of the labor on plantations. Blacks were divided almost evenly among the three counties.

Under the beneficent administration of the Penn family, the three Lower Counties prospered and grew in population. As in the other American colonies, most men were farmers. Land was cheap and easy to buy or to secure through land warrants. In general, farms were smaller in the areas first settled and larger in western Kent County and southwestern Sussex County, which were less accessible from the coast.

The names given to these farms by their owners often reflected their hopes and aspirations. In New Castle County we find such names as Needful Addition, Liberia Nova, Wolf Island, King's Refuge, Goshen, and Brother's Portion; in Kent County, Flamer's Discovery, Tower Hill, Shockley's Choice, Father's Care, Bare [Bear] Garden, Betty's Fortune, Partnership, Lovelong, and All or None. In 1776, Sussex County farmers got patents for newly opened land in the southwestern corner of the colony and named their choices On the Borders, Last of All, Hill's Folly, Mill Chance, Content, Bachelor's Lot, Little Worth, Security, Hill's Error (formerly Friendship's Addition), Horsey's Venture, and End of Trouble.



These husbandmen were almost self-sufficient, raising their own fruits and vegetables, cattle, hogs, and poultry. They knew how to spin and weave, to make their own shoes, and to build log houses. Often they owned carpenter's, joiner's, and cooper's tools. They could cast bullets, melt pewter to pour into spoon molds, press apples for cider, and cure meat in "powder casks." By fishing, trapping, lumbering, and laboring for hire for their neighbors, these men found additional sources of income.

In Sussex County, farmers supplemented their livelihood by manufacturing cypress shingles.

Contemporaries usually thought of farmers as living the best of lives. A stanza in a poem entitled "The Farmer" in a Wilmington almanac in 1779 proclaimed:

Oh happy he! happiest of Mortal Men!
Who far removed from slavery, as from pride,
Fears no man's frown, now cringing waits to catch
The gracious Nothing of a great man's nod.

Most of the inhabitants of Sussex County on the eve of the American Revolution probably lived in the way described by the Reverend William Becket of Lewes in 1728:

The inhabitants here live scattering generally at one-half a mile or a mile's distance from one another except in Lewes where 58 families are settled together. The business or employment of the country planters is almost the same with that of an English farmer. They commonly raise wheat, rye, Indian corn and tobacco, and have store of horses, cows and hogs. The produce they raise is commonly sent to Philadelphia 150 miles from hence to purchase such European or West India commodities as they want for their families use or else to New York or Boston.

Probably most of the inhabitants of Kent County lived in much the same way, while those in the New Castle-Wilmington area lived on smaller farms, raising more wheat than corn.

Most of the inhabitants in the Three Lower Counties were farmers and "mechanics," that is, tradesmen or practitioners of some craft who would today be classified as members of the lower-middle class. In the expanding colonial economy, without bad luck they would move up the economic ladder.

America was opportunity. The untouched land gave many persons the chance to acquire property and to rise to some kind of middle-class status, something most of them could never have hoped to do for themselves in Europe. Even though some immigrants paid for their Atlantic passage by indenturing themselves in service to some farmer or craftsman for a period of years after their arrival, thereafter they could strike out on their own, realistically expecting in due time to buy their own land.

Only a small minority of the population lived in towns. A few townsmen were professionals—lawyers, physicians, and judges. Others were colonial officials. Many persons worked, part-time or full time, as hatters tailors, shoemakers, joiners, tanners, brickmakers, carpenters, and chaisemakers, supplying community needs. Most craftsmen also raised produce and livestock.

Thomas Rees of Kent County, a miller, should probably be classified as a member of the “middle” middle class. In 1769 his property consisted of a plantation containing 118 acres of land, of which 60 were cleared. The log dwelling house, shed room, and log barn in “ornery” repair were valued at £ 15 a year. Nearby on an acre tract were a grist mill in bad repair and a well-kept brick dwelling. Appraisers valued his possessions as equal to £ 40 of rental income a year.

Ezekiel Downing, another Kent County farmer who died in 1769, owned 230 acres of which 120 were cleared. On the property were a “mansion house” of hewed logs, 23 feet long and 18 feet wide, a barn, stable, and smokehouse. He was proud of his apple orchard of 120 trees. Appraisers valued the property as equal to £ 50 of rental income a year.

To establish the rights of the widow of John Snow to one-third of his estate in 1774, appraisers drew a detailed map of his farm of 150 acres on French Man’s Creek, which ran into Duck Creek. They included miniature pictures of the mansion house and barn.

The four-room house of Richard Thomas of Pencader Hundred, cordwainer, was probably typical of the middle class. Appraisers at his death in 1780 labeled the rooms parlor, front room, back room, and kitchen. All except the kitchen contained a bed. The rooms were adequately furnished, even including such luxuries as "delp" plates, thirteen silver teaspoons, "moukito" and calico curtains, two old flutes, and books valued at £9.2. Because of his occupation, he had on hand five thousand pounds of hides, calf skins, and ten cords of bark. He also farmed part time. And he owned a Negro woman and her two children.

Another member of the middle class, Cornelius Stockley of Sussex County, also a cordwainer, lived a comfortable life, supplementing his earning by farming. The inventory of his estate in 1775 included the usual tools of his craft, household furniture, and farming equipment. He dressed well, adorning himself with stone buttons set in silver and wearing silver buckles on his shoes. His wife served tea in "enameled chani [sic] cups" and owned three teapots.

A small minority of the population enjoyed a higher standard of living, spending their days in large brick houses served by slaves or indentured servants and furnished with fine furniture, books, and pictures. They sent their children to academies, frequently visited and made purchases in Philadelphia, and participated in numerous social functions with their friends. They had acquired the means to do this by inheritance, flour milling, maritime trade, keeping general stores, raising wheat, or operating a forge. The Ridgely correspondence portrays this type of life, and such persons as Oliver Canby, Thomas Lea, and Thomas Shipley (flour millers), Joshua North (loyalist owner of extensive lands near the Brandywine), Dr. John McKinly (physician and politician who served as the first president of the Delaware State in 1777), and George Read (brilliant lawyer and owner of a mansion house in the town of New Castle) lived this kind of existence. Ex-

amples in Kent County would include Dr. Charles Ridgely (politician, landowner, and occupant of a large house on Dover Green), John Vining (chief justice of the county and owner of a mill and several farms) John Dickinson (who had inherited large amounts of land and who owned mansions in Philadelphia and in Jones' Neck near Dover), and John Haslet (landowner and colonel of the Delaware Regiment). Wealthy residents of Sussex County included William Vaughan (forge owner), John Dagworthy (whose services in the French and Indian War had resulted in his receiving the gift of a large tract of land in Sussex County) and Thomas Robinson (landowner, storekeeper, politician and loyalist).

Such a life could be very pleasant. Dr. Charles Ridgely, for example, lived ostentatiously in Dover in a brick house facing the courthouse square. While he still owned a farm nearby, he found it convenient to move to Dover and buy the home which had once belonged to Thomas Parke, a prosperous merchant. The seven rooms were crowded with his family of five children and household servants. Each of the three upstairs rooms contained two or three beds, while three cribs were placed in the hallway along with chests and chairs. The finest room downstairs was the parlor, which was also used as a dining room. In addition to Windsor chairs and tables, it contained a dining table of cherry wood with eight cherry wood chairs with needlework seats. Family portraits of Dr. Ridgely's mother and first wife decorated the walls. In back of the residence a coachhouse sheltered a phaeton, sulky, and cart. To help run this



house and his nearby plantation, later named Eden Hill Farm, he owned fourteen slaves, ranging

in age from seven to fifty years.

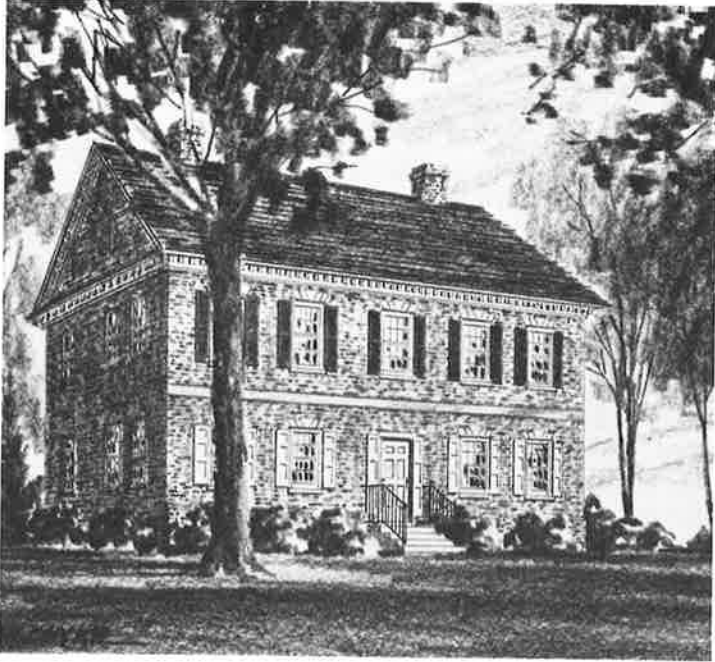
Dr. Ridgely's neighbors, including Nicholas Loocker-man, John Vining and John Dickinson, lived in as fine a

style as he did. At his death in 1771, Loockerman owned twelve slaves, while Vining, who died in 1769, owned seventeen. Dr. Ridgely became the guardian of the two Vining children, John and Mary. Mary Vining was a famous Revolutionary belle, once betrothed to Gen. Anthony Wayne. Dickinson's house on Jones' Neck, restored by the State of Delaware, is again authentically furnished.

In contrast, poor whites, indentured servants, free Negroes, and slaves lived a simpler, harder existence. Many poor persons lived in the condition of William Shurmer of Little Creek Landing in Kent County. His nephew, on a visit in 1765, was unfavorably impressed to find him residing "in a Loansom Coattage—a small Log House that serves for Kitchen, Parlour, Hall & Bed Chamber." The only refreshments offered the visitor were rum, water, and brown sugar.

Typical of the poor in Kent County was William Thompson, a farmer, whose personal possessions were seized for debt in June, 1777. His belongings consisted of one bed, one chest, one table, four "chears," one iron pot and jack, one tub, one stone jug, one frying pan, and one "flesch" fork. In addition he owned several pigs and had a small amount of wheat and corn "in the ground." His total possessions were valued at less than £12. Unless he paid his debts he faced imprisonment and the possibility of having his services sold from the courthouse steps to some farmer until he had earned the amount of the debt plus court costs.

Reuben and his wife, tenants of Nicholas Loockerman in 1771, presumably white, owned few possessions. Their scanty household goods consisted of one old bed and rug [cover], one chest of drawers, one iron pot, a parcel of "trumpery" [trinkets], and shoemaker's tools. Their supply of staple food was listed as only three bushels of midlings [inferior grain] and three jaws [jowls] of bacon and corn. No chairs, tables, pewter, or animals were listed.



Loockerman Hall, now on Delaware State College's Dover campus, was the country residence of Nicholas Loockerman. It has undergone extensive restoration.

The house occupied by Loockerman's blacksmith was somewhat better furnished, though every item of furniture listed was prefixed by the word "old." Possessions consisted of one bed, one table, two small chests and three chairs. The tenant owned a cow, a heifer, and an eleven-year-old horse. He owned some Indian corn and oats and had sown five acres of wheat.

Indentured servants are always included among the lower classes, though some of them were better off than one might expect. Advertisements in the *Pennsylvania Gazette* for runaway redemptioners from the Lower Counties indicate that some of them owned several changes of clothing, wore silver buckles on their shoes and silver buttons on their coats, had coins to jingle in their pockets, and knew how to read and write. Many practiced a trade such as tanning, blacksmithing, carpentry, or shoemaking.

At the mere whim of their master, indentured servants and apprentices were sometimes mistreated. But indentured servants had a better chance of securing their rights in court than did slaves. The guardian of William Borden of Appoquinimink in 1764 brought suit in behalf of his ward because his ward was not permitted by his master to attend school and did not receive instruction in a trade. In 1775 the Court of Quarter Sessions in New Castle County ordered the property of William Wilson attached because he refused to pay Catharine Flinn her freedom dues.

The Charity Brinckle case of 1737 in Dover is a well-known example of mistreatment of an indentured servant. Depositions of Mrs. Brinckle's neighbors on Dover Green established that she had beaten and starved an Irish servant girl named Mary Riley. Their statements raised questions as to how much such treatment had contributed to the girl's death. Charity Brinckle was subsequently jailed while the case was investigated.

The black colonial population ranked economically on the lowest level of society. The great majority of slaves and free Negroes worked either as domestics or as farm

laborers; a few were occasionally employed as artisans, watermen, teamsters, or blacksmiths. In 1772, for example, the owners of Unity Forge near the Nanticoke River in Sussex County claimed that slaves and black servants in their employ understood perfectly how to work iron by blooming and refining. In advertising for rent a plantation of two thousand acres in Kent County in 1764, John Dickinson mentioned that the renter could secure the services of his Negroes as tailors, shoemakers, tanners, carpenters, and farm laborers provided that one condition was met: "And as they are remarkably honest and well behaved, care will be taken that they are not put under the command of any one, but a good natured humane man." Advertisements for runaway slaves reveal that some could read and write, and a few had a knowledge of musical instruments such as the violin.

Anglican clergymen such as the Reverend Philip Reading of Appoquinimink and the Reverend Hugh Neill of Dover were concerned about the spiritual welfare of their black parishioners. Neill claimed in 1752 that he had baptized twenty-six Negro adults within six months, each of whom could recite the Apostles' Creed, the Lord's Prayer, the Ten Commandments, and portions of the catechism. A few could read. With the permission of their masters, about one hundred Negroes attended special Sunday evening services designed for their benefit and instruction.

Discrimination against blacks appeared early in the 18th century. In 1700, special "Negro courts" were established for trials. In the same year blacks were forbidden to carry weapons or to assemble in any number above six without the presence of white persons.

The Assembly was particularly vicious in punishing the union of white women and black males. Both the man and woman were to be sentenced to thirty-nine lashes, to be exposed in the pillory, and to be fined. In addition, the male was to have one ear nailed to the pillory and then cropped

off. The mulatto children of such unions were to be bound out for thirty-one years.

An interesting case involving such a child occurred in Kent County in 1745. Grace Gibbs sued in court for her freedom, claiming that she had been kept as a bound servant for longer than thirty-one years. She won the case. A few years later she was back in court again seeking the freedom of her children. The decision in the latter case is not known.

In the decade before the American Revolution Delawareans became interested in manumission, perhaps because Quakers decided that it was wrong to hold persons in bondage. So many slaves were being freed by 1767 that the Assembly, fearing that some of the freedmen might become public charges, required owners to post a bond of £60 at the time of emancipation. Several Kent County legislators, including Caesar Rodney and Charles Ridgely, tried unsuccessfully to amend the proposal to prohibit the importation of African slaves.

Manumission became a subject of public controversy. Two teams of students at Newark Academy in 1772 debated in a public examination, "Whether it be lawful to make men slaves and to use them as such." Thomas McKean raised the question of emancipation at a public meeting in Lewes in 1774. In listing grievances committed by England, he deplored the prevalence of African slavery and hoped that an honorable expedient might soon "be found to put an end to an institution so dishonorable to us and so provoking to the most benevolent Parent of the Universe." Because of the interest of various segments of the public of the Three Lower Counties it is not surprising that the Delaware Constitution of 1776 contained a clause urging abandonment of the slave trade with Africa. But these promising beginnings stopped there, and Delaware remained a slave-holding state until after the Civil War.

Delaware's towns were few and sparsely populated. New Castle and Wilmington were the largest towns in

New Castle County. In recognition of its past importance, New Castle remained the county seat, but in trade and political significance it had gradually lost out to Wilmington. The Anglican rector at New Castle observed in 1750:

The town of New Castle consisting of about four score houses waxes poorer and poorer and falls into contempt more and more every year, having several houses without inhabitants and some not fit for habitation. . . . This dying condition is partly owing to an upstart village [Wilmington] lying on a neighboring creek, which yields a convenient port to the adjacent country.

The assertion in a British gazetteer in 1762 that New Castle contained 500 or 600 well-built houses and was the second place in "Pennsylvania" for trade, ranking next to Philadelphia, is erroneous. When Andrew Burnaby, a British traveler, passed through two years earlier, he found New Castle "a place of very little consideration; there are scarcely more than a hundred houses in it, and no public buildings there that deserve to be taken notice of. The church, Presbyterian and Quaker meetinghouses, courthouse, and market house are almost equally bad and undeserving of attention."

Long before the American Revolution, Wilmington had become the most important port in the Three Lower Counties, even though the Collector of Customs continued to reside at New Castle. The proximity of Wilmington to Philadelphia, its location on stage routes, the increasing importance of the Brandywine flour mills, and its sheltered harbor contributed to its growth. After Thomas Chalkley, a Quaker exhorter, had visited the "new-settled town" of Wilmington on Christina Creek in 1736, he predicted it would become a "flourishing place if the inhabitants take care to live in the fear of God and seek his glory and the

riches of his Kingdom, preferring it to any thing or things of this world." Whether because the people there were God-fearing or for other reasons, his prediction about Wilmington's growth was fulfilled.

William Black, a Virginian, wrote about Wilmington in 1744:

The houses are brick, most of them large and well built, and tho' an infant place, of about two years standing, there are now upwards of one hundred and fifty families in the town chiefly merchants and mechanicks, there were several ships and and other small vessels on the stocks a-building, and several other branches of workmanship and commerce seemed to go on briskly.

Governor Thomas Pownall of Pennsylvania in 1754 thought the location on a hill delightful and noted:

It is a regular well built town, but not trade enough to draw together a sufficient number of people to compleat it to its plan. It forms a delightful prospect, seen from the opposite side of the river; the streets lying in parallel lines, one below another, on the descent of the hill. Ships and large vessels come up to the town; shallops, etc. as high as Christiana-Bridge; a ferry there.

Dr. Robert Honeyman in 1775 thought that Wilmington's appearance on the side of a hill resembled that of an English country town. He believed that it was as large as Fredericksburg, but better built, since all the houses were brick and very neat.

Other thriving towns in New Castle County included Christiana Bridge, Newport, and Newark. Christiana Bridge (site of the present Christiana) and Newport were important centers for the distribution of flour and for trade with Philadelphia. Thousands of bushels of wheat

were brought by shallops to Head of Elk (Elkton) at the head of Chesapeake Bay and then transported by wagon to Christiana Bridge for shipment by water to Philadelphia. Dr. Honeyman noted that the location of Christiana Bridge at the head of the stream of that name and the proximity of several large flour mills contributed to its prosperity. He called Newport "a pretty little town," which was almost as large as New Castle, containing three or four stores and as many taverns.

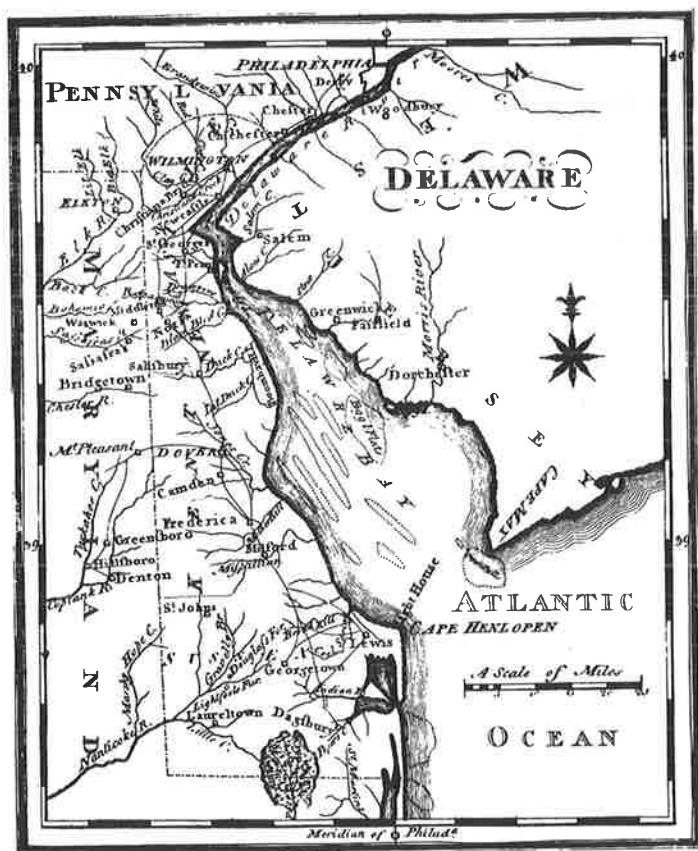
Newark was the site of the Academy of that name. The founder of that institution, the Reverend Francis Allison, in a letter written in 1773, pointed out to friends some of the advantages of the location, which was in the midst of a healthful and plentiful country known as New Castle on Delaware. "The inhabitants are few, frugal, and industrious," he believed, "and there is cheap accommodations to be had and few temptations to luxury."

The largest town in Kent County was Dover. Founded by a directive of William Penn in 1683 and laid out as a town in 1717, it had developed slowly. By 1747 a traveler reported that it contained twenty houses. An English gazetteer in 1762 noted that the town consisted of fifty families and was located in the midst of a region of scattered plantations rather than of townships as in New England.

The activity in this county seat was centered in the courthouse square. A block away—in different directions—were the Anglican and Presbyterian churches. Farmers found Dover a convenient marketplace, and from nearby Little Creek Landing wheat or provisions could be easily shipped up the Delaware River to Wilmington or Philadelphia. Some people believed that Dover's central location merited its becoming the permanent capital of the colony.

Twelve miles north of Dover, up the King's Highway, was Duck Creek Crossroads (Smyrna) founded in 1768 near the earlier settlement of Duck Creek Village. Duck

Creek Crossroads gradually became more important than Duck Creek Village because of its location at the intersection of King's Highway with the road leading from Delaware Bay to the Chesapeake. In the midst of a rich farming area trade in wheat and corn with Wilmington, Philadelphia, and New York developed. Thousands of bushels of wheat and corn were sent from nearby counties in Maryland for shipment from Duck Creek or Ap-



Delaware. First published in Philadelphia in 1800, this map is Dolittle's edition of the 1795 Scott map of Delaware. (Reprinted by permission of the State of Delaware, Division of Historical and Cultural Affairs.)

poquinimink Creek in southern New Castle County. Goods were sometimes landed at the head of Duck Creek and transported overland to Chesapeake Bay.

In Sussex County, the only sizable town was Lewes, which benefited from its location at the mouth of Delaware Bay and was the home of many pilots. The 1762 English gazetteer described it as "large and handsome and situated on the beautiful bank of a river the mouth of which forms the harbour." It was the county seat, but a movement was afoot to establish a new town in the center of the county more conveniently located for this purpose. John Rodney, a cousin of the Signer, defended its being the county seat in 1769, pointing out that the town was pleasantly situated with easy access to Philadelphia and well supplied with fish and agricultural produce.

In 1775 promoters succeeded in raising enough money to build a causeway and bridge across Lewes Creek. They hoped to attract summer visitors to enjoy the sea bathing, which had been recommended for reasons of health in the past by the Greeks and the Romans and remained a favorite remedy of American physicians. If the enterprise was successful, these men planned to build a bathhouse and open a road to Rehoboth Bay.

All comments about the county seat of Sussex County were not positive. A Philadelphia cleric, the Reverend Samuel Smith, wrote to the Society for the Propagation of the Gospel in 1768 recommending the transfer of the Reverend John Andrews of Lewes to another place because the swamps and mosquitoes were so unhealthy. Since Andrews' arrival he had been ill continuously. Mr. Smith believed that only a native of that place "naturalized" to it could survive. He thought the conditions similar to those in the fens of Essex in England.

In these towns, farmers held markets every week or two, bringing produce and animals for sale. In 1772, Newark received permission from the Assembly to hold a market twice a week. Rents from market stalls helped support

Newark Academy. Only perishable commodities such as meat, fish, and milk could be sold daily. Merchants who sold inferior goods or cheated customers were fined.

In addition, many towns held fairs twice a year. These fairs were attended by merchants and peddlers from nearby colonies. Dover was granted permission to hold such a fair in 1741. In 1743, Thomas Noxon received a charter for a fair at Noxontown in southern New Castle County. These fairs were so important for trading purposes that the *Wilmington Almanac* in the early 1770s listed the dates of the fairs to be held twice a year at Wilmington, Dover, Noxontown (near Middletown) and Newark.

Transportation in colonial Delaware was sometimes difficult — as the journals of Thomas Rodney and the Ridgely letters indicate. The Reverend Charles Inglis, who had once been pastor of Christ Church in Dover, informed his friend, Dr. Charles Ridgely, in December, 1772, that the 200-mile journey from New York to Dover in winter could be undertaken only at the hazard of one's life. He did not indicate whether he was referring to travel by land or sea, but probably he meant by either route.

Because the roads were so bad, it was desirable to use waterways as much as possible. Every creek had its landings. Shallops, small light boats propelled by sails, constantly traveled to New Castle, Wilmington, or Philadelphia loaded with meat, fruit, vegetables, corn, wheat, or shingles to exchange for money, hardware, cloth, paper, molasses, spices, and wine.

Larger ships carried on trade with Europe and the West Indies. The customs records of New Castle indicate that the principal exports were flour, provisions, meat, shingles, and boards while imports included spices, coffee, wine, sugar, hardware, and cloth. To aid ocean commerce, Henlopen Lighthouse near Lewes was erected in 1764.

When possible, travel by water and land was combined. In May, 1772, John Bolton announced that a stage boat would sail from Philadelphia weekly on Sunday at 6

o'clock in the morning for New Castle. On the following day a stage wagon would bring the traveler to Chester-town. Once a week a connection by way of Rock Hall to Annapolis was possible. Another travel agent, in the same month, advertised an arrangement by which passengers could proceed once a week from Philadelphia to Baltimore by way of New Castle and Frenchtown. In the same year "Elucidatus" proposed that a canal be constructed linking the Christina River to Cheseapeake Bay.

But our colonial forefathers were not always engaged in earning a living farming or in shipping goods; they also took time out to play. The journal of Caesar Rodney's father in the late 1720s revealed that he enjoyed hunting, fishing, and racing. He played cards with friends, attended court sessions, and participated in shooting contests. Christmas was a time for feasting, drinking, and frolicking. The letters of later generations of Rodneys on the eve of the American Revolution show that they continued to enjoy the same pastimes. Letters of members of the Ridgely family reveal the pleasant social life of the upper classes. The poor, as circumstances and time permitted, took part in similar activities on a humbler scale.

Lotteries were a popular means of raising funds for churches, schools, and public enterprises. In 1771, Delawareans could buy tickets in several lotteries: the Newark land and cash lottery, the proceeds of which would benefit Newark Academy; the Christiana Bridge and New Castle Presbyterian Church lottery, managed by Thomas McKean and George Read for the disposal of 8,876 acres of land; and the New Castle lottery, which sought £1,000 to aid the manufacture of American china. Interest in the manufacture of china was probably stimulated by the fact that clay used in the production of china by Bonnin and Morris in Philadelphia came from the vicinity of White Clay Creek in Delaware. Also in 1771, Dr. Charles Ridgely and Caesar Rodney managed the Dover land and cash lottery involving land in Nova

Scotia; and John Jones, Benjamin Noxon, and Richard Cantwell supervised the Appoquinimink New Church lottery.

Because the number of lotteries in progress was so large, the members of the Delaware Assembly felt that the mania was getting out of hand, especially after people began to dispose of private property at an overrated value. In 1773, the Assembly framed a limiting act, the preamble of which condemned lotteries as pernicious and destructive of frugality, industry, trade, and commerce, and inductive of idleness and immorality. The act prohibited lotteries except for those already in progress or future ones licensed by the British Parliament.

Funds from lotteries were sometimes used to support schools, as public, tax-supported schools did not exist, and it was desirable to encourage education in any way possible. Because schools were few, many persons could not read or write, as the numerous crosses in place of signatures on legislative petitions and militia rolls indicate. The Anglicans, Presbyterians, and Quakers encouraged education, and teachers sometimes organized private schools for short periods of time.

The education available to Delawareans on the eve of the Revolution was of the same kind as had been known earlier in the colony. The Reverend William Becket of Lewes observed in 1728 about Sussex County:

And here is no publick school in all the County, the General Custom being for what they call a Neighbourhood (which lies sometimes 4 or 5 miles distant one part from another) to hire a person for a certain term and sum to teach their children to read and write English for whose accommodation they meet together at a place agreed upon, cut down a number of trees and build a log house in a few hours as illustrious as that in which Pope Sixtus Quintus was born, whither they send their children every day

during the term, for it ought to be observed by way of commendation of the American planter now-a-days that whatever pains or charge it may cost, they seldom omit to have their children instructed in reading and writing the English tongue.

