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LIFE AND CORRESPONDENCE

OF

GEORGE READ

A

Signer of the Declaration of Independence

WITH

NOTICES OF SOME OF HIS CONTEMPORARIES.

BY HIS GRANDSON

WILLIAM THOMPSON READ.

PHILADELPHIA:

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TO THE
CITIZENS OF THE STATE OF DELAWARE
THE
LIFE OF GEORGE READ,

A SIGNER OF THE DECLARATION OF INDEPENDENCE,

Is Respectfully Dedicated

BY THE AUTHOR.

PREFACE.

IN the year 1821 the author of the "Life of George Read," at the request of the heads of his family, wrote a "Sketch" of his life for the "Biography of the Signers of the Declaration of Independence," then being published, which, being approved by them, was printed in the third volume of that work. Upon the decease of the father of the author, in 1836, the papers of George Read came into his possession. A careful examination of these papers showed that the sketch of Mr. Read's life was an imperfect and inadequate record of his services and character. The author felt it to be his duty to attempt a fuller one, but shrunk from the task, diffident of his ability to execute it as he wished it to be executed, and was diverted from it by duties and avocations which could not be put aside, until a recent period, when, warned by his near approach to the ordinary term of human life, he felt that this attempt, if to be made by him, could no longer be deferred. Besides the papers of Mr. Read, above mentioned, letters—valuable materials of this work—have been obtained and incorporated in it. Mr. Read's correspondence comprises letters of the most eminent of his contemporaries, now first published, except eight printed in the "Sketch" of his life, in the "Biography of the Signers." The author considered it impracticable to write the life of Mr. Read as he thought it ought to be attempted, without writing at the same time, to some extent at least, the history of the deeply-interesting period with which, as a public man, Mr. Read was closely connected; but, as well he might, recoiled from repeating the narrative of events familiar to all, and which he could not even hope to invest with interest.

The letters of Mr. Read's eminent contemporaries seemed to require, while they gave opportunity for, the brief notices of their writers in these pages, and it appeared to be a duty to preserve facts which

might be valuable for the history of Delaware yet to be written. Opinions of men, of measures, of events, and on questions which claimed consideration, have been expressed in this book, the author will not dare to assert without error, but, where he has erred, without intentional injustice. The meagre sketch in the "Biography of the Signers of the Declaration of Independence" has been expanded to this volume, which, with this necessary preface, is submitted to the public.

NEW CASTLE, DELAWARE,
November 15th, 1870.

LIFE AND CORRESPONDENCE

OF

GEORGE READ.

CHAPTER I.

Mr. Read's birth—Account of his parents—Their removal from Maryland to Delaware—His education—His school-fellows—Dr. Allison—He commences the study of the law—Mr. Moland—His confidence in Mr. Read—Mr. Read's admission to the bar—His letter to his parents as to his settlement—Relinquishes his right to a double portion of his father's estate—The law as to double portion—Settles in New Castle, and practises in the three lower counties on Delaware, and one or more in Pennsylvania—His competitors—Succeeds John Ross as Attorney-General—Resigns attorney-generalship in 1774—Eminent as a special pleader—His influence great—His almanacs and bets—Letter from John Dickinson to Mr. Read—Notice of John Dickinson's first speech, and of Galloway's reply thereto, and of the prefaces to these speeches—Mr. Read's marriage, and notice of Mrs. Read—Mr. Dickinson's congratulatory letter to him on his marriage—Mr. Read elected to the General Assembly of Delaware—Applies for the office of collector of New Castle, and fails to receive it—His letters and those of Franklin—Letters of Mr. Neave on the troubles of the mother-country and her colonies, and part of rough draft of a letter of Mr. Read in reply—Letter of Mr. Wharton—Mr. Read's farm—Colonel Bedford—His marriage with Mr. Read's sister—Colonel Read—Mr. Read advocates the observance of the Sabbath—His rules to preserve health—Result of election in 1769—Colonial lotteries, and remarks on the subject of lotteries—Correspondence of Mr. Read with his brothers—Notice of Captain Thomas Read—Frigate Alliance—Appendix A, notice of John Ross—Appendix B, roll of militia company, 1757—Appendix C, notice of Rev. George Ross—Appendix D, notice of John Dickinson—Appendix E, Thomas Read.

GEORGE READ was born in Cecil County, in the Province of Maryland, September 18th, in the year 1733, and was the eldest of six brothers. His father, John Read, was the son of a wealthy citizen of Dublin, and having emigrated to America, settled in Cecil County, where he became a respectable planter. Soon after the birth of his eldest son he removed to New Castle County, in the Province of Delaware, and established himself on the head-waters of the Christiana River.

The parents of Mr. Read determined, at an early period, to confer such an education on their son as would enable

him to pursue one of the learned professions. The small number of schools was at that period a serious obstacle to the dissemination of knowledge. The nearest reputable seminary to the residence of Mr. Read's parents was at Chester, in the Province of Pennsylvania, where he was taught the rudiments of the learned languages. From this school he was removed to New London, in the same Province, and placed under the care of the Rev. Dr. Allison, a man eminently qualified for the arduous task of imparting instruction to youth. Deeply versed in the dead languages, his mind was free from the alloy too often mingled with the pure gold of classic lore; he explored the mazes of science, in solitary study, without being ignorant of the world, without despising the beauties of elegant literature, and without neglecting the decencies of society. His knowledge of human nature enabled him quickly to discern the bent of a pupil's genius, his master vice, and dominant foible.*

Among the fellow-pupils of Mr. Read were Charles Thomson, Secretary of Congress, Hugh Williamson,† a member of that body from North Carolina, and Dr. Ewing, Provost of the University of Pennsylvania, eminent as a mathematician and astronomer. The meeting, in after-life, of the first three of these distinguished men must, under any circumstances, have been pleasing, but to meet, as it occurred in the present instance, in the American Congress of 1774, a body endued with Roman spirit and Roman virtue, and political knowledge such as no Roman ever attained, — to meet in that illustrious assembly the guardian of the rights of three millions of their fellow-men, must have been to them a source of deep-felt gratification.

Mr. Read diligently‡ pursued his studies, under the care

* "Dr. Francis Allison was afterwards Vice-Provost and Professor of Moral Philosophy in the University of Pennsylvania, and justly entitled, from his talents, learning, and discipline, the *Busby* of the Western Hemisphere." — *Hosack's Biographical Memoir of Hugh Williamson*, in the Collections of the New York Historical Society, p. 131, vol. iii.

† Volume iii. Collections of New York Historical Society, p. 132.

‡ So diligently, or rather ardently, that, as his sister, Mrs. Bedford, related, when his candle was taken from him at bedtime, he studied his grammar-lesson by fire-light.

of Dr. Allison, until his fifteenth year, at which early age he was removed from school, and, on the 28th day of September, 1749, commenced the study of the law with John Moland, Esquire, an eminent lawyer of the city of Philadelphia. An education terminated at so early a period of life, must, necessarily, have been incomplete; but the disadvantage of being forced into the world with a scanty stock of knowledge was common to his contemporaries, who, having their bread to earn, because their parents had large families and moderate estates, entered on the study and practice of professions at ages which must have appeared to Europeans immature indeed. Mr. Read actively applied himself to the study of his profession. It required more intense application at that period than it does at present to qualify a young man for admission to the bar. The student was not then assisted by digests, abridgments, and excellent elementary treatises on every ramification of the law. The great toil which at that day was requisite to the attainment of legal knowledge was best calculated to form habits on which were founded the most certain presages of eminence at the bar and erudition on the bench. Hence Mr. Read was conspicuous in after-life for research and accuracy, and the margins of almost every book in the extensive law-library he possessed are covered with his notes, so true it is that the foundation of industrious habits is always laid in early life. The confidence reposed by Mr. Moland in the abilities, integrity, and steadiness of his young student was so great that long before his apprenticeship expired he intrusted him with his docket, and confided to him all his attorney's business. Indeed, the talents, industry, zeal, and uprightness of Mr. Read, while in the office of Mr. Moland, generated an attachment towards his pupil stronger and more permanent than the relation of lawyer and student usually produces. Mr. Moland in his will enjoined his family to consult Mr. Read on all occasions of difficulty, and to repose implicit confidence in his advice.* John

* It may be inferred from the following letter that this injunction was obeyed :

“SIR,—I assure you, I seldom take a pen in my hand but it is to give some of my friends trouble. I have teased good Mr. Dickinson till he is weary of me; and now, to make a beginning with you, I send, inclosed, a parcel of notes of hand, to see if you can get the money [due

Dickinson was one of his fellow students, and the friendship contracted between the young men, nurtured by the reciprocation of good offices and growing conviction of each other's worth, was only interrupted by the death of Mr. Read, a few years anterior to the decease of the distinguished author of the "Farmers' Letters." In a letter to Messrs. Read and Wharton, without date, but written by Mr. Dickinson just before he embarked for England, whither he went to complete (in the "Temple") the study of the law, and while Mr. Read was yet in Mr. Moland's office, and therefore before or early in 1753, Mr. Dickinson takes a most affectionate leave of his late associates. He is evidently much excited and elated by the prospect of his voyage, and if passages of the letter be written with undue levity, his youth and, circumstanced as he was, almost unavoidable exhilaration may excuse it, and a warm and kindly feeling for Mr. Read and other friends pervades it, which exhibits him very advantageously. He begs to be remembered to Groves, Oldman, and other friends who may inquire for him, and especially to Mr. Moland and family; and in the postscript asks his friend to order the printer's boy to leave his paper with the "sheriff." I may be pardoned for a brief notice of this letter, as it is the first of the letters of this eminent man to Mr. Read found among his papers, and covering a period of more than forty years.

It appears from the following letter written by Mr. Read, at Philadelphia, to his parents, June 27th, 1753, that he had then been admitted to the bar :

"HONORED PARENTS,—In discoursing with Mr. Moland lately, I told him my intention [of] settling at New Castle, but he seemed to think it would be better staying here, and

upon them]. If my papa has received any money upon these notes, there will certainly be receipts to show such payments.

"I dare say, as Mr. Read has always professed a friendship for our family, he will be pleased to hear how we go on in this troublesome world, but I will leave that to Mr. Dickinson, and have no doubt but he will tell you. And now give me leave to join with mamma in wishing you many very happy years.

"E. MOLAND.

"GEORGE READ, Esquire, January 29th, 1762."

On the back of this letter is written, "Miss Betsy Moland's letter, now Lady St. Clair."

attending as many of the courts in this Province, together with New Castle, as I might think convenient, and that he would assist me all that lay in his power,—he intending to decline Lancaster and New Castle. His Lancaster business he has resigned to me already, which will be of great service in introducing me to his clients and the people in general, and I suppose I shall attend the August court at Lancaster, and also at New Castle. His reasons for my not settling at New Castle were that the county was poor, and not able to support more of the fraternity than were in it already, and not fit for any person [to] live in, but I might by attending there make near as much as if settled; and, by my going from hence I should lose the acquaintance I had acquired, and get quite out of knowledge. That while I thought proper to stay in Philadelphia, I should be welcome to his table and my lodgings, as at present, but at the same time would not advise or persuade me to go or stay, but would leave me entirely at my own disposal, as he thought it difficult to tell what might be most for my advantage. I think, under the circumstances, it would be prudent to follow his advice, at least for awhile, to see how matters will answer, as it will undoubtedly be in his power to assist me both in this and the other counties in the Province. But you will be pleased to let me know your sentiments in this respect as soon as it shall be convenient, and you will very much oblige

“Your loving and obedient son,

“GEORGE READ.

“Mr. JOHN READ, Christeen Bridge.”]

By then existing laws of Maryland and the “Three Lower Counties on Delaware” Mr. Read was entitled to a double portion of his father’s property.* His first act after his admission to the bar was to relinquish, by deed, all claim on

* This right to a double portion was anciently peculiar to the Jews. (2d Blackstone’s Commentaries, p. 214; Tucker’s edition, chap. xiv., Of Title by Descent, Rule 3) In Deuteronomy, xxi. 17, it is declared to be the right of the first-born, and was his in the patriarchal age, to support his dignity as the ruler of his family, and, probably, its priest. It was the law in Delaware, as to personal estate, from 1683 to 1742, and as to real, from 1683, when it was, as far as appears, first enacted as to both, till January 29th, 1794, when it was repealed. Appendix, Delaware Laws, vol. i. p. 16, etc., and Delaware Laws, vol. i. chap. cxix. a, p. 119. It was also, at the time of the Revolution, the law in New

his father's estate,* assigning as the reason for this relinquishment that he had received his full portion in the expenses incurred by his education, and it would be a fraud upon his brothers not to renounce his legal right.

In the year 1754† he settled in New Castle, and commenced the practice of the law, in the then three lower counties on Delaware, and the adjacent ones of Maryland. He found himself in the midst of powerful competitors, men of undoubted talents and able lawyers, among whom were John Ross, then Attorney-General.‡ Benjamin Chew, Joseph Galloway,§ George Ross,|| John Dickinson, and Thomas McKean. To have rapidly obtained full practice among such competitors is of itself sufficient praise.¶ On

England, New Jersey, and Pennsylvania.—*Hildreth's History of the United States*, vol. iii. p. 388.

* Part of which was a farm of one hundred and eighty acres, with a spacious brick house, and barn, and other buildings and conveniences adjacent to Christiana Bridge, with a store-house and wharf used as a landing, from whence an extensive trade was long carried on with Philadelphia and other places. John Read died in 1756, aged sixty-eight years, and his wife, Mary Howel, September 22d, 1784, in the seventy-fourth year of her age. Both are interred in the Presbyterian burying-ground of Christiana, and have substantial marble monuments over them.

† In an almanac for 1754, which I found among his papers, is this entry in his handwriting, "Came to New Castle 6th March, 1754."

‡ See Appendix A.

§ "Of Galloway's manner I have no personal knowledge. From inspection of the docket, his practice appears to have been extensive. He adhered to the royal cause, and migrated to England, where, after exciting considerable public attention by his attacks on the conduct of Sir William Howe, in America, he remained till his death."—*Rawle's Recollections of the Philadelphia Bar; Watson's Annals of Philadelphia*, pp. 267, 268.

|| "The talents of George Ross were much above mediocrity. His manner was insinuating and persuasive, accompanied with a species of pleasantry and habitual good humor. His knowledge of law was sufficient to obtain respect from the court, and his familiar manner secured the attention of the jury. But he was not industrious, and his career, after the commencement of the Revolution, was short." He was a signer of the Declaration of Independence.—*Rawle's Recollections; Watson's Annals*, p. 270.

¶ "But in those times the sphere of the lawyer was somewhat limited. In the provincial courts no great questions of international law were discussed. There were no arguments upon the construction of treaties, and no comparison of legislative powers with constitutional restrictions. Even admiralty cases had little interest. Everything great and im-

the 30th of April, 1763,* he succeeded John Ross as Attorney-General for the three lower counties on Delaware. He was the first Attorney-General expressly appointed for these counties, as before this period the Attorney-General of Pennsylvania was the prosecuting officer in Delaware. Mr. Read held this office until soon after he was elected a delegate to the Congress of 1774, when, believing it incompatible with the right discharge of the arduous duties of a representative in that august body that he should continue to be trammelled by an office held under his Britannic Majesty, he resigned it.

Mr. Read was particularly eminent as a deep-read lawyer, and he was versed in special pleading, the logic of the law. His elocution was neither flowery nor rapid, unlike that of one of his ancestors, who, as I have heard from my father, was styled "silver-tongued McMullin;" on the contrary, he was somewhat slow in his speech, and negligent in his manner;† but his profound legal knowledge, his solidity of judgment, and his habit of close and clear reasoning, gave him an influence with juries and judges which the graces of the most finished oratory would have failed to gain for him. His conclusions were always founded upon calm and cautious deliberation, and seldom led him into error. His legal knowledge and judgment were so conspicuous that his opinions were in high and general estimation, and he had given such evidences of his integrity that he was called the "honest lawyer."

There are a number of Mr. Read's "Almanacs" among his papers, in size very small,—about four inches by two. In that of 1779 I find noted several works of science and literature, no doubt for purchase as he might have opportunity, and the terms of membership of the Philadelphia Library Company,—from which I infer that his reading was not that of the mere lawyer. In the "Almanac" of 1758

posing was reserved for the mother-country."—*Rawle's Recollections of the Pennsylvania Bar before the Revolution*, p. 267.

* In an almanac, found among his papers, for 1769, is this memorandum: "At a levy court of Kent, held 14th November, 1768, George Read, as Attorney-General, was allowed for his past services £70, and for the ensuing year, £15."

† Showing his picture to an aged neighbor, he remarked, "I have often, when young, heard Mr. Read speak." "He was slow," said I. "Yes," answered he, "but sure."

he notes a bet of John Vangezel with him, "that the *Island Battery* is in possession of the English on Sunday, the 18th of that month," and on the 11th of August, a bet with Charles Gordon, "that we do not hear of the surrender of Cape Breton by this day week." The British army, under General Amherst, effected a landing on the island of Cape Breton June 8th, and in a few days invested Louisbourg. A very severe fire was maintained against the besiegers from the town and from the battery at Light-house Point, on the northeast side of the entrance of the harbor. On the morning of June 12th, an hour before dawn, General Wolfe was detached with two thousand men (light infantry and Highlanders) to seize that post, which he took by surprise, the enemy abandoning it on his approach, and a number of smaller works were successfully carried. Several strong batteries were erected on this point, from which the ships in the harbor of Louisbourg were greatly annoyed. Louisbourg capitulated July 27th;* so that Mr. Vangezel won, while I think it almost certain, as there were neither electric telegraphs, nor railroads with their locomotives, at that day, but intelligence was very slowly transmitted, Mr. Gordon lost his bet. These entries in the "Almanac" carry us back almost a hundred years, and set us down in the groups of colonial quidnuncs, anxiously discussing the then engrossing topic,—the expedition against the French possession, Cape Breton,—just as quidnuncs are disputing and betting now upon the invasion of the Crimea, and the siege of Sebastopol; and a hundred years hence, I am afraid, they will not be without a similar subject of speculation.†

Mr. Dickinson writes to him as follows from

"PHILADELPHIA, October 1st, 1762.

"DEAR SIR,—I took the liberty, a few days ago, to make you a troublesome request to try a cause between Williams and Humphries, Husted and Boles, and another between

* Smollett's History of England, vol. ii. pp. 387, 388, 389; Holmes's Annals, vol. ii. pp. 80, 81; Bancroft's History of the United States, vol. iv. p. 297.

† That Mr. Read partook of the martial spirit at this time pervading many, if not all, of the North American Colonies, I infer from finding his name in the roll of the militia company subjoined to this chapter, Appendix B. When the above paragraph was written the war in the Crimea was in progress.

Dennis and Campbell, at your adjourned court, as I shall be prevented from attending by several causes of consequence in our Supreme Court, to be tried at that time. My letter, with a short state of each case, I presume you have received, and hope you will be so kind as to favour me with an answer.

“Another request I have to make to you is that you will, if you approve of it, propose the inclosed law* to the Assembly, at the next session, as useful and necessary to be passed.

“It is almost an exact copy of the Pennsylvania law to this purpose, and I wonder how it has been so long neglected. My reason for desiring this law to pass is that I know it will contribute to the advancement of justice, particularly in one instance, and I believe every Colony besides yours has made provision in such cases.

“I assure you, upon my honor, that I have not the least interest in promoting such a bill. But I know some persons would industriously oppose it if they could find out that my head or hand or even my little finger had been employed in framing it.

“I am imagine modicum manet alta in mente repositum.

“I shall, therefore, be greatly obliged to you if you will be so good as to entirely suppress my name.

“You can introduce the matter very well by mentioning the propriety of such a law to our worthy friend, Mr. Van-begger, who, as a judge, may, with great consistence of character, desire leave to bring in such a bill; so might Mr. Rice. I don't know which has most influence in the House.

“You may congratulate me on my salvation, for I am, certainly, among the elect, and may enter into the Assembly of righteous men.

“My pleasure is that this happens without opposition, or the discontent of those I esteem, which I regard as a great happiness. Mr. S. W—— made a candid, manly declaration of his reasons for opposing me last year, which were the same you once mentioned to me, and I think sufficient. It would have given me great pain to have been the occasion of uneasiness to a man I so much respect as I do Mr. B——. But now I flatter myself with coming in with the general approbation of good men.

* What this law does not appear, the draught inclosed in this letter not being with it.

"We have received a disagreeable piece of news by the way of New York, that the Emperor of Russia is dethroned, and, what is still more extraordinary, that imperial authority is conferred on his consort.

"We expect particulars every moment. If this is true, who, in his senses, would take those great blessings—an empress and a wife together? Is it not better to receive a subsidy from an honest farmer to recover his wheat-field from some usurping neighbor, and march gallantly at the head of four-and-twenty jurymen to attack him in the redoubts of his forcible detainer, than to make half Europe turn pale with letting loose thirty thousand Russians to secure Silesia to the King of Prussia?

"I confess I should like to make an immense bustle in the world, if it could be made by virtuous actions. But, as there is no probability of that, I am content if I can live innocent and beloved by those I love, in the first class of whom you are always esteemed by, dear sir, your most affectionate friend and very humble servant,

"JOHN DICKINSON.

"Please to have the law copied over, lest my clerk's hand should be known."

Mr. Dickinson's desire of distinction, so playfully expressed, honorable and generous because to be won by virtuous actions, was to be gratified sooner than he probably anticipated. His election, announced in the foregoing letter, introduced him into the political arena under highly favorable circumstances. Having devoted to severe study those years which too many waste in dissipation, he showed himself, at his first entrance on public life, possessed of a knowledge of the laws and constitution of his country which seldom falls to the share of gray hairs, and had the great advantage of independence of spirit and fortune.* His first laurels were won by his speech† against the proposed

* Preface to the Speech, pp. 5 and 6, by Provost Smith, of the University of Pennsylvania.

