THE

MESSAGE OF THE

GOVERNOUR

TO THE GENERAL ASSEMBLY

OF THE STATE OF DELAWARE.

Fellow citizens of the Senate,
and of the House of Representatives,

No nation on earth enjoys such privileges, as are possessed by this country. This is a proverbal truth; but it cannot be too seriously considered not too frequently repeated. The history of the world shews to us in many nations, at some period of their existence, freedom and independence like ours; but it also exhibits the short duration of these blessings, and teaches us, that they were lost, because they were not properly understood and sufficiently prized. Among the most solemn duties, which our enviable condition imposes and which we owe to each other, is to keep constantly in view the great advantages of the land, in which we live; that we may diligently improve the means of perpetuating these advantages, and guard with unremitting vigilance against every thing, that may treaten their destruction. It has been said, that we are making the last experiment of a government, in which man is not the victim of oppression, but enjoys in full security all his rights: this has been said truly; for if we look over the map of the world, can we find a spot, on which the experiment, if it fail here, can be repeated? However we may regard our duties or our obligations, immense responsibility rests upon us; and we assert what the daily records of every other nation demonstrate, when we say, that to this country is committed the preservation of the civil rights and religious privileges of the human race.

The general frame of our governments is the production of many fortunate circumstances as well as of much prudence and wisdom. In the formation of government great power must be granted; and such has been the infirmity of all human institutions, that the abuse of power has been the regular consequence of the grant of it, and the authority, without which society could not exist, has, among all people, become the means of their oppression. In the United States, the division of power between the General and State Government, committing to the former the guidance of our National affairs, to the latter the regulation of our domestic concerns, affords to us the advantage of two governments conversant with different subjects and mutually protecting and preserving each other. The National Government, which might oppress us by its magnitude, is removed to a distance from us, and according to the principles of its organization can rarely touch our personal rights. The State Government is placed within our immediate reach; and to it we look for the security of our personal rights, for the protection of our property, and for the means of ensuring our individual prosperity. I need not add, that while we are in a great degree strangers to the national government, we are accustomed to look to our state government constantly, and often with anxious solicitude to seek from it relief from evils, which press severely upon us, or instruction as to the nature and extent of these evils and the means of their mitigation. Your duties therefore are of the most interesting character. The prevention or punishment of crimes, the administration of justice, the security of property, all means of improvement, all amelioration of existing institutions, all beneficial effects, that laws can produce upon society, are proper subjects for your consideration.

Having never before been engaged in the public business of the State, my views of public affairs are such as every citizen solicitous of the prosperity of his country must have taken, and I can communicate to you no information, which is not common to us all. Among the features of the present time, and one of no ordinary excellence is the cessation of political discord and extinguishment of party spirit in many

of these States. To those, who have seen so much of this evil and the bitter fruits growing from it, it is unnecessary to say, that this is a subject for sincere congratulation; nor need I urge you to pursue such measures, as will be calculated to improve and perpetuate within our own limits this state of political harmony. It is impossible to enumerate the mischiefs, that flow from party-spirit. When this rages, it affects most perniciously the administration of public affairs and the intercourse of private life; it destroys all the charities of the human heart; it alieneates men from each other, it has no tendency to excite emulation in any thing good, any spirit of inquiry or any disposition for improvement, but has stifled on all occasions and in relation to all subjects every consideration of usefulness and propriety, and governed the community by the influence of its worst passions and blindest prejudices.

We are not free from discontents; and we have probably never seen the time, when severer or more general embarrassment pressed upon the state. Pecuniary difficulties seem in a greater or a less degree to affect nearly all our citizens; and the abundance, with which a kind providence has blessed us, in the present depressed condition of the value of all property rather aggravates our distresses, than promises a relief from them. In this state of things the wisdom of the Legislature probably can devise nothing to meet the exigencies of the times. Laws cannot avert our present distresses; but your counsel and example may point out the means, by which the prosperity of society may be renovated and lead to a knowledge and cultivation of the habits and pursuits suited to our condition. Extravagance has occasioned the evils, that afflict us. By proper frugality we may lighten their burden and in time remove them.— But we ought especially to consider, that we are an agricultural people; that we have a soil easy of cultivation and susceptible of the greatest improvement; that from its productions we must receive and ought to expect our wealth; that in its improvement we must look for all real increase of our capital; and that it should be our great object to create and cherish curiosity and love for agricultural knowledge, and diligence and pride in agricultural occupations:—And whenever we see any considerable portion of our citizens attempting to obtain support or procure riches by other than agricultural employment, we may be assured, that the interests of the country are mistaken and that preparation is making for a scene of sorrow and ruin.

Connected with agricultural pursuits and almost inseparable from a successful prosecution of them are household manufactures. To object to these that the same articles can be purchased for less than the manufacture would cost is plausible but deceptive. The purchase can be effected only with money or what is equal to it; while the manufacture employs labour, that would otherwise be idle, and consume produce, which could not otherwise be so advantageously disposed of. Without entering into any consideration of the subject of domestic manufactures generally, it is certain, that the description of them, to which I refer, which are made in our own houses or in our own immediate neighbourhood, cannot receive too great encouragement. They have the most salutary influence; habits of economy and industry always accompany them.

Should these remarks be thought to point the attention to new objects, it may be said, that the state of the country is novel to us, and that this strongly indicates, that we shall be compelled to adopt expedients heretofore untried.