In some neighborhoods in the Lower Counties residents bought the time of an indentured servant so that they would have a schoolmaster.

Efforts to raise educational standards were often unsuccessful. In 1768, the Reverend John Andrews regretfully noted that attempts to promote a Latin school in Lewes had failed, and added:

Their great misfortune is to be a people without learning which proceeds altogether from their extreme poverty. There is not a grammar school within the county, and it is a thing extremely rare to meet with a man who can write a tolerable hand or spell with propriety the most common words in the English language.

The Presbyterians had a special interest in education. One Anglican clergyman at Appoquinimink in 1743 complained that "we have but few schoolmasters here but what are rigid Presbyterians."

The best known school was Newark Academy, which had originally been founded by a Presbyterian clergyman. In 1769 it received a charter from Thomas and Richard Penn. Parents were assured in advertisements such as one appearing in the *Pennsylvania Journal* in 1771 that Newark was a highly moral place and that instruction by tutors of decent deportment and approved virtue was conducted under the watchful eyes of a committee of trustees. "The small town of New Ark," the advertisement mentioned, "which is generally inhabited by sober, industrious people, affords no public amusements, nor any

remarkable instances of profligacy and vice to draw the attention of youth, divert them from their studies, or turn them aside from the paths of virtue." Townspeople had promised the trustees to keep charges at less than £15 a year for board.

Probably some students at Newark Academy attained the goal mentioned in a poem written in 1772 glorifying the virtues of life along the banks of White Clay Creek and published in the *Pennsylvania Gazette*:

And with New Ark I will live,
Whilst her Plains these pleasures give,
Till my youthful notions rise,
Clad with ancient Wisdom's Guide.

To Philip Vickers Fithian, a young Princeton graduate on the way to assume a post as tutor in Virginia in 1775, seeing the students of Newark Academy at play brought back memories:

Newark reminded me of old days at Princeton —
Full of antic school-boys — It was play hours —
Some galloping out — Some coupled walking —
Some throwing long-bullets — Some strutting at the
doors before girls — Others playing at Fives at the
end of the Academy, &c.

In spite of the efforts to set up schools, only a few Delawareans were well educated and well read 200 years ago. John Dickinson had been educated in law overseas in English law courts. Thomas McKean graduated from Newark Academy and then read law with David Finney in New Castle. George Read studied at Francis Allison's academy in New London and then read law in Philadelphia. Dr. James Tilton of Dover had attended Nottingham Academy and the medical department of the University of Pennsylvania; while his colleague, Dr.

Charles Ridgely, also of Dover, had studied at an academy in Philadelphia and under the famous Dr. Phineas Bond. The papers of Thomas Rodney, brother of the Signer, show that he aspired to be the universal man, at home in every field, whether it be astronomy, philosophy, ancient history, literature, religion, military strategy, geography, or government.

Most Delawareans owned the Bible and perhaps a few other books, but there were exceptions. William Shaw of New Castle in 1744 owned almost 100 legal volumes, including some written in Latin. Stephen Sykes of Appoquinimink in 1745 owned an English Bible, a French Bible, Dugood's Divine Laws, three volumes of Homer's *Illiad*, two volumes of *The Tatler*, a mathematical dictionary, and several miscellaneous books and pamphlets. Scholarly John Dickinson was proud of his fine library. Thomas Rodney was an omnivorous reader, but the inventory of his famous brother's possessions in 1784 included fewer than twenty books. Dr. Charles Ridgely possessed a fine library of over 100 volumes, including twenty-six books in Latin and a few in Greek and French. The library of Dr. Matthew Wilson of Lewes at his death in 1790 contained more than 100 volumes in history, literature, medicine, and religion. A subscription library was started in Wilmington in the 1760s.

One outstanding library whose contents are fully known, belonged to Chief Justice Vining. It included almost two hundred volumes of history, law, travel, and literature. It was a library that any learned man in Europe or America could have been proud of. Its contents are listed at the end of this chapter.

Probably the most popular publication was the almanac, two of which were published annually in Wilmington. In 1773 the *Wilmington Almanack* contained astronomical observations, advice from the "family physician," a remedy for consumptive complaints, a cure for glanders and wind-galls in horses, and witty

sayings—as well as tables of interesting data, such as road distances and the dates and times of meetings of courts and fairs. In short, it had something for everyone.

The only printing press in Delaware was operated by James Adams in Wilmington. He published a variety of works such as the proceedings of the Assembly, laws, religious works, almanacs, and possibly Delaware's first newspaper in 1762 called the *Wilmington Courant*, though no copies have survived.

The most distinguished person in literature was John Dickinson, who was known throughout America and Europe for his publication in 1768 of *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies*. His "Liberty Song" to the tune of "Hearts of Oak" was sung in every colony:

Come join hand in hand, brave Americans all,
And rouse your bold hearts at fair liberty's call,
No tyrannous acts shall suppress your just claim
Or stain with dishonor America's name—
In freedom we're born, and in freedom we'll live,
Our purses are ready, steady, friends, steady,
Not as slaves, but as freemen our money we'll give.

Dickinson, who opposed independence in 1776 as wrongly timed, later became known as the "Penman of the Revolution." He was active in the affairs of both Pennsylvania and Delaware.

Less well known was John Parke of Dover, who claimed to be the first soldier from the Lower Counties to enlist with the Continental Army. In the early summer of 1775, this young law student in Thomas McKean's office joined Washington's army besieging Boston. His poems published in 1777 praised the devotion and courage of Col. John Haslet and other revolutionary leaders.

The religious heritage of the Lower Counties reflected the diverse backgrounds of its settlers. In some instances

the desire for religious freedom had been their principal motive for coming to the New World. On the eve of the American Revolution, the colony included twenty-nine Presbyterian churches, twelve Anglican, twelve Quaker, one Lutheran church, and one Baptist. Though Anglican churches were not the most numerous, more persons in the Lower Counties were probably members of the Anglican church than of any other, even if they seldom attended services except for Easter, Christmas, baptisms, weddings, and funerals. It would have been difficult for all of them to have had regular services (if they had wanted them) because in the entire colony there were only five Anglican clergymen. Thomas McKean believed that the Anglican church had its greatest strength in Kent and Sussex Counties.

The Presbyterians were the second strongest denomination in the colony. McKean believed that they were the strongest denomination in New Castle County. The large number of Presbyterian churches in the county, seventeen, reflected the settlement there of numerous Scotch-Irish immigrants. In this denomination, as in the Anglican, there was a scarcity of ministers. In the entire county, there were probably only four Presbyterian ministers in 1776.

Other denominations had smaller memberships. In spite of the efforts of William Penn, Quakers remained a minority in the Lower Counties. They were particularly strong in Wilmington and in Kent County. Old Swedes Church, the only Lutheran church in the colony, was a heritage of earlier days. The Baptists had only one church, in the Welsh Tract. A Roman Catholic mission was opened in 1772 at Coffee Run in northern New Castle County. The Methodists had just begun to preach in Delaware.

Political strife was common in Delaware politics on the eve of the Revolution. Occasionally the names of contesting parties are identified with "court" and "country," though the exact meaning of these labels is not clear. Elec-

tion contests were primarily between the ins and the outs, with personalities playing an important part. Elections were sometimes decided by the voters' ties of kinship, church affiliation, and feuds.

Issues that convulsed other colonies—such as the power of the proprietor, the conflict between the western frontier and the seaboard settlements, and questions of religious denomination — did not concern the Assembly. One perennial issue, the difference between the interests of commercial Wilmington and those of the remainder of the colony, already were apparent. Wilmington wanted to become the county seat, but a hundred years were to pass before it achieved this ambition. The jealousy of Kent and Sussex Counties toward New Castle County for its leadership in the movement for independence became evident in the decade before the Revolution.

The machinery of the colony's government included a one-chamber legislative body called the Assembly. It consisted of eighteen members presided over by an elected speaker. In the first meeting of any session, members chose a secretary and doorkeeper, and a sergeant-at-arms. The proprietors appointed a governor, usually a member of the Penn family, who had the right to veto bills passed by the Assembly.

Many facets of this society of 200 years ago were changed by the Revolution. The Anglican and Quaker denominations and such institutions as Wilmington Grammar School and Newark Academy underwent great strain. Some well-established leaders, Thomas Robinson for one, became discredited; and some Delawareans left the colony permanently to live in England or Canada. The structure of colonial society was shaken by the violence of the Revolutionary upheaval; it is well known that the society that arose in the new nation was more democratic than the colonial society it succeeded. But only gradually did the residents of the Three Lower Counties become involved in the Revolutionary struggle for independence.

Justice John Vinings's Library. The books listed here were those in Justice Vining's library at the time of his death. The list survives as part of the "Inventory and Appraisement of the Goods and Chattells which were of John Vining Esquire late of Kent County upon Delaware, deceased, taken by us the Subscribers [James Sykes and Thomas Rodney] in the Months of November & December . . . 1770."

The total inventory was evaluated at £1908.11.5. Books were among the commodities for which the colonists were most dependent upon European commerce, and consequently they were prized beyond their monetary value. The listed books in this inventory were valued at £54.18.6. Most valuable among them was the three-volume collection of John Locke's works, valued at £5, making it equal in value to each of the two least valuable slaves, "Sabina, very old," and "Harry, very old," who are listed in another section of the same inventory.

The number of volumes of multivolume works is shown in parentheses.

History of England	Plutarch's Lives (3)
Compleat Sheriff	Present State of Great Britain
Farmer's Letters	Coke's Institutes (folio)
Royal Comm't. Peru (folio)	General Geography
Holy Bible (folio)	Resolves (folio)
Dalton's Justice (folio)	Roman Antiquities
Young Man's Companion	Gulliver's Travels
Cato's Letters (2)	Manners of the Age
Grotius' Institutes	British Empire in America (2)
Guy Earl of Warwick	Conductor Generalis
Essay on Silk-Worms	Statute Law, Common Pleas
Old Body of Laws	Brown's Estimate of Manners
Select Trials (4)	And Principles of the
Atkins' Epitome of Navigation	Times (2)
Perpetual Almanack	Life of John Duke of
Locke's Works (folio, 3)	Marlborough (2)
Miscelanies by Doctor Swift (7)	Key to the Church Catechism
Independent Whig (2)	Annual Register
Durham's Agriculture (2)	Gordon's Geography
Shakespear's Plays (5)	Phoenix
Miller's Dictionary (3)	History of the Turks (3)

- Sir Walter Raleigh's History of
 the World (folio)
 Shaftsbury's Characteristicks (3)
 London Magazine
 Addison's Works (2)
 Abridgement of Statutes (3)
 Mathematicks (5)
 Nature Displayed (2)
 Rapine on Pastorals
 Glossary Grammar
 Accomplish'd Shipwright
 Gordon's Essays
 Durham's Astro Theology
 Josephus (folio)
 New Metamorphosis
 Mariner's Calendar
 Republick of Letters
 Sermons
 Tonnage and Poundage
 Female War
 Tilletson's Sermons (2)
 State Trials (3)
 Doctor Sacheveril's Trial
 Long Livers
 Atkinson's Navigation
 New State of England (2)
 French Gardener
 Weeks Preparation
 Mariner's Compass
 Societies for Reformation of
 Manners
 Whole Duty of Man
 Ben Johnson's Plays
 Pomphrict's Poems
 Sermons
 Practice of Physick
 Sermons
 Modern History
 Bulkley's Voyage
 Count Sax's Reveries
 Travels
 History of Rome
 Architecture Displayed
 Ovid's Epistles
 History of the New Testament
 Baxter's History
 Barclay's Apology
 Religion of Nature Delineated
 Spirit of the Laws (2)
 Smollet's Travels (2)
 General Geography (2)
 Principles of Bookkeeping
 Preparative to Pleading
 Sir John Oldham's Best
 Exercises
 Seneca's Morals
 Butler's Hudibrass
 Tale of a Tub
 Poems on Several Occasions
 Adventures of a Ginna
 Universal Gazetteer
 Fisher's Companion
 Switch for the Snake
 History of the Common Law of
 England
 Logick, or the Art of
 Thinking
 Swift's Works
 Jersey Laws
 Howe's Sermons
 Account of Two Missionary
 Voyages
 Library of the Law
 Clerk's Tutor in Chancery
 Abridgement of Statute Laws
 Laws of this Government
 Puffendorff (folio)
 Hawkins' Pleas of the
 Crown (folio)
 Lilly's Entries (folio)
 Pennsylvania Laws
 Law Dictionary
 Finch's Description of the Laws
 of England
 A Parcel of Very Old Books
 Atterbury's Sermons (3)

Sherlock's Sermons
Affairs Maritime
Ovid's Metamorphoses
Athenian Oracle

Crown Circuit Companion
Finch's Laws of England
Law of Evidence
Library of the Law

*Anno Domini, Millefimo Septin-
gentesimo Septuagesimo Sexto.*

ARTICLES

AND

R. M. W. Jones
RULES

FOR

Encouraging the Affociation,

AND THE

Better Governing the Militia,

In the Government of the Counties of *New-castle,*
Kent and Suffex, upon *Delaware.*



W I L M I N G T O N,

Printed by JAMES ADAMS, 1776.



John Dickinson

Courtesy, Delaware Division of Historical and Cultural Affairs

Chapter Two

Delawareans Become Involved, 1765-1776

DELAWAREANS DID NOT see trouble ahead in the 1760s. Now that the French had been defeated in the French and Indian War, they expected to concentrate on increasing commerce, cultivating more land, and attaining new heights of prosperity. Separation from the country from which they or their ancestors had come — the wealthiest and most powerful empire in the world — seemed unthinkable.

The troubles began quietly enough. In order to have the American colonies pay a part of the cost of the French and Indian War, Parliament in 1765 passed a Stamp Act, which required that stamps be purchased to be placed on legal documents, licenses, and newspapers. As Thomas Rodney recalled at a later time, "This act like an Electric Shock roused at once and provoked the Opposition of all the Colonies to its Execution." (It is surprising to find a reference to electricity at this early date, about 1790;

Rodney was probably familiar with Benjamin Franklin's experiments with lightning earlier in the century.)

John Hughes, a partisan of Benjamin Franklin, served as distributor of the stamps in Pennsylvania and the Three Lower Counties. Handbills and newspapers warned Delaware River pilots not to guide the British ships carrying the stamps up the river. After the stamps arrived off New Castle in October, 1765, Hughes was afraid to take possession of them because aroused citizens in Philadelphia threatened to tar and feather him. A mob forced him to agree not to handle the stamps unless they were used elsewhere. A month later, public pressure extracted from him a more thoroughgoing disavowal of the stamps.

While these events were taking place, Caesar Rodney, the colony's foremost revolutionary leader, and Thomas McKean, a spirited young lawyer of Scotch-Irish background from New Castle County, were meeting with other delegates in New York in the Stamp Act Congress. Assemblymen in each of the three counties, giving almost identical sets of instructions, had appointed these two delegates. All three appointment letters suggested that petitions to the King and Parliament should be the remedy. In addition, the appointment letter from New Castle County complained of "the weighty and oppressive Taxes" imposed by the British Parliament and of "the great infringement of the Liberties and just established Rights of all His Majesty's Colonies on this Continent."

The two Delawareans played an active part in framing protests to the British government in opposition to the Stamp Act. Impressed by the brilliance of the delegates, Rodney referred to the members as "an Assembly of the greatest Ability I ever Yet saw." Its task, as he saw it, involved stating its demands in polite terms but avoiding infringing upon the rights of Parliament.

When the Courts of Quarter Sessions and Common Pleas met at New Castle in February, 1766, under pressure

from the freemen of the county the grand jury refused to act unless the courts disregarded the Stamp Act. The justices, clerks, and attorneys then decided to conduct business without the use of stamps. "*A noble example this for other courts and grand juries,*" claimed the reporter of the proceedings from New Castle in the *Pennsylvania Journal*.

Perhaps this newspaper article influenced the Sons of Liberty of Sussex County to meet at Lewes in March, 1766, to protest the imposition of the stamp tax as "un-constitutional, destructive of our natural Rights and Liberties, and introductive of base Servitude to the latest Posterity." Demanding the keys to the courthouse, they took possession of the county magazine and of the drum and colors with the motto *Pro Rege, Pro Patria, Pro Libertate*. They fired cannon, raised huzzahs, and drank toasts to King George, "Liberty and its Abettors," and "Confusion to the Abettors of the Stamp Act." Afterwards they retired to the courthouse to hear a piece read, supposedly written by John Dickinson. They made most of the officials of the county promise not to use stamps. They asserted their loyalty to the king in resolutions, but proclaimed that the British government did not have the right to tax the colonies without their consent.

For several years thereafter, the residents of Sussex County assembled in March to celebrate the repeal of the Stamp Act. In 1770, they even planned to present a farce to ridicule the authors of the Stamp Act, but inclement weather prevented their carrying out the project. For a while it looked as if an annual "Liberty Day" would be held upon this occasion.

McKean and Rodney reported the actions of the Stamp Act Congress to the Assembly in May, 1766, and received approval of their participation and of the proceedings. A legislative committee appointed at a previous session gave a report which expressed the right of the people of the



colony to the “inherent Rights and Liberties” of British subjects, to taxation only with the consent given by colonial legislatures, and to trial by jury.

Meanwhile, the Stamp Act had been repealed. Nevertheless, the Assembly adopted these resolutions in June and sent them to the king along with an address of appreciation written by McKean, Rodney and George Read, a prominent lawyer from New Castle. Dennys de Berdt, the agent of the Three Lower Counties in London, wrote that the king was so pleased with the address of appreciation that he read it over twice. For de Berdt’s efforts, the legislators rewarded him with a piece of silver plate.

The American colonists’ joy over the repeal of the Stamp Act was short-lived. The British Parliament next attempted taxation in the form of customs duties in the Townshend Acts of 1768. The Assembly forwarded another protest to England. In common with the citizens of other colonies, Delawareans imposed an unofficial boycott and stopped buying British goods. To encourage the boycott, residents in the lower part of New Castle County met at Christiana Bridge in 1769 and signed a boycott agreement. In each hundred (a political subdivision of a county), two persons were appointed to a Committee of Inspection to watch for violations of the boycott agreement.

It is not known whether the people of Kent County took any special action in connection with the boycott. In Sussex County, David Hall, clerk of the Court of Quarter Sessions, advised the constables of the county to be alert for violations of the boycott because he believed that some English merchandise was being imported from Chesapeake Bay. Buyers of British goods ought to be reported to a Committee in Philadelphia as “Violators of the General Resolutions of the Different Colonies in North America and to be looked on with Disgrace as Atrocious Offenders.”

Apparently, the boycott was widely honored. The only

known violation involved a Wilmington shallopman who transported goods taken from a Scotch vessel to Philadelphia. Whether any action was taken against him is not known.

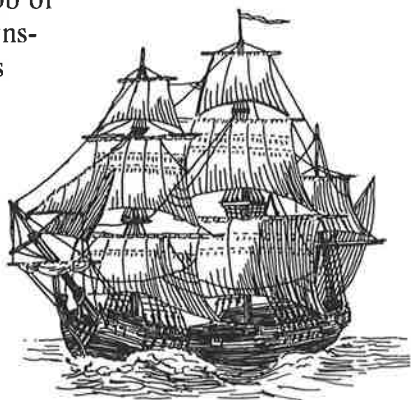
After the 1771 repeal of the Townshend Acts, except for the duty on tea, interest in political affairs died down until the British East India Company tried to market tea in the colonies. Thomas Rodney compared this "diabolical measure" to an "electric shock" in arousing America as he had the arrival of tax stamps eight years previously. In response to communications from Virginia, Massachusetts, and Rhode Island, the Assembly in October, 1773, appointed a Committee of Correspondence composed of George Read, Caesar Rodney, Thomas McKean, and John McKinly, a Wilmington physician, and Thomas Robinson, a large landowner and the most influential politician in Sussex County.

As it turned out, this membership presaged a future division in the county. Rodney and McKean were staunch supporters of the American cause. McKinly was so conservative and lackadaisical as the first president of the Delaware State that he was suspected in 1777 of being a Tory sympathizer. Read, believing that all efforts at conciliation with England had not yet been pursued, refused to vote for independence in the Continental Congress. (He later signed the Declaration of Independence. When a friend commented that by doing so he had placed a halter around his neck, he replied that it was a measure demanded by the crisis and that he was prepared to meet any consequences that might ensue.) Robinson, loath to break away from the mother country, became a Tory and stirred up trouble in Sussex County; he left the colony under threat of arrest by order of the Assembly.

The arrival in the Delaware River of the *Polly* (Captain Ayres) with a cargo of tea in December, 1773, caused great excitement. Mobs demonstrated against landing the cargo in Philadelphia, and handbills were distributed

threatening Delaware pilots with tar and feathers if they dared guide the vessel upstream. The *Polly* reached Chester, but after Captain Ayres attended a meeting in Philadelphia and saw demonstrations by thousands of residents he decided to sail back to England without unloading the cargo. Delawareans were vitally interested in these events, but there is no record of any meetings or the passage of resolutions in the Three Lower Counties.

In Boston, the reaction of the people to the arrival of a tea ship was different than in Philadelphia. There a mob of “Indians” (disguised townspeople, later sometimes called the Boston Mohawks!) threw the valuable cargo into the harbor. The British government responded by closing Boston harbor; and Parliament passed other retaliatory acts, demanding that the tea be paid for. Patriots labeled these measures “Intolerable Acts.”



Delawareans soon indicated that they supported Boston in this crisis. The colony's Committee of Correspondence arranged protest meetings in each county. The plan was the same in each case. After a speaker reviewed the relations between the colonies and the mother country, the meetings passed resolutions condemning the Intolerable Acts but expressing loyalty to Great Britain. At each of these gatherings the Speaker of the Assembly, Caesar Rodney, was requested to call a meeting of the legislature to elect members to the Continental Congress. At some point in these county deliberations a Committee of Correspondence was appointed, and arrangements were made to collect money for the relief of Boston. Thomas

McKean addressed the meetings in New Castle and Sussex counties, while the popular Reverend Samuel Magaw, an Anglican clergyman of Dover, gave the keynote address in Kent County.

When the Assembly met in New Castle in August, 1774, the members chose George Read, Thomas McKean, and Caesar Rodney to represent the Three Lower Counties in the Continental Congress. Thomas Robinson claimed that he was invited to attend but declined the invitation. Thus no one from Sussex County was chosen.

In the fall of 1774, the Continental Congress, meeting in Philadelphia, recommended to the colonies that they form vigilance committees to enforce a boycott on trade with England. New Castle County again led the Three Lower Counties in acting upon the suggestion; Kent and Sussex Counties acted later. Following an announcement, residents in each hundred in New Castle County elected members to Committees of Inspection in November, 1774. A "Friend of American Liberty" reported in a Philadelphia newspaper that it was inspiring to see large numbers of farmers in New Castle County lay aside every other concern to participate in these elections. He predicted that if any of these men were asked not to purchase certain articles, they would reply, "Well, I can do without them." In brief, the electors were determined, the writer believed, to use any means "to escape slavery."

These committees soon found much to do. John McKinly was chosen county chairman at a meeting of all the committees in the courthouse in New Castle in December, 1774. The meeting expressed approval of the actions of the Continental Congress. Anticipating the need to produce more wool, it recommended that no ewes or lambs be killed during the next year. At a later meeting in the same month, the committeemen took the first steps in forming a militia company.

Residents of New Castle County were brought before the hundred committees or county Committee of Inspec-

tion frequently. Capt. Alexander Porter, a member of the Assembly from New Castle County, was charged with not observing a fast day and of employing his Negroes in farming at that time. He explained that he feared his wheat might spoil unless it were immediately harvested. He had also heard rumors of a Negro insurrection and thought it best to keep his slaves busy. He expressed regrets for this violation and promised to obey the requests of Congress henceforth. Disliking criticism of the American cause, the committee forced the Reverend Morgan Edwards, a famous Baptist minister and historian of White Clay Hundred, and Hugh Calhoun of St. George's Hundred, to retract their statements critical of the Continental Congress. Revolutions, too, can be repressive of dissent.

In Kent County, the people elected the members of a County Committee of Inspection and Observation in December, 1774. The members were to be vigilant in reporting instances of purchases of imported British goods or of speculation. At the same time, a Committee of Correspondence was set up.

For Kent Countians, 1775 was a year of decision on where they were to stand in the dispute between England and the colonies. As Thomas Rodney observed many years later:

But in the course of this year it was that many of the officers of Government and some others seeing the dominating position of Britain and the determined resistance of America began to dread a Separation of the Two Countries and secretly to throw cold water on the ardor of the people by holding up to their view the vast power of the British nation and the improbability of succeeding in a Contest with them. This created some disaffection, but the great majority of the people still adhered firmly to their purpose.



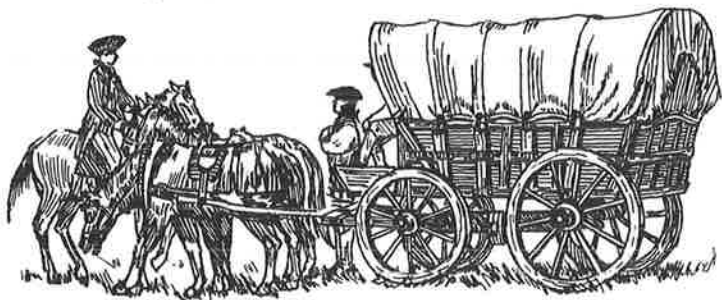
The Committee of Inspection and Observation had barely been established in Kent County when it became involved in a bitter controversy. A resident wrote to a friend in Philadelphia in February, 1775, that nine out of ten persons in Kent County would rally to the standard of King George if it were raised. After an excerpt from this letter appeared in the *Pennsylvania Ledger*, the committee tried to find the author. Months passed before the members obtained all the answers—that the recipient was Jabez Maud Fisher, father-in-law of Thomas Rodney, and that the writer was Robert Holliday, a Quaker and a respected elderly farmer who sometimes sat in the Assembly. The committee finally persuaded him to sign a statement that “none are more ready to oppose tyranny or to be first in the cause of liberty than the inhabitants of Kent County.”

Some people thought that Dr. Charles Ridgely, chairman of the Committee of Correspondence, might have been the author of the letter. A “prisbetarean” proclaimed him the author, and he was also charged with declaring that the Americans could not defend themselves against the might of England and that the members of Congress did not act like sensible men. When this “ringleader of Toryism” appeared before the Committee of Inspection and Observation, an expectant mob prepared tar and feathers, but a speech by Thomas Rodney — so he claimed at a later time — secured Ridgely’s acquittal. Henceforth this Dover physician was less active in politics, probably looking with disfavor on the means the Whigs were using to attain their ends; nevertheless he continued to serve as Kent County treasurer.

The people of Kent County did not always wait for the Committee of Inspection and Observation to act; sometimes they took the law into their own hands. One afternoon in July, 1775, a young British tax collector of Georgetown, Maryland, named Robert Strafford Byrne, stopped two wagons driven by men named Shanahan and White of Duck Creek on their way to Chestertown with

cargoes of coffee, rum, sugar, and piece goods. For lack of proper papers he bade the drivers follow him to Downes' tavern, close to the Maryland line. Here Byrne had several drinks, and the drivers took advantage of this opportunity to push on as rapidly as possible, hoping to escape. Unfortunately for them, the determined young customs official soon overtook them.

When some young men in the vicinity learned that a tax collector had seized the wagons, they decided to take action. They captured Byrne and led him to the nearby



mill of Oliver Gallop. There he was "varnished" and feathered, and sprinkled with "Newberry rum," water taken from a duck hole. He was held under water until he saw merit in the American cause and gladly damned "Bute, North, and all their brethen and followers for a parcel of Ministerial Sons of Bitches" to the accompaniment of cries of "Liberty and Duck Creek forever!" Under duress he promised to surrender his commission, to leave the province, and to inform North that had he been in his place, he would have received worse treatment. An authority on the activities of the British customs office cites this incident as the "one known attempt to extend customs control over land transportation from one colony to another." British officials eventually awarded the harassed collector of customs £ 50 for the loss of his purse and clothing and for the injury to his pride.

The Committee of Inspection and Observation in Kent County was very active in 1775. In one case, the com-

mittee investigated the complaint of Constable Joseph Parsons of Murderkill Hundred that he had been tarred and feathered simply for acting as an agent to enforce the law, but the persons responsible were not found. The committee suspected that the Reverend Sydenham Thorne of the Anglican church did not fully support the American cause. He appeared before the committee several times but charges were not proven. The committee also forced Daniel Varnum to express regret for having said that he would as soon be under a tyrannical king as a tyrannical commonwealth, "especially if the d——d Presbyterians had the control of it."