† Joseph Galloway replied to this speech, and both were published, Galloway's, with a preface by Franklin, and Dickinson's, with a preface by Provost Smith, and it is stated by Rawle ("Recollections of the Pennsylvania Bar," p. 167) as remarkable, that the prefaces were more admired than the speeches. I have them in pamphlets, published in

change of the government of Pennsylvania from proprietary to royal, provoked by the selfish attempts of the proprietaries, through their governors, to exempt their lands from a fair share of taxes necessary for the common defence of the Province. His speech was well argued, in a style clear, forcible, and rhetorical, and was well received, especially as he stood forth the champion of the Penns, untrammelled by previous connection with them or their

Philadelphia in 1764, before me. The Provost and Dickinson write like men who have been formed in the study, among books, Franklin like one whose mind has been developed and furnished in the turmoil of busy life. The former are more polished and ornate in style, illustrated by historical examples and adorned with classical quotations, while Franklin discusses his subject just as no doubt he talked it over with his neighbors, upon chance-meetings in the street, the market, or the coffee-house. He quotes from neither historians nor poets, except two lines from Pope, but from the Bible and primer; from the latter a couplet of the verses under the picture of John Rogers, amidst upcurling flames, his wife and nine children near, which has drawn tears from many an infant eye. It is written in a masterly manner, with great terseness, simplicity, and caustic wit. While his hits at the sons of the great Proprietary are hard and unsparing, at every open point, he treats Mr. Dickinson with great respect, refraining from any attack upon him. I may be pardoned for one sample of this preface. The Provost constructs very ingeniously a paragraph highly laudatory of William Penn and his charter, with extracts from addresses of the House of Assembly of Pennsylvania to his sons; Franklin, from votes of the same Assembly, writes an epitaph for a monument to them as depreciatory. He represents the Assembly, when addressing the sons, as ever lauding their father, because there was nothing praiseworthy in them, and slyly adds, "till they were disgusted, and exclaimed, 'We have too much of our father!'" It seems to me, however, that Smith and Dickinson have the advantage in the main argument, showing, as they do very clearly, the inexpediency and folly of relinquishing the existing charter, inasmuch as, from the temper of the British Parliament to the Colonies, so far from its being likely that new privileges would be conferred, it was unlikely that those enjoyed would be retained. Besides the preface to Galloway's speech, there is prefixed to it an "Address," evidently from the pen of a mere partisan. Its charges against Mr. Dickinson betray petty malignity. "He attempted to deliver his sentiments on the petition for the change of government from proprietary to royal or tenus, but, making no impression, retreated to his written speech, which he read in a manner not the most deliberate," insinuating a want of self-possession, "and, after solemnly promising to leave his speech with Mr. Galloway, declining to do so, and not leaving it on the table of the Assembly for examination till the petition was put on the third reading." From Mr. Dickinson's character I have no doubt that, while the first charge may be true, the second was either a downright falsehood or originated from mistake.

governors. His pamphlet against the "Regulations respecting the British Colonies," and the bold resolutions of the Congress of 1765, from his pen, gave him a continental reputation, and the publication of his "Farmers' Letters" in London and Paris, with a preface by Franklin, soon enlarged it to one in a measure European.*

In the year 1763† Mr. Read married the daughter of the Reverend George Ross,‡ for almost fifty years rector of Immanuel Church, New Castle, Delaware. It was one of his favorite maxims that men ambitious of arriving at the acme of their professions should never marry; but his good sense taught him that the sacrifice of domestic enjoyment would be inadequately compensated by the highest honors. The understanding of Mrs. Read, naturally strong, was carefully cultivated by her father, who bestowed more attention upon her instruction than it was the common lot of females at that period to receive. Such is the advance in the education of the women of our country that her letters, a few of which I have, in the points of orthography and penmanship would suffer on comparison with those of the present day. Her person was beautiful, her manners elegant, and her piety exemplary. During our Revolutionary struggle her trials were many and severe. The enemy, constantly on the maritime borders of Delaware, kept the State in perpetual alarm by predatory incursions. The British army at different periods occupied parts of her territory or marched through it. Frequent change of habitation was not one of the least evils which accompanied the war of the Revolution. Mrs. Read was almost constantly separated from her husband while he was engaged in the public service. She was often compelled to fly from her abode, at a moment's warning, with a large and infant family. But she never desponded. Instead of adding to the heavy burden of a statesman's cares by her complaints, she animated his fortitude by her firmness.§

* For a notice of John Dickinson, see *post*, Appendix C.

† Register of Marriages of Immanuel Church, New Castle, Delaware.

‡ For a notice of the Rev. George Ross, see Appendix D.

§ She survived Mr. Reed four years, dying in 1802 in the mansion they had long occupied, which was destroyed by fire in 1824, with almost the whole of the most compactly-built and commercial part of New Castle.

The following congratulatory letter was written by Mr. Dickinson to Mr. Read on the happy occasion of his marriage:

“With the warmest wishes, my dear sir, for your happiness and Mrs. Read’s, I congratulate you on the very valuable acquisition each of you has lately made. May Providence be pleased to bestow upon you all the blessings of which life is capable; and may life, as it wears away, be spent in such a manner as to prove a sure source of future felicity. No man will see your happiness with greater joy than I shall, because it will always be a great addition to my own, unless one thing happens of which I am a little apprehensive. I mean that your affections will be drawn into so small a circle that you will forget to love your friends. Pray don’t give me any reason to think this. If you do, I will revenge myself upon you (if you are not too happy to think that any revenge) by taking a wife, and ceasing to be, if my heart will permit it, Mrs. Read’s and your very affectionate, humble servant,

“JOHN DICKINSON.

“January 23d, 1763.”

Mr. Read enjoyed the felicity his friend so fervently desired for him and his amiable partner, but the contest which (in 1765) commenced between Great Britain and the Colonies soon interrupted his domestic enjoyments. As Mr. Read held an office under the British government, and possessed great and acknowledged influence, his adherence to the English ministers would, no doubt, have insured him a share in the preferments and pecuniary rewards lavishly bestowed on those who supported the schemes of oppression which they had planned; but his patriotism and integrity induced him to take a decided part with those who opposed the aggressions of the Parliament as soon as the dispute between the Colonies and the mother-country commenced. It was not vanity, but a proper estimate of his own abilities, and the knowledge that they were duly appreciated by his fellow-citizens, which assured him that he would be called upon to act an important part in a momentous drama as soon as he declared himself. He well knew that the post of leader, whether civil or military, was at once the post of danger and the place of honor. Success was problematical,

and he could not doubt that the British ministers, embittered by opposition and flushed by victory, would single out as victims those who had been most active and influential in resisting their designs. Clemency was little to be expected where vengeance could be inflicted under the guise of just punishment. But neither interest nor fear could divert him from taking the course he believed to be right, and once taken, inflexible in faith, he never swerved from it.

In October, 1765, he took his seat in the General Assembly of Delaware as one of the representatives from New Castle County, which station he continued to occupy for the twelve next ensuing years.* Mr. Read was a member of the committees who reported the addresses made to George III. by the Delaware Legislature on behalf of their constituents, and which merit the encomiums so deservedly bestowed on our Revolutionary state-papers. In a letter of September 23d, 1766, to Mr. Read, chairman of the Committee of Correspondence of that body, Dennis de Berdt, agent of the three lower counties, in London, acknowledges the receipt of an address, which was "very graciously received," and adds, "I told Lord Shelburn that it appeared written with the most natural [and] honest simplicity of any I had seen. He said 'it did;' and '[that] the king was so well pleased with it that he read it over twice.'" This was an address of thanks to George III. for the repeal of the stamp-act.

It appears from the following correspondence that Mr. Read was an applicant for the office of collector for the port of New Castle, Delaware. In answer to a letter to him, a copy of which is not preserved, Mr. Wharton writes as follows from

"PHILADELPHIA, April 14th, 1766, Monday.

"DEAR FRIEND,—I have received yours, and immediately waited upon Governor Franklin, and showed it to him.

"He is fearful that the office is engaged. But assures me he will write to his father, in the strongest terms, in favor of you, and therefore desires that you will immediately write him a letter, and request his application to the Lords

* See *post*.

of the Treasury in your behalf. Which letter inclose to me by the bearer.

“The packet is momentarily expected. But a ship went down last night for New Castle, in England, wherefore, by all means, get a letter also on board of her to Dr. Franklin. Pray by no means neglect this, as he will [thus] have the earlier intelligence of your application.

“I have hired the bearer to carry this, as I cannot find another opportunity.

“As soon as I receive your letter, be assured that I will, with the greatest pleasure, press it with Dr. Franklin, as it will always afford me the greatest joy to minister to the happiness of my dearest friend.

“Pray remember Mrs. W—— to Mrs. R——, and believe me to be, in the greatest haste, dear George,

“Yours affectionately,

“S. WHARTON.

“Excuse this blundering epistle.”

“NEW CASTLE, April 14th, 1766.

“SIR,—From your known goodness, and the knowledge you have of me and my family, I have presumed to beg the favor of you to apply to the Lords Commissioners of the Treasury on my behalf, for the appointment of Collector of the Port of New Castle, made vacant by the death of Mr. William Till yesterday morning. My pretensions to this post are solely founded on your good offices in my favor, for which I shall have no other return to make than a grateful remembrance of the service done me, and this, I am well assured, will be satisfactory to your generous mind. Should this appointment be obtained for me, I am persuaded I can give very satisfactory security for the due execution of the office in the city of Philadelphia. Among others, I can venture to name Mr. Rees Meredith and Captain John Mease, whose very independent fortunes, I do suppose, you are well assured of.

“Good sir, pardon the freedom I have taken to address you on this occasion, and you will much oblige your most obedient, humble servant,

“GEORGE READ.

“TO DR. FRANKLIN.”

“LONDON, June 12th, 1766.

“DEAR SIR,—I received your letter of April 14th, and immediately made an application in your favor. It will be a pleasure to me if it succeeds. But the Treasury have so many to provide for that we must not be surprised if we are disappointed. My regards to your good mother, and believe me, with sincere regard, your assured friend and most humble servant,

“B. FRANKLIN.

“GEORGE READ, Esquire.”

To this letter Mr. Read replied as follows:

“SIR,—I now return you my most sincere thanks for the immediate application you were so good as to make at the Treasury on my behalf, as I am informed by your letter of the 12th of June, and should the event be otherwise than successful, to me it will not prove a matter of much disappointment. I am but little troubled with that passion for offices so generally prevalent. This is the first I ever sought after, the execution of which, answering my situation, tempted me to rely on your well-known disposition to assist those you may think worthy. My mother desires her best compliments may be made to you for your kind remembrance of her, and I am your much obliged and most obedient, humble servant,

“GEORGE READ.

“DOCTOR FRANKLIN.”

This application was unsuccessful. This office could not have been refused because Mr. Read opposed the stamp-act, for Thomas McKean, conspicuous for his opposition to that act in the Legislature of Delaware, and in the Congress of 1765, and on all occasions an ardent and active Whig, was appointed (A.D. 1771) collector of the port of New Castle.* The cause of this disappointment appears from the letter next inserted.

“PHILADELPHIA, November 14th, 1766.

“DEAR FRIEND,—I have not had leisure until this minute to acknowledge the receipt of your favor of the 7th inst.

* “Biography of the Signers of the Declaration of Independence,” vol. iv. p. 10.

“You may readily judge how I was chagrined when I found you had lost the office. Dr. Franklin writes that ‘he had an absolute promise of it for you from the Marquis of Rockingham; but when he was in Germany there was an unfortunate change in the ministry, and Alderman Trecothick applied to the Duke of Grafton, and obtained it for Mr. Walker.’

“The excursion to Germany has restored Dr. Franklin’s health, but it occasioned your loss of what your friends ardently hoped you would have obtained. I know you have philosophy enough to bear the disappointment with temper. It is only, if I may be allowed the liberty to say this, a loss of what never existed, and not like the real rubs of the poor unfortunate merchant.

“I have no news to send you, except that Dr. Franklin is in high spirits with respect to the change, and says the ministry are favorable to America.

“If he does not succeed next year I shall lose all hopes; but it must be recollected that many unexpected and untoward incidents have occurred—two removes in the ministry, the national alarm about the stamp-act, etc.

“Adieu. I am, in much haste,

“Your faithful, affectionate friend,

“S. WHARTON.

“GEORGE READ, Esquire.”

The letters and part of a letter next inserted are interesting,—those of Mr. Neave as indicating the feelings and opinions of a London merchant in regard to George Grenville’s scheme for taxing the British colonies in America, and the opinion of Mr. Read as to the internal taxation for revenue of these colonies by the British Parliament, by the stamp-act or any other mode.

“LONDON, March 24th, 1764.

“DEAR SIR,—I wrote you a few lines the beginning of the month by the ‘Dragon’ to cover the bill of lading for the silk, etc., which I hope may reach you safe.

“I do not remember whether I acknowledged the receipt of yours by Tillett. If I did not, I very sincerely thank you for your very kind and friendly congratulation on my safe arrival. I presume you will have heard ere this reaches you how near we were of being all lost, twice after making

the land, [and] that it was the greatest miracle we were saved, when we did not expect it,—once between the island of Guernsey and Jersey; a second time between Dover and Calais, when we expected to be cast on the French shore presently, and both times in the night. The last was a violent gale of wind, that did incredible damage all over England.

“It gave me sensible pleasure to find that I was yet in your remembrance, and the more so to see that you had taken the first opportunity to convince me of it. Poor Tillett, who had the misfortune to lose the ‘*Britannia*,’ on the coast of France, on the 29th of January last, brought me your letter with others that were for our house. I tremble to think of the danger we escaped. I suppose we were not ten miles from the rocks where the “*Britannia*” was, in ten minutes after her boat and crew were safe on shore, beat to pieces.

“I was much shocked to hear of the death of poor Smith, —a sudden transition, indeed. God send that we may ever live [so] as to be always ready when his good providence shall please to call us. But enough, you will say, of this melancholy subject, wherefore I will proceed to acquaint you with one that is very interesting indeed to the North Americans. You are no doubt well acquainted with the enormous debt this kingdom is loaded with by means of the last war. The Committee of Ways and Means for raising a fund for the supply of this year, and paying the interest of the national debt, have fallen upon a scheme to tax North America and the Islands. They have framed an act consisting of nineteen articles, some of which lay a heavy duty per ton on all wines except French, and on foreign sugar, coffee, molasses, etc. To be brief, every article has passed the House except the 18th, by which it was proposed to take off the drawback which is now allowed on foreign linens and calicoes exported. This, if it had been effected, would have been a mortal wound to the trade of this country. Immediately on hearing that such a scheme was on foot the merchants and traders had a meeting, when they came to a resolution of waiting on Mr. Grenville, Chancellor of the Exchequer, to endeavor to apprise him of what would be the consequence should this act pass as it stood. All the satisfaction they could get was, that if they would

not oppose any of the other duties passing they should have a fair discussion of the latter. Yesterday it came on, and after examining several witnesses, particularly Gibson and Clayton, of Philadelphia, they contented themselves with retaining a small part of the drawback, usually allowed on calicoes. If I can get a copy of the votes in time I will enclose you one. How you Americans will relish the new taxes I don't know, but I am satisfied there are a great number can afford to pay them as well as we can. Only consider, there is hardly a thing we eat, drink, or wear that is not taxed! If the above article had passed it would have been a heavy burthen on the poor among you, because it would fall heavy on the low goods.

"I have shipped on board of the ship 'Friendship,' for Philadelphia, a trunk containing the books agreeably to the list you sent me, which I hope may arrive safe and prove agreeable. Enclosed you have the bill of lading and invoice, amounting to _____, which I have charged to your account. Whenever you have occasion to send to London for anything, I beg you will freely send to me, as I shall always take pleasure in executing your commissions.

"My good friend. S. Wharton, acquainted me with your being 'regenerated' in a son and heir, and that Mrs. Read was very well.

"I am joined by my father and mother in our best compliments to you and your lady, and I am, with great esteem, dear sir, very much yours,

"RICHARD NEAVE, Jr.

"P.S.—I had a letter lately from Captain Tom; I suppose he is on his voyage home.

"GEORGE READ, Esquire."

"LONDON, July 11th, 1765.

"DEAR SIR,—As I think the old proverb 'of it's being better late than never to mend' a very good one, I am constrained to make use of it on this occasion in some measure to apologize for my so long neglecting your very esteemed favor of the 25th of June, 1764, wherein you acknowledged the arrival of the goods sent you. It gave me great pleasure to hear that Mrs. Read approved of the silks, because the choice depends so much on fancy that I was doubtful of pleasing.

“I was sorry to hear of the complaint of the second-hand books, and am much obliged by the information of the bookseller’s base conduct in packing them up so faultily. If you will be at the trouble of returning them by any ship we have a concern in, you may depend we will make him change them for better. I am extremely obliged by your kind congratulation. The danger I escaped was, no doubt, enough to make me afraid of trusting myself so far on the water; but I own that a good errand would get the better of my fear, but my mother would not easily consent. I like America, and could with a great deal of satisfaction reside there.

“You judged right about the severity of the winter that was approaching, for by all accounts from thence you had it extremely severe. I am sorry to say your lively picture of the distress the farmers and tradesmen were likely to be reduced to was a true one. We merchants find the ill effects already of the conduct of the late weak ministry. They are, thank God, removed from all power within these four days. You will see by the papers what a difficulty there has been to get this great affair accomplished. Many are of opinion that the riot of the silk-weavers, in Spital-fields, opened the eyes of his Majesty and council so as to make them think seriously of a change. The late ministry have not only burthened the colonies with many heavy taxes and impositions, but have laid more duties on us here, and new regulations as to doing business in the public offices, than ever before were known, since I can remember, in so short a time. All our manufactories experience the ill effects of the late severe regulations against the Americans, for trade has not been at so low an ebb this many years. In short, there is scarcely a person to be met with but complains, more or less, of the badness of the times, and the number of poor wretches that are starving in the country for want of employ. A disagreeable situation this, when all kinds of provision continues extremely dear.

“Your brother Tom is once more sailed in the Tartar. He left us a month past for Cork, where he arrived; and sailed, the 2d instant, for Newfoundland, where we design him to load for Lisbon. He will proceed from thence to Port Royal, in South Carolina, to load for London or Lisbon,

whichever may suit the ship best. His further destination I cannot at present acquaint you with.

“I am joined by my father and mother in best compliments to yourself and Mrs. Read. I am greatly obliged by your kind remembrance.

“Pray favor me with a line frequently, and do not take example from my negligence, for it will always give me pleasure to hear of your welfare, being with great esteem and regard, dear sir, your sincere friend and humble servant,

“RICHARD NEAVE, JUNIOR.

“Will you present my best compliments to our friend Samuel Wharton and to Mrs. Wharton, and tell them they are not forgotten by me, for we seldom miss an opportunity of drinking the health of our particular friends in America.

“GEORGE READ, Esquire.”

With the letter of Mr. Neave of July, 1765, I find part of the rough draft of Mr. Read's reply to it, as follows:

“DEAR SIR,—The scene in America has greatly changed since you left us. Then political disputes were confined to parties formed in the respective colonies. They are now all resolved into one, and that with the mother-country. The stamp-act you made on your side of the water hath raised such a ferment among us—that is, among one and all of the colonies on the continent—that I know not when it will subside. Before you will receive this I doubt not but you will see in our public papers the opposition generally made to the distribution of the stamp-papers, and to these publications I shall refer you for particulars. How the disturbances raised here will be received in England, I know not. I sincerely wish the furious zeal of the populace may not be resented by your people in power [so] as to prevent them from lending a candid ear to our just complaints, and repealing a law so destructive to the liberty of the subject in America, and which, in time, will prove detrimental to the trade of the mother-country. As to this I shall explain myself to be understood, viz., if this law should stand unrepealed, or, indeed, any other enactment in lieu thereof imposing an internal tax for the purpose of revenue, the colonists will entertain an opinion that they

are to become the slaves of Great Britain by the Parliament's making laws to deprive them of their property without their assent, by any kind of representation. This will naturally lead them into measures to live as independent of Great Britain as possible, [and] they will, gradually, go into the making of woollens and ironmongery, your two great branches of manufactory; and, although from the high prices of labor in general among us they will be greatly impeded in the first attempts, yet the necessity of persevering will surmount and possibly remove that difficulty. The spirit hath seized them already, and prevails surprisingly. Home-spun cloth is worn as well by the beaux as the men of gravity of all ranks, and though only fashion with the first, it will soon grow into habit, which, when once fixed, will not be readily changed. From this consideration alone every friend to the mother-country and the colonies ought to wish and to afford a helping hand to obtain an alteration in the late system of politics in England."

Mr. Wharton writes to him as follows from

"PHILADELPHIA, August 2d, 1766.

"MY DEAR FRIEND,—It was with the sincerest pleasure I received yours of the 1st instant, as I impatiently longed to know how you, Mrs. Read, and the little one were.

"I have had a long and tiresome excursion, but I never enjoyed more real health. Now and then, indeed, I was obliged to trespass [against] the laws of sobriety, and drink a cheerful potation with the military gentlemen whom I could not deny, as I daily received the highest marks of their kindness and hospitality.

"The situation and country of Fort Pitt are beautiful and rich. I verily believe there is not finer land in the world. The banks of the Alleghany and Monongahela must, in time, be a great vineyard, as the adjacent territory is filled with remarkably fine vines, much larger and more spreading than any on this side the great mountains. But I control my pen with respect to the nature of my journey, the peculiarity of the soil, and the importance of the Indian negotiations, as, I assure you, I never was so engaged in hurrying business as at present.

"I have the pleasure of telling you our peltries are safe-arrived at the Illinois, and we have no one to interfere with

us or our traffic. On the whole, our affairs to the westward are in a blooming way. At one store, at Fort Pitt, in eight months, out of a cargo of only £2500, we have, *bona fide*, cleared at least £3000; nay, received the peltries, which are better than cash. I mention it [because] I know it will be joyous to you.

“I am pained to hear that your little boy is so afflicted. I ardently hope that he will shortly recover, to the ineffable pleasure of his parents, who, with unutterable solicitude, watch over his tender constitution. This is certainly a most proving world we breathe in. Scarce a day opens but it brings with it some new subject of painful sighs. Certainly the great and good Author of our creation intends them as so many checks to terrestrial happiness, and to incite us to rely upon a more enduring inheritance in the realms above. What incites my pen to this meditative strain is the melancholy scene I have just returned from mixing in. My brother Thomas has two fine children, one six years old, the other about nine months, now breathless. They fell victims to the rage of an excruciating flux. One of them was the teeming prospect of great joy to them.

“I much fear that your attention to your meadows will be an injury to your health, as I am persuaded the exhalations of such grounds are not friendly to the most athletic constitutions,—of consequence not to yours. Since Providence, therefore, has been pleased to form you of delicate and tender materials, why will you endanger them by an anxious pursuit after the things of this world? Where is all the boasted acquiescence to the practice of your profession? I fear, dear friend, it is almost forgot, and that you are become so infatuated with the prospect of *meadows*, etc., that you seldom now thumb my Lord Coke. I expect soon to see published the lucubrations of George Read, Esquire, on the manner of draining cripple-land, feeding horn-cattle, etc. Pray let me early bespeak one of them for your brother Galloway.*

* This meadow is part of a farm called “Stonum,” which runs up nearly to the southwestern boundary of New Castle. This marsh fronts on the Delaware, there nearly three miles wide, and expanding into a reach below it, and is much exposed to storms from the northeast, but especially to those from the southeast. The embankment of this marsh was twice broken and repaired, at great expense, by Mr. Read while he

“As to public affairs, your brother has wrote to you properly. Dr. Franklin says, positively, that the Proprietary letter contained a shameful falsehood in saying ‘that the petition was dismissed for ever and ever.’ It was, to adopt his own words, ‘no more than a mere postponing until the general affairs of America were out of hand; it now lies ready to be taken up, and we shall shortly proceed upon it.’ How ashamed ought the Proprietary partisans [to] be at their repeated, nay daily, lies. They certainly tend to lessen their credit with men of truth and candor. How confidently did the giant assert, even last session, in our House that Mr. Franklin was the chief promoter of the stamp act (for which, be assured, he will meet with [what] his demerits [deserve] at the next session), and that he could prove it. We have letters from persons of the first character in England breathing the utmost thanks for the unwearied pains he took in laying the true state of America before the Ministry and Parliament, and yet no faith is to be given to his services. But since the arrival of his most sensible, firm, and patriotic answers to the Parliamentary examination, I will give the base calumniator and his venomous faction so much reputation as to say, they are dumb, and have the characters of conscious guilt strongly expressed in their countenances. I cannot possibly send you the ‘examination.’ There is only one copy in town. But I give you a small extract from it, by which you may judge of its importance.*

“There are 173 questions, all answered with the same judgment, spirit, and independency. At Chester you will see the whole of them. In the mean time these [I send

held it, and he erected, besides, a substantial barn on “Stonum,” and made other improvements. After the second breach of his embankment (in 1789), he sold “Stonum,” and counselled his sons never to buy marsh. If he did not suffer in health from his meadow, as Mr. Wharton feared, he certainly did in purse. Twenty thousand dollars has lately been paid for “Stonum,” its embankment being now much protected by accumulations of sand, and marsh is less valuable than when Mr. Read owned this farm, in consequence of upland having been made available for grazing by the introduction of clover.