To extend the benefits of education throughout the State, by placing these within the reach of all our citizens deserves and ought to receive your careful attention. I am aware, that the subject is very difficult; but I have no doubt, that means perfectly within our power may be devised to accomplish this object. To you I shall not speak of the advantages of education generally or of its peculiar necessity in a republican government. In this government, all have equal rights; education enables them better to understand and more fully to enjoy their rights: In this government, all power resides in the people; they are the fountain of honour and authority; education qualifies them for the more independent, intelligent and useful exercise of this power: and in this government the well-ordering of the concerns of the community depends upon the influence of morality and virtue; rather than on the force of law; I need not add, how intimately morality and virtue are connected with education. It is respectfully suggested, that the appropriations, which have heretofore been made of a portion of the income of the school-fund for the purposes of education, seem scarcely consistent with the nature or intent of this fund and not calculated to produce results so useful, as may be effected in a different manner. It is conceived, that of the two descriptions of schools,—the one, in which the rudiments of education are taught, the other, in which the higher branches are acquired—the first principally, if not solely, deserve your attention; and that one great object in relation to these is to communicate to them such a character, that as well the principles of order and decorum, piety and virtue, as the rudiments of education may be instilled into the youthful mind. It is believed, that the establishment of such schools must depend principally upon voluntary contributions of the people; that the state can do little more than afford incitement to these contributions, but it is also believed, that if a plan were judiciously arranged, these contributions with such aid, as the school-fund can furnish, would be sufficient. It will always be safe to calculate upon the good sense and sound information of the people of this State; and for the furtherance of all useful objects you may rely, with confidence, upon their countenance and support.

Of the different offices connected with the administration of our government, that of constable presents itself as one, which has undergone the most material change. This office was formerly of trivial concern and was shunned as burdensome; it has become one of the most lucrative, and, if its effects upon society be considered, one of the most important offices and is sought with much solicitude. The mode of appointment to this office is an anomly in our system. Originally the power of appointment was given to the justices of the peace assembled in quarter sessions. The judges of the court of common pleas now composing the court of quarter sessions, the appointment rests with them. I mean no disrespect to those, who now fill or who have ever filled this court, when I say, that this court ought not to have the power of appointing to this office. A court ought never to be approached by the politics of the day. I speak to your own observation, when I tell you, that political considerations will be regarded in appointments to this office. A court of justice should appoint to no office; this is indicated by our constitution, which does not permit to them the appointment even of their own clerks. This patronage ought not to belong to judges, who hold their offices for life. But a strong and decisive objection to a continuance of this power in this court arises from a consideration of those reasons, which ought to govern in the appointment of the judges. If any appointment should be made with perfect impartiality and with a view only to the qualifications of the individual, it is the appointment of a judge. If in case of a vacancy in the court of common pleas, two persons of different political opinions were presented to view for filling this vacancy, I submit it to you to consider, whether the circumstance, that this court has the power of appointing constables, would not have more weight in determining the appointment of the judge, than any other consideration, and whether this would not be sufficient to outweigh all other considerations? It is certainly to be hoped not;—but is it prudence or wisdom to permit this ground for apprehension to remain. If it be asked, to whom the power to fill the office of constable should be given, a recurrence to the fundamental principles of our government presents the answer. The power to fill the office belongs to the people; they are interested in the office; its emoluments are drawn from their pockets; they have a right to choose, by whom they will be served, and whom they will pay. Why are Sheriffs chosen by the people? Why do they choose Coroners? Is not the office of Constable of more concern to the great body of the people, than either of these? It has been objected, and by some men of intelligence and judgment, that elections are accompanied with much confusion, that the result of them is often capricious, and brought about by means not comporting with the good order of society, and that to add to the elective offices one of so great interest as that of Constable would increase evils, that have already been seriously felt. To these it may be answered, that all human institutions have their peculiar imperfections; that evil is inseparable from every thing, which belongs to us; but that the voice of history declares, that the evils growing out of popular elections are transitory, and pass away with the day, which gives birth to them; while the evil resulting from depriving the people of such rights endure for ages, and every year of its continuance adds to its aggravation.

In this time of difficulty and embarrassment one of your first subjects for inquiry, is whether it be not practicable

to lighten the public burdens? It has occurred to you, without doubt, that the principal sources of public expenditure are not immediately before you, and cannot be reached without difficulty. For the great burden of our taxes is imposed, in our counties, to meet the expenses of our poor-houses, and various county appropriations. Would it not be a useful legal provision, that all the various items of public expenditure in each county should be published yearly, for the information of the people, so as to enable them to understand the nature, character and purposes of these expenditures? All experience proves, that the expenditure of public money cannot be too minutely investigated, nor too securely guarded.

In taking upon myself the duties of the office, to which the suffrages of my fellow-citizens have chosen me. I am very sensible, that I shall need much of their candour and indulgence. To perform these duties to entire satisfaction, or without much error, is not to be hoped by any man; and I should not be more forward than any other to expect this pre-eminent distinction. While I tender to the free electors of this state—My grateful acknowledgments for the honour, which they have conferred upon me, I assure them, that it is my most anxious solicitude, and shall be my unceasing endeavour to approve myself worthy of their choice. In executing the trust, which they have confided to me, I promise diligence and impartiality, constant study to discern their best interest and uniform exertions to promote them. It is my fervent prayer, that I may not fail of my own intentions, and my anxious hope, that I may merit and have their approbation. For these purposes I beseech the merciful regard and guidance of that Being, from whom all wisdom and all good proceed, upon whose favour States and individuals alike depend, and without whose blessing all human efforts must be vain.

JOHN COLLINS.

January 18*th.* 1820.

For Message
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