John Cowgill, a respected Quaker of Duck Creek, refused on religious grounds to accept Continental paper money. The Committee of Inspection and Observation denounced him as an enemy of his country and recommended that the friends of American liberty have nothing to do with him. Millers refused to grind his corn, shallopmen would not transport his grain, and the schoolmaster sent his children home. On one occasion, fifteen armed men in Dover fastened a sign on his back with the inscription, "On the circulation of the Continental Currency depends the fate of America." He was carted through the streets, while a drum was beaten to call attention to his plight.

The people of western Sussex County indicated their patriotism in June, 1775, when they met to discuss the possibility of forming a fourth county at Broad Creek, at the head of Indian River. A committee sent copies of the proceedings to a Pennsylvania newspaper and explained that their tardiness in cooperating in patriotic endeavors was not because of the influence of Tories but because of the unsettled boundaries between the Lower Counties and Maryland. Now that these lines had been fixed, they hoped to raise 1,500 militiamen and demonstrate their patriotism. They had already chosen a Committee of Correspondence. This newspaper notice was the last thing heard about these patriotic efforts.

Nothing is known about the exact date of the formation of a Committee of Inspection and Observation in Sussex County, but it was probably organized in December, 1774, at the same time as the Kent County Committee was organized. The most difficult case before this committee involved Thomas Robinson. He was charged with selling tea in his store, stating that Congress was an unconstitutional body of men, and denouncing taking up arms against the king as traitorous. Some members of the committee defended Robinson while others believed the accusations against him true. The charges and countercharges were published in Pennsylvania newspapers. The committee was stalemated; no action is known to have been taken.

When Robinson and Jacob Moore, attorney general for both New Castle and Sussex counties, were on their way to take their seats in the Assembly in March, 1776, the Dover Light Infantry held Robinson prisoner as an enemy to his country at the tavern called the George Washington and also seized his companion, who had drawn a sword in Robinson's defense. Robinson denied the allegations that had been published against him. The Kent County members of the Assembly pleaded for his release because of urgent business before that body. Upon a promise that the Assembly would investigate Robinson's conduct, the two politicians were freed. No subsequent action was taken.

The activities of the Committees of Inspection in the three counties made the populace more aware of the seriousness of the crisis in Anglo-American relations. Read, McKean, and Rodney were again appointed delegates to the Second Continental Congress in March, 1775. By the time that body met in Philadelphia, fighting had begun at Lexington and Concord, Massachusetts, when British troops marched out from Boston to seize ammunition stockpiled by patriots. The Continental Congress appointed George Washington, a Virginian who

had gained military experience in the French and Indian War, to command the Continental Army battling the British forces in Boston. Many still hoped that the differences would be reconciled, but the breach was never healed. After Washington's forces got command of the heights above Boston in the spring of 1776, the British withdrew to Nova Scotia. Late in the summer they began an attack on Long Island.

In the spring of 1776, British ships appeared in Delaware Bay and River to harass shipping. Two British men of war, the *Roebuck* with forty-four guns and the *Liverpool* with twenty-eight guns, sailed up the Delaware River as far as the mouth of Christina Creek. Fearing that the safety of Philadelphia was endangered, the Pennsylvania Committee of Safety assembled thirteen row galleys, each loaded with one gun, a floating battery of ten 18-pounders, and a sloop fitted as a fire ship. In addition, several companies of New Castle County militia were gathered along the shore. Sharp fighting followed on May 8 and 9, with little damage to either side. At one point the *Roebuck* was grounded in the soft mud, but she floated at high water without having been damaged. The British commanders decided that they could not force their way to Philadelphia and withdrew.

The *Constitutional Gazette* of May 11, 1776, ran an account of the naval battle under the headline "Extract of a letter from Philadelphia, dated Thursday morning, 10 o'clock, May 9."

My last of Tuesday informed you, that the two men of war had appeared off Reedy Island. That day orders were sent for all the galleys to go down and attack them. The galleys accordingly, 13 in number, left Fort Island, where they were stationed, about 9 miles below this city, yesterday morning. The two men of war were then got up as high as Christeen

Creek, and they were the *Roebuck* of 44 guns, and the *Liverpool* of 28. The boats got down about two o'clock, and began the attack. The guns were soon distinctly heard in town. The engagement lasted till five o'clock, when the *Roebuck* ran ashore on the Jersey side. The *Liverpool* came too near her. In the evening we had several expresses one after another from Wilmington and the banks of Christeen, with variety of accounts. After the *Roebuck* went on shore the fire ceased on both sides, it was then top high water. The following letter is the only account we have from on board the galleys, which may be depended on.

Off high Lands of Christeen, Wednesday 5 o'clock. About two o'clock an engagement began, which continued upwards of two hours, and believe successful on our side. In the course of the engagement the *Roebuck* ran ashore, and is now fast on the Jersey shore, at Kearney's Point, a little above Deep Water Point. Our fleet has suffered no injury but by a single shot which struck the *Camden*, but has done her little damage. We expect in a hour's time she will be on the careen, when a second attack will be made upon her, and hope it will be crowned with success. The other ship has come too under the *Roebuck's* stern within musket shot.

Thus stands the accounts we have received. No express this morning. About one o'clock this morning several guns were heard. We are impatiently waiting for further accounts. The *Province* ship of 10 eighteen pounders, the ship *Reprisal* of 16 six pounders, and the *Hornet* sloop of 10 guns, are ordered down to the assistance of the galleys. While the men of war were engaged, the *Wasp* armed schooner came out of Christeen creek, and retook a brig which the pirates had taken.

Capt. Andrew Snape Hammond of the *Roebuck* viewed the two-day battle in a different light, as his ship's log shows:

5th May [1776] As I now began to grow short of water, and had lighten'd the Ship to as easy a draught of water as I could, which was abt 18 F. 6 I. I took the *Liverpool* with me & sailed up the River in order to fill my empty casks, and reconnoitre the Enemy's force of the River. We arrived off Wilmington the 7th where we drove a Vessel ashore, and not being able to get her off proceeded to Unload her of her cargoe which was Bread & Flour.

8th May The next day about 1 in the afternoon, I perceived the Arm'd craft of the River coming down, before the wind, with an appearance of attacking us. Their Fleet consisted of 13 Row Gallies, each carrying one Gun from 32 Poundrs to 18 pdrs, a Floating Battery of 10 Eighteen pdrs and a Sloop fitted as a fire ship. We met them under sail (as the Tide ran too rapid to ride with a Spring upon the Cable) and lay under the disadvantage of being obliged to engage them at the distance they chose to fix on, which was scarcely within point blank Shot: and being such low objects on the water, it was with some difficulty that we could strike them, so that we fired upon them near two hours before they thought proper to retire, and row off. Unfortunately, at this Juncture the *Roebuck* grounded, and being high water, could not be got off till 4 the next mornng but as it was soft mud the Ship did not receive the least damage.

The Gallies rowed to a point of land on the Western shore about 4 Miles above us, and anchored also.

When I found there was no prospect of being able to get near them and that they intended to retire up the River as I advanced, and not having a force with me sufficient to authorize me to attempt to force the fortified pass of the River, I consulted with Captain Bellew, who agreed with me in opinion, that it would answer no good purpose to go further up the River,

which every mile made more intricate, but that it was best to try if we could draw the Galleys down to a wider part of the river, where we should be in less danger of getting a ground, and where we could run near them, and have a better chance of destroying them. Accordingly when the ebb tide made, about 5 in the afternoon, we got under way and turned down under an easy sail. The Galleys, with their former attendants, encreased by several large launches, with each a cannon mounted in the Bow, immediately followed us, and kept up a smart fire, but cautiously remained at their usual distance. This gave me great hopes, I should be able to draw them into a wide part of the River, but about 10 at Night they thought proper to Stop near New Castle; upon which I immediately dropped Anchor, flattering Myself they remained there, either on Account of the darkness of the night, or that some of them were disabled, the latter of which appeared to be the case, as the next morning we saw only 11 Sail one of which had lost his Mast.

The clash between American vessels and the *Roebuck* and *Liverpool* in Delaware River helped to make 1776 a year of decision. The names "Whig" and "Tory" had identified rival political factions in the Three Lower Counties previously, but now they began to be used to distinguish persons favoring and opposing independence. Col. Allen McLane many years after the Revolution fixed the date of decision as June, 1776. A petition for the establishment of a new government in the Three Lower Counties was then being circulated; both sides realized that it "savoured" of independence. McLane observed,

At this time, the line was drawn between Whig and Tory. Those opposed to independence was Denominated Torys and many of the Whigs treated

them as Enemies. When the Question was first agitated in the committees a considerable majority was opposed to the measure. The few Whigs (and very few indeed) became Desperate, Dreaded the Consequences of being captured and treated as rebels. Attacked the disaffected with tar and feathers, rotten eggs, &c, &c, and succeeded in silencing the disaffected and then filling these committees with men determined to be free.

Caesar Rodney acknowledged this change in terminology at about the same time. He wrote on May 1, 1776, concerning a Philadelphia election, "The Terms for the parties are Tory & Whig — Dependence and Independence." In a partisan political narrative written twelve years later, Dr. James Tilton similarly recalled these months as the time of decision for or against independence.

In Philadelphia the members of the Continental Congress voted on May 10 to recommend the formation of new governments in colonies where existing governments were inadequate to the needs of the colonists. This action was publicized on May 15. "Most of those here who are termed the *Cool Considerate Men*," wrote Caesar Rodney from Philadelphia to his brother, "think it amounts to a declaration of Independence. It certainly savours of it, but you will see and judge for Your Self."

A few weeks later on June 7, Richard Henry Lee, a Virginia delegate, introduced a resolution for independence in the Continental Congress; on June 11 Congress elected five men to write the declaration but postponed further action until July 1 to give delegates time to consult their state governments.

These actions of the Continental Congress had a tremendous impact in the Three Lower Counties. Reaction to the proposal for the formation of new state governments came first. Claiming that the existing govern-



**Caesar Rodney's arrival in Philadelphia July 2, 1776,
to vote for independence.**

Courtesy, Delaware Trust Company.

ning the recommendation of the Continental Congress for the creation of new governments is not known. When the Assembly met in New Castle on June 15, it took the momentous step of severing ties with the crown. Until a new government could be formed, officeholders were directed to conduct business in the names of the government of the counties of New Castle, Kent, and Sussex upon Delaware rather than in the name of the king.

Thus June 15 is the birthday of the Delaware State. Henceforth, the Three Lower Counties were not a colony dependent on Great Britain but an independent state. In recent years, "Separation Day" has been celebrated with special festivities. In 1974, the official celebration was held at the reopening of Prince George's Chapel in Sussex County.

At this important session of the Assembly on June 15, 1776, the members also discussed the resolution for independence introduced in the Continental Congress by Richard Henry Lee. They changed the instructions to the delegates from the Three Lower Counties, Rodney, Read, and McKean, by omitting the recommendation that they work for conciliation with the mother country. Henceforth the Delaware delegates could vote as they wished on Lee's resolution.

Each of the thirteen colonies in the Continental Congress had only one vote to cast on any question. When the debate on Lee's motion of June 7 resumed on July 1, only McKean and Read were present from Delaware. McKean was in favor of independence, while Read was not yet ready to accept such a radical proposal. Like John Dickinson, who was present as a delegate from Pennsylvania and was also not prepared to favor such a change, Read did not feel that all avenues to conciliation with England had yet been explored. Later in the summer Read signed the Declaration of Independence; but Dickinson never did, though he demonstrated his patriotism immediately after the vote by serving with the Continental Army.

ment in the colony was not sufficiently strong to guide the state in these difficult times, the Whigs in Kent and Sussex Counties circulated a petition favoring a change. The Tories circulated a counterpetition supporting the status quo, contending that the existing Assembly was "competent and adequate." Each faction attempted to gather signatures prior to the meeting of the Assembly in New Castle in the middle of June, 1776.

The Tories were more successful in their efforts than were the Whigs. Thomas Rodney encountered apathy and indifference in Kent County. His friend John Haslet came to believe that the majority of the people in Kent and Sussex Counties did not favor change. At a later time, Thomas Robinson, the dominant leader of the Tories in Sussex County, claimed that the Tory petition received 5,000 signatures while that of the Whigs bore only 300 names.

These petitions were argued in a meeting of the Committee of Inspection and Observation at Dover on Saturday, June 8. This spirited session lasted from 3 in the afternoon until 9 at night, and meanwhile hundreds of persons were milling around outside the meeting room. The committee approved the recommendation by Congress to form a new state government, but rejected by a vote of 15 to 9 a proposal that the Assembly put it into effect immediately. The Tory petition was condemned.

The Kent County Committee of Inspection and Observation thus had apparently acted contrary to the wishes of the majority of the inhabitants of the county. It is not surprising that the committee's actions contributed to the so-called Black Monday insurrection in Dover two days later. The Tory petition seems to have been destroyed by the Kent County committee at this time. In reaction, many persons in Sussex County who had signed it were offended and rose up in insurrection later in June.

Whether the Committees of Inspection and Observation in the other two counties took any special action concer-



The New Castle Court House as it appeared when the Delaware Assembly voted to be independent from England.

Courtesy, Delaware Trust Company

In order to break the deadlock in the Delaware delegation, McKean sent a message urging Rodney to come to Philadelphia immediately to cast his vote. The Kent County delegate had been delayed by his duties as Speaker of the Assembly and by investigating the causes of the recent insurrection in Sussex County. He probably received the message at Byfield, his plantation near Dover

Rodney set out for Philadelphia immediately upon receipt of McKean's message — some say by horseback, as the statue in Wilmington's Rodney Square pictures him; others say in a carriage, as his brother and Allen McLane recalled years later. Riding through "thunder and rain," he arrived on July 2 in time to break the tie of the Delaware delegates by voting for independence. Thus Delaware joined the other states in favoring independence. Two days later the Continental Congress approved the wording of the Declaration of Independence and formally announced its actions. For this reason, the nation has celebrated Independence Day on July 4 rather than on July 2.

If Lt. Enoch Anderson's memory was accurate, the first celebration of independence in Delaware took place in New Castle on July 4, 1776. On that day, his battalion, which had recently returned from Lewes, marched from Wilmington to the county seat. "We took out of the Court House all the insignia of

monarchy — all the baubles of Royalty, and made a pile of them before the Court House," he recalled years later, "set fire to them and burnt them to ashes. This was our first jubilee on the Fourth of July, 1776, and a merry day we made of it."



In connection with the Tory insurrection of 1776, Col. John Haslet was still on duty in Sussex County on July 5 when news arrived at Lewes of the action of the Continental Congress. The next day he wrote to his friend, Caesar Rodney, "I congratulate you, Sir, on the Important Day which restores to every American his Birthright, a day which Every Freeman will record with gratitude and the Millions of Posterity will read with Rapture." The Declaration of Independence was read to the Delaware battalion at Lewes on July 10. A more formal celebration in Lewes followed ten days later when three cannon were fired and three toasts drunk.

Later in July, Caesar Rodney, as Speaker of the Assembly, summoned the members to plan for holding a Constitutional Convention. Arrangements were made that each county should elect ten delegates to attend the Constitutional Convention meeting in New Castle in August.

When the Committee of Inspection and Observation in Kent County received this piece of good news, the members marched in a body to the courthouse in Dover. They interrupted an election of militia officers and persuaded the presiding officer to read the resolutions of the Assembly calling for a Constitutional Convention as well as the Declaration of Independence. Followed by a crowd, the committee members then gathered in a circle around a bonfire on the courthouse square. The committee president cast a picture of King George III into it saying, "Compelled by strong necessity thus we destroy even the shadow of that King who refused to reign over a free people."

Thomas Rodney was present in New Castle when the Declaration of Independence was read to a crowd assembled for the purpose on July 24. "This day," he wrote, "the Declaration of Independence was read in forum here in the presence of the House of Assembly and 400 to 500 people, the principal inhabitants of this County, who gave three

Huzzas, and immediately took the King's arms and burnt them with the Constable's Stave, etc."

In the subsequent campaign for election of delegates to the state Constitutional Convention, Whigs and Tories exerted themselves to the fullest. A mixed representation of conservatives and liberals was returned in New Castle County, but to the disappointment of Caesar Rodney a conservative ticket was chosen in Kent County. He and his friends were not elected. He attributed their defeat to such factors as the departure of the Continental Battalion from the county and the conduct of the Dover Light Infantry. A double set of returns prevailed in Sussex County, but the convention decided in favor of the conservative ticket. This decision insured that the moderates would dominate the convention.

When the Constitutional Convention assembled late in August, George Read was chosen president. A committee was appointed to prepare a Bill of Rights. The members had copies of Bills of Rights recently considered in Maryland and Pennsylvania. The Delaware Bill of Rights shows the influence of these models.

The body of the Constitution was quickly adopted. Thomas McKean once claimed that he struck off the document during the course of an evening at a tavern table. But John Haslet heard that George Read had dominated the proceedings. Apparently there were many changes and compromises, and it is doubtful that any one person really determined the Constitution's contents. The deliberations lasted less than one month, and the members approved the new constitution on September 20. Since ratification by the people was not required, the new government began as of that day. Henceforth, the official name of the new government became "The Delaware State." In recent years, September 20 has been celebrated as "Constitution Day."

The Delaware Constitution of 1776 established a conservative government. John Haslet believed that the

members had “done as little as possible and modeled their new government as like the old as may be.” The Assembly became a bicameral body. The upper house of nine members was called the Legislative Council, and the lower house of twenty-one members was known as the House of Assembly. In joint session the two houses chose a president who enjoyed a three-year term. He governed with the assistance of a four-man Privy Council. Notable was a provision urging the banning of importation of slaves from Africa or elsewhere. This constitution continued in effect until 1792.

Under the new Constitution, officials already in office, except for Governor Penn, continued to perform their duties. The two houses divided the legislative power. A multiplicity of legislative bodies and courts made it almost necessary that the chief executive provide effective leadership if the system were to function smoothly, but the Constitution gave him only limited powers. Later, John Dickinson, as president of the Delaware State, made the government function well because he was an effective administrator; his predecessors in office, John McKinly and Caesar Rodney, had less success.

In comparison with the previous government, the structure provided by the new Constitution was cumbersome and frequently inefficient. The chief executive was hampered by an advisory committee; two legislative bodies had to agree to adopt bills; the court system was more complex. Some of these problems were remedied in 1792 when a new Constitution was framed.

Within less than two years — from the meeting of the First Continental Congress in 1774 to the Declaration of Independence in 1776 — the ancient ties with Great Britain had been severed and a new state born. Whether this infant state would be able to survive in a tumultuous, war-torn world was uncertain. Its life was threatened on every side.

CONSTITUTION
of the
STATE OF DELAWARE
adopted September 20, 1776

The Constitution or System of Government, agreed to and resolved upon by the Representatives in full Convention of the Delaware State, formerly stiled 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.

ART. 1. The 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*.

ART. 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*.

ART. 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.

ART. 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.

ART. 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.

ART. 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.

ART. 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 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 recess 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.

ART. 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 this rotation of a Privy Counsellor shall be continued afterwards in due order annually forever. The President may by summons convene the Privy Council at any time when the public exigencies may require, and at such place as he shall think most convenient, when and where they are to attend accordingly.

ART. 9. The President, with the advice and consent of the Privy Council, may embody the militia, and act as Captain General and Commander in Chief of them and the other military force of this state under the laws of the same.

ART. 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.

ART. 11. The Delegates for Delaware to the Congress of the United States of America shall be chosen annually, or superseded in the mean time, by joint ballot of both Houses in the General Assembly.

ART. 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 of the 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 Legislature shall think proper to increase the number, they shall be nominated and appointed in like manner. The Members of the Legislative 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.

ART. 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.

ART. 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.

ART. 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.

ART. 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 necessary civil officers not herein before mentioned.

ART. 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 resort 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.

ART. 18. The Justices of the Supreme Court and Courts of Common Pleas, the Members of the Privy Council, the Secretary, the Trustees 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.

ART. 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.

ART. 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*.

ART. 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.

ART. 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, *to 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.

ART. 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.

ART. 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.

ART. 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.

ART. 26. No person hereafter imported into this state from Africa ought to be held in slavery under any pretence whatever, and no Negro, Indian or Mulatto slave, ought to be brought into this state for sale from any part of the world.

ART. 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 into 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.

ART. 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 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.

ART. 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.

ART. 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.





Chapter Three

Stress and Strain, 1776-1783

THE IMPACT of the war for independence on the lives of the people, on the government, on towns and on institutions was drastic, so much so that the war has been called "Revolutionary." The lives of the people were affected by new experiences, by the separation of families, by violent death, and by exile. The government of the state under a new Constitution faced internal and external pressures that it had not known in the past. Towns, schools, and churches suffered from the priorities of war and the dislocations caused by the fighting.

In these difficult times the political fortunes of a few Delawareans advanced, such as those of Caesar Rodney, Thomas McKean, George Read, and John Dickinson; but the fortunes of many others declined. As an early leader for independence, one who had attended the Stamp Act Congress and signed the Declaration of Independence, Caesar Rodney went on to become president of the Delaware State and a delegate to the Continental



Courtesy, Delaware Trust Company

Congress. One of the most respected, popular, and trusted Whig leaders, he was seldom out of office until his death in 1784.

Thomas McKean had helped to ensure the success of the independence movement in the state by serving in the Stamp Act Congress, by signing the Declaration of Independence, by aiding in the writing of the Constitution of 1776, and by acting as president briefly in the difficult days after the British occupation. In 1779, he announced in the *Pennsylvania Journal* to his Delaware constituents that after seventeen years of service he would no longer run for office in Delaware because of other interests. Later, in Pennsylvania, he became chief justice and governor.

George Read was a different kind of leader. A brilliant lawyer and a representative of the propertied and mercantile classes in New Castle County, he had signed the Declaration of Independence only reluctantly. He cautiously accepted the political changes of the day, but this caution suited many of his constituents, who showed their approval by sending him to the U.S. Congress and to the General Assembly of Delaware repeatedly. He could have been reelected president of the state in 1778, but he preferred to step out of office because of many pressing commitments. For years after the Revolution he remained one of the most important political leaders in the state.

John Dickinson, like McKean, had important political interests beyond the Three Lower Counties. Long before the Revolution, he was making his way in Pennsylvania politics and at the Philadelphia bar. Of Quaker background, educated in part in law in England, he had a broader, more cosmopolitan, more urbane outlook on affairs than many of his contemporaries. Born in Maryland, he retained the ancestral home in Jones' Neck in Kent County, Delaware, even though he later had homes in Philadelphia and Wilmington. His essays, previously mentioned, first published in a Pennsylvania newspaper in 1767 and 1768, on the problems at issue between England and America, brought him fame around the world. As a Pennsylvania delegate to the Second Continental Congress, he did not sign the Declaration of Independence because he wished the path of conciliation with England to be pursued further. Delawareans did not think less of him because he did not sign the Declaration of Independence, and in 1777 the General Assembly returned him to the Continental Congress. In 1781 he returned to Delaware to straighten out personal affairs, intending to remain only a few months. He was elected to serve on the Legislative Council, and later the General Assembly elected him president of the Delaware State.

The war also had an impact on Thomas Rodney,

younger brother of the Signer. As a young man he served in the Assembly, was an active member of the Committee of Correspondence and of the Committee of Inspection and Observation of Kent County, and became captain of the Dover Light Infantry. Subsequently he led a battalion to New Jersey where it served as part of the Continental Army and participated in the Battle of Princeton. During the war he became a judge in the Admiralty Court and represented the state in the Continental Congress. As the years passed, he came to exaggerate his influence on Revolutionary events, claiming that he was instrumental in persuading his brother to vote for independence and taking much credit for the Continental Army's victory at Princeton.

The lowest point of Thomas Rodney's career came in 1790 when he was held prisoner in Dover jail for failing to meet his financial obligations. There followed a long period when he held no political office. His political fortunes miraculously revived with the coming of Thomas Jefferson to the presidency in 1801 and the rise of his son, Caesar A. Rodney, to eminence as attorney general of the United States. As a result, he spent his last years as United States judge in Mississippi.

A close friend of Thomas Rodney was Dr. James Tilton of Dover. A native of Kent County, he was a graduate of the first class from the Medical Department of the University of Pennsylvania in 1771. He began his medical practice in Dover about the time that England and the American colonies started to quarrel, and became a good friend of Thomas Rodney and John Haslet through his involvement in politics. In 1775, he served as a lieutenant in Rodney's Dover Light Infantry. When the Delaware Regiment was organized in 1776, he became its medical officer. With his neighbors from Kent County, he fought on Long Island and in northern New Jersey. When placed in charge of the General Hospital at Princeton, he revolutionized the care of patients by placing them in



First U.S. surgeon general, veteran of two wars, scientist, educator—Dr. James Tilton was all these and much more. Battlefield scene depicts Tilton's Revolutionary service.

groups of six in log huts amply ventilated, thus effectively isolating contagious cases and effecting a sharp decrease in the death rate due to typhus. During the Yorktown campaign he was in charge of a hospital at Williamsburg.

Following the war he moved to Wilmington and lived at Federal Hill, or Bellevue, at the southwest corner of Ninth and Broom streets. He unsuccessfully urged that the national capital be located in Wilmington on the site of his home. He served in the Delaware legislature and in Congress. When the Delaware Medical Society was organized in 1789, he became its first president. During the War of 1812, Congress created the post of Surgeon-General of the United States Army, and he was the first to hold the post. With reason, he has been called Delaware's greatest physician. During the Civil War, an army hospital in Wilmington bore his name.

The Revolution also had its impact on the most important political leader of the opposition. The dominant figure in Sussex County politics at the beginning of the Revolution was Thomas Robinson, a storekeeper and large landowner. He was not willing to go along with the idea of independence, calling the Continental Congress a pack of fools and questioning whether American forces could defeat well-trained British troops. He encouraged his neighbors to sign a petition opposing a change of government within the state as unnecessary. He corresponded with British officers, recruited pilots, and suggested the names of Tories who might be of service. When his treachery (or loyalty, depending on your point of view) was exposed through an intercepted letter, he fled to the British lines and served in the British army. When the British left New York, he moved to Nova Scotia. The General Assembly included his name in a list of loyalists exempted from pardon, and the state confiscated and sold his lands. Through the kindness of President Nicholas Van Dyke in 1786 he was permitted to return to Delaware to spend the last years of his life.

No other loyalist leader was as able to inspire people to political action as was Robinson. Perhaps his flight explains why the Tories in lower Delaware, though numerous, were not more active or better organized. Such persons as Joshua Hill and Simon Kollock of Sussex County were plainly lesser men, and apparently Richard Bassett and Thomas White, who were accused of leading the Black Monday insurrection in Dover in 1776, were only airing local grievances, as we shall later see.

The war ruptured the fortunes of Joshua Hill, owner of extensive lands in Sussex County and member of the Assembly. At first a "Convention man" — that is, one favoring the calling of the Constitutional Convention of 1776 — he gradually became critical of Congress and came to favor the British cause. When a Revolutionary sergeant and two soldiers came to arrest him at his farmhouse in 1778, he invited them in to eat and drink. They put down their weapons and began to chat. Hill suddenly seized one of the guns and fired, killing one soldier and wounding another so severely that he died the next day. Hill then fled into the swamps of Sussex County and remained there for four months before he managed to reach a British ship. His eldest son followed him into the British army; but his wife and the remainder of his family were faithful to the American cause. The state confiscated and sold his property. After the war, he resettled in Canada.

The war not only altered the lives of Delaware politicians; it overwhelmed the lives, fortunes and careers of other Delawareans as well. Benjamin Galloway was a fisherman and farmer in northwestern Kent County near the Maryland border when the Revolution began. The war changed his life. Galloway led recruits to join Howe's army in Philadelphia and later became involved in Cheney Clow's insurrection near his own farm in Kent County in the spring of 1778. In retaliation, the Whigs evicted his family from their rented home and threw them out into the

snow; his cattle were driven away and sold. When he returned to the state in 1780 in a vessel under a flag of truce to bring away his family, he was seized and placed in Lewes jail as a traitor. He managed to escape and rejoined the British army.

Like any other war, the Revolution provided many opportunities for soldiering. John Haslet, born in northern Ireland and a medical graduate of the University of Edinburgh, had already achieved distinction through service in the French and Indian War. After that war he had purchased a large tract of land near Dover, on which he built a large, comfortable farmhouse. Respected by his neighbors, he became an elder of the Presbyterian church and served in the General Assembly. Along with Caesar Rodney, he was elected a colonel of the Kent militia in 1775. He was a logical choice to be chosen colonel of the Delaware Regiment in January 1776. An ardent believer in independence, he served with bravery and distinction until his death at the Battle of Princeton in 1777.