In a letter to his brother, Colonel Read, dated 8th of April, 1769, he writes: “Every moment I have to spare from my office I spend among some people at my marsh, which may now be properly called my hobby-horse, that I every now and then ride at a great rate.”

* Here follows the extract.

you] will gratify you a little, and enhance your thirst after the others. You are at liberty to read these [to whom you please], but neither give a copy nor mention how you got them, as possibly I may be blamed.

“My Sally continues very weak, although she is much better than she usually is after lying in, but the weather is dreadful for all weakly persons. Remember me particularly to Mr. Williams. I wish his son was now fit to come into our counting-house. But he may rely upon our keeping a vacancy for him. My compliments to my old friend Van Gezel. Is he in love now? Adieu, my dear friend. I anxiously pant to spend a few hours tête-à-tête with you. Our affectionate regards to Mrs. Read.

“I am yours, truly,

“S. WHARTON.

“Poor Galloway has been very ill, but he is recovered. There are no hopes of Peggy Ross, but the poor Counsellor (who supped with me last night) still flatters himself—

‘Hope springs, eternal, in the human breast.’”

Lawyers were evil spoken of in 1767 as they are at present. I have a pamphlet before me, published in that year, on the eve of an election of Assemblymen in the three lower counties. It is in *folio*, and anonymous. It treats of topics of local and temporary interest, is poorly written, and has this pithy motto,—

“Lawsuits I’d shun with as much studious care
As hungry dens, where greedy lions are.”—POMFRET.

Will the following passage of family history be thought irrelevant, or trivial, or of too delicate a character to be brought to light? Some of my readers may so regard it; but it seems to me illustrative of my grandfather’s character, and can offend or harm no one living.

He writes to his brother James, 20th March, 1769: “When I was at Christeen on Saturday, mother told me Gunning Bedford had applied for her consent to marry our sister Polly. As she had not heard of this before, nor [had] any suspicion of its being in agitation, and but little acquaintance with Bedford, she gave him an absolute denial. She asked my opinion. I gave it in favor of Bedford, if his

Here
James
Bedford
March 20th 1769

father would make over the plantation he lived on to him, and I am apt to believe our mother may be induced to permit the match if this is done. I yesterday had Bedford to dine with me, intending to open the matter to him, but he went away before the opportunity offered. I understand he is going to Philadelphia, and will, perhaps, open his mind to you; and if he should, let him know that it is for his own interest that the father should give him the land." Mr. Read writes to his brother James, 15th April, 1769: "I was very desirous to have your sentiments about Bedford's pretensions to our sister Polly, and do agree with you in your opinion of the man, but know not well what to conclude. He has never mentioned the subject to me, though I have given him some opportunities so to do. I have invited him several times to my table, when Polly was with me, and I have been unwilling to mention the matter to him, in the first instance, lest such a step might be deemed an over-fondness for the connection, and prove a disservice to Polly. I should be glad you would sound old Mr. Bedford on the subject of making over to his son the plantation on which he lives, as I am determined to open the whole matter to the son the next opportunity I have. It would give me great satisfaction to have her well settled in life, and it is incumbent upon us all to contribute what may be in our power to accomplish this, and I think she is arrived to such an age that the sooner the better, if done with prudence. As to certainty, there is no such thing in matrimony, for, after the best caution, there is some risk which all are to run that engage in it." He again writes to James Read, 22d April, 1769: "G. Bedford was with me yesterday, and mentioned my sister's affair and his to me. I then told him I did not disapprove of the match, but my mother did, but believed she would get over all her objections if his father would secure the plantation he lived on to him. He could not say how this would be, but expected he would, and that he would be down next week. But mother to-day is more outrageous than ever. I intended to say more [to her than I did], but we soon got warm. This must subside." Mr. Read writes to his brother James, 16th May, 1769: "All application to our mother for her consent in favor of Bedford proves fruitless, and from what I hear from Mrs. Read the two young people are determined to go together. He pro-

vided himself with some clothes when he was in Philadelphia; and that Poll might have something new I this day gave her a brown mantua, a color not very commonly used on such occasions, but such a one as will be serviceable to her hereafter; and Mrs. Read has told her, from me, that they may be married at my house, which I thought it prudent to offer, as the marriage was to be. If the match should not answer our wishes, the blame, of course, will be laid upon me. Be this as it may, I believe I have done what was best, and therefore think I am doing the duty of a brother in thus countenancing their intentions, which I learn will be carried into execution the next week or the week following." They were married then or soon after, and though under circumstances in one particular inauspicious, the match did "answer the wishes of their friends." Mr. Bedford was a native of Philadelphia. He served in the war of 1755, with the rank of lieutenant,* in the Pennsylvania levy, and as lieutenant-colonel of the Delaware regiment shared in the campaign of 1776. He was wounded in the battle of White Plains, October, 1776, at the head of his regiment; and after filling with ability and fidelity several important offices, was elected Governor of Delaware, dying September 30th, 1797. while holding this office. His integrity, coupled with great benevolence and with very bland and kindly manners, made him highly popular. My grandfather was a good judge of character, and I cannot, I think, be mistaken in the conclusion that the mother in this case was unreasonable, and his course at once wise and kind. Colonel Bedford and his friend Colonel Grantham were married the same evening, and made an agreement that to the one of them who should have a child first born to him the other should send a quarter-cask of wine, and, as I have heard, neither had issue! It does not appear that the farm was made over to Colonel Bedford,

* "Among the names subscribed to the petition of officers of the three Pennsylvania battalions who served in this war to the U. S. House of Representatives, 1806, for leave to locate their claims, under the proclamation of George III., A.D. 1763, on United States Western vacant land, is that of 'John Stockton, for Lieutenant Gunning Bedford.' He was elected lieutenant-colonel of the Delaware regiment by Congress, January 19th, 1776."—*Journals of Congress*, vol. ii. p. 30; Folwell's edition, A.D. 1800. "He was afterwards appointed Deputy Muster-Master-General, and then promoted to the office of Muster-Master-General."—*Ibid.*, vol. ii. p. 210.

but I think it probable that it was; however, he died seized of it.

In a letter of April 15th, 1769, to a near kinsman, Mr. Read urges upon him *the duty of observing the Sabbath*, which, like too many others, in the hurry of business, he had sometimes, on the specious plea of necessity, infringed. I extract the following paragraph from this letter with great pleasure, firmly persuaded as I am of the connection between the observance of the Lord's day and the prosperity and happiness of individuals, families, and nations, and feeling that I give my grandfather an additional claim to gratitude and reverence by adding his name to the long list of men, the wisest and best that have lived, who have advocated the observance of Sunday,—among them Sir Matthew Hale, who declared “that no temporal business which he commenced on the Sabbath ever prospered:”

“I have your letter of the 11th inst., and am sorry to be told by you that for want of time in the six days of labor you break in upon the Sabbath, and do that which upon no sound reasoning can be deemed a necessary work on that day of rest. Permit me to say this as I have considered this matter well, and was too long in the commission of like breaches of that day, and as soon as I gave reason and conscience fair play I became convinced of my default. Believe me, it is dangerous to indulge ourselves in *small* breaches of that duty we owe to the Divinity, as *one* is apt to bring on *others*, and I am persuaded that when you come to recollect the parts of each day of the six, you will find that some of those parts might have been employed upon this necessary work. It has frequently been my case. Take not amiss this hint; it truly proceeds from brotherly love towards you, and be assured it will be pleasing to me that you take the like liberty whenever an occasion offers, which, I confess, would be frequent, if you were nearer to me.”

The kinsman thus reproved immediately thanked Mr. Read for his reproof, and added that no admonition from him would ever be taken amiss, which probably encouraged him to give, on the 26th of the same month, this additional advice:

“More colds are contracted by wetting the feet than in any other way. It is an old maxim in favor of health ‘that you keep your head cool and feet dry,’ and a very just one;

but I suspect chewing tobacco, especially so much as you do, is very hurtful; it draws off too much of the saliva from the stomach, which is necessary for digestion. I apprehend it useful if taken before your breakfast in the morning, but not after; but it must be particularly hurtful when used immediately after a meal. Leave it off by degrees. The disorder you have been attacked with is a most violent one, and to prevent returns of it you must carefully attend to your constitution, to discover the cause, and, when discovered, take pains to remove it. I do think that with a little attention most men may be their own physicians in the general, and health is so pleasing that every one ought to make the attempt. Good water is the best diluent, and assists digestion more than any other liquid; when the weather becomes cold it may be right to put a toast in it. A draught of it, as soon as one rises in the morning, is good for sedentary, studious persons."

He announces to Colonel Read* the result of an election,

* Colonel Read, several years the junior of Mr. Read, established himself in Philadelphia as a merchant, and retired, after prosecuting his business for a long period, with a competency, the just reward of his probity, industry, and enterprise. He informed me that he was present (with the rank of lieutenant) at the battle of Princeton, and also at the battle of Trenton, being a volunteer; that his blanket overcoat was pierced by balls, and that a Hessian, charging upon him, he, after vainly signing to him to surrender, was compelled to fire in self defence, wounding him in the side. He directed him to a place where he supposed he could be assisted, but as he never saw him again, did not know whether his wound was fatal or not. Colonel Read participated also in the battle of Germantown with the rank of major. James Read received from Dr. Williamson the information as to the way in which the celebrated letters of Hutchinson, Oliver, and others were obtained, and communicated it directly, and also through Bishop White, who was his neighbor, to Dr. Hossack of New York. The Bishop writes, 14th October, 1819: "The Mr. Read, mentioned in this letter, is brother to the late George Read, Esquire, of New Castle, member of the first Congress, and since senator for Delaware. I have no doubt of the correctness of the communication of Mr. James Read, independently of the character he has sustained through life, and to a great age. Dr. Williamson and he were born within twelve miles of each other, and were companions from their boyhood."—*Collections of the New York Historical Society*, vol. iii. pp. 145-152, and 177, 178.

"Colonel Read died 31st December, 1822, in the seventy-ninth year of his age. He was a member of the Supreme Executive Council of Pennsylvania (Hogan's State Trials, p. 56), and a Paymaster of the Continental navy, and a Commissioner of that navy."—*Cooper's Naval History*, vol. i. pp. 100, 101; *Journal of Congress*, 1777-8, p. 460.

which had just been ascertained, in the letter which follows:

“3d October, 1769.

“DEAR JAMES,—I write this after being up all night waiting the event of the election, which closed after daylight this morning, occasioned by the greatest number of voters that ever appeared here before. The old Assembly continues, myself the fifth man, with 1005 votes; B. Noxon, the sixth, with 675 votes; T. Duff, highest in return for Sheriff, by 213 votes; Alexander Porter, second, who has told me, this morning, he will not go up to the Governor; Henry Vining, of Newport, [is] highest for Coroner by 201 votes; one Thomas Morton, second, who declines going up also. By this the Governor loses his choice. The electors were computed at 1500. Evan Rice, at the head of the Assembly-list, had 1348, W. Armstrong, 1246, J. Evans, 1222, and T. McKean, 1021. There were three candidates for the Sheriff’s office, viz., Duff, Porter, and Van Bebber, the highest of whom had but 664 votes, so that each candidate had almost in every ticket a single clear vote. Porter says he is *satisfied, and will go home and mind his mill*, which really is a mark of prudence. Mrs. Read and Bedford got down in good time on Sunday evening, all well. You are to buy a card- or side-table, with a leaf that folds over, when opportunity offers. I have sent Philip Wirt down to Dennis’s Creek to bring me up one thousand cedar-rails, promised to be very good. My masons are laying the last stretch of wall along the bank, and will nearly finish this week, and I shall be sincerely glad. A hurry of business begins with me the last of this week, when the Dover Supreme [Court] happens, and [I] shall continue employed in Courts and Assembly till the beginning of December,—but a disagreeable prospect. Mrs. Read gives her love to Mrs. Wharton, yourself, and all friends, and I am, dear James, yours very sincerely,

“GEORGE READ.”

I wish, from my heart I wish, that every disappointed office-seeker may have the wisdom of Porter, one of the defeated candidates for the Sheriffalty in the foregoing letter mentioned. If, when defeated, instead of trying their luck again in the political lottery, like prudent Porter, they

would go home and mind their mills, or farms, or workshops, there would be fewer of our yeomanry degraded to be office-hunters, ready to do the dirty work of demagogues: then they might thank God, in every day of after-life, for defeat: then, earning their bread with the sweat of their brow, owing no one anything, and scorning to vote at the beck of any man or party, they could walk abroad with the port of independence and honor.

Mr. Read, who practised in Kent and Sussex counties, Delaware, as well as New Castle, writes to Mrs. Read from Sussex, as follows :

“5th May, 1770.

“MY DEAR G——, I sit down to converse with you at this distance from necessity, as our separation must continue, at least, these eight days to come. This is Saturday evening, and I am at Mr. Kollack’s, much fatigued with the two past weeks’ service. At Dover, I was in court all one night and the greater part of another; this brought on an attack of my old complaint, which has continued upon me, more or less, ever since. I came to Lewis on Saturday evening last. Sunday and Monday I did not stir out. On Tuesday I went into court, was up all night; Wednesday we did nothing; Thursday the dispute between the Justices and Grand Jury was heard, and determined in favor of the former. Yesterday we went into the trial of an ejection, and did not leave the court till sunrise this morning. In all these matters I have had my share of success,—of the two at Dover, both went in my favor; of the three at Lewis, I succeeded in two. This is a short account of myself and works. To-morrow I set off for Prime-Hook neck, and expect to be there on Monday evening, if possible. Mr. Kollack’s family are well, and desire to be remembered to you. They have been extremely kind. Miss Armitage came here with Mr. Rodney, and returns to-morrow morning. Rodney has had the asthma ever since he came,—at particular times very ill,—but made a shift to attend the courts on the hearing of the affair of the Grand Jury, of which Clowes was the foreman, and this was a case of great expectation in the county, and drew great numbers in; but Clowes, the *Wilkes* or *McDougal* of Sussex, was remanded to prison, to the mortification of the party. Mr. William and Rodney being of this opinion, Hall against it,

who seems to be under rather more uneasiness than Clowes. As this is the only topic here, I have been thus particular about it. Pray kiss our little ones for me. Take care of yourself and them, and believe me your very affectionate husband,

“GEORGE READ.

“I have taken six tickets in St. James’s Church Lottery.”

I find in Mr. Read’s “Almanack” for 1771 a ticket in a lottery for the benefit of the New Castle and Christiana Presbyterian Church, having his signature, with *blank* written on the back of it.*

I find among Mr. Read’s papers a file of copies of his letters to his brothers William, John, James, and Thomas, and their letters to him from 1762 to 1772. I read them with interest because they exhibit strong fraternal attachment, and afford glimpses of his private life during that period. In 1763 James announces the murder of William, settled as a merchant in the West Indies; and his brother Thomas, † commanding a ship, writes from Jamaica, “that he had a narrow escape from being taken by a Spanish privateer, his crew of fifteen men not being such as he could rely upon, except three or four, but he got clear of the outlandish devils, the wind blowing a gale.” Mr. Read is much occupied with his profession, practising law in the three lower counties on Delaware and in one or more in Pennsylvania. He tells his brother James, 9th December, 1768, “I rode your horse to Chester, but he proved so very unruly for the first three miles (rearing as many times) that I was forced to dismount. With spurs he might have been pushed on. This is a bad habit.” All the time Mr. Read can spare from his profession is devoted to his farm ‘Stonum.’” April 8th, 1769, he tells James, “Parson Montgomery, late of Georgetown, Maryland, preaches to-morrow on trial.” May 7th, 1769, he is in great anxiety for his two little boys, who had been inoculated; and as I read his expression of uneasiness, I feel how great is our debt of gratitude to Jenner. July 7th, 1769, his wife presents him with a fine boy, and is doing well: and 15th of September, Mrs. Read, Mrs. Bedford, and Miss Armitage embark, in James’s

* See *post*, Appendix E.

† See Appendix F.

shallop, from Christiana, and arrive, wind and tide favoring, at Philadelphia the same day;* and he tells his brother James “he will have little to do for some time, as most of the mills, from which he received flour for sale, had their dams carried away by the late flood, and he had lost some of his second crop hay, and there had been much destruction, in all parts of the country, in timber and apple-trees blown down, with fences inclosing them, and cattle killed by eating the apples, and the stage-boat had gone adrift in the late storm, and has not been up since, and it might have been lucky if it had been beaten to pieces, as probably the present owner could not have procured another vessel, and some person more fitting would have supplied his place—he and I are on bad terms at present, and it is probable will continue so till he becomes more careful and industrious. James must get him cedar rails, and the wall before his bank is progressing, and will be finished by the election; but the persons who furnish stone worry him by delays. His brother Thomas has met with some ill luck, which is too frequently so with him.” And 9th August, 1770, Tom writes, “The intelligence that James intends taking a mess-mate gives me great satisfaction.” February 9th, 1770, James writes, “I inclose a statement of the prices of the books you spoke to me about from the original invoice, and the prices they will be sold at, and not a farthing less. They are all in exceeding good order, and the latest and best editions, and purchased by Dr. Franklin for the Union Library. The first and second volumes of the ‘Debates of the House of Commons’ have been used the most, though no ways abused, the rest appear all new, and are, I think, much better than those I saw with you. If you should think to take any of them, I should be glad of your directions as soon as possible, as Mr. Dickinson has been speaking about them, but has not said whether he would take them or not. Hughs, whose possession they are in, thinks

* This, when the mighty agent, steam, had not made the traveller independent of wind and tide, was a very good passage.

Mr. John Holmes, of Baltimore, announces, September 4th, 1807, in a letter to George Read, Esquire, the arrival there of Mrs. Read, after a pleasant passage by packet-boat of *only seventeen hours* from New Castle to that city! Travellers now pass daily the whole distance between Philadelphia and Baltimore in five or six hours.

you will never have an opportunity of getting them on so good terms. I would only add, that they are in such order that you need not be ashamed of seeing them in your library. They are lettered on the back with the years they belong to, in a neat manner. There is nothing talked of here but the will of Colonel Flower, by which he left his whole estate to his widow, a woman of most infamous character, who, by the assistance of the devil, or some worse power (if any worse there be), obtained such an influence over him as to make him, in the disposal of his effects, reject his children by his former wife in such a manner as to leave them scarce a support. There has been a hearing before the Register-General for several days, and a number of witnesses have been examined on each side. This case will be concluded to-morrow, when the gentlemen of the law are to speak; but I am told the pleadings are to be in private, which I am very sorry for, as I should be glad to hear them. The counsel for the children are Messrs. Tilghman, Dickinson, and Galloway; those for the widow, Messrs. Ross and Hunt, who have quite the unpopular side of the debate. The public seem greatly to interest themselves on the side of the children. I can have no opportunity to speak to Mr. Ross about the wine until this affair is over." Mr. Read is the point where the affections of his brothers centred. As I read, almost a century after they happened, these occurrences, the like to which make up the lives of most men, they are invested with interest by the reflection, that when they were written, nigh, at the very door, was that great crisis which called Mr. Read from his profession, his farm, and his family, to the public service, and that of the tranquil pursuits and happiness of private life he was never more to have but fitful enjoyment.

APPENDICES TO CHAPTER I.

A.

NOTICE OF JOHN ROSS.

JOHN ROSS was the son of the Reverend George Ross, rector of Immanuel Church, New Castle, Delaware, and was born in the year 1714.*

Where, and to what degree, he was educated does not appear. His father, a graduate of the University of Edinburgh, and more competent than any teacher he could have employed, may himself have undertaken the task of instructing the son, at least in the Latin and Greek languages.

He studied law, and practised it with great success, in Philadelphia, for many years, acquiring by his practice a large property.

The scanty information in reference to John Ross that I have been able to obtain, is contained in the following brief extracts:

"The manuscript correspondence of Secretary Peters with the Proprietaries [of Pennsylvania] often speaks disparagingly of the Philadelphia bar, whether truly or from umbrage is not made out, as they are but simple declarations of opinion without any reason assigned. In 1743 he speaks of John Ross as successful beyond his merits, by engrossing as much as all the others, Hamilton only excepted. In 1749 he says of them generally, 'all of whom, except Francis and Moland, are persons of no knowledge, and, I had almost said, of no principle.' John Ross acquired a large estate, and had his dwelling well out of town."

"When lawyers practised in the old court-house, lawyers Ross and Lawrence had their offices in the small alley called Chancery Lane, a name derived from them. It would now be deemed an ignoble place for such an honored profession [as the legal]; but it marked the day of small things, and verified the toast called for by the same John Ross of Mark Wattson (both being professed jokers), 'the day he hoped for, when two lawyers would have to ride on the same horse.'"†

"When the disputes between Great Britain and her North American colonies commenced, 'the lawyers, who, from the bent of their studies and their habit of speaking in public, were best qualified to take the lead in the various assemblies which became necessary, were little unanimous in the Whig cause. A few, indeed, of the most conspicuous

* John Ross, son to George Ross (infant), was baptized 21st October, 1714.—*Register of Christening in the Parish of Immanuel Church, New Castle, Delaware*, p. 1.

† Watson's *Annals of Philadelphia*, p. 266.

practitioners in Philadelphia were either disaffected or lukewarm. Among them, Mr. Joseph Galloway, though a member of Congress, was known to be a disapprover of the measures then pursuing. From Mr. Chew, Mr. Tilghman, and Mr. Shippen no activity was expected, they being proprietary-men, and in the enjoyment, under that interest, of offices of trust and importance. Their favorable disposition to the American cause was to be inferred from the sons of the two first having joined the military association.”

“Mr. John Ross, who loved ease and madeira much better than liberty, declared for neutrality, saying, he well knew ‘that let who would be king, he should be subject.’ An observation which, judging only from events, may be thought by some to contain as much intrinsic wisdom as the whole of the ‘Farmers’ Letters,’ with all the legal, political, and constitutional knowledge they display.”*

The next paragraph, an extract from the deposition of the late George Read, Esquire, in a suit brought for the recovery of property in New Castle, Delaware, by a party deriving title from John Ross, exhibits him, as he was, delighting his friends by his wit or humor, and winning their warm affections by his amiableness.