Young James McCallmont of Newport had just graduated from Newark Academy and finished his study of medicine with Dr. Matthew Wilson of Lewes when the war broke out. In 1776, he secured an appointment on the sixteen-gun brigantine *Lexington*. After the vessel was seized by the enemy off Cape Francois, he was instrumental in its recapture and in steering it successfully to Baltimore. He returned to sea to act as a surgeon or captain of marines on several privateers. During the war, he witnessed the capture of forty vessels and a thousand prisoners. After the war ended, he began to practice medicine in New Castle.

Peter Jaquett enlisted as an ensign in the Delaware Regiment in January, 1776, at the age of twenty-one. Seven years and ten months later he emerged a major. He fought in the middle states and in the South, participating in thirty-two pitched battles and many skirmishes, having many hairbreadth escapes, but avoiding serious injury.

At the Battle of Brandywine, he fought near General Lafayette. When Lafayette was wounded, Jaquett heard him call out to General Washington, “General, I am wounded!” The Virginian’s comment was, “I am sorry for it, Sir”; but Lafayette then said, “Sir, I am not sorry.”

A Delaware woman, Belle McClosky, who had followed her husband into the army, extracted the bullet from General Lafayette with scissors and placed it in her pocket. She kept this relic of the war constantly with her. When General Lafayette came to Wilmington in 1824, she asked Major Jaquett to present her to the gallant Frenchman. On that occasion she returned to him the bullet that she had extracted almost fifty years before.

Major Jaquett participated in the severe fighting of the southern campaign. The Delaware Regiment was so depleted that a remnant of only about 100 men served with the Virginia line under General Nathanael Greene. When peace came, Major Jaquett was in the South, penniless.



General Greene suggested that he earn his way back by taking charge of nine sick and wounded men. En route they could obtain supplies and food from army depots. Unfortunately, all of these turned out to be closed.

At the end of their resources, they found refuge and succor in a dilapidated mansion in Virginia. Before they left, the lady of the house privately handed Major Jaquett a purse containing several gold pieces, which she had set aside for emergencies. Despite his protests, she insisted that he retain it. Many years later, the Delaware officer returned the principal and interest to her descendants.

Following the war, Major Jaquett bought a farm at Long Hook, near Wilmington, and married. He anticipated becoming an officeholder, but his expectation was not fulfilled. In later years he complained bitterly that the Tories, many of whom he had once fought against, were in office, while Revolutionary veterans like himself were poorly rewarded for their past services. He felt that the principles for which the Revolution was fought had been betrayed.

Delawareans did not forget his Revolutionary services, as he thought they had. At his death in 1834, sixty young men bore his coffin along a two-mile route from his home to Old Swedes Cemetery. His epitaph reads as follows:

Sacred to the Memory of Major Peter Jaquett

A distinguished officer of the Revolutionary army, who died at his residence — Long Hook farm — near this city, September 13th, A.D. 1834, in the 80th year of his age, having been born on the 6th of April, 1755. On the 4th of January, 1776, he joined the Delaware Regiment, and until April, 1780, he was in every general engagement under Washington, which took place in Delaware, Pennsylvania, New Jersey, New York and the Eastern States. He was then ordered to join the southern army under General Gates; and with the brave DeKalb he was in the battle of

Camden, of the 17th of August, in which the Delaware Regiment, consisting of eight companies, was reduced to two only, of ninety-six men each, the command of which devolved upon his brave comrade Kirkwood and himself, as the oldest officers left of this gallant band. He was also in the battle of Guilford Court House, the second battle of Camden, and in the battle of Eutaw Springs. He assisted in the siege of '96, and capture of the village of that name; and was also in every action and skirmish under General Greene, in whose army he remained until the capture of Lord Cornwallis at Yorktown. He returned to his native state in 1782, and in 1794 married Eliza P. Price, daughter of Elisha Price of Chester, Pa.; and, as a farmer, he lived upon his paternal estate until his death. The brave and honored soldier — the kind and obliging neighbour and friend.

As it changed the lives of individuals, the Revolutionary War also changed the nature of the business coming before the General Assembly. In addition to routine business about roads and bridges, the release of debtors from prison, and disputed elections, the members had to take up such new problems as disaffection and disloyalty, the recruitment of militia and Continental Army soldiers, and inflation.

The first meeting of the General Assembly of the Delaware State under the new constitution was held in New Castle on October 28, 1776. The elections earlier in the month had returned mostly conservatives and moderates. Much of the time of this legislative body was devoted to adjusting the old governmental structure to the Constitution of 1776. Not a single bill became law during the session.

Dr. John McKinly of Wilmington was chosen Speaker of the Delaware House of Assembly in November, 1776. A few months later on February 12, 1777, he was chosen

president of the Delaware State by the General Assembly. During his seven-month term of office until he was captured by the British in Wilmington, he provided little leadership. He was so conservative and conciliatory that he was accused of Tory sympathies. John Haslet believed that he was dominated by George Read.

The General Assembly also changed two of the three delegates representing the state in the Continental Congress. Read was retained, but his two new associates became John Dickinson and John Evans, both conservatives. Significantly, Caesar Rodney and Thomas McKean were dropped from the delegation. Dickinson and Evans soon indicated to the legislature that they did not wish to serve.

The General Assembly filled the judgeships in Kent and Sussex Counties with so many conservatives and moderates, a number of whom were later accused of showing sympathy for the British cause, that a new assembly the following year passed a resolution criticizing the appointments.

The state needed a new seal. The recommendation first adopted in the General Assembly was for a silver seal bearing the figure of Britannia pointing to a figure of Liberty, with the words, "Go to America." But while a committee searched for a skilled engraver, it was told by a gentleman familiar with heraldry that the design selected was more suitable for a medal than a seal.

The General Assembly then approved a different seal for the new state. It pictured a sheaf of wheat, an ear of Indian corn, and an ox on a three-inch silver disk. On the right side was an American soldier bearing arms and on the left a farmer with a hoe. Around its edge were the words, "The Great Seal of the Delaware State — 1776." This design, slightly modified, is still the state's official seal. One modification consists of the words "Liberty and Independence" at the bottom.

While the new seal was being prepared, the General

Assembly planned to use the seal of New Castle County as the official state seal, but it disappeared during the British occupation. The final choice was "the ancient seal" of Kent County bearing the date "83."

A test of strength for the new government of the Delaware State, only one year old, came in the fall of 1777 with the British invasion. The assembly was scheduled to meet early in September in New Castle, but not enough members attended to establish a quorum, partly because some of them were busy with duties as militia officers. Following the Battle of Brandywine on September 11, Wilmington and much of the coast of New Castle County were temporarily occupied by British troops. All was confusion. President John McKinly was captured, and many county and state papers were later removed from the state by the British. Vice President George Read was next in line to take over McKinly's duties, but he had been attending sessions of the Continental Congress in Philadelphia. When the British approached, he fled for safety to New Jersey where he remained for several weeks. With McKinly a captive and Read out of the state, Thomas McKean, as Speaker of the House, became the acting president.

McKean arrived in New Castle County from Pennsylvania on September 20, 1777, and the situation was grim. The militia was dispersed and dispirited, and great numbers of the inhabitants were supplying the enemy in Wilmington and on board ships with provisions. The British controlled Wilmington and the shore along Delaware River and Bay. Most persons remained quiet, hoping that they would not be molested by the British. McKean called out half of the militia in New Castle County to preserve order and directed that the October election in the county be held at Newark Academy rather than in Wilmington. He did not expect any assistance from the two other counties, he said, because in both Kent and Sussex the Whigs were already too few to keep the Tories

there quiet. Besides the militia in Kent County refused to march beyond its boundaries.

When George Read took over the presidency of the state from McKean in October, he found the situation as grim as his predecessor had stated. At General Washington's request, Read summarized the economic situation of the state in late November:

The county of New Castle has heretofore been so stript of blanketing that we have not a sufficiency for the few militia we have now in service guarding the shores of the Delaware. The manufacture of this state ever was inconsiderable in proportion to the number of inhabitants, depending principally on foreign goods purchased at Philadelphia. That part of the State which did most in this was severely pillaged by General Howe's army, both as to the clothing of the people and their sheep, so that their distress is great at this season.

To give you some idea of the amazing prices necessities have risen to, a man next door to me has just purchased a little American-made linen for family use at fifty shillings per yard, such as but three years since sold for four shillings. I have a tanner's bill for leather for my own use now before me, in which sole-leather is charged at ten shillings per pound, two calf-skins at seventy shillings each, and a third at ninety shillings, the three not weighing altogether six pounds. Shoes are selling from six to eight dollars per pair. How to remedy these things I know not.

The General Assembly met in Dover on October 20. The Legislative Council soon had a quorum, but not enough members of the House of Assembly showed up for the conduct of business. A riotous election had prevented the return of any representative from Sussex County. On

October 29, the Council prepared a report which declared that the members of the House of Assembly could not form a quorum and authorized the raising of an emergency force of militia of 600 members for two months' duty to provide protection and defense. The few members of the House who were present in Dover were asked to sign the report and the Council then adjourned until December. The militia who were authorized in this informal manner did much good in restoring order.

Alarmed by the presence of British troops in the state, the voters in New Castle and Kent Counties elected Whigs to the General Assembly in October, 1777. At a special election in March, 1778, the voters in Sussex County did likewise. Throughout the remainder of the war, Whigs controlled the sessions of the General Assembly.

Because of the pressure of personal business, George Read did not wish to continue as president of the Delaware State. On March 31, 1778, the members chose Caesar Rodney as president for a three-year term by a vote of 20 to 4. No more dedicated or conscientious person so much animated with patriotic spirit could be found at this juncture to direct the destinies of the state. In his reply to the General Assembly on April 1, he indicated that he at first hesitated to accept the post for fear that he could not meet their expectations, but then he added, that "it is the duty of every member of society to take such part in the civil life as shall be assigned him by government, if tolerably qualified."

The British invasion and this change of president were also responsible for the state's tardiness in approving the Articles of Confederation, even though the document was largely the work of John Dickinson. President Rodney submitted the proposal for approval to the legislature in the fall of 1778. Although the members of the General Assembly had some reservations, they instructed their Congressional delegation to sign it, believing that the

"general good of the union" should come before the interests of particular states.

The steady depreciation of the Continental currency was the most critical problem that confronted the new president and the General Assembly; they were no more successful in solving it than were the other colonies and Congress. Fortunately, Delaware had not issued large amounts of paper money in the past. The state had distributed £ 30,000 in paper currency in 1775 and an additional £ 25,000 in 1777, backed by first mortgages on real estate arranged by loan offices in each county. At the request of the Continental Congress, the state also declared Continental currency legal tender in 1777. Delawareans came to know only too well the meaning of the saying, "Not worth a Continental." In 1780 the General Assembly suspended the use of both Continental and state currency as legal tender; it made this repudiation permanent in 1781.

While this decision was pleasing to the mercantile interests of New Castle County, it was unpopular with farmers. A petition from Sussex County in 1782 to the legislature complaining that their property was sold and debtors turned out of doors by their creditors asked for the issuing of paper money, but the legislature did not grant the petition.

From time to time, the state was asked to provide funds for the operation of the federal government. The state's payments were always in arrears, like those from other states. The amounts to be collected were usually shared among the counties, sometimes equally and sometimes with New Castle County bearing the heaviest share. Because of inflation, the amounts requested greatly increased until, in 1780, Delaware's share of a levy of \$15,000,000 amounted to \$1,360,000.

At various times, the legislative body appointed delegates to attend conferences with other states on the subject of inflation but no action was taken except to

regulate the charges of tavern and innkeepers. The Continental Congress became disgusted with states like Delaware that did nothing about this problem. In 1779, it recommended to state governments that prices should not be permitted to rise more than twenty times those current in 1774. It threatened to take drastic action in settling accounts with states unless something was done. Considering the recommendation by Congress an infringement of state sovereignty, the General Assembly criticized the proposal as inconsistent with freedom and independence.

A Constitutional Society was formed in Wilmington in 1779 to promote fair, just, and open trade and to prevent the monopolizing of the necessities of life. Probably the society was responsible for the petition received from Wilmington asking that such practices be controlled. The General Assembly did pass such a law in 1779, but repealed it within six months.

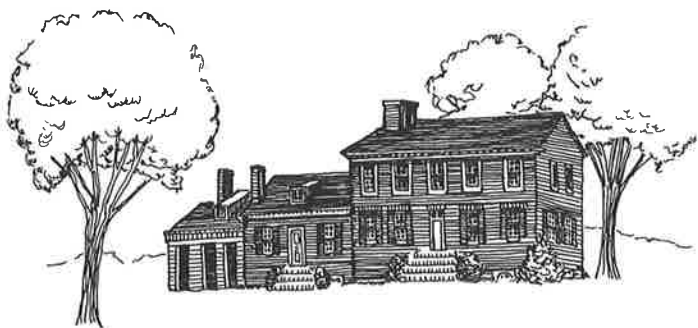
Because salt was essential for the preservation of meat, the General Assembly, in 1777, authorized two agents in New Castle to buy salt from vessels in the Delaware River. Arrangements had been completed for a purchase when, at the last moment, the cargo was sold to the Committee of Inspection and Observation of Wilmington, which offered a higher price. The legislature made another attempt by lending Col. John Jones of Sussex County £ 1,000 to establish a salt works near Indian River, but this enterprise did not succeed.

In a variety of ways the state attempted to control inflation; but because inflation was in part a nationwide problem, the Delaware State succeeded no better than any of the rest. Delaware showed commendable restraint in issuing only a limited amount of paper money at a time of great temptation.

The philosophy of the Declaration of Independence would seem to indicate that the people of the state might be disturbed about slavery. The 1776 Delaware Constitution reflected this spirit in a provision saying that the in-

habitants "ought not" to import slaves from Africa. A number of individuals, especially Quakers, manumitted their slaves during the Revolution. One of these was John Dickinson who, in May, 1777, manumitted twelve men and ten women. Their children were also automatically freed unless Dickinson had to pay for their maintenance. He provided that other black children should be taught to read and write before they reached the age of ten and that they should be freed later. In spite of such favorable signs, the legislature did not discuss any change in the laws on slavery. In the only act in which slavery was mentioned, the members callously provided the same penalties for the theft of slaves or horses; thieves were fined double the price of the slave or horse if the stolen property was recovered, quadruple if it was not.

Toward the end of the war, Delaware came by chance to have a very efficient administrator as president for slightly less than a year. In August, 1781, a band of Tory refugees landed at Kitts Hummock in Kent County and marched overland to John Dickinson's plantation at Jones' Neck. They plundered the residence of chests of silver, salt meat, bottles of wine, and bedclothes to the value of £1,500. By the time the sheriff and militia arrived from Dover, the intruders had departed.



This burglary brought the owner of the plantation from Philadelphia to Dover. John Dickinson came for a brief visit to straighten out his affairs; he was to stay for sixteen months. In November, 1781, he was elected president of the Delaware State, replacing Caesar Rodney, whose three-year term had expired.

John Dickinson was a different kind of president than Caesar Rodney. More aware of national and international affairs and a vigorous administrator, he guided the General Assembly in reorganizing the militia, recruiting additional soldiers for the Delaware Regiment, taking steps to straighten out financial matters with the Continental Congress, and providing for improved protection of the shore against attacks by refugee brigands.

Significantly, six days after his inauguration on November 13, 1781, he issued a proclamation against vice and immorality. Looking to the creation of American citizens worthy of liberty, he condemned drunkenness, blasphemy, profanation of the Lord's Day, gaming houses, and disorderly establishments. The proclamation attracted wide attention, won approval in many quarters, and signified the new spirit characterizing his administration.

Recognizing the importance of the French alliance, he cultivated good relations with America's ally. When the French minister and Robert Morris recommended a pardon for Luke Shields, a pilot from Lewes who had first served the British and then the French, Dickinson promised to use his best efforts with the General Assembly to obtain this favor. When the queen of France gave birth to the dauphin, Dickinson delivered an effusive message to the General Assembly calling attention to the event and persuaded the members to commission him to prepare a celebration. This was carried out in an elaborate manner in Dover.

Although Dickinson left Delaware to become governor of Pennsylvania after only eleven months in office, he

nevertheless contributed significantly to the welfare of the Delaware State. His biographer, Dr. John H. Powell, mentioned that through Dickinson's efforts Delaware "had become a somewhat better place to live because a gentle, scholarly, urbane, graceful, wise and earnest man had come into it to save his house from thieves, and had stayed to put the public house in order."

By the time of Dickinson's resignation in 1782, the war was virtually over except for the signing of the peace. Delawareans interpreted it as a good sign when during the celebration in New Castle of the victory at Yorktown in October, 1781, the British flag blew down, leaving the Stars and Stripes still waving. President Nicholas Van Dyke on June 5, 1783, congratulated the members of the General Assembly on the arrival of peace, liberty, and independence. He pointed out that the state was now ready to devote itself to the arts of peace.

In comparison with those of other states, the General Assembly of the Delaware State had done a good job. A recent study by Jackson Turner Main pays tribute to these leaders:

On the whole, Delaware's legislators had carried out the wishes of their constituents. They had supported the war, but not with enthusiasm, had allowed all but a few loyalists to live in peace, used force only against insurrection, had limited expenses, avoided impressments, permitted the less martial to hire substitutes, imposed moderate taxes and kept united a badly divided state.

As a result of the Revolution, some Delaware towns declined and some improved in prosperity. The town of New Castle continued to decline. Many of the houses were empty during the British occupation, the inhabitants having fled for safety elsewhere. When Lord Howe's secretary went ashore to visit, he found the place "inferior in Size

and every other Respect to Wilmington." Among its attractions were Anglican and Presbyterian churches, a courthouse, a jail, a pillory and stocks, an old cannon capable of firing salutes on festive days, and a pound for hogs. Until 1777, it continued as the meeting place for the General Assembly, but thereafter the legislature met elsewhere, mainly in Dover. Nevertheless, for another hundred years New Castle remained the county seat.

The British occupation temporarily dampened Wilmington's growth. General Washington ordered that all the millstones be removed from the Brandywine flour mills early in September, 1777, for fear that the British might damage them. Some of the inhabitants left the city, but most remained at home. Through the confiscation of stock, supplies, and furniture by the British, the people of Christiana Hundred lost £ 4,556. President McKinly reported personal damages of £ 1,055, and Thomas McKean losses of £ 587. Altogether, damages in the several hundreds in New Castle County totaled £ 43,274.

A brief notation in the Borough Minute Book indicates how the inhabitants reacted to the occupation:

The business of the Borough was omitted thro' frequent Allarms of the Approach of the Enemy and Elections on the 8th of Sepr. following [were] prevented by their being in the Neighbourhood of this Borough of which they got possession of the Morn-ing of the 13th day of Sept. 1777.

Numerous stories have been told in Wilmington families about the occupation. Dr. John McKinly lived in an elegant mansion near the intersection of Third and Market streets. His famous garden with its fruit trees and flowers, including tulips, then rare, extended to King Street and was kept in apple-pie order by a Negro servant named Fortune. During the night of September 12, McKinly was disturbed in his bed by voices and the move-

ment of people in the street. He flung open a window to find his mansion surrounded by British soldiers and himself a prisoner.

The invaders were annoyed by a sign before Marshall's Hotel on the opposite corner of Third and Market streets showing the American sloop-of-war *Randolph* victorious over a British vessel. Two sailors brought axes with which to chop down its support. They then split the painting into tiny bits!

The British did not harass the civilian inhabitants generally, but they did attempt to capture the officers of the

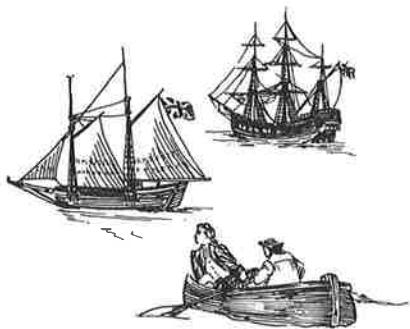


Delaware militia. Captains Hugh Montgomery and Thomas Kean escaped only by constantly changing their hiding places. Disguised as a Quaker in a broad-brimmed hat and imitating a dropsical invalid out for some fresh air, Kean, and Montgomery with him, managed to get past some

British guards and reached the Brandywine. With difficulty they persuaded a drunken boatman on the opposite bank to come for them. They had barely started across the stream when British soldiers appeared and began to fire at them. Reaching the north shore safely, the two men hid in a corn field. When night fell, they proceeded to the Delaware River.

Here they discovered a boat and commandeered it to cross the stream. The trip was hazardous because British vessels were anchored nearby. Barely off shore, they discovered that the boat leaked and that one of its sides was caved in. Captain Montgomery rowed while Captain

Kean bailed out water as fast as possible with his broad-brimmed hat. Although twice hailed by British naval officers, they ignored their cries and finally arrived in New Jersey, where they sought refuge in a cabin in a woods. To their surprise, the cabin was occupied by Thomas Crow, a Wilmington resident, who had found asylum there with his family.



Many such stories must have come out of the British occupation of Wilmington. Miss Betsy Montgomery, daughter of the Captain Hugh, in her charming book, *Reminiscences of Wilmington*, printed in two editions in the mid-19th century, tells many similar tales. Other anecdotes of the occupation were recounted in 1825 in the *American Watchman* in commemoration of the fiftieth anniversary of the beginning of the American Revolution. Two of these are reprinted at the end of this chapter.

The people of Wilmington were fortunate that law and order were maintained at all times, that no property was burned, and that no one was killed during these trying times. They cooperated by remaining quietly in their homes; and many residents, fearing that they might be punished if they did not supply cattle and provisions on demand, readily sold goods to the enemy.

The British left the city after about a month's occupation and normality rapidly returned to the community. General Smallwood's Continental forces were ordered to Wilmington to help guard the city from surprise attack by the British. Inhabitants who had fled to Maryland or New

Jersey returned to their homes, and the millstones were brought out of hiding so that the flour mills could begin operating again. When French officers visited the community in 1780 and 1781 on their way to take part in the southern campaigns, they found Wilmington a thriving and prosperous city busily engaged in commerce.

Count Louis Segur in 1780 thought the city "a well-built, clean and populous town, whose numerous shops bespoke the briskness of its trade." Although he was wrong about some of his historical facts, an officer in Rochambeau's army made some perceptive observations about the trade of the city:

Wilmington is a fairly sizable town, well built and advantageously situated at the mouth of Christiana Creek, which flows into the Delaware. William Penn had good reason to be charmed with its pretty position and made his first settlement here. This town in spite of the rivalry of Philadelphia, carried on an extensive trade before the war. Ships coming down the Delaware can stop here to load tobacco that has been transported overland from Head of Elk [on the Chesapeake] and bring flour and cattle from the Jerseys which are a precious object of export for the West Indies.

Another officer mentioned that the town was "charming" and in a good location for commerce. A third officer believed that the "location is the most agreeable one could possibly find. Its streets are quite regular and its houses built of brick."

An American officer in 1781 thought that Wilmington was a busy town commercially and attractive:

This Creek, [Brandywine] is famous all over America for its Merchant Mills, seven of them being built within 150 yards of each other — and the vessels

load and unload at the mills. Wilmington is a fine borough, has a number of regular streets, a Court House, Market house, and contains about 50 or 60 houses, a number of which are very good — with a fine Academy on the Hill. You may have a beautiful prospect of the town from the Delaware, as it is built on a hill side, and from the town a beautiful prospect of the Christiana Creek.

By 1782, Wilmington had fully recovered from the effects of occupation by British and American armies. A French officer noted at that time, "They have built 50 brick houses, very handsome and spacious, since our passage [in 1781] which makes the main street charming." He attributed much of the improvement to the expenditures of money by French soldiers.

Other smaller towns in New Castle County were also affected by the war. Newark Academy closed its doors, and its main building was used as a factory for the manufacture of shoes for the American army. When the British marched through New Castle County, they took away all the cash the Academy had on hand. William Thompson began to conduct classes there again in 1780. Residents of Newark in 1780 and 1781 petitioned the General Assembly for support of this secondary school as a "Public Seminary," but their request was not heeded. In 1783, the trustees held their first meeting in several years and guided the recovery of the institution.

Christiana Bridge continued to be important as a center for the shipment of flour. In 1781, an American officer noted that large sea schooners could run up this stream twenty-five miles until they reached a bridge. "The town is small and ill built," he reported, "containing 50 houses, some of which are very good; it is a place of trade, by reason of transportation of goods from this place to and from the Head of Elk."

The loyalist, John Ferdinand Dalziel Smyth, had an unfavorable opinion of Newport, which he called "a paltry little place," partly because it was "the very nest of sedition," and partly because a servant girl who befriended British prisoners was beaten and tossed out in the snow to be mistreated by American guards.

During the war, Dover as the county seat of Kent County and state capital after 1777, witnessed many exciting events including a meeting of the Committee of Inspection and Observation in 1776 to consider establishing a new state government, the burning of a picture of George III on Dover Green, and an uprising of Tories, some of whom talked of burning the place.

During the war, Dover's only grammar school was closed. It had been conducted by the Reverend Daniel Currie, a young graduate of Newark Academy, who had been valedictorian of his class. He also conducted services in Mispillion Parish. From his school he received an income of £60 a year, a sum which he was guaranteed by sixteen gentlemen in the neighborhood. After Howe occupied Philadelphia, the Reverend Currie decided to cast his lot with the British, even though he was of American birth. With the best wishes of many gentlemen in Dover, including John Dickinson, he voluntarily left the community, bearing testimonials as to his sterling character and effectiveness as a teacher. Later he went to England.

Dover remained the same attractive small town at the end of the war as it had been at the beginning — with a green, a courthouse, a jail, and Presbyterian and Anglican churches. In 1778 when Count Segur visited Dover, the first American town he had ever seen, he noted that it was completely surrounded by a vast forest:

All the houses of Dover were simply but gracefully shaped. They were built of wood, and painted in various colours. The variety of the

buildings, the cleanliness within them, the brilliantly polished brass knockers on the doors, spoke of the order, activity, intelligence and prosperity of its inhabitants.

He was impressed by the good manner of the residents. "All the Americans whom we met," he observed, "were dressed in well-made clothes of excellent stuff, with boots well-cleaned; their deportment was free, frank and kind, equally removed from rudeness of manner and from studied politeness."

Duck Creek Crossroads was largely unchanged by the war, remaining important as a shipping center for grain: 40,000 bushels of corn and wheat were forwarded to Philadelphia, New York, and Boston in 1777. Some of the grain was brought overland from Maryland.

Lewes was probably Delaware's most exciting place to live. Some of the excitement of the time is recorded in the diary of one William Adair. (Adair is so obscure that he is not listed on any surviving tax roll, militia list, or church membership list.) He mentions the mingling of Tories and British officers on shore for picnics and fishing, the blowing up of the American vessel *Morris* by its crew to prevent its capture by the British, and the burning of Henlopen Lighthouse by the enemy in 1777. In his pages are accounts of riotous elections and Tory insurrections. His narrative, now in the library of The American Philosophical Society, is a unique first-hand account of what went on in a Delaware town during the Revolution.

April 11. Sea Fight at Light House — Ship *Morris* blown up — English fleet coming — Scene of ye Ships Explosion beyond description — made ye Earth quake which shook houses more [than] 30 Miles.

April 14. The Congress gave Major Hefher the Charge of Five Gondolas, sent here and also ordered

him to raise a Company to defend the few Whigs here against ye Tories & English.

April 25. Burnt 2 vessels.

May 11. Fighting enemies come on Shore this week in Bostons, they and the Long Neck Tories have had a Feast & brought Tories Salt & Supplies — Next night they came ashore on the Capes, took L.V. & some Whigs Cattle & some Tories joined with them — No Tories Cattle taken.

May 22. Tory Election prevailed, tho' not half the Tories came in — They had promised, nay sworn to cut down the Liberty Pole to Day, as they had last Fall at another Election — Also to take Captain [Daniel] Murphy who interrupts their open Trade & take possession of the Place — But in all these they were disappointed. Col. [Thomas] Collins and Mr. [John] Thompson were down Commissioners to report whether they were Tories here; Cap. [William] Perry's Company & the Company of Capt. [Charles] Lawrence & Murphy's Barges, which last drew up pointing their Guns to the Liberty Pole intimidated them, when added to the few Whigs of the County — Only a few drank Health and Success to the King of England &c at Tory Davy's Tavern &c.

But an affair happened in the Afternoon which discovered a Secret unexpectedly. Our Barges fired one great Gun & hoisted an American Flag, which could not be well distinguished by the Man of War owing to the Sealing it from them: On this the English Ship immediately fired a Gun to Leeward, & made other Signals, & indeed she was uncommonly ornamented all Day. The Man of War then sent (as soon as he could) her Tender & a very large Barge with 2 Sails & Oars, both full of Men towards Lewes, & came up pretty close along Shore till nearly Opposite the Pole. Capt. Perry's Company &c. beat the Drum & got under Arms to receive them — The English Tender

Spying from the Mast-Head with the Barge immediately set about & flew off to ye Man of War & Ships with their Tenders, a Vessel having come to y'm from the Eastward, seemed to hold a great Council of War up the Bay for a Day or two together, after which they were all but one or 2 seen going out of the Capes — The Tories up the Country, as well as those off Indian River, were oft aboard and Conducted them to plunder a few Whigs Houses.

The Pennsylvania Council of Safety employed Henry Fisher of Lewes to report activities of the enemy in Delaware Bay. In a series of letters, he told of attempts to curb trade between Tories and British ships and of the coming and going of vessels. In the summer of 1777, 228 British ships appeared off Lewes, but fortunately they soon departed for the Chesapeake. No wonder that the inhabitants of Lewes celebrated with a *Te Deum*. Fisher was shocked at the activities of Tories in the town during the election of 1776 and commented that, in his opinion, scenes of disloyalty occurred there such as had never taken place anywhere in America. Tories freely roamed the streets, drinking the health of the king and the royal family, damning Congress and the Whigs, and barring sympathizers with the American cause from voting. The Liberty Pole in the village was chopped down and sold at auction to a Frenchman, while the intimidated Whigs stayed indoors.

The Revolution also had important effects on clergymen and churches in the state. The Anglicans were demoralized by the war and had to reorganize, while the Presbyterian church grew ever stronger. The Quakers tried to remain neutral and therefore were suspected of being Tories. The Methodists were under suspicion because their leader lived in England and favored the British cause.

Thomas McKean estimated that five-eighths of Kent County's residents and two-thirds of Sussex County's were Anglicans.

By modifying the prayers for the king and royal family, the Reverend Aeneas Ross of the town of New Castle managed to keep his church open throughout the Revolution. His brother, who lived in Pennsylvania, was a signer of the Declaration of Independence. In 1779, he was relieved to hear from Theodore Maurice, a former resident of New Castle then living in London, that the Society for the Propagation of the Gospel had honored bills of exchange for his salary in 1777 and 1778, as he found it difficult to procure the necessities of life.

The elderly Reverend Philip Reading of Appoquinimink encountered difficulties in his parish soon after the war began. In March, 1775, he wrote to England about the many rebuffs he was receiving because of his stand during the commotions then current. A year later he reported that someone had scribbled on his church door "No more passive obedience and non-resistance," and that a militia captain was reprimanded for bringing his soldiers to Mr. Reading's church on a fast day. By the end of July, 1776, he had ceased to hold services; nor had he resumed them at the time of his death two years later, though he performed other ministerial functions.

The Reverend Samuel Magaw, a native of Pennsylvania, assumed a moderate position. He was more friendly with the Whigs than any other Anglican pastor in the state. In 1774, he addressed a large meeting in Dover at the time resolutions were being passed, urging that the Assembly be called to elect delegates to the Continental Congress. In May, 1776, his remarks to Colonel Haslet's regiment were colored with sympathy for the American cause. On the other hand, he reported to London in October, 1776:

Through the whole compass of America, I do not believe that there can be any where a stronger attachment to the Parent Country, or a more warm regard for that Religion which we jointly profess, than among the greatest number of those to whom I have

been appointed Minister. They ardently wish for peace.

He was friendly with Caesar Rodney, to whom he dedicated a sermon, and had no difficulty in keeping his church open. In 1780, he requested that the Society for the Propagation of the Gospel honor his draft for £ 120, since he had drawn no salary since September, 1776, and this was agreed to. In a final letter to the society in 1784, he reviewed his services of fifteen years in the Anglican church and asked for payment of his salary.

His colleague, the Reverend Sydenham Thorne, who had parishes in both Kent and Sussex Counties, was frequently in difficulty with the Kent County Committee of Correspondence. He boasted in October, 1778, that not a single member of his congregations in either county had taken an active part against the British government, implying that his influence had had something to do with their loyalty. Following a legislative act of 1777 that forbade prayers for the royal family, he was unable to conduct services for a while.

By omission of the king's name in his services, the Reverend Samuel Tingley of Lewes was able to keep his church open throughout the war. He suffered from various hardships — his mail was intercepted and searched; he lacked medicine for his dying wife; and inflation placed him in such financial straits that he was barely able to buy the necessities of life. In a letter to the Society for the Propagation of the Gospel in 1782 he reported that his congregations remained loyal in allegiance except for a few families who were "churchmen by profession, but Presbyterians by trade."

A nostalgic valedictory and herald of a new day are presented in the joint petition to the Society for the Propagation of the Gospel in 1784 of the church warden, three vestrymen of the town of New Castle, and of Mr. Magaw, then a rector in Philadelphia:

We, the Vestry and Wardens of Emanuel [Immanuel] Church in New Castle upon Delaware, beg leave, with the highest respect and affection to present our thanks to the Venerable Society for their early and long continued attention to the propagation *and essential interests and virtue among us . . .*

If the like beneficent and Christian communication might possibly be yet vouchsafed to us, notwithstanding *some* change in connection and national circumstances, we shall look upon ourselves as eminently favoured. In all events, no length of time can efface from our minds the remembrance of past kindnesses.

The petition went on to request a salary settlement for the estate of the deceased Mr. Ross, former rector. But the society did not see fit to continue the long association, and the Episcopal Church in Delaware, as elsewhere, had to make its own way in the world.

At the beginning of the war, the Presbyterians had more churches than any other denomination. In New Castle County alone, reflecting the arrival of numerous Scotch-Irish immigrants, they had seventeen churches, while in Kent County they had four and in Sussex County eight. Strong advocates of liberty and strong opponents of state control of religion, the Presbyterians almost to a man supported breaking the ties with England. An Anglican clergyman in Sussex County observed, "The Presbyterians have almost without exception proved fiery advocates for independency."

Presbyterian clergymen ardently supported the American cause. The Reverend William McKennan of Red Clay Creek Presbyterian Church was so strong a supporter of independence that the Daughters of the American Revolution have placed his name alongside the names of military veterans of the war. His son became a captain in the Delaware Regiment, and in honor of his ser-

vices, the Hockessin Chapter of the DAR bears his name. The Reverend Joseph Montgomery, who headed congregations in the town of New Castle and in Christiana Bridge preached a sermon in defense of liberty before a company of Delaware militia on a fast day established by the Continental Congress in 1775. He later became a chaplain in the Continental Army. After the Battle of Brandywine, the Reverend Thomas Read of Appoquinimink assisted in Washington's retreat by his knowledge of the countryside.

In Kent County, the Reverend John Miller of Dover was an ardent patriot; one of his sons served in the American army.

In Sussex County, the Reverend Matthew Wilson of Lewes, who was also a physician, had long feuded with his Anglican colleagues. As early as 1768, he had named a son James Patriot Wilson, and some thought that for a minister of the gospel he carried his activities on behalf of the Whig cause too far. He wore a three-cornered hat with the motto "Liberty" on its front. He wrote an essay in the *American Magazine* suggesting such substitutes for tea as sassafras, sweet marjoram with mint, and small twigs of white oak mixed with leaves of the sweet myrtle, mistletoe, and wild valerian. Disgusted with the Toryism of the state, he suggested in 1778 that the only way to deal with the Tory menace was to divide the state between Maryland and Pennsylvania or to exclude Tories and disaffected persons from holding office. In the records of the Presbyterian church at Lewes, he noted that the son of Col. Nathaniel Waples was named Lewis Gates Waples, honoring America's ally, Louis XVI, and the American general who was the victor at the Battle of Saratoga.

Most of the Quakers remained faithful to their pacifist beliefs; consequently they suffered verbal abuse from the American rebels and were made to pay fines for not participating in militia drills. Members of this denomination occasionally were brought before Committees of Inspec-



Gen. George Washington and top aides planned militia action against the British in the Hale-Byrnes House near Stanton just before Cooch's Bridge and the Battle of Brandywine.



Courtesy, Delaware Trust Company

tion and Observation. When the British invaded New Castle County, the Quakers were badly treated by both sides. In a report to a quarterly meeting, they reported sufferings:

On the 27th of the 8th mo., 1777, Friends Meeting House in Wilmington was forcibly taken over by soldiers belonging to the American Army (who lay in the Neighbourhood of this Town), and the 28th being our week Day Meeting, Friends made Demand of it to hold Meeting in. Some of the officers promised we Should have it, but they Did not perform but kept possession, and Friends, not being easy to be Deprived of the privilege of Meeting in their own House Endeavour'd to meet as near it as conveniency would admitt; the meeting was held under a Shady Tree in the graveyard to a good degree of Satisfaction and our thus holding it appeared to be of use for altho' the Same as well as other Companies kept possession of it for some time yet, at Friends request way was made So that we had some part of the House to meet in afterward. Also in the 9th mo. 1777, the British army took possession of our Town and made a garrison of it for their Sick and wounded when Friends were much oppressed with having Sick and wounded officers with their attendance put into their families where they Remained about four weeks before they were Removed.—and the winter following a Division of the American Army wintered here and Friends were much oppressed having both officers and Soldiers placed in their Families.

The only Baptist minister in the state on the eve of the American Revolution was the Reverend Morgan Edwards. He had been instrumental in the founding of Brown University, and he had collected material on the history of the Baptists in various colonies. For uttering dis-

loyal statements, he was brought before the Committee of Inspection and Observation of White Clay Creek Hundred in 1775 and forced to retract them. His sons were divided in their allegiance, one serving in the British army and the other in the American navy.

The Methodists, with their emotional approach to salvation, were unpopular with other denominations. In addition, they were under suspicion because of John Wesley's support for the British side. The Reverend Freeborn Garrettson, the first Methodist preacher ever to appear in Dover, had hardly begun his sermon from the steps of Dover Academy when people in the audience clamored for his hanging as one of the insurrectionist Clow's followers. Only through the intervention of prominent citizens was he permitted to proceed.

Against such opposition, even the famous evangelist Francis Asbury became discouraged and wrote in his journal in March, 1778, while staying at the home of Judge Thomas White in Kent County: "Three thousand miles from home — my friends have left me — I am considered by some as an enemy of the country — every day liable to be seized by violence and abused." Before the year was up, the Continental Congress ordered White's arrest on suspicion of disloyalty, in part because he was a Methodist, though he soon managed to clear his name of all charges.

The Revolution thus affected deeply the lives of the people of Delaware, the governance of the state, the towns, and the churches. Out of these experiences came change, tragedy, innovation, and growth. Each Revolutionary event was in some way unique. Sometimes momentous events were precipitated by bitter partisan struggles between Whigs and Tories.



FRIDAY, *July 8*, 1825.

"Frown indignantly upon the first dawning of an attempt to alienate one portion of the Union from another."
WASHINGTON.

FOR THE WATCHMAN

REVOLUTIONARY REMINISCENCES

I have been amused, and sometimes informed and instructed, by the 'Reminiscences' of elderly persons, respecting the events of the American Revolution; and as, perhaps, some may be gratified with what it is in my power to recollect, I propose to pay the debt of amusement that I owe to others, by attempting some account of what I saw and experienced during the time when, it has been well said, "men's souls were tried." However amusing it may be to some, to read, in a newspaper, the details of a bloody rencounter or of a sanguinary campaign, yet when these things come to be realized in our own experience, they appear in a totally different light. And although such was the experience of both *men* and *women* during the progress of the awful contest in which the American Colonies were engaged for about eight years—yet to the *boys* of that day, it was a source of amusement, as few dangerous scenes or circumstances took place within the bounds of this Borough; though some transpired that were

not only painful to the immediate sufferers, but also to those who saw the punishments inflicted and heard their cries.

When the British troops took possession of Wilmington, in 1777, I was a boy of about 14 years of age, and though somewhat alarmed, at first, by new faces and the broad Scotch and Hessian Dutch languages, also new to me, yet a few weeks rendered me very familiar with many of the officers and soldiers of both these nations—and being of a playful disposition, I became a favourite with several wounded officers, young men, who were billeted in the house adjoining that in which I lived. But before I proceed to detail the little I know of revolutionary affairs, I feel disposed to mention the earliest impressions that I received in relation to war. Several years before the commencement of the revolution, a soldier of the British troops in the Colonies, had deserted and took shelter in this town, where, if I recollect aright, he had been concealed a considerable time; and when at length he was discovered, a sergeant and a file of soldiers were sent after him and apprehended him. They were in full military array—and were a striking novelty to the town, and more especially to the boys, who followed them about the streets as an object of the highest curiosity; and such indeed they were to us and I presume to the citizens of the Borough generally, as it was an extremely rare circumstance to see a soldier in the place. After they had got possession of their prisoner, they were detained some time in the town, negotiating for his release—and, boy-like, I followed them about the streets and into a store near where I lived. In the store I remarked that the officer was most formidably armed with what was to my young ideas a tremendous instrument—though it was nothing more than a common cut and thrust sword; yet as he used it as a walking stick, and occasionally leaned heavily upon it, I was surprised to see how it bent and regained its straight direction. This circumstance gave me my first ideas of a soldier, and the impression was a deep one—as soldiers, and especially *English* soldiers, were to us boys a truly terrible race of men. These had been successful in detecting the deserter, whom they led about the town as a prisoner, and probably handcuffed or tied; and as we did not

know but he would be shot for his crime, our sensations on the occasion, are not easily described. The deserter, however, was permitted to remain—the citizens humanely offering to pay a sum of money to ransom him from death; and he long continued here, as a laborer, and for some years lived in the employment of one of our ancient and valuable citizens, who will now recollect these circumstances particularly. The soldier died in this Borough, and was interred in one of our burying grounds.

In the year 1777 the Battle of Brandywine was fought on grounds that I have often passed over. I have stood on the spot from whence Howe directed the operations of his troops—a beautiful elevation, which, it is said, he declared presented one of the finest views that he had seen in America. It is, in truth, a charming spot—from which thirty farms may be seen at a season when the view is not obstructed by the abundant foliage. From this situation may also be seen Birmingham Meeting House and a hill contiguous on the northern side of which and in the burial ground, the heat of the contest took place. After the battle, the Americans retreated by way of Dilworth's Town, to Concord, and thence towards Philadelphia. Some years afterwards one of the Delaware militia who was in that engagement, having discovered in a conversation with my wife, that she was well acquainted with Birmingham and its neighborhood, inquired of her whether there was not a small town within a *short distance* of the meeting house, and was surprised to find that it was several miles off; as he "had run that distance in so short a time that he had been in the habit of considering it but about one fourth of a mile." The British troops, after the battle, took possession of Wilmington on the night preceding market-day. Next morning, when my father rose early to go to market, on opening the door he observed *red coats* in the street. He perhaps had been expecting a visit of that kind—and yet he was not prepared to admit such visitors into his house. He had always been denominated a whig, and my brother was, at the time, a soldier in a militia company, and probably had been engaged in military exercises the day preceding, as his gun and other accoutrements stood behind the

front door. Finding who had got possession of the town, my father immediately closed the door and summoned me to assist him in secreting the arms, which we did so effectually that they never caused us any disturbance. In the course of my rambles about the town next day, I was much amused with some things and pained with others. The military equipments, the dress of the different orders of soldiery, the guns, drums, trumpets, and especially the Scotch bagpipe, and the field pieces ranged along the street, excited my highest curiosity.

Among the scenes that both pained and amused me, was a knot of young men of the militia companies of the town, collected in the upper market house, in disguise; and as I had often seen them in military pomp and splendor, the contrast of old unfashioned clothing amused me; and to this day I often think of one young man, with ideas almost excited to risibility. Most of these militia men escaped from the town before the British got to know them. My brother, taking a bridle in his hand as though he was going to catch a horse, passed down the middle borough marsh lane, (not then guarded by soldiers,) and went into the country—but as he was necessarily obliged to go off without any bundle that would excite suspicion, he was weak enough to return a few days after, with a relation who came to town with his wagon, and then narrowly escaped detection. One of the wounded soldiers with whom I had become acquainted, observing me about to put a bundle into the wagon, insisted positively that there was a *rifle shirt* in that bundle, belonging to my brother, and if he staid a few minutes they would seize and hang him up in the market house, where a “short rope would do for him.” Several of the houses in the town were then occupied as hospitals for wounded soldiers—and among them the one that stood in the place now occupied by William Richards’s store, in High street, between Shipley and Market streets. A few days after this, I stopped at the upper Presbyterian Meeting House, which I found had been converted into a prison for some of my fellow citizens, who looked really miserable: I presume that they had few comforts either of food or lodging, and they were guarded by soldiers.

Some days after the British took possession of this town, their wounded were brought from the battle ground in wagons—there were a large number of them, and it was a distressing circumstance to many to see their looks of anguish, and to hear their groans and cries, as the carriages rumbled over the stones. A relation of mine who was standing near Brandywine as the wounded passed, could not, or did not avoid the expression of his sympathy when the wounded *Americans* came by—though he had said nothing as the *British* wounded passed: for this expression of sympathy for “Rebels” he was harshly reprovèd by a Scotch officer who said that he had “a mind to make him feel for his misplaced compassion.”

There was a want on the part of some persons in not communicating information of the approach of the British troops to the Town—in consequence of which our Governor and some other citizens were made prisoners. On the other hand we had some who joined with the enemy at this place and acted as spies; but they were few, and of little consequence; nor was it in their power to do much mischief. Some of these went off with the British troops to Nova Scotia. One returned after the war was at an end, and others would have rejoiced could they have done the same; but they were afraid, and preferred the sacrifice of their property to the risk of life which they supposed that they would incur by returning and exhibiting their traitor faces among their irritated whig fellow citizens. There was one person who staid after the British left us—an old German, who was induced to accept an inferior office among his countrymen, the Hessians. He was supposed to have been the means of throwing some of our townsmen into difficulty, and a mock trial and mock execution of this man were proposed, when the American General Smallwood, with his regiment, afterwards took possession of the Town; but it was abandoned for two reasons perhaps—the troops were soon ordered away, and the general character of “Dutch Peter” was so inoffensive that he was not troubled. He went away with the British, but soon returned and laid his bones among us, leaving an old widow, who was well known by the name of “Dutch Dolly.” Among the wounded who were brought into our Town, was an of

ficer of high rank, who died in a front room of the house in which the "Watchman" is printed. It so happened that Joseph West and my father had two wounded officers of the Queen's Rangers. They were Americans who had joined the British, and from what I now remember of them, I rate them very low indeed as to real courage or fortitude. The one at my father's was wounded in the hip joint by a ball—and it is doubtful whether he ever recovered. I remember the boyish reactions that I had in his room where I witnessed his pains and the ill temper that he exhibited to almost every person who was with him, and particularly to his servant, another dastard American, whom he would order to his bed side and beat him with his cane; and still the servant preferred this to performing his duty in the line. The wounded officer at Joseph West's (then living at the N.E. corner of Broad and Shipley streets,) had his left arm badly shattered by a musket ball. That it was at times extremely painful, I cannot doubt; and especially from what I remember of the temper of the man. He used to walk about the street with a cane in his hand to guard his wounded arm, and threatened every person who came nearer to him than he chose to consider safe. At David Ferriss's (where Nathaniel Richards now lives,) were three young English wounded officers. I found these men very pleasant and kind to me, and I believe that they were agreeable in the family.

There was a Hospital for Wounded Soldiers in the house now occupied by John Rumford—another further down street; and the headquarters of the Doctors was at what now is the LaFayette Hotel, in Market street. The headquarters of the Scotch Colonel who commanded, was in the house now belonging to the estate of Mathew Crips, in Market street, above the Academy.

As the American troops continued to hover round the Town and the sentinels were sometimes fired at, we had one night some agitation arising from the following circumstance. The wounded soldiers in the house now occupied by John Rumford, cruelly tied a pistol barrel, charged alternately with wet and dry powder, to a dog's tail, and having set it on fire opposite their door and directed the dog down the street,

the first discharge took place nearly opposite the Hotel now kept by John M. Smith; the second somewhat lower down the street—and the third and last, opposite the Doctors' quarters. These different reports being similar to the regular alarm of sentinel firing, created great agitation, as though an attack had commenced; but it soon subsided, when it was discovered that it arose from the fun of the soldiers, who, though suffering from their own wounds, felt a pleasure in inflicting pain upon a "rebel dog." Some very severe punishments were inflicted by the British, upon their soldiers while here. Among others, I recollect one man being dreadfully whipped in David Ferriss's orchard, (where Joshua Wollaston's barn now is). His cries were heard in the Town, and many of the boys ran up to see what the matter could be. We observed the drummers whipping the culprit with a "cat o' nine tails," and the drum major standing near, to oblige them to do their duty. The officers soon drove us away, by throwing apples at us. On one occasion I observed the superior officers walking down Market street at the very time when a soldier who had found his way into David Brinton's house was running up the stairs in great haste and broke a light of glass as he passed along. This induced the officers to notice the circumstance and to send an officer into the house, who brought him out into the presence of his Colonel, who merely said "tak him awa and gie him a thusand lashes:"—and truly they did lash their poor men on some occasions most horribly.

The British garrison had a *hut* camp on the side of West street, (back of the rope walk,) extending from the Kennet Road to the break of the hill above where the furnace now stands. There they passed the cold season with tolerable comfort. Their huts were sunk two or three feet into the ground, and the earth heaped up around. This, with a sort of fire place and chimney on one side, enabled them to pass the winter with little suffering.

When the spring returned and they left us for other service, embarking on board their ships in the Delaware, the boys of the town had a charming employment in plundering the deserted camp—where we found a great variety of articles that were treasure to us—particularly powder and ball, &c.

These served us for amusement for a long time afterwards. The writer has particular cause to remember some of these circumstances, from a severe burn that he received on one of the occasions when we used to "*flash*" whole cartridges of powder—so plenty *with us* was this precious but mischievous article.

One of our handsomest young women went off with the British, in company with an officer. I saw her some years after in this Town, a *widow*—much changed from that hey-day of youth that rendered her uncommonly beautiful. She was the child of a family that has now almost "root and branch," passed away from us.

After the British left us some years we had Pulaski's Regiment quartered in this Town, on their way to the South—probably to Savannah, where the commander lost his life in storming that fortress. While those troops continued with us, (which was but a short time) a circumstance took place that agitated my feelings very much. From want of barracks, the soldiers were "billeted" upon the citizens, and among others of my townsmen who were obliged to accommodate them, was Richard Carson, an *old* and respectable citizen. The whole regiment were in my eyes a formidable and indeed terrific race of men. They were all horse troops, who wore mustachios, and large bearskin caps standing a foot above their heads. They were armed with long swords that trailed the ground as they walked. When the soldiers came to Richard Carson's to introduce the officer who was to reside in his house, the old man met them at the door, and refused entrance—and a warm struggle took place; he standing astride of the whole entrance, with his arms spread to each door post—his two daughters pulling at his back to get him into the house and the horsemen in front struggling to gain admittance. In the contest, the old man's wig was thrown under foot, and he stood manfully, with his bald pate exposed, not at all daunted. This continued for some time, until a soldier taking his sword by the blade, struck the old man over the bare head with the hilt and knocked him down—when they entered triumphantly. Whether they only *used* or *abused* their victory, I do not now remember—but the circumstances

remained very vividly imprinted on my memory for a long time, as *one* of the most distressing scenes that I had witnessed.

When the battles of the Roebuck and Liverpool took place, many of us stood on the top of the house now occupied by William Larkin, where we could see many of the operations and observe where the cannon balls struck the water and threw it up "mast high." During the progress of the battle of Brandywine, many of us saw from the top of the house, formerly John Dickenson's, in Market street, the smoke of the engagement and heard the reports of the cannon and the rattle of the platoon firing of that "bloody day." One of our handsomest men was killed at that time, by a wound that cut the main artery of the thigh, and he bled to death on the field.

It was my "hap" to be born soon after the conclusion of one war, (that of 1759). I have lived to pass through two others—from '75 to '83—and from 1812 to 1814, and now I hope to be permitted to spend the remainder of my days in peace, as regards such dreadful political confusion, of which this land has partaken pretty fully in my day, when we consider the agitations produced by the wars of the French Revolution, and those consequent upon it; a dreadful scene, wherein all the vices that can contaminate man, obtained the mastery over those virtues that are the ornament and the happiness of the human race.

"Ah! why will Kings forget that they are men, and men that they are brethren? Why break the ties that should bind them together in the soft bonds of amity and love? Father of men, was it for this thy breath divine kindled within his breast the vital flame? Was it for this, dominion absolute was given him over all thy works—only that *he* might reign supreme in woe?"—Ah! no, it was not.

Wilmington, Del.

P



"Frown indignantly upon the first dawning of an attempt to alienate
or a portion of the Union from another." **WASHINGTON.**

FOR THE WATCHMAN

RECOLLECTIONS

Of some of the occurrences that took place after the British army landed at Head of Elk, and until they took possession of Wilmington a few days after the action of "Chads Ford," now called Battle of Brandywine.

We were frequently alarmed in the Borough with reports that the British were coming in to take us; and one night in particular, the alarm was so great that my neighbors bundled up such articles of clothing and household linen as they could carry on their backs or arms. Two young females were asked where they were going at that time of the night: they answered, they did not know where; but the morning, as I was told at the time, found some of the inhabitants in the marsh about the Swedes' Church.

When they actually came into the Borough, on Seventh-day (Saturday) morning, after the battle of the 7th of ninth month, (Sept.) 1777, they caught us napping; for I did not get up that morning until after the sun was up, and looking out of the window I saw 3 *Red Coats* and supposed them prisoners—but I soon found the scene was the reverse; and greatly alarmed were we all—and I with difficulty ventured to my father's, for I and my brother had lodged that night at Doctor Way's, as company for his mother, he having gone the day after the battle to assist in dressing the wounded; and I think he did not return while the British remained with us, which was about 6 weeks, or until the last of the 10th month, (October.) After I got home, I found Joseph Sumner in my bed, much alarmed and did not know what to do. I told him to put a good face on it; there was an old coat of mine, put it on; which he did and passed safely to his father's in the Jerseys, though he had been with his company at the action. Others of his companions were not as fortunate, for some unkind person or persons had directed a party or parties of the British to their residences, and they were prisoners before daylight; among them I recollect Caleb Way, a Lieutenant of one of the companies, John Thelwell, James Brobson, and many others who I do not recollect at this distance of time. They were all placed under the horse shed at Lawson's tavern, now belonging to James Canby, where they remained about 60 hours and then were removed across the street to the Presbyterian Meeting House. John Ferriss proposed to two others to go up and see our townsmen thus imprisoned, and furnish them with some eatables or inquire of them, for it was said they had been hardly dealt with. As we approached the tavern we saw them marched across the street and through the northwest gate, and they placed themselves on the southeast side of the interior, which prevented our speaking to any of them. The officer in command on the street-side of the board fence was on the left of the gate and we three were on the other side of the gate, on the street side also, the open gate between us, which was soon shut. The sentinel had rested his gun with fixed bayonet against the wall of the house; the officer imperiously directed him to

take his gun and work clear of the wall and the fence, so as to be able to *use* it freely—for these, said he, (using harsh language,) might attempt to make their escape. J. F. observed they were all respectable persons and would not attempt it, (or words to that effect.) This irritated the officer and he then turned his harsh language on us, and concluded in saying they had “no friends in this country but the Quakers,” (in which idea he was far wrong,) and that “he doubted not but we deserved to be *there*, imprisoned as those.” The word Quaker I took up, and observed to him mildly that we were Quakers. He excused himself and invited us to his room in the tavern, to take a glass of wine, which we did and saved ourselves from further insult. On the afternoon of the day of the action I was permitted to go as near Chads Ford as possible, for the purpose of obtaining information, as we were all anxious to know how our army was getting on. Well knowing the ground leading to the Ford, I left the Concord road at Smith’s crossroads to the left and was making my way on a by-road, to the scene of action and had nearly gained the eastern ridge of the valley or bottom, as it is called, where I could see the operations, but was interrupted by one of our light horsemen, who said he was stationed there to prevent persons from going further. A heavy piece of woodland prevented our seeing any thing in the direction of the contending armies. Here I was obliged to remain without seeing any thing, but all the hills in view covered by the inhabitants who were as anxious as myself to know how the thing was to terminate; for the musketry firing was tremendous—and our army retreating from Birmingham Meeting House through Dilworth town. They were approaching us and of course the reports of the discharges became more distinct. Here I remained until the sun was setting, and then regained the Concord road at where I had diverged from it, and found it literally full of people flying from before the contending armies, on foot, on horseback, and in carts. Among the crowd I found a family of particular acquaintances, George Evans, one of our commissaries, his wife, eldest son, (Peter,) and several younger children. The youngest I took up before me and brought to my father, and the rest of

the family followed, except George, who the British wanted to make a prisoner of, being an active revolutionist. This family were with us when the British took possession of the Borough, and gave us much anxiety for fear they would be discovered and made hostages of, with a view to get hold of the commissary—but my father got them all out of the way, by sending them into the country by different outlets and times.