“To the 10th interrogatory this deponent saith that his first knowledge of John Ross was in his early youth, and among the first recollected impressions made on his mind. It was in the summer of the year 1773 or 1774 that he was standing at the front door of the late residence of his father, in New Castle, with his mother late in the afternoon, looking with amazement and terror upon an approaching storm, which had thrown a deep gloom upon the surrounding scenery. His mother pointed out to him a pilot-boat coming down the Delaware, and which the violence of the wind appeared to have almost set over, expressing apprehension for the safety of the people [on board of it]. Soon after the sails of this vessel were lowered, and a small boat put off from it, with persons on board, towards the shore, and run in upon the mud at low water-mark, the tide then having ebbed. That immediately two persons jumped out of this boat, and took from thence two other persons upon their backs, and walked with them towards the river-bank. One of the carriers, however, had not proceeded far with the person on his back before he fell with him in the mud. In a few moments after they came up to the place where the deponent’s mother was, and were her brother John Ross and Captain Swanwick. The latter was the man who had been tumbled in the mud, as appeared from much of it sticking to his garments. He was a very corpulent man. This occurrence excited much mirth at this time, which was heightened by Mr. Ross, who was a man of great vivacity, wit, and humor. And this deponent’s impression of John Ross, at that time, was deepened and strengthened by the notice he took of him during the evening, telling him various stories, calculated to interest and amuse children. Mr. Ross was the maternal uncle by the half-blood of this deponent.”

In the year 1760 Mr. Ross took a leading and active part in the good work of organizing a new Protestant Episcopal congregation in Philadelphia, as appears by the subjoined extract from the ‘sermon of Dr.

* Graydon’s Memoirs, p. 105, first edition.

Stephen H. Tyng, preached 1st January, 1831, at the consecration of St. Paul's Church, Philadelphia, then recently improved and repaired.

“Mr. McClenachan had officiated for a year as assistant minister in Christ Church, Philadelphia, when a disagreement arising between him and the other ministers of that church, his duties in that capacity terminated, and a portion of the Christ Church congregation, who favored Mr. McClenachan, wishing still to enjoy the advantage they had received from his doctrine and example, withdrew with him, and formed themselves into a separate congregation under the title of *St. Paul's Church*. They assembled for the first time for worship, as a new congregation, on Sunday, 22d June, 1760, in the State House, where a congregation of from four to five thousand persons assembled, so extensive was the excitement produced by these events when they occurred. The use of this spacious building was granted them by the colonial authorities until their church could be completed, which was immediately undertaken. On the 24th of June, one week after the separation of Mr. McClenachan from Christ Church, the articles of agreement were signed by ninety-seven members of the congregation, which constituted them as the congregation of St. Paul's Church, and which still form the basis of their congregational charter and laws. This document is said to have been written by Mr. John Ross, a distinguished counsellor of that day, who had been a steadfast friend of Mr. McClenachan; who also was elected the first warden of this church, and whose remains still lie beneath the floor on which you are now assembled. From the same pen, also, proceeded the able address from the new vestry to the Bishop of London, and most of the early correspondence upon our records.”*

If by reason of the extract from Graydon's "Memoirs" it should be thought that Mr Ross was a mere voluptuary, a little consideration must show that this opinion is wide of the truth; for a lawyer, who has made a large fortune by his practice, must have been a hard-working man for the greater part of his life, and a gentleman who employed his wealth, and influence, and efforts to establish a new congregation of Christians, and to build them a house of worship, and then accepted one of its offices and discharged its duties, must have felt a lively interest in the spiritual welfare of his fellow-men, such as no man, solely studious of his ease and sensual gratification, could have felt.

While some indulgence may be claimed for the neutrality of an old man in a doubtful contest, in which, if he engaged, he would risk much, it must be admitted Mr. Ross was not the stuff out of which martyrs and patriots are made.†

Mr. Ross died the 8th of May, 1776, and Elizabeth, his wife, *née* Ashe, on the 7th of October of that year.

* Sermon of Dr. S. H. Tyng, preached at the consecration of St. Paul's Church, Philadelphia, January 1st, 1831, pp. 8, 9; Dorr's History of Christ Church, Philadelphia, pp. 119, 120.

† "September 25th, 1775, Thursday.—Made an excursion with Congress, etc., in the new row-gallies. On our return, Dr. Rush, Zebly, and Counsellor Ross joined us. Ross, a lawyer of great eloquence, and heretofore of extensive practice; a great Tory, but now, they say, beginning to be converted. He said 'the Americans were making the noblest and firmest resistance to tyranny ever made by any people. The acts [of Parliament] were grounded in wrong, injustice, and oppression. The great town of Boston remarkably punished without being heard.'"—*Works of John Adams, Diary*, vol. ii. p. 429.

LETTERS OF DR. FRANKLIN TO JOHN ROSS.

Mrs. Marcia G. Ross, widow of David Ross, a grandson of the Reverend George Ross, gave to the author, 6th May, 1852, four letters of Dr. Franklin to John Ross. One of the letters, that of 14th May, 1768, may be found in volume vi. of Dr. Franklin's Works, page 278; but as the remaining three of these letters do not appear in his printed correspondence, it is concluded they are unpublished, and they are therefore subjoined to the foregoing notice of John Ross.

No. 1.

“LONDON, February 14th, 1765.

“DEAR SIR,—I received your obliging favor of December 20th, and am glad to find that, though so distant from them, I still live in the remembrance of my friends.

“We have been of late so much engaged in our general American affairs that it was necessary to let what related particularly to our Province to sleep a little for the present; but it is nevertheless working gradually to its point, and will, I believe, end as we wish it. For the Quakers, who, to show their moderation as regards the proprietors, have (of themselves) undertaken to persuade them to reasonable measures, will, on finding them obstinate, give their whole force and weight to procure a happy event to the petition, especially as they dread nothing more than what they see otherwise inevitable, their friends in Pennsylvania falling totally under the domination of Presbyterians.

“The changes you mention in the magistracy indicate the measures intended, and manifest the means by which they are to be brought about. The hasty setting aside such unexceptionable magistrates merely for their political opinions was not, however, a step the most prudent, for I think it will have different effects from those proposed by it.

“The stamp-act, notwithstanding all the opposition we have been able to give it, will pass. Every step in the law, every newspaper, advertisement, and almanac is severely taxed. If this should, as I imagine it will, occasion less law and less printing, it will fall particularly hard on us lawyers and printers.

“The Parliament will, however, ease us in some particulars relating to our commerce, and a scheme is under consideration to furnish us with a currency, without which we can neither pay debts nor duties.

“It is said here among the merchants that North America owes them no less than four millions sterling. Think what a sum the interest of this debt amounts to!—pay them honestly.

“Be pleased to present my hearty respects to our friends Potts, Pawlin, and Morton. They do not, I dare say, sleep a jot the worse for their dismissal. There are times in which

‘The post of honor is a private station.’

But those times will not, I think, long continue. At least nothing in my power shall be wanting to change them.

“My respects to Mrs. Ross, and my young friends of your family;

and believe me, with sincere regard, dear sir, your most obedient, humble servant,

“B. FRANKLIN.

“JOHN ROSS, Esquire, Philadelphia.

“P.S.—I send you a pamphlet, wrote, I have reason to believe, under the direction of the ministry, with a view to make us Americans easy, which shows some tenderness for us.”

No. 2.

“LONDON, June 8th, 1765.

“DEAR SIR,—If, according to the custom here, I congratulate you on your having a severe fit of the gout, I cannot avoid mixing some condolence with my congratulation, for I too have lately had a visit or rather *visitation* from the same friend (or enemy) that confined me near a fortnight. And notwithstanding the salutary effects people talk of to comfort us under our pain, I fancy we should both of us willingly hazard being without them, rather than have these means of procuring them too frequently repeated. I may possibly be, as they tell me, greatly obliged to the gout; but the ‘condition of this obligation is such’ that I cannot heartily say *I thank ye*. I hope, however, your slow recovery proved at length a perfect one. And I pray that your established health may long continue.

“The outrages committed by the frontier people are really amazing! But impunity for former riots has emboldened them. Rising in arms to destroy property, public and private, and insulting the King’s troops and fort, is going great lengths indeed. If, in Mr. Chief’s opinion, our Resolves might be called rebellion, what does the gentleman call this? I can truly say, it gives me great concern. Such practices throw a disgrace over our whole country that can only be wiped off by exemplary punishment of the actors, which our *weak* government cannot or will not inflict. And the people I pity for their want of sense. Those who have inflamed and misled them have a deal to answer for.

“Our Petition, which has been becalmed for some time, is now getting under way again, and all appearances are for us. I hope before Captain Friend sails to give you some account of our progress.

“My respectful compliments to Mrs. Ross, and my friends, the young ladies, to whom I wish every felicity.

“I am, dear sir, your most obedient, humble servant,

“B. FRANKLIN.

“JOHN ROSS, Esquire, Philadelphia.”

No. 3.

“LONDON, April 11th, 1767.

“DEAR SIR,—I received your favor of December 8th and February 22d, and thank you for the particular accounts you send me of affairs on your side the water, which are very agreeable to me to read.

“Here public affairs are in great disorder; a strong opposition against the ministry, which, at the same time, is thought not to be well

united; and daily apprehensions of new changes make it extremely difficult to get forward with business. We must use patience. This satisfaction we have, that there is scarce a man of weight, in or out of the ministry, that has not now a favorable opinion of the proposed change of government in the Proprietary colonies; but during the present violent heats, occasioned by some conduct of the Assemblies of New York and Boston, and which the opposition aggravate highly in order to distress the friends of America in the present ministry, nothing so little interesting to them as our application can get forward.

"Your messages on the subject of the Circuit-Bill are not yet arrived. I much want to see them.

"I send you a little essay of an inscription to the memory of my departed, amiable young friend, whose loss I deplore with you most sincerely. If it has been long coming to your hand, I hope that has occasioned your being furnished with another and a better. The style is simple and plain, and more proper for such things than affected ornamental expression.

"I am looking out for a chariot for you, which I shall send you as soon as possible.

"With great esteem, I am, dear friend, yours affectionately,

"B. FRANKLIN.

"JOHN ROSS, Esquire, Philadelphia, per packet via New York."

B.

WE who have hereunto subscribed our names do acknowledge to be duly enlisted, pursuant to an Act of the General Assembly of this Government, in Richard McWilliams' company of foot, in the regiment whereof William Armstrong, Esquire, is Colonel, in New Castle County, 28th December, 1757.

Samuel Van Leuvenigh,	John Patterson,	James Craig,
Wm. Spenser, Jr.,	John Humes,	Christopher Stoop,
John McClughan,	William Creath,	James Eves,
Peter Jaquet,	James Lefever,	John Makel,
Jacob Colesberry,	Isaac Janvier,	Matthew Cannon,
Thomas McKean,	Stephen Enos,	Peter Jaquet,
Attorney at Law,	George Peterson, Jr.,	John Jaquet,
Jno. Thompson,	John Silsbee,	John Broek,
Joseph Enos,	Wm. Walker,	Michael Blew,
Richard Eves,	Jacobus Haines, Jr.,	Allan Wilson,
Wm. Blackburn,	Daniel McGennis,	Thomas Stidham,
Jas. Boggs,	Samuel Janvier,	William Slebey,
John Stewart,	Robt. McMann,	Wm. Hunt,
Thomas Sproul,	John Dowal,	Richard Derham,
Joseph Jaquet,	John Stoop, Jr.,	Philip Van Leuvenigh,
Magnus Kettle,	Thomas Sankey,	Jacob Janvier,
Joseph Tatlow,	Philip Janvier,	Isaac Dowell,
Israel Stalcup,	John Booth,	Patrick Hughes,
John Moody,	Raynolds Ramsay,	John McNamee,
William Humes,	Cornelius Garretson,	Wm. Clark,

Peter Morton,	Charles Springer,	Wm. Devers,
John McFarland,	Cornelius Devining,	Wm. Staford,
Jeremiah Pratt,	Cornelius Heines,	Walter Hughes,
William Spenceer,	David Whittito,	Jacob Kroock,
David Campbell,	Henry Horan,	Joseph Kirk,
James Dyer,	Hector McNeil,	Morton Morton,
Robert Furniss,	Jno. Anderson,	John Chatham, Jr.,
George James,	John Kius,	John M. Moreland,
Richard Janvier,	Jno Eves,	Stephen Bennett,
Samuel McMullin,	Jasper Clawson,	Frederick Smith,
Jacob Ross, M.D.,	John Clawson,	David Biddle,
George Read, Att.,	Maken McNeight,	Jno. Hall,
Townsend Matthews,	Peter Stidham,	Isaac Justice,
John Boyd,	Patrick Yeates,	Wm Conyngham,
Samuel Dick,	Peter Sufridus Alrick,	Wm. Crawford,
John Harris,	Robert Scott,	Baston Malgold,
his	Robt. Harthorn,	Daniel Graham,
William x Peterson,	Thomas Pike,	Philip Stoop,
mark,	Wm. Floyd,	Sannuel Johnston,
David Finney, Attor.,	Wm. Ervin,	Wm. McDowell,
William Nesbit,	Wm. Marchent,	James Patterson,
Tho. Jaquett,	John McNoltey,	Michael King,
Abraham Pratt,	Peter Vincy,	William McKenney.

The foregoing "List" was taken, with other public papers, by the British, soon after the battle of Brandywine, from New Castle County, Delaware, to New York, from whence they were brought baek by James Booth, secretary of said State, among whose papers this "List" was found by his grandson, Mr. Joseph Henry Rogers, who has kindly permitted me to copy it as above.

WILLIAM T. READ.

C.

NOTICE OF JOHN DICKINSON.

JOHN DICKINSON was the eldest son of Samuel Dickinson and Mary Cadwallader, his second wife (descended from one of the first settlers of Pennsylvania), and was born in Maryland in 1732. His father, several years after his birth, removed to the vicinity of Dover, in Kent County, Delaware, and was presiding Judge of the Court of Common Pleas there. He owned a large estate in land in Kent County. Chancellor Killen, originally a carpenter (as I have been informed), was, when still a young man, tutor to John Dickinson. Where Mr. Dickinson completed his education does not appear, but it may safely be concluded, from the extent of his knowledge (especially of the classics), and his style of writing (characterized by elegance, purity, copiousness, and vigor), that his instructors were competent and faithful. In addition to the "Farmers' Letters," by which he is most extensively known, he wrote nine letters, signed "Fabius," advocating the ratification of the Constitution of the United States, and fourteen under this signature, to inform his fellow-citizens in regard to the French Revolution, still in progress, and foster and increase friendly feeling for the French people.

His latter years were spent in Wilmington, Delaware, whither he retired from public life. There his style of living was liberal, as suited his ample fortune, but not inconsistent with the simplicity of the sect of Quakers to which he belonged, and he found occupation and amusement in his books and the society of friends, and consolation under the inevitable ills of old age in acts of benevolence and the duties of religion.* "Christianity," in a note to the second series of his "Letters" signed "Fabius," he styles "the divine religion of our blessed Saviour." He died in Wilmington on the fourteenth day of February, 1808, and was interred in the Friends' burying-ground. No stone marks his grave. His political writings were published in Wilmington, Delaware, in 1801, in two octavo volumes. By his purity, patriotism, and benevolence, his statesmanship, his oratory, and chiefly by his writings, he is entitled to be ranked with the most eminent of his contemporaries.†

John Adams (Diary, Works, vol. ii. p. 360), meeting with Mr. Dickinson (31st August, 1774) at the lodgings of General Ward, thus describes him: "Just recovered from an illness, he is a shadow: tall, but slender as a reed, pale as ashes; one would think, at first sight, he could not live a month, yet, upon a more attentive inspection, he looks as if the springs of life were strong enough for many years."

An intercepted letter of John Adams (July 24th, 1775) to General Warren contained this paragraph: "A certain great fortune, and piddling genius [meaning John Dickinson], whose fame has been trumpeted so loudly, has given a cast of folly to our whole doings."—*Diary*, pp. 411, 412. Mr. Dickinson was justly offended, and expressed his resentment because of this disparaging opinion of him, as appears by this further extract from Mr. Adams's Diary, p. 423: "Friday, September 15th, 1775.—"Walking to the State House, this morning, I met Mr. Dickinson on foot in Chestnut Street. We passed near enough to touch elbows. He passed without moving his hat, head, or hands. I bowed and pulled off my hat. He passed haughtily by. The cause of his offence, no doubt, is the letter which Gage has published in Draper's paper. I shall for the future pass him in the same manner; but I was determined to make my bow, to know his temper. We are not to be on speaking or bowing terms for the time to come."

"I saw John Adams," said Dr. Rush, "after the publication of this intercepted letter, walk the streets of Philadelphia alone (in 1775), an object of nearly universal scorn and detestation." This statement is corroborated by other witnesses.‡

I met, accidentally, in "Niles's Register" (vol. xii. p. 300, of January 3d, 1818), with the following anecdote, so remarkable that I extract it from this voluminous work, where it will probably escape the notice of most persons, and append it as a note to the foregoing sketch of John Dickinson.

"A circumstance once happened to me that showed the power of the mind abstracted from personal sensibilities. Fifteen or sixteen years ago, then residing at Wilmington, Delaware, as I passed the house of

* Reminiscences of Wilmington, pp. 290, 291, 292.

† Delaware Register, vol. i. pp. 178 to 189 inclusive; Encyclopædia Americana, vol. iv. pp. 227, 228.

‡ 2d Adams's Writings, pp. 423, 513.

the late venerable John Dickinson, at twelve o'clock in the day, he was standing in the door, and invited me in. After reproving me for not having called to see him, for he had been a little unwell, he said he would have a glass of old wine with me, the first that he had drank for six weeks. After taking a couple of glasses of wine in instant succession, he suddenly sat down, and abruptly asked me what I thought of the discussion then going on in Congress on the great question about the judiciary. Having very briefly given my opinion, he said in a sprightly manner, 'I'll tell thee mine,'—on which he began an argument, soon became animated, and was uneasy in his seat. As he proceeded, he elevated his voice, and finally, rising slowly and unconsciously from his chair, he put forth his hand, and addressed me as if I had been the chairman of a legislative body with all its members present. I never have heard a discourse that was comparable to his speech, for its fire and spirit poured forth in a torrent, and clothed in the most beautiful and persuasive language. The graceful gestures of the orator, his fine and venerable figure, interesting countenance, and locks 'white as wool,' formed a *tout ensemble* that riveted me to my chair with admiration. His delirium, if it may be so called, lasted for nearly half an hour, when it was interrupted by one of the family entering the room. He stopped instantly, with a word half finished on his lips, and sat down in great confusion; apologized for his strange behavior, and entirely dropped the subject. Mr. Dickinson was an eloquent speaker, and one of the most accomplished scholars that our country has produced; but, perhaps, he never pronounced a speech so eloquent, so chaste, and so beautiful as that which he delivered before me, as stated. It was his soul, rather than his person, that acted on the occasion, and a master-spirit it was. The argument was in favor of a repeal of the judiciary act."

 D.

AUTOBIOGRAPHY OF THE REV. GEORGE ROSS.

THE following autobiography of the Reverend George Ross, with the letter prefixed to it, was copied by the author, August, 1835, from an ancient manuscript (itself a copy) in the possession of his brother, George Read, Junior, the words contained between hooks or brackets—thus, []—having been supplied by him as suggested by the context.

"MY VERY GOOD SON,—You have, inclosed, an answer to your repeated request, wherein you may observe the easy and regular steps [by which] Providence conducted me to settle in this country. If my posterity contract any blemish, it must be from themselves: no original guilt can be imputed to them. It is well the rise of many families in these parts, like the head of the Nile, is unknown, and their glory consists in their obscurity. It is your satisfaction that it is otherwise with you: your escutcheon is without blot or stain. Contend, therefore, for the honor of your family by a kind and generous behavior towards the several branches of it, relieve them from contempt by your benefi-

cence, and put them above the world by exercising that ability towards them which God has blessed you with, which, if you do, God will gather you, in his good time, to your honest and worthy progenitors. I have a quick sense of your filial favors, and you may be assured, dear son, that I am your most obliged and affectionate father.

“GEORGE ROSS.

“JOHN ROSS, Esquire.”

George Ross, Rector (as he is styled in his presentation) of the Church in New Castle, was second son that came to man's estate of David Ross, of Balblair, a gentleman of moderate fortune but of great integrity, born in the north of Scotland, in the Shire of Ross, in the Parish of Fern [near the town of Tain], about four or five miles [from that part of] the shire between two friths, the one the Frith of Murray, the other the Frith of Dornoch. The land lying between the two friths terminates in a noted point called Tarbat-Ness.*

He was put to school very early, and made some progress in the Latin tongue under the care of the school-master [in Tain], and being of a promising genius, his father asked him, as they were going to a farm a little distance from home, “What he would be?” to which he answered, “A scholar.” Young as he was, *credo inspiratione*. “A scholar you shall be,” replied his father.

When he was about fourteen years of age, his eldest brother, Andrew, requested his father to send him to him to Edinburgh. Accordingly he was sent, but for the first twelve months little to his advantage, for instead of advancing him in his learning, he made him attend his office, and write from morning till night,—often without his dinner,—to his great disappointment; not through want of affection to his brother, but hurry of business and much company. His father, being informed of this low or no education, ordered him to be put to school and fitted for the University. Andrew lost his slave, and George was once more put in the way of being a scholar.

He took his degree of Master of Arts, in Edinburgh, in 1700. With this feather in his cap he returned home, and became tutor to the Lord of May, his son, for which [tutorship] he was allowed ten pounds sterling per annum,—great wages in that part of the world, and at that time of day.†

[Having some] cash of his own, and somewhat anxious to see Edinburgh again, and taking [leave of his father] the [last time he ever saw him], not without some coolness on the son's side, for that the father did not add weight enough to his blessing, as the son expected,—and even at that time he was not without the thought of foreign countries,—I say, taking leave of his father, he proceeded on his journey to Edinburgh, and there entered his name among the students of divinity, worthy Mr. Meldrum being the professor. There was great hope of seeing worthy Mr. George mount the Presbyterian pulpit, but, alas! the closer he applied himself to reading, the stronger his aversion grew to the party then uppermost in Scotland. He observed the leading men

* Ness, a termination common in Scandinavian geographical names, and signifying promontory. See page 65.

† See page 66.

of that side to be sour, censorious, and hypocritical. He could not digest the ministers' odd gestures, grimaces, dry mouths, and screwed faces in their pulpits. He could not comply with their practices even to save him from want of bread. Their "horrible decretum (as Calvin, the author of it, calls it) of reprobation" gave him a surfeit of their principles, and as to their church-government, he was satisfied, it was a spurious brat (the genuine product of Core's rebellion) of proud presbyters [revolting] against their lawful bishops. While he passed among the students for an orthodox brother, he was diligently informing himself of the principles of the Church of England, which [he] approved of so well that he was resolved, as soon as he could find encouragement, to set out for England. Mr. Æneas McKenzie, chaplain to the Earl of Cromarty, Secretary of State for Scotland, was then at London, to whom he wrote on this subject. Mr. McKenzie, [being of the] same way of thinking, [answered that] he might depend upon [being provided for during the] war, "the least," says he, "you can expect." Mr. McKenzie's letter he communicated to his brother, who, upon mature deliberation with some of the leading men of the Episcopal party in Scotland, procured him a bill of exchange for £18 11s. 9d. sterling. • Thus strengthened and provided, and honored with a recommendation from the Bishop of Edinburgh, then ousted by the revolution, he bid adieu to his native country (after suffering much in the flesh by college diet among a set of canting Pharisees), and went to London by sea; and, upon his safe arrival, waited on the Bishop of London, who received him very kindly, and ordered him to attend the next ordination, at which he and his friend McKenzie, with several other candidates, were put in deacon's orders. This happened nine days after his arrival at London, which proved no small mortification to the [dominant] party at Edinburgh, and triumph to those of the contrary party.

He was soon promoted to a chaplaincy of eighty pounds sterling [per annum] on board a man-of-war. But the captain being a haughty fellow, he soon grew sick of that station, and resolved to quit it as soon as he could be otherwise provided for. Returning to London, he found his friend McKenzie making application to the Society for Propagating the Gospel in Foreign Parts, then newly incorporated, for a mission. He was easily prevailed [upon] to join with him in so commendable a design. Upon the Society's being satisfied, after full trial of their character and abilities, they were both admitted missionaries: McKenzie for Sluten, in Ireland, and Ross for New Castle, who arrived there in 1703 [and continued], save for a few years, when he removed for his health's sake, till this time, being in his seventy-third year. How he behaved is known from the constant regard [of the Society for him].

GEORGE ROSS.

New Castle, to which Mr. Ross was appointed a missionary of the Church of England, has borne more names than any other town in the United States. It was called "Sandhoec," "New Amstel," and "Fort Kasimer," by the Dutch; "Grape Wine Point," and (in 1675) "Delaware Town," and (in 1664) "New Castle," by the English. It was laid out by the Swedes in 1631, and called by them "New Stockholm." The Dutch built Fort Kasimer in 1651. The Dutch West India Company, being much indebted to the city of Amsterdam and other persons,

to relieve themselves (A.D. 1656), ceded to that city Fort Kasimer, with the territory extending from the Christiana River (including it) to Bombay Hook, and as far west as the land of the Minquas extended, and was formally transferred by Governor Stuyvesant, in behalf of this Company and the States-General of the Netherlands. Immediately afterwards the city of Amsterdam sent forth a colony to this territory, which was called "New Amstel." In the spring of 1656 a number of families from New York migrated to this territory, and the Governor-General gave seventy-five deeds for land, chiefly lots in New Amstel, upon condition that sixteen or twenty families should settle together for safety. This condition was only complied with at Fort Kasimer. This was the beginning of New Castle.—*Hazzard's Annals of Pennsylvania from 1609 to 1682*, pp 220, 227, 228. The Swedish Governor Pointz resisted to the utmost of his power the occupation of the Dutch. He first protested against it, and then sent troops to recover possession, under Risingh, who took Fort Kasimer by stratagem. In 1655 the Dutch Governor Stuyvesant directed an expedition against the Swedish territory on the Delaware (seven hundred men in two sloops), who conquered it, destroying its public buildings (the fort at Tinicum included), and carried its chief inhabitants to New York, from whence they were deported to Holland. The common people, however, were permitted to remain, but under the laws of their conquerors. This territory was then annexed to the "New Netherlands." It was included in the grant of the "New Netherlands" to the Duke of York. In 1672 New Castle was incorporated, its officers being a bailiff and six associates, with power to try causes, not exceeding ten pounds, without appeal; and a sheriff to be annually elected, whose jurisdiction was over the town, and also extended along the river. The inhabitants of New Castle were further granted free trade, without making entry at New York, as previously required of them. In this state it continued until in the war which ensued between England and the States-General, the "New Netherland" territory was recovered by the Dutch, and again subjected to their laws, but for a brief period; for, at the termination of this war, the "New Netherlands" were exchanged, by an article of the peace of Breda, for Surinam, in 1667. From that time the three counties on Delaware were held and governed as an appendage to New York. William Penn landed at New Castle in 1682, assembled the inhabitants at the court-house, made them a speech, and was received with joyful acclamation. Possession of New Castle and "the three lower counties on Delaware" was symbolically delivered by handing him "turf and water."*

Gabriel Thomas, in his "Account of Pennsylvania," A.D. 1697, states, "both in Philadelphia and New Castle there are curious wharves and large and fine timber-yards." In 1699 Penn returned to Pennsylvania after an absence of fifteen years, and remained there two years, during which one hundred laws were passed, the Legislature sitting, to please the lower counties, chiefly at New Castle. In 1708 James Logan states some reasons why New Castle did not prosper, and was not more considerable then than thirty years before,—to wit, the unhealthiness of the place, and disorderly way of living which prevailed,—the Finns

* Watson's Annals of Philadelphia, pp 9, 10, 16, 45, 46, 85.

and Dutch there being addicted to drinking spirituous liquors overmuch; but as he charges the "lower counties" with having designed and effected a separation from Pennsylvania, with a view to divert the trade of Philadelphia, in part, to New Castle (in which they failed), evidently looking upon her, as a would-be-rival of his city, with no friendly eye, prejudice may have exaggerated both the unhealthiness and intemperance he attributed to her.

The following extract from Hawkins's "History of the Society for Propagating the Gospel in Foreign Parts" (pp. 118, 119, 120) furnishes the history of the first period of Mr. Ross's mission: "Another rising town in Pennsylvania, which the Society determined to furnish with a clergyman, was New Castle, originally built by the Dutch, and containing a population of 2500. The Reverend George Ross was accordingly sent there in 1705. There, as elsewhere, the proportion of churchmen was inconsiderable, the Presbyterians having a meeting in the town, and the Anabaptists another in the country. His congregation was principally made up of those who came a considerable distance to church, some above twelve miles, seldom missing, zealous men, and of substantial piety. A church was built by the contributions of several gentlemen in the place,—a fair and stately building, and one of the largest in the government.* After he had been about three years in his mission, whether from the unhealthiness of the situation or the little encouragement he received, with both of which he was dissatisfied, Mr. Ross left New Castle and went to Chester, from whence the Reverend Mr. Nichols had withdrawn. This liberty of changing their stations, which this and other of the early missionaries assumed, is here mentioned as furnishing a practical proof of the detriment which the infant church in the Colonies suffered for want of a presiding head. The only step which the Society could take was to suspend their stipends. Mr. Ross went home to vindicate his conduct before the Society, and after a full inquiry into all the circumstances of the case was restored to his charge. On his voyage back to America, he was taken prisoner by a French man-of-war (February 11th, 1711), and carried into Brest, 'where,' he says, 'I, as well as others, was stripped of all my clothes from the crown of my head to the sole of my foot; in a word, I was left as naked as when I was born, and that by means of the greedy

* "August 1st, 1703, Sunday.—I preached at New Castle on Hebrews, v. 9, and had a large auditory of English and Dutch. *They have had a church lately built, and the Reverend Mr. Ross, a missionary from the honorable Society, has lately been sent to them.*"—*Journal of George Keith, Missionary*, p. 42. "In Pennsylvania, upon our arrival there (11th January, 1703), there was but one Church of England congregation settled; now, blessed be God (June 8th, 1704), there are five,—viz., at Philadelphia, Chester, Frankfort, New Castle, and Appoquinimy."—*Ibid.*, pp. 47, 50.

"I preached at New Castle the beginning of December last, where I found a considerable congregation, considering the generality of the people were gained over from other persuasions. Their minister, the Reverend George Ross, is esteemed a person that is ingenious and well-learned, as well as sober and prudent, and I doubt not but, by the blessing of God upon his good endeavors, the church at New Castle will continue to increase."—*Memorial of the Reverend Evan Evans, Missionary at Philadelphia*, submitted by the Bishop of London to the Society for Propagating the Gospel in Foreign Parts (A. D. 1707), cited in *Hawkins's History of the Church of England Missions in North America*, p. 110.

priest who was chaplain of the ship. He perceived that my clothes were better than his own, and therefore he never ceased to importune his captain till he got leave to change, forsooth, with me, so that I am now clothed with rags, in testimony of my bondage.' He was ultimately released, and returned to Chester, in which settlement he reports there were, by modest computation, twenty Quakers, besides other dissenters, for one true churchman."—*Hawkins's History of the Church of England Missions in North America*, pp. 118, 119, 120.

Mr. Ross continued at Chester* until he was transferred to New Castle, entering the second time upon the charge of the church there (29th August, 1714.—Minutes of the Vestry of Immanuel Church, New Castle, Delaware, p. 5). The following proceedings of the Vestry of this Church appear on their minutes (page 7) of their meeting 26th October, 1714, the Vestrymen present being Jasper Yeates, Joseph Wood, Gunning Bedford, John Land, John Ogle, and Richard Clark; and the Wardens Richard Halliwell and James Robison: "A letter from the Honorable the Society for Propagating the Gospel, etc., directed to the Rev. George Ross, was laid before the Vestry, by which letter it appeared the Society were pleased to appoint the said Mr. Ross to serve the cure at New Castle as their missionary, with the salary of twenty pounds per annum. Which appointment being well liked of by the Vestry, they unanimously agreed, for the further encouragement of the said Mr. Ross, their minister, that he should be eased of the burden of house-rent during his ministry among them; and that, if the subscriptions for his support should exceed the sum of forty pounds, the overplus shall be supplied to the payment of his house-rent. It was further agreed, that in case the said overplus should prove too inconsiderable to defray the said charge, then the said rent should be paid out of the collections at the sacrament, and at the church-door."

The history of George Ross, and his mission is brought down to a later period of it than the foregoing one by the following extract from Humphreys's "History of the Society for Propagating the Gospel in Foreign Parts," pp. 151, 156, 166, 167:

"New Castle, the capital of the county of that name, is finely seated, standing high upon the Delaware. This county is the uppermost of the three lower, New Castle, Kent, and Sussex, which run 120 miles along the coast, and are about 30 miles deep towards Maryland. These counties comprehend all the marshes on the great bay of the Delaware, as commodious and fertile as any in the world. The town was first built and inhabited by the Dutch, and called 'Amstel,' from the river which gives name to Amsterdam, in Holland. It is a large place, containing about 2500 souls. The Reverend George Ross was appointed missionary here in 1705 by the Society. He was received with great kindness by the inhabitants, and had a very regular congregation. Not only the people of the town, but a very considerable number of the country-people, though they lived a good way off the town, some above

* "Mr. Ross came from New Castle and officiated at Chester, at the people's desire, and was very industrious and acceptable to them. However, the Society did not continue him there, though he behaved himself entirely to their satisfaction."—*Humphreys's History of the Society for Propagating the Gospel*, p. 414.

twelve miles, yet seldom missed coming to church when there was no sermon in the country. The congregation has continued still increasing through Mr. Ross's assiduous care. He extends his labors further to the churches at Appoquinimy and White-Clay Creek. The latter, indeed, is reckoned as a chapel-of-ease to his own church; the other, a distant cure. When Appoquinimy had no missionary, he used to preach on two Sundays at New Castle, once a month at Appoquinimy, and once at White-Clay Creek. This, truly, was a very painful service, but he performed it with a willing mind, and good success. Sometimes, however, he did represent to the Society that the people of New Castle seemed to lay claim to all his services, and to take it somewhat amiss when he was employed abroad on Sundays; and adds, 'I would not willingly disoblige them, nor yet see, if I could help it, the church at Appoquinimy, which is as frequent[ed] as that at New Castle, quite destitute and forsaken.' Indeed, the people of New Castle have showed, from the beginning, a due regard to their worthy minister, and subscribed voluntarily to him about forty-eight pounds per annum, and some other benefactions have been made to the church; particularly Mr. Richard Halliwell, a gentleman of piety and virtue, made a bequest as follows: 'I give and bequeath unto Immanuel Church, standing upon the "green," in the town of New Castle, the sum of 60 pounds, due to me, over and above my subscription, towards building thereof. Item.—I also give and bequeath all my marsh and plantation, situate near the Broad Dyke of the town of Burlington, containing and laid out for 67 acres of land and marsh, together with all the houses, and orchards, and other improvements, to the proper use and behoof of the minister that shall from time to time serve the said Immanuel Church forever.' Mr. Ross has continued in this mission until the present time, irreprovable in his conduct, and very diligent in his labors, which he has not only employed in his own parish, but in several other places occasionally, and very much to the satisfaction of the people where he officiated.

"In August, 1717, Colonel William Keith, the Governor, resolving to visit the lower counties, the Reverend Mr. Ross, missionary at New Castle, was invited to accompany him. Mr. Ross very readily embraced this kind invitation, hoping by this opportunity to make himself acquainted with the state of the church there, and in some measure supply her present wants by his ministry. He embarked with the Governor, and several other gentlemen, at New Castle, and set sail for Lewistown, in Sussex County, which lies upon one of the capes of the river Delaware, and in two days arrived there. On the 7th of August he preached before the Governor and Justices of the county, in the court-house of the county, and had a very numerous audience of the people, who appeared very serious, and desirous of the sacraments of the church; and he baptized that day thirty children that were brought to him. On the 9th of the same month Mr. Ross preached again before the Governor and other gentlemen, had a large audience of the people, and baptized twenty-one children. On the 10th the Governor left this place in order to go to Kent County. Mr. Ross set out before him to a place of worship about sixteen miles from Lewis. It is a small building erected by a few well-disposed persons, in order to meet together there to worship God. Mr. Ross preached once here, and baptized twenty-five children and several grown persons. On the Sunday follow-

ing he preached to a very large congregation in the upper parts of this county, where the people had erected a fabric for the church, which was not quite finished. Here he baptized twenty-six children, so that the whole number of the baptized, in one week's stay among this people, amounted to one hundred and two.

"Mr. Ross observes thus to the Society: 'By this behavior of the people, it appears plainly they are truly zealous for the Church of England, though they have had but few instructions from some clergymen passing through these parts, and some visits from the Reverend Mr. Adams of Maryland.' As the Governor returned home through Kent County, Mr. Ross attended him, and preached before him and the magistrates on the 14th of August. He had a very full congregation, and baptized thirteen children and one grown person. In April following (1718) Mr. Ross resolved to make a second visit, by himself, to the people of Sussex County. He was so much pleased with his former success among them, that he was desirous to improve further the good disposition of the people. He went to Sussex County, continued there six days, preached on every one of them, at different places, and baptized one hundred, seven of whom were of an advanced age. Lastly, he opened there a new church, which the poor people had built, notwithstanding so great a discouragement as their having no minister.

"Mr. Ross sent this account of his labors in these two counties to the Society in the form of a journal, and the missionaries of this colony made a full representation of the state of the church in those parts. The Governor was further pleased to write a letter to the Society, and to transmit several applications made to him by the clergy, relating to the church affairs, and a copy of the above-named journal of Mr. Ross. His letter runs thus: 'According to my duty, I presume to lay before you the application of your missionaries, the clergy of this Province and neighborhood, relating to the church here, and also a copy of the Reverend Mr. George Ross's journal of his services done in the counties of Kent and Sussex. It is a great satisfaction to me that I can assure this venerable board of the great pains and diligent care which the reverend gentlemen, within named, take in all the parts of their ministerial function; and herein I cannot but in justice particularly recommend Mr. Ross's capacity, pious and exemplary life, and great industry to your favorable notice and regard. But I must observe that the duty here increases daily at such a rate, and the laborers are so few, that without your pious and immediate care to relieve and supply this languishing but valuable branch of the church, all our endeavors will be to no purpose.'"

The following rough draft of a letter from Mr. Ross to the Reverend Mr. Bearcroft, preserved among Mr. Read's papers, carries the reader forward to an advanced period of Mr. Ross's life and mission.

The North American colonies had just been stirred, by the wonderful eloquence of Whitefield, to an unwonted and earnest attention to religion, with the great admixture of fanaticism and extravagance, that have been too often the concomitants of such revivals. Effects—the results of mere human instrumentalities—of questionable character as to their propriety, were, with strange ill judgment and shocking impiety, ascribed to the Divine Spirit, and that without waiting to have them tested by time. This marvellous excitement, which had passed from

man to man with something of the rapidity with which fire spreads in the dry grass of our vast prairies, reached Mr. Ross's parish, where this man of God had been so long doing his Master's work, by his Master's appointed means, diligently, unremittingly, and soberly; and his picture of its evils, though dark, is not overcolored.

“NEW CASTLE, August 5th, 1740.

“REVEREND SIR,—Your agreeable letter, of the 11th of March last, came safe to my hands, and very opportunely, too, when our northern levies began to be carried on for prosecuting the intended expedition against the Spanish West Indies. I say opportunely, because your letter proved the happy means of preventing my son [Æneas] from engaging in this hazardous attempt. His patience was quite spent, and he was resolved to push his fortune by the sword, since he saw no probability of coming at the gown by his frequent application. He is now making ready for his voyage, and would have crossed the seas in the ship by which I send you this, had we [received] timely notice of her altering her first-appointed course. In the mean time, if a vacancy happens, you will remember him, I hope, that his stay in London may not be long, or prove too heavy for me.

“The church here enjoys a profound calm after being threatened with a mere tempest of enthusiasm. We felt this storm in this village* in its decline. When its fury was almost spent, I was never so much astonished as when I saw the fluctuating humors of our people; the sea indeed roared, and the waves were so exceeding high that to face them was present shipwreck. I stood amazed, and dreaded the consequences of so unexpected a shock. But he that thus stirred up the people, and inflamed them against the missionaries with the most opprobrious language,—I mean the mischievous Mr. Whitefield,—lost himself, and ruined his credit with thinking people by his malicious letter against Archbishop Tillotson, and by his weak but ill-natured attack upon the author of the ‘Whole Duty of Man.’ The storm is not quite allayed at Philadelphia, where I bore my testimony in a sermon preached against the proceedings of this indefatigable impostor in gown and cassock. When he could or would not stay longer in these quarters, he deputed two or three fiery Presbyterians to pursue his game, whose assiduity terminated at last in distraction in some, in chains in others; despair in some, in extremo articulo and laying violent hands on themselves in others. These were some of the sad effects of what the party call convictions,—but in truth diabolical possessions. The main incendiary, ’tis expected, will return into these parts ere long, but his principles, pride, and spite are so fully discovered, and particularly

* “On Thursday last the Reverend Mr. Whitefield left this city, and was accompanied to Chester by about one hundred and fifty horse[men], and preached there to about seven thousand people. On Friday he preached twice at Willing’s Town [Wilmington] to about five thousand, and on Saturday, at New Castle, to about two thousand five hundred, and the same evening, at Christiana Bridge, to about three thousand; on Sunday, at White-Clay Creek, he preached twice, resting about half an hour between the sermons, to about eight thousand, of whom three thousand, it is computed, came on horseback. It rained most of the time, and yet they stood in the open air.”—*Franklin’s Pennsylvania Gazette*, published in Philadelphia, 1739.

his amassing such vast sums, and therewith supporting a company of young fellows and gadding young women, who followed him to Georgia, instead of applying the charities for his little Orphan-House to their proper end, has given so general offence that I am persuaded his conduct in this point will sink his credit as fast as his plausible talent for haranguing the populace has raised him in the opinion of the giddy multitude. Some in my congregation became unsettled, among others, in running and flocking after our new preacher, and when the sacrament was celebrated here, in those hurrying days, I had not above half of my usual number of communicants; but, thanks be to God, the snare in which they were caught is broken, and they are delivered, and now we live in peace and love. My 'notitia,' etc. you shall have by my son, who hopes to sail for England some time in September next, or perhaps sooner.

"I am, reverend sir, your truly obliged and humble servant,

"GEORGE ROSS."

The last memorial of Mr. Ross, among Mr. Read's papers, is the letter, which follows, to the first husband of his daughter Gertrude, whose second husband was Mr. Read. When this letter was written, Mr. Ross's long and useful life was drawing to its close, and he was about to realize (we may hope, from his faithful discharge of his duties as a minister of the Gospel) the glorious promise that they who turn many to righteousness shall shine as the stars forever.

"NEW CASTLE, October 29th, 1752.

"DEAR SON,—When I received your affectionate letter, and that of your dear spouse, I was in a very low state of health; but the ease and comfort I had in the many very kind expressions in both your letters, are only to be felt. Please, therefore, to accept my most hearty thanks for so seasonable a relief in my most dangerous illness. In point of affection you cannot exceed

"Your most loving and obliged

"GEORGE ROSS.

"I am just recovered from a quartan ague, which, had it continued much longer, I believe would have carried me off; but, by the blessing of God, and the endeavors of your brother Jacob, I am recovering.

"Mr. I. TILL, Prime Hook, Sussex County, Delaware."

George Ross died in 1754, in the seventy-fifth year of his age. No stone marks his grave. He was twice married, and had thirteen children. Among the children by his second wife, Catherine Van Gezel, were George, a signer of the Declaration of Independence; Gertrude, wife of George Read; and Catherine, who married General William Thompson.

The tomb of his first wife, Joanna Williams, of Rhode Island, near the eastern gable of Immanuel Church, bears this inscription, no doubt written by Mr. Ross:

"Memor virtutum Johannæ, conjugis, honesto genere natæ, hoc sepulchri monumentum Maritus, Georgius Ross, Evangelii Præco, extruendum curavit. Anno acquievit illa ætatis trigesimo septimo, 29th September, 1726.

“Dixit ei Jesus ‘quisquis vivit et credit in me non morietur in eternum.’

“Calcanda semel via lethi.”

A few feet from this tomb is the monument of the Reverend Walter Hackett, the first husband of Margaret, daughter of George Ross, whose second husband was the Reverend Mr. Curry, of Philadelphia. This monument is thus inscribed: .

“Sub hoc cippo conduntur reliquiæ Reverendi Viri Gualteri Hackett, qui titulo Missionary insignitus, pastoritium munus, apud Appoquinimensis, circiter quinquenum feliciter exercuit.

“Natus Fraserburgium, Bamff, Scotiæ Provinciæ, ex vetusta ac generosa familia Hackett ortus.

“Fuit vita incorrupta, ingenio leni pectore, fido in officio, fungendo summa industria.

“Multis ille flebilis bonis occidit,* nulli flebilior quam charæ conjugii, qui in memoriam digni viri hoc monumentum sepulchri condere libuit.

“Obiit nonis Martijs Anno MDCCXXXIII., Ætatis XXXIII.”

I am indebted to the Reverend John B. Spottswood, D.D., a descendant of the celebrated Governor Spottswood, of Virginia, for the following translation of this epitaph:

“Under this stone are buried the remains of the Reverend Walter Hackett, who, while a Missionary, discharged, with great success, the duties of the Pastoral Office, at Appoquinimy, about five years. He was born in Frasersburg, in Bamff, a province of Scotland, and was descended from the ancient and respectable family of Hackett. His life was blameless: in spirit meek: in office faithful: in labors abundant. He died, lamented by many good, but by none more than his beloved wife, who is pleased to erect to the memory of her worthy husband this sepulchral monument. He died March 7th, 1733, aged 33 years.”