Attached to this part of the British Army was an old acquaintance of my father's—a Scotchman, formerly a merchant of Philadelphia, who had joined that side of the question and was a commissary of prisoners. He marked our house for his quarters, but occupied the next door, until the fleet came up, when there would be many gentlemen that would want quarters, and he would introduce such as would give us no trouble, and we had two or three; one of them unmilitary, who came to possess himself of some of the confiscated farms when the Rebels were subjected to royal authority, which soon would be the case; and he used to tell my mother, in my presence, which of the farms he would have. His name was Humphries, he was very timid and feared the Rebels much. He landed from on ship board about Grubb's landing, and on his way to the Borough he met a man on Tussey's Hill, or Shelpot Hill, and inquired his name. The man replied—"Israel Israel." From the name, Humphries was sure he was a Rebel, but did not disturb him, and came safe to town. I discovered much meanness with some of the British officers of rank; among them, a Major Molliston. My father had a new light one horse cart, to convey things to and from a piece of ground out of the Borough. This major stopped me one day as I passed his quarters, the house now occupied by O. Horsey, Esq.,—and inquired whose that cart was. I told him; no more passed. I told my father what had occurred; he told me to go to the Major and say he should have it for such a sum in gold, about half its value—for he said they will take it when they go away, without pay. I did so, and he agreed to give me so much gold. The cart was sent to him and I went for payment—but instead of gold, he paid me in the Loan Office paper money of the State, that they had obtained by surprise at Newcastle or Wilmington.

I was very intimate with this commissary of prisoners and

used to be with him often when he was writing. One afternoon, three officers of the line came to see him and were conversing freely on different subjects: one was about General Washington. Two of them in particular, were commending Washington much; the other, who had said little on the subject, closed by saying—"I like my George the best"—meaning George the 3d, his king. I loved Washington, and I thought he ought to love him also, as his companions had spoken so freely in his favor.

An account of the number of the British troops that occupied the town, was sent by an inhabitant, to General Washington and he had planned an attack on the British, but they evacuated the place sooner than he expected, as I was since informed; and I understood Captain (now Major) C. P. Bennet was to have been one of the officers in that expedition, as Wilmington was his birthplace and he knew every avenue leading into the Borough. Their fate was reserved for their attack on our fort at Red Bank, on the Jersey shore, where they were severely beaten, and where Count de Nap, one of the Hessian commanders, fell. The 71st regiment of Highlanders was one morning drawn up in open lines facing the S.E. in Pasture street, on the N.W. side of the rope walk, and extended from Kennet road towards the furnace. As a person passed them in front, and as he turned up the Kennet road, and but a few paces distant, he heard a considerable clatter, he did not understand—turned his head to see what was doing, and was much surprised to see all the rails of the fence that had been in perfect order a few seconds before, formed and forming conical tents for these soldiers. It was the most rapid and instantaneous destruction of a fence, ever seen before. The blowing up of the Augusta 64, that was engaged in the reduction of Mud Fort, was felt distinctly in the Borough: the reports of the cannon were heard when the wind was favourable; but on that day the wind was very strong from N.W. and nothing was heard until the afternoon, (I think,) while I was sitting in Doctor Way's parlor, with himself and some other person, when we were surprised to hear the bottles and other glass ware in his shop, rattling together. We could not tell the cause—until information came of the

event and the time that it took place, and we were satisfied it was the concussion of that blow up, that shook the doctor's glass furniture of his medical shop, as such places were then styled; but since we have grown more refined, we call them offices of such and such doctors.

I shall close this paper by pointing out some of the changes that have taken place with our agricultural neighbors, up the Brandywine, 15 or 20 miles, since the year 1765. At that time, and for many years after, the country was supplied with spring and fall goods by attending fairs held at these periods in all the towns and villages. These fairs were well attended by both sexes, old and young, some to buy and others for fun and frolic. My youthful disposition led me more to observe the dress and behaviour of the young men and women, then partake in their amusements. The young men, if the day was fine, came to the fair by hundreds, (with a fine buxom lassey along side,) in their shirt sleeves, nicely plaited and cramped as high as the elbow, above which it was tied with a string of different colored tape or narrow riband, called sleeve strings. Their coats were tied behind the saddle; they had thin soled shoes on, for dancing; they wore two pair of stockings, the inner pair generally white, the outer pair generally blue yarn, the top rolled neatly below the breeches knee band, so as to show the inner white and to guard it from the dirt from the horses' feet—for boots were not known. I never recollect seeing a solitary pair of boots worn, and I have seen some thousands of young men going to, at, and coming from, these fairs, in 6 or 7 years. I have sat in the same place for the last few years, and observed the same class of persons pass me. Now, boots are generally worn, and umbrellas carried by persons on horseback. At that day, a man booted, on horseback,—with an umbrella over him, would have produced more curiosity and conversation on his pride and folly, than a small army would at this time. When we visited our then wealthy relatives and farmers in the country, they gave us of their best, according to the season. Then, the fare was mush and milk—apple or peach pie, and milk,—cheese curds and new milk—sometimes cream—with home-made wine, and sugar, (which is a delicacy even now,)—bread

and cheese, and custards,—no tea or coffee did I see. I have visited some of the same tables a few years past, where I found tea, coffee or chocolate, with preserves of many kinds. The dinner table groaning under its weight of ham, poultry, beef, mutton, &c—with a second course, consisting of puddings, pies, tarts, custards, &c—milk and other dishes of old times, being now too vulgar, except particularly inquired after.

'76.



Thomas Robinson, Tory Leader - Sussex County

Courtesy, Delaware Trust Company

Chapter Four

Whigs and Tories, 1776–1783

DURING THE American rebellion, supporters of American independence in North America were called Whigs and colonials loyal to Great Britain and the king were called Tories. Sometimes contemporaries used the terms “radicals” (Whigs) and “disaffected” (Tories) as the names of the opposing factions. Regardless of the label, within both groups opinions spanned a wide range, just as today there are widely ranging views within the Republican and Democratic parties.

Such persons as Thomas McKean, Caesar and Thomas Rodney, John Haslet, James Tilton, and Henry Fisher were ardent Whigs. These “radicals” worked hard to advance the cause of American independence.

Other Delawareans held more moderate and cautious views both about severing ties with Great Britain and about punishing fellow colonials who disagreed with the measures passed by the Continental Congress or Whig

assemblies. Because George Read represented propertied interests and was not in the forefront of the American cause, to "fire-eaters" like Dr. James Tilton and Maj. Peter Jaquett he represented the worst element on the Tory side. He was, in fact, a staunch believer in the American cause, but publicly he was more cautious and conciliatory than the radicals. John Dickinson held moderate views somewhat similar to Read's, yet no one would deny today that he was an outstanding patriot. In his lifetime, he felt it necessary to issue a "vindication" to explain his actions.

In varying degrees, hundreds of Delawareans approved and supported the cause of liberty; but not all were willing to risk life and property as did the hard-core leaders, for whom affairs would have gone badly if the British had won.

Some Tories, persons disaffected with the American cause of liberty, were as willing to make sacrifices as were the rebel leaders. Thomas Robinson gave up an established political position, wealth, and family to serve in the British army. Joshua Hill did likewise. Joshua North, of New Castle County, abandoned an easy life as a large landowner near the Brandywine to join the British. For twenty-four years Theodore Maurice of New Castle had held some of the most lucrative offices in the colony, and he could have continued to do so if he had wished; instead he returned to England. Daniel Currie abandoned his school in Dover and a parish ministry in Mispillion Hundred for exile in England. By joining the British, Benjamin Galloway of Kent County lost his possessions, and his family was turned out into the snow. Suspected of disloyalty to the rebel cause, Charles Gordon of St. George's Hundred was arrested by both Continental and state officials. Released on bond, he took the opportunity to join the British. At war's end, these men were in exile in either Canada or England.

These Tories were extremists, but numerous

Delawareans demonstrated that when opportunity offered for economic gain they would trade with the British. This was such a common practice along the coastal areas of Kent and Sussex Counties that Whigs were concerned, especially when they heard that the colonial Tories and the British even fished and hunted together. During the British invasion, numerous farmers in New Castle County, as has been noted, took advantage of the chance to acquire gold and silver or scarce merchandise by selling provisions to the enemy. Although the Delaware Assembly passed legislation against such traffic, even Chief Justice Killen questioned whether these people were doing any harm and confessed to George Read that he lacked “firmness” of mind in dealing with them.

Technically, state law defined persons who supplied the enemy with provisions, who participated in insurrections, and who joined the British army as traitors and made them liable to fine, imprisonment, confiscation of property, and in extreme cases even to the death penalty. Both the General Assembly and judges were very lenient with offenders, taking into account every mitigating circumstance. Only one Delawarean was put to death for his activities as a Tory. In court cases Tories were usually released on bond, and the cases continued from session to session without any action being taken.

Such was the experience of Jacob Vandergriff of New Castle County. He had traded with the British at the time of the occupation. He was caught, and like many others in this situation he asked for forgiveness, emphasizing mitigating circumstances. His plea was to the General Assembly:

It was Ignorance in Me and I did not know that it was contrary to the Law to deal a Little Salt and I did not do it in the View of hurting of my Country or dis-obliging my superiors, but entirely through weakness and through fear of being distressed by ye English as

they ware often a Shore as I heard & threatened
Many that did not deal, so I went and got a little salt
as the rest of my neighbours did.

Since his original offense, he had not sold provisions to the British, had taken the oath of allegiance to the state, and had served in the "flying camp" company of Capt. William Moody. The General Assembly took no action in the case, and it was probably forgotten.

The common factor in the insurrections of 1776, 1777, and 1780 in Sussex County was resistance to change, although precipitating causes explain why they occurred when they did. Several hundred Delawareans — the number was 1,500 in 1776 — indicated on those occasions that they were unsympathetic with the changes taking place. When petitions were circulated in Kent and Sussex Counties in 1776 for and against a change in the state government, the Whig James Tilton and the Tory Thomas Robinson agreed that the Tory petition was much the more popular.

In Delaware, the most patriotic section of the state was New Castle County. Such factors as the closeness of ties with Philadelphia, commercial activities, and the influence of the Scotch-Irish population and the Presbyterian church contributed to the widespread feeling of allegiance to the cause of independence. Significantly, the first public meeting that favored sending delegates to the Continental Congress was held in New Castle County, as were the first moves to form a state militia.

Sussex County contained the most Tories, persons who preferred the status quo to change. The influence of the Anglican church, the isolation of the area from the main routes of travel, its distance from large cities, and the leadership in opposition to independence of such politicians as Thomas Robinson explain why loyalty to Britain was the popular view in Sussex County.

Kent County was more divided. The Anglican church

was strong; the area was more isolated than New Castle County but less so than Sussex County. Yet conservative leaders in 1776 and again in 1778 led insurrections. Perhaps the factor that explains why most residents of the county stood for the American cause was the political leadership of such persons as Caesar and Thomas Rodney, John Haslet, and James Tilton.

The first Tory insurrection in the state occurred in Dover in June, 1776. Only in recent years has its significance to the history of Delaware during the American Revolution been again recognized — but contemporaries such as Thomas Rodney and James Tilton knew it was a weighty event.

At that important meeting of the Kent County Committee of Inspection and Observation in June, 1776, mentioned in the previous chapter, the members decided to recommend a change of government for the colony to their representatives in the Assembly. One of the members, a respected elderly farmer named John Clarke, opposed this change. When he stepped outside of the meeting, a mob seized him, placed him in a pillory on the courthouse green, and pelted him with eggs. And it was probably at this time that the Tories' petition he was carrying to present to the Assembly was destroyed. His only offense, as a reporter of the event pointed out many years later, was that he opposed independence.

The mistreatment of Clarke and the destruction of the Tories' petition (a perfectly legitimate instrument for expressing collective political opinion) precipitated an insurrection. Agitation for a change in state government and for independence from England had already made the atmosphere tense. Richard Bassett and Thomas White, two conservatives who had taken part in the discussion in the committee, were offended by the assault on Clarke. In retaliation they planned to capture some of the leading Whigs. If Thomas Rodney's account is accurate, the plotters also meant to burn Dover and to hang four Whig

members of the Dover Light Infantry who had offended them.

Early on Black Monday morning, June 10, 1776, two days after the meeting of the Kent County committee, the Tories gathered north and south of the town for the attack; but one of the Tory conspirators had leaked the plot to the Whigs, who were ready to defend the town. The two forces negotiated. Through the intervention of two clergymen, probably the Reverend Samuel Magaw and the Reverend John Miller, open conflict was averted, and the Tories dispersed peacefully.

Thomas Rodney wrote an ironic song (sometimes called "A Song of 1776") about Black Monday. The first three verses of it read:

Black Munday was a Mighty day
For Refugees and Tories.
Three hundred bravely run away
Chock full of Lies and Stories.
Lang do Lang Diddle.

The Captain of the brave light Horse
Began the insurrection
His Videts flew on every course
To spread the wide infection.
Lang do Lang Diddle.

Dark and Secret was their plan
To burn the town of Dover;
But e're their furious work began
They were all quite done Over—
Lang do Lang Diddle.

Circulation of the Tories' and Whigs' petitions had already aroused the people of Sussex County. When news arrived of the destruction of the Tories' petition and of the mistreatment of Clarke, the Whigs were already roaming around the countryside confiscating the weapons of the Tories. The conservatives and moderates prepared to de-

fend themselves and retaliated by seizing the weapons of the Whigs.

Henry Fisher forwarded an account of these disturbances in Sussex County to New Castle, where the Assembly was in session, and to Philadelphia, where the Continental Congress was meeting. The Assembly directed companies of militia from New Castle and Kent Counties to march to Sussex County, and Congress sent down a Continental battalion under Colonel Miles. The Assembly also ordered Caesar Rodney and John Evans, two of their members, to investigate the causes.

Young Lt. Enoch Anderson, who served in the First Company of the Delaware Regiment, described many years later the excitement on that occasion. When militia from New Castle County arrived at Lewes, all was in turbulence. After a few days the young officer went to Wilmington on personal business. As he was returning to Lewes he was stopped below Dover by armed Tories who searched his saddle bags and condemned him as one of the “d—d Haslet’s men”; but they then permitted him to proceed and even helped to repack his saddle bags. In a tavern near Lewes he was surrounded by swearing Tories, but managed to escape after buying them a jorum of rum. They yelled after him, “Come back you d—d rebel! You d—d Haslet’s man!” But he reached Lewes safely by nightfall. With other militiamen, he guarded the so-called “false capes” near the town, but nothing happened. The whole thing, as he describes it, was a lark. No one was hurt or injured on either side. Caesar Rodney and John Evans settled the grievances of the opposing factions, whom they described as “very disturbed people.”

Besides the controversies over a change in the state government and declaring independence from England, other factors contributed to the outbreak of the insurrection. There were rumors of an uprising down the peninsula and the arrival of the British ship *Roebuck* off Lewes threatened the rebel cause. Some accounts mention that

the appearance of the militia and Continental Army troops caused the Tories to bring out their arms and to resist openly.

The participants in the insurrection petitioned the Constitutional Convention meeting in New Castle in August, 1776, for pardon. Not only was pardon granted, confiscated arms were returned!

Sussex County continued to be a center of disturbance. Henry Fisher, who spied on Tory activities for the Pennsylvania Committee of Safety, complained in October, 1776, that such a scene of disaffection and disloyalty took place in Lewes in the recent election that it could not be matched anywhere in the colonies. The details that have come down to us give weight to his statement.

Affairs again became disturbed in Sussex County in the spring of 1777. John Ferdinand Dalziel Smyth, an escaped British prisoner from Baltimore jail who was hiding in Sussex County in the winter of 1776-1777, commented upon the suspicions and tensions that existed. The principal investigator was reported to be Simon Kollock, the former sheriff of Sussex County, who has landed from a British vessel in January, 1777, and had then begun to agitate for resistance to Whig policies. People in nearby Worcester County, Maryland, were involved. Smyth, Kollock, and Robinson left the colony in March on the *Preston* and reached safety in New York.

Under the stimulus of information received from Maryland, the Continental Congress requested in the spring of 1777 that the Delaware General Assembly provide 100 soldiers to join Maryland and Continental troops in hunting out Tories in Sussex County and the adjacent section of Maryland, where they were suspected of aiding the enemy. President John McKinly believed that the suspicions were unfounded, but the General Assembly appointed a committee to investigate. Its report stated that a considerable portion of the inhabitants were unfriendly to the American cause and disaffected, frequently

trading and corresponding with the enemy. The legislature adjourned in June, 1777, without having taken cognizance of the report.

Whigs in Sussex County were disgusted at the lack of action by the General Assembly. David Hall and other leaders complained to the president of Congress late in June, 1777, that the General Assembly had done nothing to quell disturbances and that the treason law passed in February was unsatisfactory. The British and Tories fished and hunted together openly, they protested, and British officials had recently recruited sixty men for their army. Simon Kollock had recently returned to the county with counterfeit American money with which he was buying cattle. As a result of a reprimand from Congress, the General Assembly at last took action and provided 200 militiamen to assist Maryland soldiers in "Tory-catching" in Sussex County. A reward of \$300 was offered for the capture of Kollock and of \$200 for the apprehension of any Tory traders. These militiamen found plenty to do for several months.

Late in the summer, General Howe sailed from New York city to Chesapeake Bay with more than 200 ships. En route he temporarily anchored off Lewes in Delaware Bay. Thomas Robinson had tried unsuccessfully to persuade Howe to advance up the Delaware River. Robinson believed that if Howe would land him on the peninsula with 500 men, the American could recruit 6,000 men on a march northward, but Howe decided against both landing Robinson and proceeding up the Delaware River.

Instead, Howe landed his men at the head of the Chesapeake and began to march overland toward Philadelphia. In spite of resistance by Washington's army, as we shall see later, he succeeded in capturing Philadelphia. For a time in early September, 1777, he also occupied much of New Castle County. This was a time when a number of Delaware Tories joined his army. Many farmers succumbed to British gold or to fear of British

retaliation if they did not trade and sell food to the enemy.

The General Assembly was unsuccessful in dealing with these disturbed conditions. Because so many members served in the militia, an attempted meeting in New Castle in September, 1777, was cancelled because a quorum was not present. The next month the members met in Dover, but the House of Assembly still did not have a quorum, in part because riots in Sussex County had prevented holding an election. A special election in the spring, rather suprisingly, returned Whig representatives to the House of Assembly. Only then could more vigorous measures be passed against the Tories, as we shall see later. The people in Kent and New Castle Counties, disturbed by the British occupation, had already elected Whigs to the General Assembly.

One result of the Whig domination of the General Assembly in the spring of 1778 was the election of Caesar Rodney as president of the Delaware State for a three-year term. He had barely assumed office when his administration faced a serious revolt by Cheney Clow in April, 1778. This Kent County Tory had built a fort of rough logs near Kenton close to the Maryland line. It was the headquarters of 300 or 400 insurgents who planned to march against the General Assembly sitting in Dover. Lt.Col. Charles Pope was successful in capturing the fort in the middle of April. About fifty of the participants were later apprehended, and twenty were sent off to enlist in the Continental Army, a common fate of captured Tories. Maryland authorities cooperated in making the arrest. Clow and some of his followers continued their activities in Maryland during the remainder of the year, engaging in plundering and looting. The ringleader later joined the British army.

During a visit to Kent County in 1782, Clow was surrounded in his farmhouse by a sheriff's posse and ordered to surrender. He refused. The posse finally succeeded in breaking down the barricaded entrance to the farmhouse

and capturing Clow, but in the scuffle one of the sheriff's men was killed. Clow showed a commission making him a captain in the British army and claimed that the man had been killed in military combat; nevertheless he was held under a bond of £10,000. A poor man, he had no chance to raise such a large sum. He was treated as a common murderer, left to languish in jail until he was finally hanged in 1787. Thomas Rodney tried unsuccessfully to have the prisoner banished to another state instead. Some persons believed that not Clow, but one of the sheriff's men, had shot the deputy in the back accidentally.

The final insurrection of importance in Delaware occurred in Sussex County in August, 1780. Several hundred Tories were reported roaming around the center of the county, disarming Whigs, seizing ammunition, and threatening worse. The headquarters of their leader, Bartholomew Banum, was in Black Swamp. They perpetrated these lawless acts to express their opposition to a militia law newly passed in 1780 that provided that every twenty men enlisted in militia companies should supply one man for the Continental Army. Since the rich could hire substitutes for themselves, the poor felt that they were inequitably burdened with military service. The renegade Tories also were aggrieved by high taxes (voted by the Whigs) and the seizure of weapons by Whigs. Thirty-seven persons were indicted before the State Supreme Court in 1780. Eight were ordered to be hanged by the neck, but not until death. Their bowels should be cut out and burnt before their face, their heads severed from their bodies, their bodies divided into four quarters. Fortunately, these men were all pardoned, so that this atrocious sentence was not carried out.

Toward the end of the war, refugees became troublesome, harassing lonely farmhouses and seizing small vessels. Caesar Rodney regretfully noted in Dover in the spring of 1778, "We are constantly alarmed in this place by the enemy and refugees. And seldom a day passes

but some man in this and the neighbouring counties is taken off by the villians. So that men near the Bay who I know to be hearty in the Cause, dare neither act nor speak lest they should be taken away and their houses plundered." Although the Assembly appropriated money in 1782 for a vessel named the *Delaware* equipped with cannon and swivel guns, the refugee marauders were scattered so widely that Lt. Col. Charles Pope and his "Delaware Navy" had little success in checking their activities.

The General Assembly had no more luck in keeping the Tories quiet than it had with the refugee problem. In 1777, the assembly made death or forfeiture of property the punishment for act of war against the state or for allegiance to the king. Persons advising loyalty to the king or Parliament could be fined up to £ 300 or imprisoned. It appears that no one was ever punished under this act. Still, the Whigs regarded it as too lenient.

Following the British occupation, the General Assembly in 1778 adopted an act forbidding trade and commerce with the enemy; but lenient judges frequently let violators off with small fines. In the same year, the assembly required that all white males take an oath of allegiance and loyalty to the state by July 1. Those who refused were to be considered enemies of the state.

The most important act of the war years dealing with disloyalty was passed in 1778. Entitled "An Act of Free Pardon and Oblivion," it named forty-six persons who were denied pardon and provided that their property should be forfeited and sold for the benefit of the state. Among those named were Joshua North, Cheney Clow, Thomas Robinson, Simon Kollock, and Joshua Hill, as well as less illustrious men; but the individuals named in the act were not specifically indicted for crimes against the state. Other enemies of the state might be pardoned if they took an oath of allegiance but they would be disqualified from voting and holding office.

In practice this act was not well enforced. Judges on occasion pardoned some of the persons named in the act; and it was a common charge in disputed elections that many voters had not taken an oath of allegiance.

Less than £100,000 in Pennsylvania currency was secured from the sale of property under this act, mostly from the receipts for the properties of Joshua North (£38,439) and Thomas Robinson (£34,177). Nine people in New Castle County and an equal number in Sussex County had their property confiscated and sold; no records exist for Kent County.

More than twenty Delawareans migrated to Canada, especially to New Brunswick and Nova Scotia, after the war. At least eight sought refuge in England. But a few returned to Delaware. Jacob Smith, a young farmer of Brandywine Hundred who had served in the British army, did not like Canada and returned in 1786. The health of Thomas Robinson was poor, and President Nicholas Van Dyke granted him permission to return in 1786. He spent his last years in Sussex County. Through the intercession of the French minister to the United State, Luke Shields, pilot, who had served first the British and then the French, was permitted to return to Sussex County.

Living in Nova Scotia after the war were Thomas Robinson, Joshua Hill, Abraham Wiltbank, Samuel Edwards, Jacob Derickson, Jehu Hollingsworth, Joseph H. and Peter B. Burton, and William Milby. Robinson and Hill were the two wealthiest and best known loyalists from Sussex County; both fled to the British lines because they were about to be arrested. Wiltbank, Edwards, and Milby were pilots.

In exile in New Brunswick were Jacob Smith, Capt. Isaac Atwood of the King's American Regiment, Ens. Thomas Gill, Capt. Simon Kollock of the Loyal American Regiment with his two sons, Charles Goff (pilot), John Greenwood, and James and William Springer.

Living in Quebec Province was Benjamin Galloway, a

fisherman by trade who had recruited soldiers for Howe's army in Kent County. He had also participated in Clow's rebellion in 1778.

Residing in the British Isles after the war were Theodore Maurice, James Dawson, John Drake, Joshua North, Charles Gordon, Abel Jacobs, Daniel Currie, and John Watson. Maurice had been an officeholder in New Castle County for twenty-four years. Joshua North had been accused of providing the British with information and provisions. John Watson was a physician and pharmacist from New Castle who had returned to his mother country, taking his American wife with him.

After peace came, the Whigs did not intend to share their hard-earned liberty with their opponents if they could help it. Efforts were made in all three Delaware counties to block the return of refugees and loyalists. When a shipmaster named Rawlings, who had cooperated with the enemy, put his brig into Wilmington, he was warned to depart. Militia officers meeting in Dover and Lewes passed resolutions calling for the expulsion of loyalists who returned to Kent and Sussex Counties and formed "associations" to enforce their resolutions.

Militia officers also attempted to prohibit voting at the polls by any but Whigs. In 1783, swords, bayonets, and clubs were used in Kent County to prevent the Tory opposition from voting. Petitions from Sussex County in 1787 complained that 200 men, members of the Whig association, had beaten, wounded, and maimed voters. Such repression could not long continue. In 1789 a petition to the General Assembly from Sussex County requested that all voting disqualifications be removed. The General Assembly passed an act to this effect in 1790.

In retrospect, the Delaware State had handled the loyalist problem well, more by accident than by design. Pressure from Whigs had compelled the adoption of severe penalties for disloyalty to the American cause; but humane judges had neglected to impose the most stringent

punishments. Many loyalists had been released under bond, their cases never to be acted on. Strict enforcement of existing laws might have resulted in a guerilla war between the opposing factions, especially in Sussex county. As things worked out, only occasionally did militia and continental troops interfere to curb Tory activities. The conclusion of one student of the American Revolution (Jackson Turner Main) that Delaware legislators carried out the wishes of their constituents by allowing "all but a few loyalists to live in peace" and by keeping "united a badly divided state" is certainly true.

*An Act of Free Pardon and Oblivion,
and for other purposes therein mentioned*

Whereas persuasion and influence, the example of the deluded or wicked, the fear of danger or the calamities of war, may have induced some of the subjects of this state to join, aid or abet the British forces in America, and who, though now desirous of returning to their duty, and anxiously wishing to be received and re-united to their country, may be deterred by the fear of punishment: *And whereas* the Legislature of this state, ever more ready to reclaim than to abandon, to mitigate than to increase the horrors of war, to pardon than to punish, are desirous that no means should be left untried to give such offenders an opportunity of returning to their allegiance, and again be restored to the blessings of freedom;

Section 2. *Be it therefore enacted by the General Assembly of Delaware, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for any person or persons, inhabitants of this state, who have levied war against this or any of the United States, or adhered to, aided and abetted the enemies thereof, except the following persons, late and heretofore inhabitants of this state, *viz.* Jacob Derickson and Joshua North, late Captains in the militia; William Almond and John Almond, husbandmen; James Welch, yeoman, and now or late of Brandywine hundred; John Watson, practitioner in physic; Christian Smith, labourer; [Christopher] Hackett, weaver; John Drake, late inn-keeper; Isaac Conner, cooper; John Greenwood, cooper;

Thomas Nodes, cordwainer, all now or late of New-Castle hundred; [Isaac] Atwood, practitioner in physic and comb-maker; Isaac Simmons labourer, both now or late of Christiana hundred; William Buchanan, late innkeeper; [Christopher] Wilson, copper-smith both now or late of the borough of Wilmington; Charles Gordon, now or late of St. George's hundred, attorney at law; Joseph Judson, mariner; Abraham Anderson, mariner, both now or late of Appoquinimink hundred; Alexander Foreman, now or late of Pencader hundred, taylor, within the county of New-Castle; Cheney Clow, James Barcas, Stephen Barcas, and William Burrows, all now or late of Littlecreek hundred, husbandmen; Prestly Allee, husbandman; Simeon Vanwinkle, saddler; William Wartonby, bricklayer; James Massey, hatter; Abraham Conner, husbandman, all now or late of Duck-Creek hundred; Samuel Hatfield, husbandman; Samuel Worden, shallopman, both now or late of Murderkill hundred; William Thompson, now or late of Mispillion hundred, shallopman; John Brinkle, now or late of Dover hundred, shallopman, within the county of Kent, — Joshua Hill, esq. late one of the Members of the General Assembly of this state; James Rench, practitioner in physic, and one of the Members of the Convention of this state; Thomas Robinson and Boaz Manlove, esqrs. Dormand Lofland, formerly Sheriff of the county of Sussex; Abraham Wiltbank, late a Lieutenant in the service of this state; Luke Shields, junior, Samuel Edwards, William Rowland and Nehemiah Field, pilots; Simon Kollock, junior, cooper; Solomon Truitt, junior, and William Milby, yeoman, now or late of the county of Sussex, on or before the first day of August next ensuing, voluntarily to appear and surrender themselves before any Justice of the Supreme Court, or Justice of the Peace within this state, and take and subscribe the oath or affirmation following, *to wit*,

I A.B. do solemnly swear (or affirm as the case may be) that I do not hold myself bound to yield any allegiance or obedience to the king of Great Britain, his heirs or successors, and that I will be true and faithful to the Delaware State, and will support and maintain the Freedom, Independence and Constitution thereof, against all open enemies and secret and traitorous conspiracies, and will disclose and make known to the Commander in Chief for the time being, or some Judge or Justice of this state, all

treasons or traitorous conspiracies, attempts or combinations against the same, or the government thereof, which shall come to my knowledge.

Which oath or affirmation, the said officers respectively are hereby required and directed to administer to all such of the said offenders who shall so apply and claim the benefit of this act, and to give such deponent or affirmant a certificate thereof in the words or to the effect following, *to wit*,

I, C.D.(one of the Justices, &c. as the case may be) do hereby certify, that A.B. being one of the offenders described in an act of Assembly of the Delaware State, intitled, "An act of free pardon and oblivion, and for other purposes therein mentioned," made and passed the day of 1778, having voluntarily appeared before me and claimed the benefit of the said act, hath this day taken and subscribed the oath (or affirmation, as the case may be) prescribed in the said act. Given under my hand and seal this day of 1778.

For which service such judge or justice shall be intitled to receive of such offender the sum of Five Shillings: And every offender having so applied, taken the oath or affirmation, and procured a certificate as aforesaid under the hand and seal of any of the officers aforesaid, and delivering the same to the President or Commander in Chief, who is hereby required to file and safely keep the same, and to deliver a copy thereof under his hand and seal to the party presenting the same, for which service he shall be intitled to receive of such offender the sum of Thirty Shillings, shall be and is hereby declared to be fully, freely, and absolutely pardoned, released and discharged of and from all treasons and other offences, specified in an act of Assembly of this state, passed on the twenty-second day of February, in the year of our Lord One Thousand Seven Hundred and Seventy-seven intitled, *An act to punish treasons and disaffected persons, and for the security of the government*, by him before done or committed, and shall thereupon be restored to his estate; but shall be for ever hereafter incapable of holding any office of profit or trust either civil or military within this state, and of enjoying or exercising the rights of suffrage at any election within the same.

Sect. 3. *Provided always*, That this act or any thing therein contained shall not extend to discharge such offenders who have recognized for their appearance at the Court of Oyer and Terminer for their respective counties, or who are otherwise secured within this state on any charge under the act, intituled, *An act to punish treasons and disaffected persons, and for the security of the government*, from the payment of the legal fees and charges which already have or may arise or become due to any officer of this state by means of apprehending and securing such person.

Sect. 4. *And whereas* some of the offenders above described may nevertheless be so far lost to every sense of duty to their country, as to decline accepting the clemency hereby proffered;

Be it further enacted by the authority aforesaid, That all and singular the real and personal estate whatsoever of every the said offenders who shall not, on or before the said first day of August next, voluntarily surrender himself and appear before some one of the officers aforesaid in this state, and take the oath or affirmation as herein before directed, and also all the estate both real and personal of the said Jacob Derickson, Joshua North, William Almond, John Almond, James Welch, John Watson, Christian Smith, [Christopher] Hackett, John Drake, Isaac Conner, John Greenwood, Thomas Nodes, [Isaac] Atwood, Isaac Simmons, William Buchanan, [Christopher] Wilson, Charles Gordon, Joseph Judson, Abraham Anderson, Alexander Foreman, Cheney Clow, James Barcas, Stephen Barcas, William Burrows, Prestly Allee, Simon Vanwinckle, William Wartonby, James Massey, Abraham Conner, Samuel Hatfield, Samuel Worden, William Thompson, John Brinckle, Joshua Hill, James Rench, Thomas Robinson, Boaz Manlove, Dormand Lofland, Abraham Wiltbank, Luke Shields, junior, Samuel Edwards, William Rowland, Nehemiah Field, Simon Kollock, Solomon Truitt, junior, and William Milby, if they surrender not themselves to some Judge or Justice of the Peace on or before the first day of August next, and abide their legal trial for such their treason and offences, shall from thenceforth be and is hereby declared to be absolutely forfeited to this state, subject nevertheless to the payment of the said offenders just debts; and all the sales and alienations thereof, and of all or any of the real estate such offender made after the sixteenth day of May last, by him or any of his agents or attorneys, are hereby declared to be null and void to all intents and purposes whatsoever.

Sect. 5. *And be it further enacted by the authority aforesaid,* That the Commissioners for the respective counties of this state hereinafter appointed, or any or either of them, shall and may with all convenient speed, after the said first day of August next, make a true and perfect inventory of all and singular the personal estate and effects of every such offender, and secure the same; and also set down in such inventory an account of the lands and tenements whereof such offender was seized or entitled to on the said sixteenth day of May last; which said list the Commissioner taking the same is directed to return into the office of the Clerk of the county where the said goods and chattels, lands and tenements are, to be by him recorded; for which service the said Clerk of the Peace shall receive out of the monies arising from the sale of the said estates, such sum as the Court of Quarter Sessions of his county shall direct; and the said commissioners respectively are hereby directed to make public sale of the goods and chattels, lands and tenements, so as aforesaid inventories, having first publicly advertised the same ten days, a return and just and true account of the same to the General Assembly of this state at their next sitting after such sale and pay the monies arising thereby to their order or appointment, after deducting thereout for the trouble, reasonable charges and expences, in performing the duty by this act required of him, the sum of ten per cent.

Sect. 6. *Provided always, and be it further enacted,* That the Commissioner hereinafter appointed in each county, who shall make sale of any lands or tenements, goods or chattels by virtue of this act, shall pay into the hands of the wife of the person forfeiting the same, for the maintenance of herself and children, such sum or sums of money arising from the sale of such estate as three Justices of the Peace by the Court of Quarter Sessions for such county to be chosen for that purpose shall order and direct. And in case any lands or tenements, goods or chattels shall be sold by virtue of this act belonging to any person not having a wife, the commissioner aforesaid shall pay the monies allowed by the three justices aforesaid into the hands of such person as the said justices shall appoint, to be by him applied to the purpose of maintaining the children of the person forfeiting the same.

Sect 7. *And be it further enacted by the authority aforesaid.* That the persons hereinafter named shall be, and they are hereby for the counties in which they respectively reside appointed Com-

missioners for the purposes aforesaid, *to wit*; for the county of New-Castle, William M'Clay, gentleman; for the county of Kent, the honorable Samuel West, esquire; for the county of Sussex, Levin Derrickson, esquire.

Sect. 8. *And be it further enacted by the authority aforesaid*, That the Commissioner of each county before he enters on the execution of his office, shall give bond to the Treasurer of his county, in the name of the Delaware State, with two sufficient sureties, in the sum of One Thousand Pounds, conditioned for the faithful performance of the duties required of him by this act.

Sect. 9. *And be it further enacted by the authority aforesaid*, That if the said Commissioners or any of them shall refuse or be disabled from performing the duties enjoined them by this act, then and in such case the President or Commander in Chief shall be, and is hereby authorised and required to appoint other proper persons in the room of such Commissioner or Commissioners, and the person or persons so appointed shall be and they are hereby vested with the same powers and authorities, and shall receive the same compensation, and be subject to the same duties which by this act are vested in, allowed to, and enjoined upon the said Commissioner hereby appointed.

Sect. 10. *And be it further enacted by the authority aforesaid*, That the Commissioner for each county shall have full power and authority by deed of sale, under his hand and seal duly executed, to convey any lands or tenements hereafter to be sold by virtue of this act, and deliver possession thereof to the person or persons who shall purchase the same; and if any person or persons, who may be in possession of any lands, messuages or tenements hereafter to be sold in pursuance of this act, shall, for ten days after such sale and conveyance, refuse or neglect to deliver up the same to the purchaser or purchasers thereof, the Commissioner who sold such lands, messuages or tenements, shall proceed to recover the possession thereof in the manner and way by law directed in cases of forcible entry and detainer; on the trial whereof, if it shall appear to the Jury of Enquiry that the lands, messuages or tenements were sold by virtue of this act, and the purchase money paid for the same, and legal conveyance made agreeable to the directions therof, they shall cause possession to be delivered to the person or persons purchasing the same and the person or persons, his or their heirs or assigns, to whom any

lands, messuages or tenements shall be sold and conveyed and possession thereof delivered agreeable to the direction of this act, shall hold and for ever enjoy the same in as full, free and ample manner as if the said lands, messuages or tenements had been conveyed by the person forfeiting the same, before the commission of the treason for which the same became forfeited.

Sect. 11. *And be it further enacted by the authority aforesaid,* That the several persons in this act, by name excepted and excluded from the benefit of the pardon in and by the same proffered, are hereby disabled and for ever rendered incapable to hold and enjoy any post or place of profit or trust, civil or military, within this state, and of exercising and enjoying the right and privilege of voting at any election within the same.

Sect. 12. *And it is further provided and enacted by the authority aforesaid,* That every person or persons hereby pardoned, may plead the general issue, without special pleading of this pardon in evidence for his discharge, and that the same shall be thereupon allowed, and the advantage thereof has as fully to all intents and purposes as if the same had been fully and well pleaded.

Passed June 26, 1778.



Chapter Five

The Delaware Militia and Continentals: A Tribute

THE IDEA OF organizing militia for defense was not new in the Three Counties at the time of the American Revolution. Leon de Valinger, former state archivist, has carefully traced the evolution of the military system of the colony from the days of the Swedes and Dutch through the intercolonial wars in which England was involved. He found that the Swedes, the Dutch, and the English, the last whether ruled by the Duke of York or by William Penn, had formed militia companies for collective defense.

Since Mr. de Valinger's research, materials in the British Public Records Office have come to light that provide additional information about the militia during Penn's proprietorship. In 1704, Lt. Gov. John Evans thoroughly reorganized the militia, at just the time when the Three Lower Counties began to have their own General Assembly. In that year he informed British authorities that he formed a militia, "which in the Three Lower Counties is as good as any on the Main." All white

men aged sixteen to sixty were obliged to provide themselves with arms and weapons and enlist in companies under commissioned officers. Quakers, who were few in number, claimed exemption on religious grounds. In spite of problems, the lieutenant governor concluded that the militia formed was "as well appointed and singular as any I know of on the Main, considering the number of inhabitants and the infancy of the thing, it being the first that was ever born here that deserved the name of one."

England's enemies in this period were usually France and Spain. While the militia in the Three Lower Counties was first used for local defense, beginning in 1740 it was used overseas as well. In that year at least one Delaware company fought for England against Spain at Cartagena in the West Indies. In King George's War from 1744 to 1748, a militia company from the Three Lower Counties again left the colony, this time to help protect Albany from attack by the French and Indians.

Delaware Bay during King George's War was infested by pirates and privateers. In 1747, Don Pedro, a pirate from Havana, frequented the bay, preying on vessels and creating havoc. In 1748, rumors spread that he was returning with twenty-five ships, including his own with thirty-two guns. Fearing the worst, the inhabitants of the Three Lower Counties formed "associations to holde together in defence of their own libertys, religious and civil." The Reverend Mr. Bluett of Dover thought this action significant enough to inform the Society for the Propagation of the Gospel in London about it. At the beginning of the American Revolution, similar associations were again formed in the Three Lower Counties.

During the French and Indian War, from 1756 to 1763, three Delaware companies marched with Gen. John Forbes to conquer Fort Duquesne (which Forbes renamed Fort Pitt). In this war John Haslet and Gen. John Dagworthy established their military reputations. Haslet later became the first commander of the Delaware Regi-

ment in the American Revolution. Dagworthy was rewarded for his services by a grant of 20,000 acres in Sussex County called "Dagworthy's Conquest."

Because Delawareans were familiar with militia companies, it was natural that they should organize themselves into such companies at the beginning of the American Revolution. Upon the recommendation of Congress, New Castle County, in November 1774, elected Committees of Inspection and Observation in each hundred for purposes of vigilance; these met together in a joint meeting in the town of New Castle in December. Here they took the first steps to form a militia because apparently none existed in the Three Lower Counties at that time.

All white men aged sixteen to fifty were directed to enlist in militia companies in New Castle County. Each soldier was responsible for his own equipment, consisting of a firelock with a bayonet, half a pound of powder, two pounds of lead, a cartouche (powder box) or powder horn, and a bag of balls. In March, 1775, these companies organized more formally. On that occasion, John McKinly was elected colonel. Later the county was divided into three districts, and Cols. Thomas Cooch and Richard Cantwell took charge of the newly drawn military areas. Interest in military training was so widespread that James Adams, a Wilmington printer, printed a manual of arms for sale.

The members of the militia companies wore smart-looking uniforms. On June 7, 1775, the field officers in New Castle County decided that the uniforms should consist of short light-blue coats lined with white and decorated with white metal buttons, short white waistcoats, white breeches, black garters, white stockings, and half spatterdashes. Their hats were small and round, bound in black with a broad ribbon around the crown. Each company was identified by the color of its cuffs and capes: Colonel McKinley's men wore white; Colonel Cooch's, buff; and Colonel Cantwell's, green.

These uniforms were probably paid for by a tax of one shilling six pence per pound on the property of each taxable inhabitant, which the Levy Court imposed in May, 1775. This figure had been imposed following a conference of the Committees of Inspection, justices of the peace, and members of the grand jury.

News of the clash between British and American soldiers at Lexington and Concord brought about the formation of a militia company in Kent County. "In May, 1775, when the news of the Battle of Lexington arrived at Dover," wrote Thomas Rodney about twenty years later, "the inhabitants of the Town and its Neighbourhood assembled at the Court House and unanimously appointed me their Captain and formed themselves into a Military Company for the defence of their rights." According to Rodney, he drew up the military regulations that the members of the new company signed. The Committees of Inspection and Observation then recommended to all the people in the county that they form companies.

Later in the same month, officers of more than twenty companies assembled at Dover schoolhouse, divided the county into three districts, and appointed Caesar Rodney and John Haslet their commanders. The assembled officers signed an "association" by which they promised "by the sacred ties of honour and love of our country, that we and each of us will, to the utmost of our abilities, well and faithfully execute the important offices conferred upon us by our fellow-subjects, and in our military and every other capacity, at the risque of our lives and fortunes, defend the liberties and privileges of America, as well natural as constitutional, against all invaders of such as any may attempt the least violation or infringement of them." Thomas Rodney with pride recalled many years later that "on this Occasion there was none of them adopted this measure (arming) with more alacrity, spirits and decision than the People of Kent on Delaware."

About a year later, when members of Thomas Rodney's Dover Light Infantry Company were criticized for arresting Thomas Robinson and Col. Jacob Moore of Sussex County, they decided to sign an "association" explaining the purpose for which they were organized. They bound themselves "by every tie of Honour, Virtue and Good Faith to adhere and stand firm together at the risque of our lives and fortunes in the defence and protection of American Liberty." They also agreed to abide by the militia regulations laid down by the Assembly and Continental Congress.

Sussex Countians, following the example of Kent, also formed militia companies shortly after the battles of Lexington and Concord, though nothing definite is known of their origin. We do know that they existed by the fall of 1775 because we have the names of militia officers in that county from that time.

In the fall of 1775, Councils of Safety were established in each county. At meetings in Dover they laid down rules and regulations for the militia.

The General Assembly in 1776 passed a militia act which laid the basis for the operation of this home guard throughout the war. The preamble reflected the teachings of John Locke and may have been influenced by the wording of the Declaration of Independence:

WHEREAS Self-Preservation is the first great Principle and Law of Nature, and a Duty that every Man indispensibly owes not only to himself but to the Supreme Director and Governor of the Universe who gave him a Being: **AND WHEREAS** in a State of Political Society and Government all Men by their original Compact and Agreement are obliged to unite in defending themselves, and those of the same Community, against such as shall attempt unlawfully to deprive them of their just Rights and Liberties; and it is apparent that without Defence no Government can

possibly subsist: AND WHEREAS the King of Great Britain hath waged a most cruel, unjust and unnatural War against the Inhabitants of the United States of America, and designs to prosecute the same to the total destruction of their Liberties and Property, and to the establishment of Despotism and Slavery over our Country, FOR PREVENTION whereof, and that the Inhabitants of this State may be armed, trained and disciplined in the Art of War, whereby they may be enabled not only to assert their just Rights but also to defend themselves, their Lives and Properties and preserve inviolate that Freedom they derived from their Ancestors, and the Constitution and transmit the fair Inheritance to their Posterity . . .

This act provided that all white males aged eighteen to fifty were to enroll in militia companies for drill nine times per year. Exempted from this obligation were clergymen, judges, jailers, and indentured servants unless the latter were near the conclusion of their term of service. In time of emergency, an "alarm" would be sounded by the firing of four muskets or two cannon or the beating of a drum. The members of these companies were liable to fines if they did not appear for drill or at the time of an alarm.

These militia drills and reviews became social occasions attended by hundreds of people. Using the occasion of a fast day proclaimed by the Continental Congress on July 20, 1775, the Reverend Joseph Montgomery, a Presbyterian minister, preached a fiery sermon in favor of independence before the militia companies of Col. Samuel Patterson at New Castle and Christiana Bridge. Taking a text from Deuteronomy, he compared the Americans to the Israelites facing their enemies. Declaring that the British were frightened at the prospects of America's future greatness, he denounced the efforts of the mother country to reduce Americans to slavery. He advised his

listeners to go forth to serve God, and their casue would be blessed.

Following a review at Dover in May, 1776, the Reverend Samuel Magaw, rector of the local Anglican church, addressed Colonel Haslet's regiment after evening prayers. In attendance were many spectators from the surrounding countryside. "Perhaps never were freemen or patriots or warriors or heroes called forth for nobler purposes than we have now in prospect," he told the militia. They were contending for no prize but freedom. The rebellion rose "from a dreadful necessity" — "self-preservation." Their models should be Generals Wolfe and Montcalm. In conclusion he admonished them "to enter the battle, should this be your lot, with the boldness of Christian heroes, having on the breastplate of righteousness and the helmet of salvation."

Officers had trouble in shaping up these civilian recruits from a variety of backgrounds. Even though the Assembly approved the rules regulating the conduct of these men, restrictions which penalized drinking, swearing, sleeping on duty, striking an officer, or fighting were difficult if not impossible to enforce. Great difficulty was encountered in getting men to report for duty. In June, 1777, Capt. Abraham Statt wrote down the following reasons given by the members of his company in New Castle County for non-attendance: "said he would not leave his harvest for anybody," "I think it my duty to take care of my crop," "swears he will not go," "Lying in the small-pox," "says he cannot leave his shallop," "His wife expected to ly in," and "I will go if the rest goes."

Despite such problems, the militia did a useful service in providing military training for its members, some of whom later saw service in the Continental Army. The militia companies preserved law and order in difficult times. They broke up the traffic between British vessels and the Tories along the coast. They arrested Tories for treasonable activities and aided in putting down insurrec-

tions in Kent and Sussex Counties. The General Assembly thought enough of their services to recruit 600 militiamen late in the fall of 1777 to aid in restoring order in the various counties after the British occupation of Wilmington. In brief, their services were indispensable.

The story of the black inhabitants of Delaware during the Revolution has not yet been told by historians, and cannot be until revolutionary records have been more thoroughly and carefully investigated. Unlike some of the states in New England and others in the Middle Atlantic, the Delaware State did not permit black males to enlist for service in the militia or the Continental Army, thus showing its kinship with the southern colonies. A list of black soldiers in the Revolution issued by the National Archives in 1974 shows only two black soldiers for Delaware: Cato Fagan (Fegin), a private in the regiments of Colonels Patterson and Hall, and Jack (Negro), a private in the Delaware Regiment.

Yet slaves and free blacks in Delaware made a great contribution to the Revolution. Their labor on plantations and in workshops provided food and supplies for Delaware troops in the Delaware militia and for the Continental Army. And they provided other services. Isaac Carty, Receiver of Supplies for Kent County, acknowledged this debt unconsciously in his accounts in 1781 when he listed payments to Negro Jack for several months of service, including express riding and the superintending of horses, to his own Negro man "in public service," to Negro Daniel, to a Negro man employed by W.Z.F. and to Jack Needham, Negro. Perhaps research will confirm that Richard Allen, later a founder and first bishop of the African Methodist Episcopal Church of Philadelphia, did haul loads of salt from Lewes for the Continental Army, as some historians believe, though this is not clear from his autobiography. The few facts, including those above, that are well known indicate that an exciting, factual history of the black Delawarean in the Revolution can and should be written.

Delawareans can also be proud of the work of women who performed a multitude of duties to aid the armies in the field such as washing clothes, cooking, nursing and sewing. When Thomas Rodney was Clothing General for the First Delaware Regiment, he recorded in June, 1779, that nineteen women had made 427 shirts. Women took over the performance and supervision of chores on Delaware farms while their husbands were away on militia or Continental Army duties.

Evidence of the contributions of women to the American Revolution are recorded in the ledger of the State Auditor in the Hall of Records:

To Sarah Mason for expences of Doctors, nurses and others and for funeral charges of burying her deceased husband £ 15.16.10½

[To] United States for expenses of Captain Curtis Kendall's Party of 8 Virginia soldiers and a wash woman on their way to camp . . .

For an order in favor of Ann Westley for cooking for a party of soldiers and taking care of a sick prisoner sent on shore by the *Saratoga* man of war.

A like order in favor of Elizabeth Thompson for dieting soldiers of the Delaware Regiment.

A like order in favor of Mary Lewis for nursing sick soldiers of the Delaware Regiment.

To Elizabeth Townsend for provisions and liquor for 35 men and horse feeding in October, 1777.

While Elizabeth Montgomery, in her nineteenth century reminiscences, has related exciting anecdotes about how women in Wilmington aided members of the militia to escape when the British arrived in the fall of 1777, it is good to recall the solid achievements of women who in their everyday activities made an important contribution to American victory.

Delaware's first contribution to the Continental Army was a battalion recruited at the beginning of 1776 for a few

months of service under the command of Col. John Haslet. When he was asked to accept this command, Colonel Haslet replied:

Were I to consult my private interest, or domestic satisfaction, I should be induced to refuse, but, Sir, I have for some time past thought it my principal business to support the present virtuous opposition and think every wise and good American must sooner or later second the general struggle. . . . If the Congress desire it, I (who look on their Resolves as the Political Bible of Liberty and America) will consider their appointment as the Voice of Heaven (Of the People it most certainly will be) and strain every nerve to prove the confidence of my friends has not been misplaced.

Members of the Delaware Regiment made a handsome appearance in 1776. They were described frequently as the best uniformed and best equipped soldiers in the Continental Army at the time. They wore white waistcoats, buckskin breeches, white woolen stockings and black spatterdashes. Pewter buttons bore the initials D.B. for Delaware Battalion. Their small, round black-jacked leather hats with a high peak in front were inscribed in gilt, *Liberty and Independence / Delaware Regiment*. Their hats were also decorated with the "Delaware crest," showing a ship and sheaf of wheat. On parade, these soldiers wore short, red feather plumes in their hats. Because of the color of their coats they were called the "Delaware Blues."

The period of enlistment of Haslet's Delaware Regiment ended December 31, 1776. Haslet was killed at the battle of Princeton while a new regiment was being recruited. Col. David Hall of Lewes was given command upon Haslet's death.

Delawareans are deservedly proud of the record of this battalion. Beginning with the Battle of Long Island in

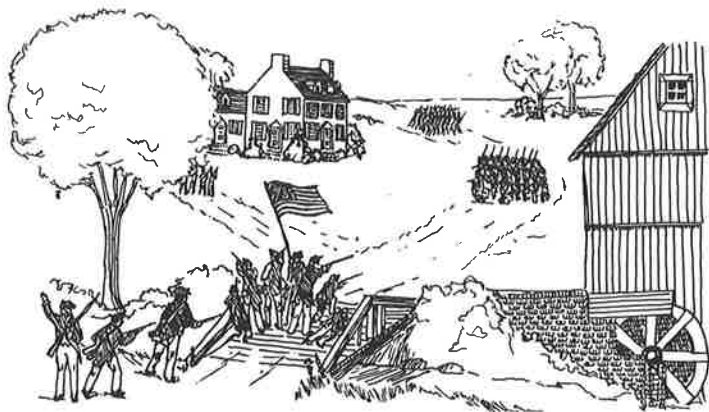
August, 1776, when General Washington was attempting to prevent the British from occupying New York City, the Delaware Blues fought in every major engagement of the war. After Washington's retreat to New Jersey and across the Delaware River, the Delaware troops were among the companies attacking Hessian outposts at Princeton and Trenton later in the winter. When the fighting moved to the vicinity of Philadelphia late in the summer of 1777, Delaware soldiers fought at Brandywine and Germantown. Some of them were in camp at Valley Forge the following winter. Later the Delaware Continentals engaged in fighting in New Jersey and along the Hudson. In 1780, the Delaware Regiment of 300 men moved southward to participate in such battles as Camden, Cowpens, Guilford Courthouse, and Eutaw Springs. Delaware soldiers were present when Lord Cornwallis surrendered at Yorktown in 1781.

Two other battalions from Delaware also served in the Continental Army. In the fall of 1776, a battalion was formed under Colonel Patterson and marched to New Jersey to join the "flying camp," that is, the soldiers enlisted for only a short time to protect the middle states. The only fighting in which they were involved occurred in a skirmish on Staten Island. In the fall of 1780, the Second Delaware Regiment of militia under Col. John Neill served for almost four months in



northern New Jersey and along the Hudson River. These soldiers were on duty when the treachery of Benedict Arnold was discovered and the brave Major Andre hanged.

The only battle fought on Delaware soil was at Cooch's Bridge. General Howe landed with his troops from New York at Head of Elk on Chesapeake Bay on August 25, 1777. His intention was to occupy Philadelphia. American forces under Washington's command tried to block his way. On September 2, part of Howe's army began to advance toward Christiana Bridge. To check such a move, Washington had placed a corps of about 700 men under Brigadier General Maxwell at Cooch's Bridge on the upper waters of Christina Creek. About 9 a.m. on September 3, Maxwell's men fired on Hessian soldiers approaching the bridge. A running battle followed as Maxwell's soldiers gradually retreated in the direction of the Welsh Tract Baptist church. About thirty men were killed on each side. Maxwell's soldiers later joined Washington's army posted on White Clay Creek.



It is possible that the Stars and Stripes, the flag adopted by the Continental Congress on June 14, 1777, may have been flown in a battle for the first time here. A claim to this honor has been advanced by Edward W. Cooch on the basis of his study and analysis of available circumstantial evidence. In his work on the Delaware Continentals, Christopher Ward also examined the evidence and concluded that the claim could be neither proved nor disproved. A state marker placed at the site in 1932 reads, "The only battle of the American Revolution on Delaware soil and claimed to have been the first in which the Stars and Stripes were carried." After the encounter at Cooch's Bridge, Washington arranged his main army along the north side of Red Clay Creek near Newport and across the main road from Head of Elk to Philadelphia, hoping that the British would attack his entrenched position. Maxwell's corps remained as an advanced post on White Clay Creek.

On September 8, the British began to move. Instead of taking the main road to Philadelphia, they set out on a road leading around Iron Hill to Newark. They eventually reached New Garden and Kennett Meeting House.

Washington was in danger of being outflanked. On September 9, he moved to Chadds Ford and placed his army on the east bank of the Brandywine, where he waited for an attack.

Desultory firing began against Washington's main line on September 11. False rumors circulated of the movement of British troops. In mid-afternoon, Washington received word that large numbers of British troops were gathering north of Birmingham Meeting House several miles away on the east side of the Brandywine.

As he had been in the Battle of Long Island, Washington was being outflanked. Hurriedly he ordered forces sent to Birmingham Meeting House to form up lines of defense there. When the fighting began in that area, General Knyphausen began a major push against the

American forces facing him. Gradually, in desperate fighting, the Americans retreated toward Chester. The British lost about 600 men in the battle, but the Americans lost twice as many. Washington had not been able to prevent Howe from reaching Philadelphia.