There are extant the following pictures of the Ross family:

No. 1.

A picture of the Reverend George Ross, painted in wig, gown, and band, seated, with an open volume before him, doubtless the blessed Gospel, of which he was so able and faithful a minister; his face oval, eyes hazel, complexion florid, features regular, and sufficiently strong to indicate the intelligence and energy, which were certainly his, without the harshness, not to say homeliness, of the Scottish physiognomy. The gravity expressed by the countenance seems to me to have been from a sense of the sacredness and dignity of his profession, superinduced over a natural hilarity of temper and humorosity which lurk under it, and over which it with difficulty holds the mastery. It does not appear by this picture when and by whom it was executed, but, as it represents Mr. Ross of about middle age, it must be, I suppose, at least one hundred and thirty years old. It is in good preservation and well painted.

* “Multis ille bonis flebilis, occidit,
Nulli flebilior, quam tibi, Virgili.”—*Quinti Horatii Flacci Opera*,
Ode 24, ad Virgilium, de Morte Quinctilii Vari.

Nos. 2, 3, and 4.

Nos. 2 and 3, portraits of John Ross* and his wife Elizabeth; † No. 4, another picture of John Ross,—all well painted and in good order.

Nos. 5 and 6.

Portraits of Catherine and Margaretta, daughters of John Ross, painted by Alexander, a Scotch artist, who visited the North American colonies about the middle of the last century, and was the first master of Gilbert Stewart. Catherine, ‡ in the rich, full dress of her day, thinking perchance of her bird, her lover, or her flowers, unconsciously touches the keys of the harpsichord by which she is standing; and Margaretta, a comely girl, with hair dark as the raven's plume, and eyes of deepest blue, points to an urn, with this inscription: "Margaritta Ross, obiit 20th August, 1766, Æ. 19.—'Si queris animam meam, respice cœlum, si formam en est.'"

Nos. 7 and 8.

Portraits of Joanna, first wife of George Ross, and her brother Jacobus Williams,—pronounced by judges of pictures to be fine ones, and in the style of Sir Godfrey Kneller. As he had a pupil Hesselius, § who resided near Annapolis, Maryland, he may have executed these portraits. The bearing of Joanna is queenly, her drapery very tastefully disposed, and the sad expression of her large, dark eyes betokens, perhaps, presentiment of her early death.

Nos. 9 and 10.

Pictures of children. No. 9, a portrait of Margaret Ross, wife of the Reverend Mr. Hackett; and No. 10, of John, son of Mr. Ross's eldest son David, who died while a missionary of the Church of England, at Albany, New York, evidently both executed by the painter of Nos. 7 and 8.

No. 11.

Portrait of Catherine, daughter of George Ross, and wife of General William Thompson, which was sent to my mother from Chambersburg, Pennsylvania, upon the death of Mrs. Thompson there, in 1808, is that of a very young and handsome girl, of oval countenance, and delicate and regular features, with black eyes and hair, her dress very much in the style of the present time. She holds in one hand a peach, and in the other a flower, and her attitude is stiff and ungraceful. In the background of this picture is the faint outline of a Grecian temple, and its coloring, still unfaded, must have been originally very good. The tradition in my family has been that this picture was painted by Benjamin West before he went to England, at the house of her uncle, George Ross, Lancaster, Pennsylvania, where she, being not more than sixteen years of age, was on a visit, and West was engaged in taking the por-

* Obiit 5th May, 1776, aged sixty-one.

† Obiit 7th October, 1776, aged sixty-two years.

‡ Wife of Captain Gurney of the British army, died 27th August, 1782, aged thirty-two years.

§ *Encyclopædia Americana*, article "C. W. Peale," vol. ix. p. 591.

traits of his family. This tradition is confirmed by the following extract from "The Life and Studies of Benjamin West prior to his Arrival in England," compiled by John Galt, from materials furnished by himself, pp. 47, 48:

"Among the acquaintances of Mr. Flower (the early friend of West) was a Mr. Ross, a lawyer in the town of Lancaster, a place at that time remarkable for its wealth, and which had the reputation of possessing the best and most intelligent society to be then found in America,—capable of appreciating the merit of essays in art. The wife of Mr. Ross was greatly celebrated for her beauty, and she had several children so remarkable in this respect as to be objects of general notice. One day, when Mr. Flower was dining with them, he advised his friend Mr. Ross to have their portraits taken, and mentioned that they would be excellent subjects for young West. Application was, in consequence, made to old Mr. West, and permission obtained for the little artist to go to Lancaster for the purpose of taking the likenesses of Mrs. Ross and her family. Such was the success with which he executed this task that the sphere of his celebrity was greatly enlarged, and so numerous were the applications for portraits that he found it difficult to satisfy the demands of his admirers."

As West embarked for Italy in 1760, and never returned to the United States, this picture was painted before that year.

No. 12.

A picture, it is supposed, of the Reverend Æneas Ross, in possession of William T. Read.*

No. 13.

A picture, it is supposed, of George Ross, the signer of the Declaration of Independence, but certainly of one of the sons of the Reverend George Ross.

After George Ross withdrew from New Castle to Chester, the Reverend Robert St. Clare was appointed missionary to New Castle, and on the 26th day of July, 1710, presented his credentials to the members of Immanuel Church, and was received by them "with all due respect and satisfaction."—*Minutes of the Vestry of Immanuel Church*, p. 1.

The first Minute of the Vestry of Immanuel Church is dated 7th August, 1710.—*Ibid.* A letter was addressed by this body to the Bishop of London, November 6th, 1710, as follows:

"RIGHT REVEREND FATHER IN GOD,—We, the Vestry and Church-Wardens of Immanuel Church, in the town of New Castle, Delaware, being truly sensible of your Lordship's fatherly care in various considerable instances and on all opportunities manifested towards us, now humbly entreat your Lordship's favorable acceptance of our repeated thanks, and crave leave to express our dependence upon your Lordship's favor for our church's further growth and support, and would particu-

* Of these pictures, Nos. 1, 4, 5, 7, 8, 9, 10, 11, 12, and 13 are in possession of W. T. Read, and the others of J. M. Read, Esq., Philadelphia.

larly, at this juncture, submissively implore your Lordship's patience with us while we lay before you those difficulties and disadvantages we some time have, and still do labor under, by reason of the late and present disregard of our now Lieutenant-Governor, which has been, and now is, to the encouragement, if not support, of the dissenting Presbyterian interest, whose conventicle he so far countenanceth as to build a pew therein, to which he hath resorted; and they, under his Honor's umbrage, use the common bell of our town according to their own convenience, and many times interfering with those stated times appointed by our minister, the Rev. Mr. St. Clare, for our public assembling to divine worship.* Moreover, not to insist upon his Honor's refusal to subscribe anything for the encouragement of our minister, though humbly requested thereto by some of us, his Honor has been very lately pleased to disown our Vestry, and discouraged their sitting, to concert what might be for the advantage of our church, merely because such persons as his Honor was pleased to nominate for vestrymen were not chosen, so that our proposed measures are not likely to have that good effect that might be expected. Yet furthermore we humbly lay before your Lordship our deplorable want of encouragement for the education of our children in this town, where there are sundry inhabitants and children, but what by reason of our lamentable divisions, and the poverty of many, no one master, who is capable of being truly serviceable in good literature, will come or stay among us; whereas, were there the additional advantage of a stated stipend from England, we should be forthwith provided; wherefore, we earnestly solicit your Lordship's influence upon the Honorable Society for a certain annual salary to such a person as we shall find proper for that service. Thus, may it please your Lordship, having laid before you our too unhappy difficulties, in hopes of having them in due time, by your Lordship's means, removed, and to receive from your Lordship such further injunctions and spiritual advice as your Lordship, in your fatherly wisdom and consideration for us, may think further meet and necessary for us, and most heartily wishing, and earnestly praying, for your Lordship's health and happiness, we humbly subscribe ourselves to be, as in duty bound, your Lordship's most obedient, very humble servants,

"ROBERT ST. CLARE, <i>Minister.</i>	SAMUEL LOWMAN,
RICHARD HALLIWELL,	JAMES ROBINSON,
JOSEPH WOOD,	THOMAS OGLE,
RICHARD CLARKE,	JOHN CANN."†

* "Which bell formerly belonged to the Dutch while they had the control, but upon the surrender of their authority, was transferred to the English, and ordered to be used by our church by the Hon. Mr. Evans, our late Governor, which we humbly beg may be continued to us, the right of it being, we humbly suppose, in her Majesty."

† This Lieutenant-Governor, against whom were made such grave complaints, was Colonel Gookin, of whom I find this notice in "Watson's Annals of Philadelphia," p. 355: "Colonel Gookin disappointed Penn and his friends, on account of his conduct during a considerable part of his administration. He was much under the influence of his brother-in-law, Birmingham. At one time he removed all the justices in New Castle County for doing their duty in an action against the said Birmingham, thus leaving the county without a single magistrate for six weeks. At another time, when the judges of the Supreme Court at New Castle would not admit a certain commission of his to be published in court, he

It does not appear from the minutes of the Vestry of Immanuel Church whether or not Mr. St. Clare continued in charge of their church during the whole time of Mr. Ross's absence from it, as there is no record of their proceedings from March, 1711, to the 26th of October, 1714.

As the foregoing letter shows the disadvantages under which Mr. Ross's parish was suffering a short time before he returned to it, and which, upon resuming his charge in New Castle, he probably still found besetting it, its insertion may not, perhaps, be considered irrelevant.

"On the 23th of July, 1755, the Reverend Clement Brooks presented to the Vestry of Immanuel Church, New Castle, Delaware, his credentials as successor therein of the Reverend George Ross, and resigned 26th October, 1756."—*Minutes of the Vestry of Immanuel Church*, pp. 44, 45.

His successor was the Reverend Mr. Cleveland, who, on his journey to Norwich, Connecticut, for his family, to enter with them upon his mission, died at the house of his friend, Dr. Franklin, in Philadelphia, August 11th, 1757.* The Reverend Æneas Ross was appointed to supply his place, and his appointment announced by the Secretary of the Society for Propagating the Gospel in Foreign Parts to the Vestry and Wardens of Immanuel Church by a letter, dated 3d May, 1758, stating that "as his father was long their worthy missionary they imagine he will, upon that account, be acceptable, and hope he will prove a worthy successor to his father."—*Minutes of the Vestry*, p. 46.

The Reverend Æneas Ross filled this mission until his decease, in the year 1782.

"The long, low promontory of Tarbat-Ness forms the northeastern extremity of Ross-shire. Etymologists derive its name from the practice which prevailed among mariners, in the infancy of navigation, of drawing their light shallows across the necks of such promontories instead of sailing around them. On a moor of this headland may be traced the vestiges of an encampment which some have deemed Roman, and there is a cave among the low rocks by which it is skirted, which, according to tradition, communicates with another cave on the coast of Caithness. The scenery of Tarbat-Ness is sublime. A wide expanse of ocean here encircles a narrow headland,—brown, sterile, solitary, edged with rocks, and studded with fragments of stone. On the one hand the mountains of Sutherland are seen rising out of the sea like a volume of blue clouds; and on the other, at a still greater distance, the hills of Moray stretch along the horizon in a long undulating strip, so faintly defined in the outline that they seem almost to mingle with the firmament. Instead, however, of contracting the prospect, they serve to enhance, by their diminished bulk, the immense space in which they are included—space, wide, interminable space! in which he who con-

sent for one of the judges *and kicked him*. In truth, his best apology seems to have been that he was partially deranged. In fact, he afterwards, in 1717, made his apology to the Council for several acts by saying, 'his physicians knew he had a weakness in his head,' wherefore J. Logan remarked to Hannah Penn, 'Be pleased to consider how fit he was for the commission he so long wore.'"

* *Annals of the American Episcopal Pulpit*, p. 165.

templates it finds himself lost, and is oppressed by a sense of his own littleness,—is at all times the circumstance to which the prospect owes most of its power. But it is only during the storms of winter, when the firmament, in all its vastness, seems converted into a hall of the tempest, and the earth, in all its extent, into a gymnasium for contending elements, that the ocean assumes its full sublimity and grandeur. On the north, a chain of alternate currents and whirlpools howl, toss, and rage, as if wrestling with the hurricane. On the east, the huge waves of the German Ocean come rolling against the rocky barrier, encircling it with a broad line of foam, and join their voices of thunder to the roar of current and whirlpool. Cloud after cloud sweeps along the brown promontory, flinging on it their burdens as they pass: the seagull shrieks over it as he beats his wings against the gale: the distant hills seem blotted from the landscape: occasionally a solitary bark, with its dark sails furled to the yards, and its topmasts lowered to the deck, comes drifting over the foam; and the mariner, anxious, afraid, and lashed to the helm, looks anxiously over the waves for the headlands of the distant haven.”—*Scenes and Legends in the North of Scotland*, by Hugh Miller, pp. 260, 261.

At the time of the Reformation, or near it, the largest salary in Scotland for the principal of a college was thirty-five pounds sterling, with board and lodging. The highest bursary was about four pounds sterling. In 1583 chambers were let in Edinburgh College at forty shillings, and two to be in one bed. Rollock, principal of this seminary, was allowed forty pounds sterling for salary, and one hundred and forty pounds (Scotch) for board. The stipends of city ministers were about seventy pounds sterling. The fees of Rollock from students were two pounds (Scotch) from the sons of burgesses, and three from others, but the fee was raised as the pound (Scotch) depreciated. Twenty pounds was thought, in 1565, a large benevolence from a rich citizen of Edinburgh to Queen Mary. The account-book of Archbishop Sharp (1663 to 1666) affords information in regard to college expenses in Scotland. His son William, then a student at St. Andrew's, paid for a pocket-inkhorn five pence; for candles, four shillings and ten pence; for a pair of arrows, ten pence; to his regent or tutor, five pounds, nineteen shillings, and two pence; for a Virgil, one shilling and four pence; for Ovid's Works, six shillings; for a Hebrew Grammar and Psalm-Book, two shillings and four pence; and for "Buchanan's Nomenclature," six pence. These sums are given in sterling money. Scotland, anterior to the union, having progressed little in improvement and wealth, and her circulating medium not much increased, the Scotch pound had probably not depreciated, nor charges for board and tuition of students and salaries of teachers increased, when George Ross, at the close of the seventeenth century, was a student at Edinburgh, and a tutor in Lord May's family, so that his salary in that capacity, of ten pounds sterling, was not the paltry sum it might, without the foregoing information, be thought, but the usual salary of a tutor.*

* Autobiography of Mr. James Melville, Minister of Kilrenny, in Fife, and Professor of Theology in the University of St. Andrew's; *North British Review*, article Baden Powell's Order of Nature.

“NEW CASTLE, Delaware, A.D. 1679.

“Sand-Hoek has always been the principal place on the South River, as well in the time of the English as of the Dutch. It is now called New Castle by the English. It is situated upon the west side of the river, upon a point which extends out, with a sandy beach, affording a good landing-place, better than can be found elsewhere on that account. It lies a little above the bay, where the river bends, and runs south from there, so that you can see down the river southwardly. The greater portion of it presents a beautiful view in perspective, and enables you to see, from a distance, the ships come out from the great bay and sail up the river. Formerly all ships were accustomed to anchor here, for the purpose of paying duties or obtaining permits, and to unload when the goods were carried away by water, in boats or barks, or by land, in carts. It was much larger and more populous at that time, and had a small fort called Nassau; but since the country has belonged to the English, ships may no longer come here, or they must first declare and unload their cargoes at New York, which has caused this little place to fall off very much, and even retarded the settlement of plantations. What remains of it consists of about fifty houses, most all of wood. The fort is demolished, but there is a good block-house, having some small cannon erected in the middle of the town, and sufficient to resist the Indians or an incursion of Christians, but it could not hold out long. This town is the capital of justice, where the high court of the South River is held, having three other courts subordinate to it, from which appeals lie to it, as they do from it to New York, and from New York to England. These three minor courts are established, one at Salem, a small village of Quakers, newly commenced, on the east side of the river, not far from New Castle; another is at Upland, on the west side, above New Castle, a Swedish village; and the third is at Burlington, a new Quaker village, on the east side of the river, above New Castle. New Castle is about eighty miles from the falls [at Trenton], and the same distance from the mouth of the river or the sea. The water in the river, at New Castle, at ordinary flood-tide, is fresh, but when it is high spring-tide or the wind blows hard from the southeast, it is brackish; or if the wind continues long, or it is hard weather, it becomes saltish. With a new or full moon it makes high water at New Castle at five o'clock. The principal persons we have seen are Mr. Moll and his wife, Ephraim Herman and his wife, Peter Aldricks and his wife, and Domine Tessemaker.”*

LOTTERIES.

During the colonial period of our history, the frequent mode in many, or at least in several, of the colonies of building and endowing colleges and churches was by *lotteries*. For example, the college of Nassau Hall, founded by Presbyterians, had the benefit of two lotteries about the

* Journal of a Voyage to New York, and Tour in several American Colonies, by Jasper Dankers and Peter Sluyter, A.D. 1679-80, pp. 227, 228. From the original manuscript, in Dutch, found in a bookseller's shop, Amsterdam, by H. C. Murphy, and by him translated, and published by the Long Island Historical Society.

year 1765,* and the privilege of drawing a third was granted to it by the Puritan State of Connecticut, but it is uncertain whether or not it was ever done.† The steeple of Christ Church, Philadelphia, was finished and a ring of bells and a clock purchased for it by a lottery, in 1752,‡ and a supplementary lottery in 1753,§ which Dr. Franklin promoted with his great influence.|| A petition to the Legislature of the Province of Pennsylvania for liberty to draw a lottery, to pay off the balance of the debt due for building St. Peter's Church, Philadelphia, was authorized by its Vestry in 1765. It was a facile way of raising money when it could not be done by direct tax; the burden was self-imposed, and the contributor seemed beneficent, when, in truth, he was selfish,—in part, at least. No political economist, no moralist, and no divine uttered a warning word against the lottery as a costly mode of improvement, because raising, besides the sum necessary for its object, another for prizes,—as left to be assessed by chance,—as fostering, if not creating, a gambling propensity, as tempting to fraud and breaches of trust, and a reliance for the attainment of competence or wealth on luck instead of industry and frugality. Its results have often been a hideous brood of evils,—idleness, penury, drunkenness, dishonesty, superstition, despair, insanity, and suicide. Even Dr. Franklin¶ failed to perceive the latent evils of lotteries. The colonies, looking with blind reverence to the mother-country as their pattern in morals and manners, found her imperial Parliament for a long period annually voting a lottery, as part of the ways and means for the supplies granted.** If scruples were ever felt as to the morality of the lottery, its object, the benefit of a church or college, was an opiate to conscience. If additional evidence of the state of public opinion in the North American colonies in regard to lotteries were needed, we have it in a proposed measure of the Continental Congress in 1776. That body was alarmed by the depreciation of the Continental money. Taxation could not be ventured, and the resolution of Congress, that all persons refusing to take the Continental bills at par should be held enemies of their country, failed to arrest the growing evil, as we think the merest tyro in political economy must have anticipated it would do. Other expedients were resorted to by Congress, and among them *the raising a million and a half of dollars by lottery.*—*Marshall's Life of Washington*, vol. iii. p. 421.

The improved public opinion on this subject has slowly grown up

* Dr. Green's History of Nassau Hall, pp. 307, 359, 369.

† Ibid., p. 306.

‡ History of Christ Church, Philadelphia, pp. 100, 101.

§ Ibid., p. 102.

|| If ignorant of this fact, I might have expected to find a warning to young men against adventure in lotteries among the pithy aphorisms of "Poor Richard."

¶ History of Christ Church, Philadelphia, p. 151.

** For instances of these votes, see Smollett's History of England, vol. i. pp. 128, 500; vol. ii. pp. 17, 176, 148, 595; and for a later one, European Magazine, vol. xli. p. 400, as follows: "The Chancellor of the Exchequer stated the contract for the lottery for the service of this year,—advantage to the nation five hundred and fifty-five thousand pounds, one hundred thousand tickets, at fourteen pounds eleven shillings each; entire sum to be raised, one million four hundred and fifty-five thousand pounds!" The first lottery in England was drawn January 11th, 1569, and lotteries were therein abolished A. D. 1826.

during the present century, and been sufficiently strong to effect the prohibition of lotteries in several of the States of our Union, whilst those authorizing them, debauching the morals of their own citizens, bring upon their neighbors, besides the usual evils of the lottery, violations of their statutes, which impair that great safeguard of communities,—reverence of law. The lottery is one form of the lot, and the decision by lot is not wrong *in se*. The lot has been used in ancient and modern times, I believe, by all nations for various purposes. The application of the lot may be right or wrong according to its purpose or consequences. In some instances it prevented evils, or at least inconveniences; but in the lottery it causes mischief, its opponents hold, so great as to outweigh any good resulting from it, and to make it necessary to prohibit it always and everywhere.*

E.

CAPTAIN THOMAS READ.

THAT the name of Thomas Read may justly be placed in the list of bold, and skilful, and successful navigators, appears by the following extract from the "Life of Robert Morris," volume ii. "Biography of the Signers of the Declaration of Independence," p. 431:

"Mr. Morris made the first attempt to effect what is termed an out-of-season passage to China. This passage is effected by going round the south cape of New Holland, thus avoiding the periodical winds prevalent at certain periods in the China Sea. In prosecution of this object the Alliance (ship), Captain Thomas Read, equipped with ten twelve-pounders and sixty-five men, sailed from the Delaware on the 20th of June, 1787, and arrived in safety on the 22d of December at Canton, where considerable inquiries were made by the European commanders respecting the route that had been taken, as it was wholly a novel thing for a vessel to arrive at that season of the year. As no ship had ever before made such a passage, great astonishment was manifested, and the Lords of the British Admiralty subsequently applied to Mr. Morris for information as to the track of the ship. It is said that her intended route was traced out by Mr. Morris, with the assistance of Mr. Gouverneur Morris." See, also, *Encyclopædia Americana*, vol. ix. p. 51.

* Since writing the above paragraph, I have found tickets, signed Samuel Patterson, in the following lotteries: 1st, Newark Land and Cash Lottery, in New Castle County; 2d, New Castle Lottery, for the encouragement of the American china manufacture, in 1771; and 3d, the Second New Castle or Delaware Lottery, for the benefit of the United Presbyterian churches in the city of New York, the Seceding Church in said city, and the Presbyterian church in Richmond County, in 1772.

THE FRIGATE ALLIANCE.

"The Alliance was the only one of our first navy of the class of frigates which was so successful as to escape capture or destruction during the war. In 1781 she and the Deane frigate were the only two of our former frigates left in the service. She was in many engagements, and always victorious. She was a fortunate ship, and a remarkably fast sailer. She could either fight or fly away,—beating her adversary either by flight or fight.

"Twice she bore the fortunes of Lafayette across the ocean. When presented with a relic of her timbers, he was delighted with it.

"Her hull, when she became unseaworthy, was for many years stretched along Petty's Island, opposite Philadelphia, an object of interest to passengers on the river Delaware.