Delawareans were quick to aid the straggling survivors of the Battle of Brandywine. The state government, that is the General Assembly, was not always so attentive to the needs of Delaware troops. In the fall of 1776, the assembly sent observers to New Jersey to learn the needs of Haslet's and Patterson's soldiers. Barrels of bread, beef, and port were stockpiled by order of the General Assembly at Dover and Wilmington in 1777 for the use of the militia or Continental Army soldiers. The Assembly also provided that one ton of powder, two tons of lead, and five hundred stands of arms should be gathered in the same place. Usually these battalions received clothing, food, and shoes only by petition to the assembly. After the appointment of a clothier general, the situation improved slightly; but that officer was frequently handicapped by the failure of the legislature to appropriate money for material.

All too often the needs of the Delaware Blues were neglected. During the southern campaign of 1780 the Delaware Regiment lived for two weeks on a half pound of flour a day per man and bad beef supplemented by green apples and peaches from nearby orchards, a diet which left the members of the battalion weak and sickly. In October, 1781, from a camp near Yorktown, Capt. William McKennan wrote to President Caesar Rodney a second time about his men's needs:

Having received no answer, I am obliged to repeat my requests, the men being entirely naked. In my whole company I have not one waistcoat, one good shirt, or one pair of good overalls, and am in great

want of about fifty blankets and fifteen coats. For want of body shirts, they have been obliged to wear their hunting shirts: these, with the others are also wore out, makes their nakedness the more general. I have not more than twenty men who can do duty. The sick, absent and present, are rendered unable for duty, for the above want, and I expect at least two thirds of them will be obliged to go to the hospital with sickness occasioned by their situation.

For the coming winter he asked for one waistcoat, two shirts, one pair of woolen overalls, one pair of socks, and one pair of shoes for each man in addition to the blankets and coats he had already mentioned. He added, "They are good men and will make with kind treatment good soldiers — but in their present state, little can be expected from men who are naked and full of vermin and have not an immediate prospect of a relief."

Captain McKennan's letter was received by the General Assembly on November 10. Three days later, the speakers of the two houses of the Assembly were ordered to draw an order for £475 to supply this detachment with 200 shirts, 100 waistcoats, 100 pairs of overalls, 100 pairs of socks, 100 pairs of shoes, 15 coats, and 50 blankets. In addition, the clothier general was directed to spend £825 for clothing for other Delaware detachments in General Greene's army.

In spite of these hardships, Delaware troops had a proud record in the southern campaign. Col. Henry Lee of Virginia, who fought alongside the Delaware Regiment, declared that "certainly no regiment in the army surpasses it in soldiership." Dr. David Ramsay, in a history of the Revolution written soon after its conclusion, observed:

The Delaware Regiment was reckoned the most efficient in the Continental Army. It went into active

service soon after the commencement of the contest with Great Britain and served through the whole of it. Courting danger wherever it was to be encountered, frequently forming part of a victorious army, but oftener the companions of their countrymen in the gloom of disaster, the Delawares fought at Brooklyn and at Trenton, at Brandywine and at Germantown, at Guilford and Eutaw, until at length, reduced to a handful of brave men, they concluded their services with the war in the glorious termination of the southern campaign.

Although the full quota of the Delaware Regiment was 700 to 800 men, at no time did it contain that large a number. Various devices were tried to make up deficiencies such as bounties to recruiters and recruits, exemption from militia duty for any two men who would supply one soldier for the Continental Army, and making twenty militia members responsible for providing one Continental soldier. Due to illness, desertion, death, and casualties due to injury or accident, the battalion usually numbered about 400 or 500 men, sometimes many fewer.

Christopher Ward, historian of the Delaware Regiment, singled out for commendation three Delawareans: Allen McLane, Robert Kirkwood, and John Haslet. The first served with several Continental battalions and was noted on a number of occasions as a hard-riding, dare-devil scout. Of the last two, Ward wrote, "It is not too much to say that no regular officers in the whole army have more excellent records or achieved greater distinction than these two soldiers of Delaware." After risking his life for his country thirty-three times, Kirkwood fell at the Battle of Miami in a fight with Indians in 1791.

Concerning John Haslet, Caesar Rodney wrote, "In Haslet we know we lost a brave, open, honest, sensible man, one who loved his country's more than his private interest." In honor of his service, the General Assembly in

1783 had the following marker placed over his grave, which was first in Philadelphia and later in the cemetery of the Presbyterian church in Dover:

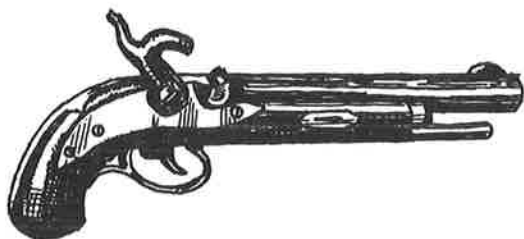
In Memory of JOHN HASLET, Esquire, Colonel of the Delaware Regiment, who fell gloriously at the Battle of Princeton, in the Cause of American Independence, January 3rd, 1777. The General Assembly of the State of Delaware, remembering his virtues as a man, his merits as a citizen, and his services as a soldier have caused this monumental stone in testimony of their respect to be placed over his grave, MDCCLXXXIII

The remnants of the Delaware Regiment, numbering about 100 men, arrived back at Christiana Bridge from Ashley River, South Carolina, on January 17, 1783, after a march of 720 miles. They and the other members of this outstanding military group deserve the tribute paid them by Christopher Ward, who concluded his volume with these words:

From January, 1776, to January, 1783, this regiment had borne the burden of as hard service as was ever imposed upon soldiers. For four years in the North and three years in the South these men had marched in broken shoes or shoeless, on rutted roads and where there were no roads at all, through mud and sand, through swamps and streams, in Summer's heat and Winter's cold, thousands of weary miles. They had slept, or tried to sleep, in tents in zero weather, or without tents or any shelter, without blankets or any covering, on the bare ground in rain and snow. They had gone without clothing, food and drink, without pay for years on end. And they had fought in every battle, except Princeton. . . . They had met on the field of battle, bayonet to bayonet, the

veterans of Great Britain and of Germany, the best soldiers the world could furnish. . . .

The regiment was few in numbers, never, in battle, more than 550, as at Long Island, and, at the last, less than 100 as at Eutaw Springs. But, even at its fewest, it was a force to be reckoned with. Forged on the anvil of hardship under the hammer of experience, the Delaware Regiment was a weapon which any of the great captains of history would have been glad to launch at his foe. It is not too much to say that no other single regiment in the American army had a longer and more continuous term of service, marched more miles, suffered greater hardships, fought in more battles or achieved greater distinction than this one of Delaware.



**A Contemporary Tribute
to the Delaware Militia
and Continentals**

A contemporary tribute to the members of the militia and to the Delaware Blues was given by Thomas Rodney in 1804 in a letter to his son. He had helped organize the Dover Light Infantry in 1775 and had served as the captain of this militia group. Later in the gloomy winter of 1776-1777 he had led his men over to New Jersey to fight in the Battles of Princeton and Trenton. He was proud of the record of Delaware, claiming that while the state was only an eightieth part of the Union no other state contributed so much to the campaign of 1776-1777. In addition, the state also provided a large part of the supplies for the entire army, not one half of which were ever paid for.

Enclosed you will find a hasty sketch of the exertions made by Delaware in the military department in 1775, 1776 and 1777. In the latter part of 1776 and beginning of 1777, the enemy were expelled from the banks of the Delaware and New Jersey recovered from them but their strong hold Brunswick, where they kept close. In those glorious achievements, the Delaware Regiment and the Light Infantry I commanded myself acted a conspicuous part in those glorious events. The Delaware Regiment was discharged after the taking of Trenton, but the Regiment I commanded acted through the whole scene and led the van of the army. From Delaware to Morristown, to wit, one half with myself

at their head lead the van and the other half under Colonel Henry covered the rear.

Town Washington M[ississippi] T[erritory]

December 22, 1804

My Son

I write you this letter about the anniversary of that period which the Crisis said tried mens souls at which important period no state in the union perhaps exerted itself more than that of Delaware or the citizens of none did, and in proportion to numbers of inhabitants none so much.

Immediately on the arrival of the news of the Battle of Lexington all the people of Delaware voluntarily organized themselves into regular bands of militia. In Kent the inhabitants of Dover the metropolis set the example. I was then in the prime of life and was the first military officer in the county regularly elected by the people. The inhabitants of Dover and its vicinity able to bare arms assembled to the number of 150 men and unanimously elected me their Captain, Doctor James Tilton (now of Wilmington hill) their 1 Lieutenant, Mark McCall (now deceased) 2 Lieutenant, and Doctor Alexander Stewart (now of Kent in Maryland) their Ensign.

This being done, I drew up a Code of military rules which the company all individually subscribed and obligated themselves to submit to. All the other companies of militia followed our example in organizing themselves and subscribed the same rules, so that they became the military law established by the people themselves.

I also employed a Prussian sergeant [Holland] then among us to discipline the company, and they turned out to exercise every day for some time and afterward twice a week until they were well disciplined, little if any inferior to the best regular troops, and all the other companies followed our example in that county.

Then the officers of all the companies assembled together in Dover and formed a military convention, which divided the county into two districts and formed a regiment in each of the companies it contained and appointed your Unkle Caesar Rodney Colonel of the first or upper regiment; Thomas Collins, Lieutenant Colonel; and French Battle, Major. Doctor John Hazlet Colonel of the Second Regiment; William Rhoades, Lieutenant

Colonel; and Robert Hutchison, Major; and thus formed the whole militia of that county into two regiments.

Your Unkle Caesar was then one of the Judges of the Supreme Court of that state, and held the office of Registrar for the Probate of Wills, Clerk of the Orphans Court and Recorder of Deeds and was also Speaker of the House of Assembly, and a member of Congress at the same time; and afterwards signed the Declaration of Independence, and on the change of government was made President of the State. Major Battle had been an officer in the French War, a good officer, but gouty and unable to be active. Colonel Hazlet afterward commanded the first Delaware Regiment of regular troop and was killed at the Battle of Prince Town on the 3d of January, 1777. Lieutenant Colonel Rhoades had been high Sheriff of the County and was there a popular man. Major Hutchinson had been an officer in the French war, but was not very active.

Thus I have given you a view of the first arrangement of the Militia in Kent. Those of New Castle were organized before the Battle of Lexington by direction of their Committee of Inspection, but Sussex waited and followed the example of Kent. However, there were so many disaffected in that County that their Militia after the Declaration of Independence dwindled and indeed several insurrections took place there. Yet in 1775 the whole Militia of Delaware displayed a handsome and brilliant figure, being well armed and disciplined, especially in Kent, and all their officers and most of their companies in uniform.

Early in 1775 the Council of Safety for Kent agreeably to directions of the Legislature authorized Lieutenant Colonel Collins and myself to procure arms and ammunition &c, and the same was done in both the other counties and three Vessels sent forth accordingly, only one of which returned safe.

The alarm given in that year by the *Roebuck* and another British frigate going up the Delaware occasioned several bodies of the Militia to be called out and considerable expense, and an Independent Company was raised and stationed at the Fort at Wilmington under Captain G. Lattimer by the Assembly of that State.

And in the fall of 1775 they directed the raising a regular regiment in compliance with a requisition of Congress, which was raised early in 1776 and commanded by Colonel John Hazlet.

In the Spring of 1776 Delaware raised a second regiment called the Flying Camp Regiment commanded by Samuel Patterson in which the Independent Company before mentioned was incorporated. Besides these exertions bands of the Militia were frequently called out for one purpose or another and great expence for arms, clothing and military equipment and amunition and provisions &c incurred by that government. Yet vain were all the exertions of America against the enemy's principal army that campaign till late in December.

Our army was beaten at Long Island, at White Plains and driven over the North River, Forts Washington and Lee were taken, and the enemy pursued the remnant of our army through Jersey and drove General Washington across the Delaware with the shattered remnants, say 1500 men, and the times of most of them near expiring, for they had been unwisely enlisted only for one year.

Here was that important point of depression, which spread universal dismay over America. On the 9th of December General Washington passed the Delaware, and the British troops immediately after took post at Trenton, Borden Town and Burlington.

On the 12th, Congress adjourned from Philadelphia to meet at Baltimore on the 20th of the same month. So terrible was the dismay at this awful moment that many influential men fled to the enemy to obtain pardon, others concealed themselves where they could. The requisitions of Congress and the authority of the states had lost all influence. Nothing was left but the voluntary exertions of patriotism and these were the exertions which under the auspices of the most high God saved America.

The more spirited part of the Citizens of Philadelphia turned out to the number of 800 to aid the remnant of the regular army. They took post at Burlington.

At this awful moment I turned out at the head of the volunteer light Infantry of Dover. I arrived at the Volunteer post at Bristol then commanded by General Cadwallader on the evening of the 22d of December 1776. I quartered 2 miles out of town at the house of Mr. William Cox (father of Tenny) and Andrew Allen, then late Attorney General of Pennsylvania. Just at duske General Cadwallader sent a Light Horse man express for me. I went in and waited on him, and here we formed the plan and

enterprises which immediately followed, and General Cadwallader added 4 companies of City Light Infantry to mine and formed the whole into a regiment of Light Infantry under my command.

This regiment was all in uniform and completely equipped and was the only one in the army that was so, and half of them with myself at their head led the van of the army and the other half under Captain Henry [secured] their rear whenever they marched.

An express was sent to Newtown in Bucks County to the Commander in Chief with the plan formed at Bristol. He returned his answer of approbation in the same night and that he would execute or attempt to execute the enterprise as soon as the army could be arranged for the purpose, and next day the 23d sent a second express to inform us he had appointed Christmas Day at night to pass the Delaware.

This move was propitious, the night was tremendous in its aspect, the ground was deep in snow, the river full of floating ice, the night was dark, the wind blew a storm from the North East and the clouds poured down in showers of rain, hail and snow mingled together which froze as it fell. Horrible as it may appear such was the night the Americans passed the Delaware, forcing their way amid the cakes of floating icing and crashing against each other by the violence of the wind, which blew almost a hurricane.

Yet not one was lost or injured. The God which impelled us forward guarded us from harm. The enemy, little thinking it possible for any army, much less the almost destroyed and dispirited American, could pass the River [on] such a night, and considering themselves in safety were taken next morning at Trenton by surprise with little struggle. Lord Sterling's Division lead on the attack, and the [American] Division was led on by Colonel Hazlet at the head of the Delaware Regiment.

About 500 Hessians got paraded back of the tavern, but they soon grounded their arms at the orders of Lord Sterling whose Division stood ready to charge. So sudden and rushing was the onset that the residue were killed or taken before they could reach the Parade. Colonel Role, the Commandant, was killed. Nine hundred and odd were taken prisoners with all the arms and military stores and provisions in Trenton and conveyed directly over the River. Borden Town and Burlington were in a day or

[so] after this evacuated. The British troops from them fled panic struck towards Prince Town and were pursued close at the heels by the volunteer detachment of the army under General Cadwallader close [to] Prince Town. But least the army should get too much scattered the General called them back. In a few days the enemy having recovered a little from their panic assembled all their troops at Prince Town and determined to return and attack our army again at Trenton. They arrived there in the afternoon of the second of January where our army was prepared to receive them. Being much superior in numbers as well as in discipline and equipment, our troops fought and gradually retired over the Assanpink Creek, which runs through Trenton. Towards sunset the Brittish came down in two heavy columns through the town determined to carry the Bridge, but then were driven back by a dreadful fire and slaughter. So determined were they, however, that thirty got over and were taken prisoners. I shared in this bloody conflict where the fire on both sides was terrible, but wherever I was the God of Heaven gave the victory. This conflict ended the Battle of that day; it being after sundown, both armies drew off and encamped in sight of each other.

The Brittish in their great prudence least we should dodge them and turn their rear left 4 Regiments at Prince Town who were to join them next morning and so surround us, the River being in our rear and no means to pass it, but their plan failed. A council of war was held in our camp, and it was determined to march to Prince Town that night and surprise these 4 Regiments next morning. A band was called off to be left to keep the fires bright and to keep up the sentries to prevent suspicion of our motion. And at one o'clock the army marched and crossed Pinky run next morning as the sun rose. After they passed over the ice baring them, they were halted and divided into three divisions. One wheeled to the right, another to the left and the third was to march directly to Prince Town, while the other two met round it, but the enemy were on the road and had heard of us after it got light and turned out of the road into the direct path which the third division had taken, for our army had been obliged to march on a bye road to avoid the Brittish Part on the Main road.

The first and second divisions having passed the Brittish on the right and left without seeing either the other, the third found them planted in their road. This division was composed of

General Mercer's Brigade led on by General Mercer and Colonel Hazlet of Delaware, whose Regiment had been discharged immediately after taking Trenton, and he was acting voluntarily in Mercer's Brigade and General Cadwallader's Brigade of volunteers. Mercer's Brigade was leading when they met the enemy suddenly after turning a long string of buildings. Mercer immediately formed and fired on them. They returned the fire and rushed on and charged [with] bayonets. Mercer and most of his officers fell. The Brigade retired in confusion by the buildings.

Colonel Hazlet seeing the next Brigade rushing up made a halt and endeavoured to rally them, but just at that moment was shot dead by the British who were pursuing and came into the front of the building and seeing another band rushing against them, they formed in front of the building behind a post and rail fence and poured a most tremendous fire on the approaching troops. Unfortunately the head of our column by being too desperate passed the ground where they ought to have formed and in recoiling broke, and were obliged to retire behind the hill to reform.

In the meantime the field was left with only 2 field pieces and my Dover Company of Light Infantry to keep up the fire and repel the enemy from advancing but both Brigades were soon formed again by the Generals and brought forward in line of battle and when they arrived at the ground where we remained and where they ought to have formed at first, they commenced a most deadly platoon fire which soon proved too hot for the enemy to bear at 660 yards distance.

Their commander Leslie was killed and most of what remained threw down their arms and knapsacks and fled from their lines and thus we obtained a complete victory, took about 2,000 prisoners and all their arms and stores at Prince Town and was ready to march before the army we had left at Trenton could arrive and when many did arrive we marched off with our booty and prisoners in their presence. They were panic stricken at this bold and successful enterprise and, least we should play the same game with Brunswick that night, their main body never halted till they reached there, while we marched on quietly to summers at Court House down the Millstone River, and Next day to Pluckemin at the foot of the Raritan Mountains where the army rested a few days and then marched to Morris Town and went into winter quarters. Here the Regiment I commanded was selected and appointed guard to the Commander in Chief and

here it was I was offered first the commission of Brigadier and then of Major General if I would stay in the army, but the good of the whole required that I should return and aid in keeping Delaware firm. This was a glorious time for America, their triumph was great, and the British kept in their strong hold.

After my Company had determined to turn out, many others in New Castle did the same and turned out under Colonel Duff, but I do not recollect the number he came in [?]. The Council of Safety also ordered the militia generally to turn out in Delaware, and 500 infantry turned out under my brother who was then vested with the command of all the troops from that state. The Troops of Dover Hundred also turned out under Captain Bassett, and a company of infantry from Sussex under Captain Peery. The Home [company] arrived at Morris Town while I was there and I met my brother and the main body of Infantry at Trenton. In the whole there could [not] have been much less than a thousand troops from Delaware in service that winter when we were at the very point of struggle for independence. No state in the Union had any thing like an equal proportion in the field at that, not even Pennsylvania, who stood next to the field of action, and yet her citizens behaved gloriously too. Nevertheless Delaware is often called A Tory State. This is not just nor is it to be suffered. However many Tories thus were in it, as a state she was never behind any in her exertions; such was the spirit of her Whigs.

I have been particular on this period because it was the period in which these exertions were made that established our independence. America never dispaired afterwards and the success which then attended our armies spirited up all Americans, so that we soon raised another Regular army, whereas not a soldier was to be enlisted before the success commenced.

Early in 1777 Delaware raised and sent into the field another regular regiment and when General Howe landed at the Head of Elk, she sent a thousand militia into the field. And after the Battle of Brandywine when her militia were discharged she raised a regiment for her own defence and to guard her shores against the depredations of the enemy and to prevent their obtaining supplies. Such were the military exertions of Delaware in the two most important years of the war.

And when these are told, the name of Tory applied her as a State ought not be heard from any other state in the Union. She

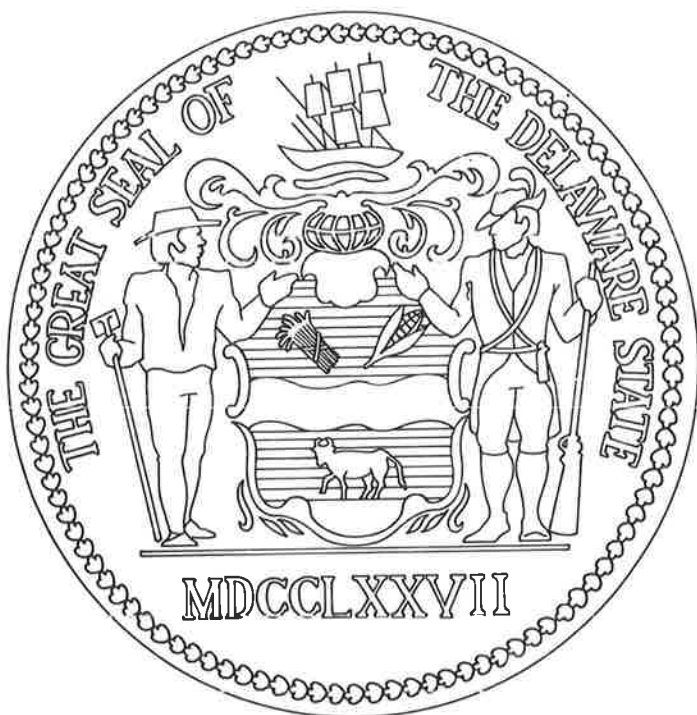
composed only the eightieth part and where is the state that did even twice as much at that period? Being fertile and at hand she was constantly also furnishing great part of the supplies of the whole army, not one half of which was ever paid for.

In October, 1777, Bourgoine and his army were taken and in February, 1778, while the British army were in Philadelphia, France entered into alliance with the United States and there forward the war was conducted on a new system of police [policy]. The British left Philadelphia in August, 1778, and returned to New York. Delaware dismissed her Whig Regiment on the fleet's leaving Delaware, but kept up an Independent Company under Captain Peery at Lewis Town, and besides occasionally often had to send out bands of militia to repell the refugees from the coasts for which purpose they fitted out armed vessels and besides keeping the Delaware Regiment of Regular troops constantly in the field. In 1782 they sent out a Second Regiment on the requisition of Congress, and this was her last extra military exertion besides keeping guard on her own shores against the refugees & cs. She constantly paid her proportion of taxes and furnished a larger proportion of provisions than any other state in the Union. Yet after all this, she is denounced as being \$612,000 dollars in debt on the general account of the war. Is it just? Can it be just?

I who was a witness of what she did as well of the general exertions of the United States, being some times in one post, some times in another, and acted both in Council and the field and was seldom idle but constantly intent on the great object of the struggle, Protest in the light of heaven and Earth that such a balance against the State of Delaware is unjust in my opinion, and cannot be required by an earnest Patriot. Yet I do not blame the Commissioners who finally determined this balance, for I have been credibly informed that they allowed Delaware every certificate she had exhibited. The fault was not in carrying forward the charges the State and her citizens had borne in it. . . .

But my son, time has not allowed me to say more at present, and take care to be well informed and master of a subject before you speak of it, if important.

Adieu,
Thomas Rodney



Original official Seal of the State of Delaware.

Courtesy, Delaware Trust Company

Bibliographical Note

THE MOST important manuscript collections dealing with Delaware during the American Revolution are in the Hall of Records of the Delaware Division of Historical and Cultural Affairs, the Pennsylvania Historical Society, Library of Congress and British Public Records Office.

Of special importance are the Rodney Collections and the Morse Autograph Collection in the Historical Society of Delaware. Material in the Division of Historical and Cultural Affairs includes legislative proceedings and papers, miscellaneous letters, tax records and estate inventories. Both the Pennsylvania Historical Society and Library of Congress contain important letters of Revolutionary leaders.

In England, in the British Record Office, are customs records from 1768 to 1773 and loyalist petitions. The headquarters of the Society for the Propagation of the Gospel contains illuminating correspondence with

Anglican missionaries on religious, social, and educational issues. A selection of these British records has been microfilmed by the author and deposited with a typewritten calendar in major Delaware depositories.

The Historical Society of Delaware has published more material on the American Revolution than anyone else, beginning with the proceedings of the Council (Delaware Senate) (1886) and the memoirs and biographies of such persons as Enoch Anderson, Robert Kirkwood, and Thomas Rodney, as well as studies of Revolutionary soldiers and military groups. In more recent years it has published Elizabeth Waterston, *Churches in Delaware during the American Revolution* (1925) (inadequate); G. H. Ryden, *Letters to and from Caesar Rodney* (1933; still in print)(indispensable); Christopher Ward, *The Delaware Continentals* (1941; still in print)(superb); and Harold B. Hancock, *Delaware Loyalists* (1940). The University of Delaware Press is publishing in 1976 the author's new study of the Delaware loyalists, half of the material of which is new.

The Historical Society of Delaware also publishes *Delaware History*, a journal containing material relevant to this study. Additional Caesar Rodney letters were edited there by Leon de Valinger (1946) and by Harold B. Hancock (1966). Mr. de Valinger also edited the Minutes of the Council of Safety (1946). J. H. Powell made a valuable study of John Dickinson as president of the Delaware State (1946). The magazine contains articles by Harold Hancock on Thomas Robinson, loyalist (1950), New Castle County loyalists (1951), Kent County loyalists (1954), the journal of William Adair of Lewes (1972), and an account of the Committees of Inspection and Observation (1973) and J.F.D. Smyth's narrative of his stay in Sussex County in 1776-77 (1975). A special Bicentennial issue of the magazine was issued in 1976.

The Division of Historical and Cultural Affairs, formerly known as the Delaware State Archives, published five

volumes of military records, three of which deal with the American Revolution (1911-1919). A sixth volume remains unpublished in manuscript form. In 1977, the Division of Historical and Cultural Affairs, with the support of the Delaware American Revolution Bicentennial Commission, will publish the proceedings of the Delaware General Assembly, 1770-1776, and of the House of Assembly, 1776-1783.

A contemporaneous account of the American Revolution by a Whig partisan who viewed George Read (Dionysius) as a Tory sympathizer is James Tilton's *The Biographical History of Dionysius, Tyrant of Delaware* . . . (1788, reprinted and edited with notes by J. A. Munroe, 1958). Elizabeth Montgomery wrote an interesting anecdotal *History of Wilmington* (1851, 1872) with many Revolutionary reminiscences. William T. Read's *Life and Correspondence of George Read* is excellent.

Delawareans read the *Pennsylvania Gazette* and *Pennsylvania Journal*, since the colony did not have its own newspaper. The advertisements are especially illuminating.

Of the older histories, the best accounts of the Revolution are in J. T. Scharf, *History of Delaware* (2 v., 1888, reprinted) and H. C. Conrad, *History of Delaware* (3 v., 1907). H. C. Reed, ed., *Delaware — A History of the First State* (3 v., 1947) contains a narrative of the Revolutionary period written by J. A. Munroe.

Outstanding in its detail and broad treatment is J. A. Munroe's *Federalist Delaware* (1954). William B. Hamilton's *Thomas Rodney* (1953) is a fascinating study of an interesting personality. N. W. Rightmyer's *The Anglican Church of Delaware* (1947) is well done. Judge Richard S. Rodney wrote an excellent fiscal history entitled *Colonial Finance in Delaware* [1928], which was included in a volume of his historical studies in 1976. H. C. Reed's study of the Delaware Constitution of 1776 is an

important pioneer work (*Delaware Notes*, VI, 1930). E. W. Cooch studied *The Battle of Cooch's Bridge* (1940). W. Emerson Wilson has called attention to forgotten heroes and patriots in a volume of collected biographies.

The celebration of the Bicentennial stimulated the production of several studies: articles by G. W. Rowe on Thomas McKean in the *Pennsylvania Magazine of History and Biography* (1971) and *Delaware History* (1974); a fine biography of McKean by John M. Coleman (1975); a brief biography of Caesar Rodney by William P. Frank, and a history of the Revolution in Delaware by Charles E. Green (1976).

To Delawareans wishing to find out more about the American Revolution and Delaware, the author strongly recommends from the above list Munroe's *Federalist Delaware* and Ward's *The Delaware Continentals*.

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