"She was built up the river Merrimac, at Salisbury, Massachusetts, and launched in 1778: was 125 feet long, about 35 feet beam, and about 900 tons burthen, and thought to be [too] long [and] narrow, shoal and sharp, and [to be] oversparred."—*Watson's Annals of Philadelphia*, pp. 692, 693.

Thomas Read was appointed a captain and commander in the navy of the United States, June 6th, 1776, by Congress, and when their rank was settled by resolution of that body (10th October, 1776), he stood eighth in the list of these officers, and was assigned to the frigate Washington, of 32 guns.* He was at Trenton the day before the battle of Princeton, and directed the guns which raked the stone bridge over the Assanpink. When appointed to a Continental frigate, he was in command of the Montgomery, one of the vessels provided by the Committee of Safety of Pennsylvania to defend the Delaware Bay and River, and resigned that command to take this appointment,—his resignation being accepted. He was (29th May, 1776) chief in command of the Pennsylvania fleet.—*Force's American Archives*, vol. vi. pp. 667, 1279, 1698, 1699.

* Goldsborough's U. S. Naval Chronicle, vol. i. pp. 8, 9.

CHAPTER II.

Restrictions on trade and manufactures of the British colonies of North America—Reflections thereon—Transportation of criminals to America—Duties on sugar and other articles—Synopsis of the arguments for and against the right to tax the British North American colonies without their consent—Opposition to the stamp-act, its repeal, and the happy results—Delusive expectations of the colonists—Right to tax them not renounced—Tax on glass, paper, tea, and painters' colors, and great alarm it caused—Theories as to the political relation of Great Britain and her North American colonies—Mr. Jefferson's and Mr. Dickinson's remarks thereon—Troops ordered to Boston—Non-importation agreements—Circular letter of Mr. Read recommending one for New Castle County—Soon generally adopted—Measures for detecting and punishing violations of it—Repeal of all duties but that on tea—Drawback to East India Company on tea exported to America—Tea exported there, how received and treated—Boston port-bill, arguments for and against it—Opposed universally, and money given for relief of sufferers from it—Meeting in New Castle County for both these objects, and Mr. Read's share in proceedings—Cæsar Rodney's letter informing him of like proceedings in Kent, and proposed ones in Sussex—Delegates appointed from Delaware to the Congress held first Monday of September, 1774—Its meeting and proceedings—Mr. Read a delegate thereto, and his letters while attending it—Character of the state-papers of the Congress, and different opinions as to their effect—Recommendations of Congress universally adopted—No pains spared to make colonists aware of their rights and to stir them up to maintain them—Mr. Read one of the Committee in New Castle County to receive contributions for the sufferers under the Boston port-bill—Nine hundred dollars raised and remitted—Correspondence relating thereto—British Parliament dissolved, and state of parties in England—New Parliament meets, king's speech, address in reply, hearing refused to the colonial agents, Lord Chatham's motion for the recall of troops from Boston and repeal of obnoxious act of Parliament, rejected—Massachusetts declared to be in rebellion, and increase of land and naval forces recommended—Lord North's conciliatory plan—Mr. Burke's—Battles of Lexington and Concord—Congress meets 10th May, 1775—Mr. Read a delegate to this body—Letters of Mr. Read—Capture of Ticonderoga—Proceedings, measures, and state-papers of Congress—General Washington elected commander-in-chief—Recess of Congress—American army before Boston—Members of Mr. Read's family in the public service—Letters of Colonel Thompson—Expedition to Canada—Letter of Major Macpherson—His death, and repulse and death of Montgomery before Quebec—Letter of Mr. Read—Adjournment of Congress—Appendix A, notice of General Thompson—Appendix B, notice of Ethan Allen—Appendix C, notice of Major Macpherson—Appendix D, Provost Smith.

As soon as the North American colonies, conquering what would have been to courage, enterprise, and industry less than their own, insuperable obstacles, had established a commerce, not only considerable, but capable of a vast increase, the selfish policy of their parent state sought to monopolize their trade and manufactures, and to this end subjected both to restrictions. The British Parliament, by the act of 12th Charles II., enacted that sugars, tobacco,

cotton, wool, and other articles, should only be carried to England, Ireland, Wales, or other British plantations, from the American colonies. But not content with the monopoly of their exports, this nursing mother, as she was pleased to style herself, in 1663, by another act of Parliament, compelled them to purchase from her merchants and manufacturers every article of foreign production or fabric they needed, except salt for their fisheries, wine from Madeira and the Azores, and provisions from Scotland. In 1672 a further step was taken in this unjust and illiberal system by imposing duties on certain productions of the colonies, exported from one to the other, thus no longer leaving the trade between them free. These acts took from them the right to seek the best market for their exports, and of receiving directly from the place of production their imports, and so burdening them, for the benefit of England, with the difference of expense between a direct and circuitous route for their trade. In 1750 the erection of mills or other engines for slitting or rolling iron, or plating-forge for making steel, were prohibited, and declared nuisances, to be abated by the colonial governors under heavy penalty, within thirty days after information that they were erected.* "Not a

* "Is there in any of the 'acts of trade' the smallest consideration of the health, comfort, wealth, growth, population, agriculture, manufactures, commerce, fisheries of the American people? All are sacrificed to British commerce, manufactures, growth, and domination, and their navy used as the best instrument to accomplish this object. Apt scholars of Tacitus, whose fundamental principle of philosophy, morality, and religion was that all nations and all things were to be sacrificed to the grandeur of Rome."—*Adams's Writings*, vol. x. p. 340.

"Mr. Otis, in his argument against 'writs of assistance,' examined the 'acts of trade,' and demonstrated that if they were to be considered as revenue laws, they destroyed all our security of property, liberty, and life, the English constitution, and the charter of Massachusetts. He considered the distinction between internal and external taxes at that time a popular and commonplace distinction, but asserted there was no such distinction in theory, or upon any principle but necessity. The necessity that the commerce of the empire should be under one direction was obvious. The Americans were so sensible of this necessity that they had connived at the distinction between internal and external taxes, and had submitted to the acts of trade as regulations of commerce, and *never as taxations and revenue laws*, nor had the British government until then ever attempted to enforce them as such. They had been dormant in this character for almost a century. The navigation act he allowed to be binding on Massachusetts because, by her

hob-nail," said a member of the British Parliament, "should be made in America."* This system of monopoly would have been intolerable had it been entirely submitted to or enforced, but these tyrannical statutes were disobeyed, as far as they could be, without open resistance to authority, and evasions of them were winked at. But it would be unfair not to notice the advantages derived by the colonies from the parent state. They were encouraged to produce new articles, especially those which Britain was obliged to import, by bounties, which were allowed on tar, pitch, turpentine, hemp, raw silk, flax, indigo, staves, masts, and yards, it is apparent, for her own benefit rather than theirs, though benefited they were. Her protection and assistance, too, were experienced in her wars, especially the French, which extended to them, but which were waged not for their benefit but their own security or aggrandizement. The restrictions upon the commerce and manufactures of the American colonies were alike selfish, illiberal, and unjust, but not alike injurious. Where there were vast quantities of land to be settled and cultivated, where capital was small and labor high, agriculture, not manufactures, was the proper because the remunerative occupation. For the colonists to become manufacturers, even to the extent of supplying their own wants, was an impossibility. They possessed neither the capital nor the skill needed for fabricating machinery. If by miracle, availing themselves of their magnificent water-power, they could have erected factories upon their streams, and diverted labor into a new channel, and provided sufficient raw materials, and manufactured goods, and brought them into market, they would have been met and driven out by better and cheaper articles.† Every statute of the British Parliament restraining or prohibiting manufactures in the American colonies might

Legislature, she had consented to it. In 1675, after letters and orders from the king, Governor Winthrop candidly informed him that the law had been unexecuted because it was thought unconstitutional, Parliament having no power to enact it."—*Writings of John Adams*, vol. x. pp. 316, 317.

* This narrow spirit was ridiculed by another member of the British Parliament, when he said, "The colonists should be compelled by an act of that body to send their horses to England to be shod."—*John Adams's Writings*, vol. x. p. 350.

† Nor could they protect their infant manufactures by high tariff.

have been repealed without injury or risk of injury to the manufacturers of the mother-country. The enactment of these statutes evinced either a strange want of sagacity in statesmen of that day or an unworthy deference to the narrow views and prejudices of a large, rich, and influential class of their fellow-subjects for selfish ends. The colonists could not have become manufacturers, nor was it their interest, in that stage of their progress, to become so. For almost forty years, after every employment was open to the industry, the enterprise, and the capital of the colonists, in their new and happy condition of citizens of an independent country, agriculture and commerce continued to be their pursuits.* The limits of the regal and parliamentary authority over the colonies were undefined, and various controversies arose.† The colonies, notwithstanding these

* The transportation of criminals to the colonies was enumerated among the wrongs done them by their unkind parent. But we may, with good grounds, deny that it was a grievance. The great want of the colonies, as of all newly-settled countries, was *population*, which a little consideration will show this transportation, in a degree, supplied. At first view it may be thought criminals could be no gain to a community, but the burglar, the footpad, the thief, or even the homicide, in England, would not necessarily nor probably be such, and, in fact, was not such, under circumstances entirely different from those which made him a criminal at home. In the colonies he found himself in communities industrious, moral, and religious, where labor was in demand, wages consequently high, living good and cheap, and therefore without the motives to crime which beset him in the land of his birth; in short, it was more to his interest to be an honest man than a rogue, and an honest man (with exceptions), by the force of circumstances, he became. Sold for no long time, as a servant, the enforced labor and restraints of his condition were necessary to put him in a right course. His servitude ended, he was, in a great majority of cases, reformed in morals, vigorous, healthy, and industrious; and a few years more of labor, where land was cheap, made him a freeholder. The colonists might then well have welcomed the transported criminal to their shores, and treated with contempt the taunt that "their Adam and Eve came out of Newgate."

† In 1757 Lord Granville said to Dr. Franklin, "The king is the legislator of the colonies." Franklin replied, "This was new doctrine to him. He had always understood from their charters that the laws of the colonies were to be made by their Assemblies, to be presented, indeed, to the king for his approbation, but that being once given, he could not alter nor repeal them. Twenty years before," he adds, "it was proposed by a clause in a bill, brought into Parliament by the ministry, to make the king's instructions laws in the colonies, but this clause was thrown out by the Commons, for which the colonists adored them

clogs, wonderfully prospered. Each year saw new tracts of wilderness reclaimed by the hardy Americans, and new seas whitened by the swelling sails of their shipping. The treaty of peace signed in Paris in 1763 put an end to the Gallic power on the American continent, which, if it restrained England from some stretches of her authority over her colonies, also bridled their spirit of independence. With this peace came a new policy. The plan of taxing America, suggested from time to time by officials to different ministers, had never been seriously entertained until, in an evil hour for England, a minister, skilled in the details of finance, but without the comprehensive views of a statesman, of which he was incapable, resolved to adopt and execute it, prompted by the augmented debt of the nation, the necessity for new sources of revenue, the difficulty of discovering them, and the opposition to every new tax he had proposed. In 1764 Parliament, by an act passed April 5th. continued and perpetuated the duties on sugar, molasses,* and certain other articles imported into the North American colonies, *towards raising a revenue*, and enacted that all penalties for violations of the acts of trade in America might be recovered in any colonial Vice-Admiralty Court.† In 1765, March 22d, the stamp-act was enacted, as in its preamble declared, “to raise further revenue in America.” The universal opposition to this measure, the proceedings of the first General Congress of the colonies, those of the colonial Assemblies and popular meetings, the newspaper articles and pamphlets, so effective in enlightening the people on this momentous question, and stirring them to resistance, are familiar to my readers, with the non-importation agreements, the consequent stagnation of trade and clamor

as their friends, and the friends of liberty, until from their measures in 1765 it seemed that they had refused this point of sovereignty to the king only that they might reserve it for themselves.”—*Autobiography of Dr. Franklin*, Bigelow's Edition.

* “The tax on molasses and sugar would raise twenty-five thousand pounds, enough to pay the salaries of the governors and admiralty-judges of all the colonies.”—*Adams's Writings*, vol. x. p. 349.

† The judges of these admiralty courts were dependent, and their forms of proceedings according to the civil law, without juries, and open examination of witnesses, and the publicity of procedure of the common law.

against the government, the change of ministry, and repeal of the stamp-act.*

* The following is a synopsis of the principal arguments urged for and against the claim of Great Britain to tax her North American colonies without their consent :

PRO.

1. The colonies have been planted and nourished by British care and indulgence.

2. Defended at great cost.

3. Reasonable, therefore, that they should contribute to the general wants of the empire, of which they are a part, and especially aid in paying a debt contracted to protect them, and ungrateful in them to refuse so to do.

4. The navigation acts, the palladium of British commerce, had been relaxed in their favor.

5. The colonists were *virtually* represented in the British Parliament.

6. The alleged connection between taxation and representation could not stand the test of historical inquiry.

7. Various taxes had been raised without laws by forced benevolences, ship-money, etc.

8. Representation arbitrary, and possessed, *actually*, by but a small part of the British, or any people, while taxation was a part of the general power to legislate.

9. The navigation acts cramped and cut off the colonial trade, and the distinction between internal and external taxes was unfounded for taxes levied on articles at ports, as much felt as if raised in the interior of the colonies, yet the legality of the navigation acts was never questioned.

10. If a practice has long and generally prevailed and not been questioned, as a number of precedents proved was true of this, it became law and constitution by the very admission.

11. Various statutes were quoted taxing Chester and Durham without representation.

12. If the colonists by migrating did not lose their right to vote for members of the British Parliament, yet by their own act they have made its exercise impossible, and cannot on this ground evade their liability to be taxed in common with all British subjects.

CON.

1. If the colonists owed the same allegiance to the king, and subordination to the Parliament, as the people of Great Britain :

2. They were entitled to the same privileges, rights, and immunities which were confirmed by charters and usage.

3. No taxes could be imposed on free-born Britons—and such were the colonists—without their consent by their representatives.

4. That the colonists were not, and could not be, represented in the British Parliament,—not actually nor virtually.

5. The perfection of representation is when the delegate is bound, as

The stamp-act was repealed. There was the calm, which alike succeeds agitation of the elements or human passions. Trade resumed its ancient channel. The colonial merchant sent his orders *home*; the British manufacturer, the old market restored, again found employment; and along the quays of Philadelphia, New York, and Boston, the chief

well as the constituent, by the laws he has a share in enacting, and suffers equally from mischievous ones; and when this is true, subjects, though deprived of the elective franchise, are still virtually represented; but of a Parliament taxing America this could not be true, since, as it imposed burdens on the Americans, it relieved its own constituents.

6. The colonists, *ex necessitate*, have exclusive power of legislation in all matters of internal polity, subject only to the royal veto in the accustomed manner.

7. The only representatives of the colonists, those chosen by themselves.

8. The right "*of binding the colonies in all cases whatsoever*," if conceded, or successfully asserted, would leave them in truth without property.

9. All supplies of the crown were *free gifts*, money-bills originating in the Commons, being only sent to the Lords for the form of legislation, being returned to the Commons to await the royal fiat, and the king thanking, not the Lords and Commons, but his faithful Commons alone, for supplies.

10. No lapse of time or accumulation of precedents could make that just which was unjust, or constitutional which was unconstitutional.

11. As to Chester, Durham, Wales, and Lancaster, Parliament, by giving them representation, most emphatically, in the language of Burke, "recognized the equity of not suffering any considerable district, where British subjects may act as a body, to be taxed without their own voice in the grant."

12. If Ireland and Wales have been taxed, and otherwise legislated for, without representation, they were conquered countries, and treated as such: but Ireland has her Parliament.

13. The wars, alleged to have been waged for the colonies, were, in fact, Great Britain's own wars to preserve or extend her power, and the colonists liberally contributed both men and money to aid in carrying them on, and thus compensated whatever benefit they incidentally received; besides being heavily taxed by the burdens and restrictions on their trade.

14. The object of the trade acts was not taxation. The power of Parliament to regulate trade was not disputed, because this body alone could exercise it, but this tacit assent involved no admission of the right to tax the colonies without their consent.

15. The colonial charters were forfeitable, but only for good cause, after hearing in defence, and judgment. The colonies were not merely corporations: they were communities, dependent, indeed, but with political rights, of which no forfeitures or revocations of their charters could deprive them.

marts of America, were again heard the cheering sounds of business. But were not the colonists rejoicing prematurely? Was the solemn declaration by the imperial Parliament, of "their right to bind them in all cases whatever," unmeaning? Might they not, at any future session, exercise that power to tax them without their consent, which would rob them of all property in their goods, their chattels, and their lands? Had the eloquence and the logic of Pitt, and Burke, and Camden, and Barré wrought conviction in the mind of England that this power was at war with the eternal principles of justice and its famed constitution, or did they still hope and purpose to relieve themselves, in part, from their burden of taxes by imposing some of it upon their transatlantic fellow-subjects? These questions were, no doubt, put by reflecting men, but the mass of the colonists, ready, as men have ever been, to believe what they wish, considered the repeal of the stamp-act the renunciation of the claim of right to tax them without their consent, and the declaratory act but a salvo for the wounded pride of the parent state.

The Rockingham ministry, by not coupling the repeal of the obnoxious stamp-act with the renunciation of this claim, lost the opportunity, which was never again presented, of removing by this single concession all discontent and all distrust. The Grafton administration soon succeeded. The act of Parliament laying duties on glass, paper, pasteboard, white and red lead, painters' colors, and tea, was passed. The colonists were more exasperated by this measure than by the stamp-act, and they were more alarmed because troops were ordered to Boston to overawe disaffection.*

* They had to determine on what ground they should rest their cause. Mr. Jefferson's theory, which found no advocate, even in Virginia, but Chancellor Wythe, was that Great Britain and the colonies were co-ordinate people, with no tie but that of a common executive, their relation being that of Great Britain and Scotland before their union, or that of Great Britain and Hanover after the accession of George I. (*Writings of Thomas Jefferson*, vol. i. pp. 8, 10, 11.) This theory was sustained by no facts in the colonial history. Great Britain had certainly never legislated, before the union, in restraint of the trade or manufactures of Scotland, and not at any period in restriction of those of Hanover, while she had monopolized the commerce of the colonists from the date of the navigation acts, and almost prohibited their manufactures, and this, too, with their tacit assent, with the single exception

Massachusetts sent forth circulars to all the colonies, warning them of their danger, and again exhorting them to

mentioned by Mr. Jefferson of Virginia, when she capitulated to the Commonwealth, stipulating for free trade, which stipulation was disregarded. The dissentients to this theory, had it been received, would have been numerous, and so the unanimity essential to success would have been lost. Happily for his countrymen, John Dickinson, in his "Farmers' Letters," had propounded and ably maintained the theory, so accordant with the history of the colonial relation to the mother-country, and so moderate as not to shut the door to accommodation, which, while it denied the right to tax the colonies without their consent, admitted the power of the parent state to regulate their commerce and restrain their manufactures for the benefit of the *whole* empire, provided the acts for so doing should be *bona fide* for such purpose, and not to raise a solid revenue. That this was the proper theory *at that stage of the contest** there can be no better evidence than the fact that it was, with extraordinary unanimity, at once adopted, from Massachusetts to Georgia. The colonies differed so much in their constitutions, religion, laws, customs, and manners, their intercourse with and knowledge of each other were so little, that to unite them in the same principles in theory and system of action was, John Adams tells us, most difficult, and its accomplishment wonderful. "Thirteen clocks," he adds, "were made to strike together, a perfection of mechanism which no artist had ever before effected."—*Letter of John Adams, Niles's Register*, No. 340, 7th March, 1818, vol. xiv. p. 13.

A compromise on this basis might be proposed, with reasonable hope of success, and if rejected, all would be convinced that they must choose between an appeal to arms or unconditional submission. However strong the array of argument from reason and justice against this theory, which Jefferson sneeringly calls *the half-way house* of John Dickinson, the expediency of then adopting it was, I think, manifest. By adopting the Jeffersonian theory, the colonists would have lost to their cause a party in the mother-country, powerful not from its number but the great abilities of its leaders. How does this theory consist with this passage from a speech of William Pitt? "Let the stamp-act be repealed, etc.; at the same time let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation whatsoever, and it be declared that we may bind their trade, confine their manufactures, and exercise every power whatsoever, except that of taking their money out of their pockets without their consent." Pitt's championship, and the support of the party of which he was the most renowned leader, would have ceased upon the announcement of pretensions so extravagant as those holding the above-cited opinion would have considered them. Jefferson proposed no better terms of compromise than Dickinson's.—they were in truth the same. "Place us," said he, in answer to the objection that his theory would make void the navigation acts, "place

* The question being not *what ought to be* the relation of the colonies to the mother-country, but what it had been and then was.

unite with her in resistance, and, as before, successfully. The people rose everywhere in their might, the press was active, the colonial Assemblies again remonstrated, and resolutions were almost universally adopted by the colonists to discourage the use of British manufactures and foster their own. There were dissensions between the colonial Assemblies and their governors.

An agreement of the colonists not to import from the mother-country was the measure that seemed best calculated to extort from her redress of grievances, for to all her merchants it was injurious, while to many of them it was ruinous. The export trade of Great Britain to her North American colonies amounted to six millions of pounds sterling, being more than one-third of her whole exports.* Might not the colonists be with reason hopeful of the potent effect of a measure which would disturb and lessen, if not cut off, so rich a traffic? It was, perhaps, impossible to convince Great Britain that they were in earnest in their opposition to her arbitrary acts, unless they proved their sincerity by subjecting themselves to some great privations.

The following extract from a circular letter, addressed by Mr. Read to his fellow-citizens in the lower part of New Castle County, explains why the inhabitants of Delaware entered into this agreement at a later period than their brother colonists. "In the present struggle made for liberty by the colonists around us I hope this government will not be pointed out as unconcerned in the common cause. Hitherto the representatives of the people, in Assembly, have

us, if Britain will not have the basis of her assumed power scrutinized, in the condition we were [in] when George III. ascended the throne, and we will be satisfied." This seems to me an abandonment of this theory, and but an impotent conclusion from bold premises. When Jefferson characterized John Dickinson "as a lawyer of more ingenuity than sound judgment, and still more timid than ingenious," he did great injustice to this eminent man; and history, I believe, has not ratified, and will not ratify, this disparaging opinion. "In the Congress of 1775," Mr. Jefferson, in volume i. of his Writings (p. 8), states that "the declaration of the causes for taking up arms"—which he drew—"was, out of indulgence to John Dickinson, permitted to be rewritten, almost, by him," and adds, "he was *so honest and able* that he was indulged and yielded to by those who did not have his scruples." Which of these opinions did Thomas Jefferson really hold?

* Burke's Miscellaneous Works, vol. ii. pp. 27, 28. (Boston Edition, 1806.)

contributed their mite with other bodies of the like kind through the continent; it now becomes more particularly the business of the people, in general, to consider their present situation, and what may be further done in support of measures apparently necessary: I mean the non-importation agreements entered into from time to time since the last act of Parliament, imposing duties on tea, paper, glass, and painters' colors. From our local circumstances it seemed unnecessary for the people of this government to enter into resolutions of non-importation from the mother-country, as we had no traders among us who imported goods from Great Britain, except in very small quantities, and in vessels belonging to Philadelphia, which was sufficiently guarded by the agreement of her own citizens. Lately it has been discovered that a few of the traders of that city have become tired of what they call virtuous attempts to restore freedom to America, and endeavored to dissolve the Philadelphia non-importation agreement. One of the principal arguments made use of is the probability of losing the trade of this government. They say that the Maryland non-importation agreement having excepted many more articles of merchandise than that of Philadelphia, the people here will form a connection in the way of trade with the Marylanders, introduced by going there to purchase excepted articles, which trade may continue after all contests with the mother-country are over. This is a plausible and forcible argument, and to remove all the weight it may have, the inhabitants of the upper parts of this county, particularly in and about the towns of New Castle, Wilmington, Christiana, Newark, Newport, and Hamburg Landing, have resolved to support the Philadelphia agreement. It is now in the power of the people of this government to lend a helping hand, and be of real use in the general cause. Some of the people of New York have deserted it, but, it is thought, will be brought back to their duty. To prevent the like accident from taking place in Philadelphia, we ought to destroy the argument alleged before. Let us be content to confine our trade to its former channels; there is our natural connection; let us forego some trifling conveniences in hopes of greater advantage; resolve not to purchase any goods out of the government but such as are excepted in the Philadelphia agreement,

and fall upon some effectual measures to support this conduct.”

The agreement recommended by Mr. Read was soon very generally adopted. It was dated the 17th day of August, 1769, and was framed with much ability and vigor. After stating, in energetic language, the grievances which compelled them to co-operate with their fellow-colonists in the measures best calculated to invite or enforce redress, these patriotic citizens “mutually promise, declare, and agree, upon their word of honor and faith as Christians”—

“1. That from and after this date we will not import, into any part of America, any goods, wares, or merchandise whatsoever, from any part of Great Britain, contrary to the spirit and intention of the agreement of the merchants of the city of Philadelphia.

“2. That we never will have any dealing, commerce, or intercourse, whatever, with any man residing in any part of the British dominions, who shall, for lucre or any other purpose, import into any part of America any article contrary to the said agreement.

“3. That any one of us who shall wilfully break this agreement shall have his name published in the public newspapers as a betrayer of the civil rights of America, and be forever deemed infamous, and a betrayer of his country.”

It is a curious fact that no measure was devised for detecting violators of this agreement until nearly a year after it had been entered into. Such was the confidence in the virtue of the community that an infraction of this compact was little, if at all, apprehended. But when the enthusiasm, which gave animation and effect to this patriotic act, was, in some measure, abated by the privations—certainly not trivial—to which it subjected those who had signed it, some individuals basely forfeited their word, their honor, and their Christian faith by violating this solemn pledge. Those who led the van of these covenant-breakers were shopkeepers; they had not, perhaps, less patriotism than other classes of their fellow-citizens, but their virtue was assailed by stronger temptations. Nor were they the only apostates, for if there were sellers of interdicted merchandise, there must also have been purchasers. To arrest this evil, which threatened the virtual dissolution of the compact, a measure was adopted as simple as it proved effica-

cious. On the 4th of June, 1770, Mr. Read expressed himself on this subject as follows, in a letter addressed to one of his friends: "Several towns in this county have chosen two committeemen, each to adopt such resolutions respecting trade as the present emergency seems to require. They met lately at Christiana, and were unanimously of opinion that the Philadelphia agreement should be supported, and for this purpose two persons were appointed in each town a committee of inspection *to watch the trade*. The duty of these persons is to examine what goods are brought into this government, and in case they discover any sales by shopkeepers of articles not excepted, to report the same to the general committee, who shall determine what shall be done thereupon." Mr. Read was elected chairman of this general committee. The subordinate committees performed their duties with such diligence and activity that they equalled the agents of the best organized police in the discovery of delinquents. Every section of country was subjected to a system of espionage so inconsistent with American notions of liberty that nothing but the urgency of the case, and benefits it produced, could have induced the citizens to tolerate it. The adherents of Great Britain were too few to shield the violators of the compact from its penalties. When information was given against them, they generally appeared before the general committee, who inflicted no other punishment than requiring a public declaration from the offenders of sorrow for the offence, a promise not to repeat it, and payment to the committee of the proceeds of sales of non-excepted articles for the use of the poor of the county. The delinquents, however, were not numerous.

The prime minister, the Duke of Grafton, proposed and urged the repeal of all the duties for raising revenue in America; but the British Parliament, considering that this total repeal would be the relinquishment of their asserted right of supremacy over the colonies, while by the act of the 5th of March, 1770, they repealed the other duties, retained that on tea, in the vain hope that the trifling sum thus imposed would be paid, and not yet aware that the contest was for a principle the colonists would never surrender, and that they believed the whole property of America was involved in this small tax, just as their ancestors did that the whole property of England was in the suit

against John Hampden for twenty shillings; for, they reasoned truly, if Parliament could, on every ounce of tea bought by a colonist, levy, without his consent, a tax of even one farthing, they might at pleasure take every shilling of every man in America. In 1773 was passed the act of Parliament allowing the East India Company a drawback on tea exported to the American colonies, cargoes of which were shipped thither. At Philadelphia and New York it was not permitted to be landed, at Charleston it was stored in damp cellars where it perished, and in Boston harbor it was emptied into the sea. Had England then receded, she would have been wise and magnanimous; but, listening only to the language of passion, she hastened to vindicate the outraged dignity of Parliament and the wounded honor of the nation. On the 31st of March, 1774, the bill was passed "for discontinuing the lading or unlading goods, wares, and merchandises at Boston, and for removing the custom-house from thence to Salem," till it should be declared by the king in council that she had returned to obedience, and compensation was made for the tea destroyed and injury done to private property when it arrived in America. Then was passed the bill, assented to by the king 10th of May, which subverted the charter of Massachusetts, giving to the crown the appointment of members of the council, and of judges, magistrates, and sheriffs, who were authorized to summon and return juries. This bill further prohibited the selectmen from calling public meetings without the consent of the Governor. Then it was enacted that should it appear to the Governor that any person indicted for a capital offence, the act so charged being done in suppressing riots and tumults, who could not probably be fairly tried in Massachusetts Bay, might be sent to Great Britain, or any other colony, for trial. These measures of vengeance were completed by the bills passed for quartering soldiers on the inhabitants, and enlarging the province of Canada, and changing its government, by providing that a council, to be appointed by the crown, should exercise all legislative power except that of taxation (Roman Catholics being admissible), and by securing tithes to their priests, establishing their religion, besides abolishing trial by jury.

By the advocates, in the British Parliament, of the

Boston port-bill, it was urged that Boston was selected for punishment, because most guilty. For seven years she had been the originator of the seditions which, during that period, had disturbed the colonies. She would suffer, doubtless, by this act, but she deserved such and greater sufferings, as a great delinquent, and could at any time terminate this merited punishment by reparations to those she had wronged, and return to obedience. The vigorous assertion by Britain of her authority over her colonies was necessary, for otherwise the seditious might with reason conclude it could be set at naught with impunity, and the dependence of the colonies would cease at no distant time. It was alleged that to fine communities for neglecting to punish crimes committed within their jurisdiction, was just in itself, and sustained by precedents,—that of the city of London, fined in 1640, in the case of Dr. Lamb,* that of Edinburgh and Captain Porteous, with which all who have read (and who has not?) the “Heart of Mid-Lothian” are familiar, and that of Glasgow, whose revenues were in part sequestered, to indemnify a Mr. Campbell for the destruction of his house by a mob. The act would require no great force to execute it, for a few frigates would suffice. The colonists would generally approve this just punishment, or be awed by it to submission; should they not, but, on the contrary, give their sympathy and their aid to Boston, they, and not the ministry, would be responsible for the deplorable results.

Petitions, only one of which was heard, on behalf of the Bostonians, set forth, and her advocates maintained, that before they were condemned it was an undeniable maxim of justice that they should be heard; that the only evidence against them was the report of the Governor of Massachusetts Bay, their prejudiced and partial enemy; that the offence charged was committed out of the jurisdiction of Boston, in her harbor, which was under the control of the Governor, and that in the precedents cited, the cities fined were represented in Parliament, heard by council, and their

* Dr. Lamb, patronized by the Duke of Buckingham, who, like other overgrown favorites, was inclined to favor astrology, was, in 1640, pulled to pieces in the city of London by the enraged populace, and his maidservant hanged, thirteen years afterwards, as a witch, at Salisbury. —*Scott's Demonology and Witchcraft*, Letter X.

witnesses admitted; that this bill went far beyond these precedents, which inflicted mullets, but did not cruelly stop the trade and cut off the livelihood of a community; that in two of the cases cited, atrocious murder had been, beyond doubt, committed, and not punished; in this, disorders, which could not be denied, were provoked by arbitrary and unconstitutional acts of the government, which could not, perhaps, have been successfully resisted without them. It was, indeed, a paltry way of handling a case which might involve the dismemberment of a mighty empire, to rest it at all on precedents so insignificant as these, and which did not sustain it. Why, it was asked, select Boston for punishment, other cities in the colonies being equally guilty? For the tea of the East India Company, which all had refused to receive, was as much destroyed in the damp cellars of Charleston as in her harbor, and when reshipped at other ports, deteriorated greatly by the return-voyage to England. Why adopt a measure which would starve alike the innocent and guilty of this doomed city? If any measure could induce the other colonies to make common cause with Massachusetts, this bill would do so.

The Boston port-bill, which received the royal assent March 31st, 1774, did not arrive in America until the 13th of May, and intelligence of its passage preceded its arrival only three days. It was justly charged, as enhancing its injustice and cruelty, that, going into operation June 1st, it really did not give time, as it professed to do, for the doomed city to make her peace, if so disposed, with her incensed sovereign. On the same day arrived in Boston harbor four men-of-war and Governor Hutchinson's successor, General Gage. It is honorable to the inhabitants that his landing was marked by no outbreak of the people, but his reception was respectful, though cordial it could not have been. The Boston port-bill, printed, like a funeral notice, on black-bordered paper, was hawked through her streets, and sent with great expedition to the sister colonies of Massachusetts. Instead of awing to submission, it awakened the most lively indignation, and was denounced by the citizens of Boston, the day after its arrival, in town meeting, as "impolitic, inhuman, unjust, and cruel beyond their power of expression,"—with a solemn appeal to God and the world, and the recommendation of non-importation and exportation agree-

ments till the act should be repealed, "which," they declared, "if adopted by all the colonies, would prove the salvation of North America and her liberties." The colonies, without exception, perceiving that this act was intended to enforce obedience to the right claimed of taxing them without their consent, considered it as aimed at them all, and therefore were unanimous in denouncing its injustice and unconstitutionality in the strongest terms of abhorrence, while they admired and sympathized with those who were to suffer by the closing of their harbor, and made common cause with them. The Virginia House of Burgesses appointed the 1st of June to be observed as a day of fasting and prayer, "that the calamities of civil war and the ruin of their rights might be averted, and that they might have granted them one heart and mind to defend them." This was so observed, not only in Virginia, but generally through the other colonies; and was, as anticipated by Mr. Jefferson, who suggested it for this purpose, and, I fear, for none higher,* a most effectual means of warning them of the danger which menaced them and arousing them to resistance. But something more than the expression of indignation and sympathy was due to this wronged and suffering city, for the fire must go out on the hearth of every poor man there on the first of June, and his children, as they

* "Mr. Henry R. H. and Frederick L. Lee, myself, and three or four others,—the lead being no longer in the old members,—agreed that we must take a bold and unequivocal stand in the line of Massachusetts. Convinced of the necessity of arousing the people from their lethargy as to passing events, we thought the appointment of a day of general fasting and prayer would be most likely to call up and alarm their attention. There was no example of such solemnity since the days of our distress in 1755, since which a new generation had grown up. With the help therefore of Rushworth, whom we rummaged for the revolutionary precedents and forms of the Puritans of that day, we cooked up a resolution, somewhat modernizing the phrases, for appointing the 1st of June, when the port-bill was to commence, for a day of fasting, humiliation, and prayer, to implore Heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the king and Parliament to moderation and justice. To give greater emphasis to the measure, they requested Mr. Nicholas, whose grave and religious character was more in unison with the tone of our resolution, to move it, which he did, and it passed without opposition. The day was observed throughout Virginia, and the effect was like a shock of electricity, arousing every man, and placing him erect and solidly on his centre."—*Writings of Thomas Jefferson*, vol. i. pp. 6 and 7.

covered around it, cry in vain to him for bread, and the colonies, without exception, I believe, sent with their resolves, lauding the patriotism and firmness of Boston in their common cause, liberal aid to her starving inhabitants. Mr. Read's part in the measures for raising and transmitting such aid from "New Castle County on Delaware" makes it necessary and proper for me to insert the following resolutions, adopted at a general meeting of the freeholders and inhabitants of that county on the 29th of June, 1774, of which meeting Thomas McKean was chairman:

"1. *Resolved*, That the act of Parliament for shutting up the port of Boston is unconstitutional, oppressive to the inhabitants of that town, dangerous to the liberties of the British colonies. and that therefore we consider our brethren at Boston as suffering in the common cause of America.

"2. That a congress of deputies from the several colonies in North America is the most probable and proper mode of procuring relief for our suffering brethren, obtaining redress of American grievances, securing our rights and liberties, and re-establishing peace and harmony between Great Britain and these colonies on a constitutional foundation.

"3. That a respectable committee be immediately appointed for the county of New Castle, to correspond with the sister colonies, and with the other counties in this government, in order that all may unite in promoting, and endeavoring to obtain, the great and valuable ends mentioned in the foregoing resolution.

"4. That the most eligible way of appointing deputies would be by the representatives of the people of this government, met in their legislative capacity, but as the House of Assembly have adjourned themselves to the 30th day of September next, and it is not expected his Honor the Governor will call them by writs of summons on this occasion, having refused to do the like in his other province of Pennsylvania, therefore, that the speaker of the honorable House of Assembly be desired by the committee now to be appointed to write to the several members of Assembly, requesting them to convene at New Castle on any day not later than the first of August next, to take into their most serious consideration our alarming situation, and to appoint deputies to attend at a general congress for the colonies, at such time and place as shall be generally agreed on.

"5. That the committee, now to be chosen, consist of thirteen persons, to wit, Thomas McKean, John Evans, John McKinley, James Latimer, George Read, Alexander Porter, Samuel Patterson, Nicholas Van Dyke, Thomas Cooch, Job Harvey, George Monroe, Samuel Platt, and Richard Cantwell, and that any seven of them may act.

"6. That the said committee immediately set on foot a subscription for the relief of such poor inhabitants of the town of Boston as may be deprived of the means of subsistence by the act of Parliament, commonly styled the Boston Port-Bill. The money arising from such subscription to be laid out as the committee shall think will best answer the end proposed.

"7. That the inhabitants of this county *will adopt and carry* into execution all and singular such peaceable and constitutional measures as shall be agreed on by a majority of the colonies, by their deputies, at the intended congress, and will have no trade, commerce, or dealings whatsoever with that city, province, or town in the British colonies on this continent (if any such should be), or with any individual therein, who shall refuse to adopt the same, until the before-mentioned act of Parliament, and two other bills respecting the province of Massachusetts Bay, depending in Parliament (if passed into acts), are repealed."

The following is the earliest of the letters of *Cæsar Rodney* to my grandfather which I have found among his papers. It communicates the success of his efforts for the adoption in Kent County of the measures recommended by the foregoing resolutions, and of his further efforts to have them adopted in Sussex:

"DOVER, July 21st, 1774.

"SIR,—Yesterday we had a very full meeting of this county. Upward of seven hundred inhabitants, some think more than eight [were present]. With this (agreeable to promise) I have sent you a packet, inclosing a letter from the committee of this county to the committee of yours, as also a copy of our resolves, and a letter to Bradford, the printer, inclosing another copy of them for the press, which I hope you will forward to him as quick as possible. Some people were much displeas'd with your having appointed New Castle as the place of meeting, and it was not without some

difficulty that some others reconciled the people to the place. More of this another time. The meeting of the people of Sussex County is to be on Saturday next, and there is a report prevails here that they are so offended at your fixing the mode and place, but more especially the place, that they are determined not to fall in with your plan, but that the people, at their meeting, shall or will choose a deputy for that county. However, I shall despatch an express early to-morrow morning, to Thomas Robinson, with a very pressing letter from the committee here, to adopt your measures; and that, if they do not, they will defeat the whole business. The express will have orders to be there before the meeting of the people, and to wait for a full account of what they shall do. I shall write a private letter to Robinson, enjoining him to use his endeavor to have the plan of the other two counties adopted. I have sent circular letters to all the members of your county. You'll be pleased to have them delivered. I have also sent circular letters to the members of this county, who desired me to inform you that they would be in New Castle, ready to enter upon business, by ten o'clock, on the first of August, and hope your members will give their attendance by that time. Further, with respect [to] Sussex, I have prevailed on Clarke to ride to Cropper's, to persuade him to use his interest in bringing about the proposed measures, and also have got Jacob Stout to write to Wiltbank. I do most sincerely wish the worthy members of Sussex may be prevailed on to adopt the measures proposed. I expect to hear from them by Sunday evening, and, if I find it will avail, will call them in due time for the convention.

"I am yours, truly,

CÆSAR RODNEY.

"To GEORGE READ, Esquire, per John Bullon, Express."

Mr. Rodney was too wise a man, and too zealous in the good cause of the colonies, to countenance the dissatisfaction of the freeholders of Kent and Sussex with the fourth resolution of those who met at New Castle, because they thought, I suppose, it fixed the mode, time, and place of choosing deputies to the proposed general congress (which it only suggests as the best), and which, being done without their having a voice in it, was arrogant and dictatorial. As

the Congress was to meet September 4th then next, there was no time for consulting these over-sensitive persons,—the Assembly would select better delegates than popular meetings could do. New Castle was the place of meeting of the Assembly of the province theretofore for the convenience of the Governors, who resided in Philadelphia, and though a central town would have been generally more convenient, yet it would have been open to the objection of being an unusual one. The praiseworthy efforts of Mr. Rodney and others overcame the opposition, which threatened to defeat this measure. He, being speaker of the Assembly, summoned the members of that body to meet at New Castle August 1st, 1774. They met accordingly, and chose Cæsar Rodney, Thomas McKean, and George Read delegates to the General Congress, which met in Philadelphia September 5th, 1774, as appears by their credentials produced to this body, as follows:

“THE THREE COUNTIES OF NEW CASTLE, KENT, AND SUSSEX
ON DELAWARE.

“August 1st, 1774, A.M.

“The representatives of the freemen of the government of the counties of New Castle, Kent, and Sussex on Delaware, met at New Castle, in pursuance of a circular letter from the Speaker of the House, who was requested to write and forward the same to the members of Assembly by the committees of correspondence for the several counties aforesaid, chosen and appointed for that, among other purposes, by the freemen and freeholders of the said counties respectively. And having chosen a chairman, and read the resolves of the respective counties, and sundry letters from the committees of correspondence along the continent, they unanimously entered into the following resolution, viz.:

“We, the representatives aforesaid, by virtue of the power delegated to us, as aforesaid, taking into our most serious consideration the several acts of the British Parliament for restraining manufactures in his majesty’s colonies and plantations in North America; for taking away the property of the colonists without their participation or consent; for the introduction of the arbitrary powers of excise into the customs here; for making all revenue causes triable without jury, and under the decision of a single judge;

for the trial in England of persons accused of capital crimes committed in the colonies; for the shutting up of the port of Boston; for new-modeling the government of Massachusetts Bay, and the operation of the same on the property, liberty, and lives of the colonists; and also considering that [the] most eligible mode of determining upon the premises, and of endeavoring to procure relief and redress of our grievances, would have been by us assembled in our legislative capacity, but as the House had adjourned to the 30th day of September next, and it is not to be expected that his Honor the Governor will call us by writs of summons on this occasion, having refused to do the like in his other province of Pennsylvania; the next most proper method of answering the expectations and desires of our constituents, and of contributing our aid to the general cause of America, is to appoint commissioners or deputies in behalf of the people of this government, to meet and act with those appointed by the other provinces in general congress; and we therefore do unanimously nominate and appoint Cæsar Rodney, Thomas McKean, and George Read, Esquires, or any two of them, deputies, on the part and behalf of this government, in a general Continental Congress proposed to be held, at the city of Philadelphia, on the first Monday in September next, or at any other time and place that may be generally agreed on, then and there to consult and advise with the deputies from the other colonies, and to determine upon all such prudent and lawful measures as may be judged most expedient for the colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people and the redress of our general grievances.

“Signed by order of the convention,
“CÆSAR RODNEY, Chairman.”*

Mr. Read represented the State of Delaware in Congress during the most interesting period of the Revolutionary war, excepting a short interval, when, by virtue of his office as Vice-President of Delaware, he acted as her chief magistrate, in consequence of the capture of President McKinley, immediately after the battle of Brandywine.

* Journals of Congress from 1774 to 1776, vol. i. pp. 8, 9. (Published in Philadelphia, 1800.)

The Congress of 1774—no one of the colonies being unrepresented but Georgia—commenced its session September 5th, at Carpenter's Hall, in the city of Philadelphia. Peyton Randolph was chosen President. They determined that each colony should have one vote, and their proceedings should be secret till a majority should authorize their publication. Without questioning the propriety of this resolve to sit with closed doors, we may be pardoned in regretting that by reason of it the debates of this august assembly are lost to history. The delegates were chosen generally by the colonial assemblies, the exceptions being New Jersey and Maryland, where they were appointed by county committees chosen to do so, and New York, where they were elected directly by the people. Their instructions generally authorized them to consult on the best measures for the redress of grievances, the ascertainment and security of colonial rights and restoration of harmony, but some of the colonies restricted their deputies to measures that would bear on their commercial relations to Great Britain, while others gave them unlimited discretion.* This Congress lost no time, but entered at once upon the discharge of their high duties.† All eyes, from New Hampshire to Georgia,

* Marshall's Life of Washington, vol. ii. p. 168.

† I subjoin the following notices of members of this Congress and their opinions:

"I dined September 12th [1774]," wrote John Adams in his "Diary," vol. ii. of his Writings (p. 379), "with John Dickinson, at his seat near Philadelphia (Fair Hill), with fine gardens, and a beautiful view of the city, the Delaware River, and country. A good library,—the books principally collected by his wife's father, Mr. Norris. Mr. Dickinson, very modest, ingenuous, agreeable, with an excellent heart, and the cause of his country near it. Full and clear for allowing Parliament the right to regulate American trade upon principles of necessity and mutual interest. Gadsden violently denies this, saying, power to regulate is power to ruin trade, and that admitting power to regulate trade is tantamount to admitting universal power [*i.e.* right] to legislate, [inasmuch] as a right in one case is a right in all. Galloway proposed a plan of union between Great Britain and her American colonies, [providing] for a British-American legislature, and that no act should be passed [affecting them] without the assent of both. Duane approved, also Jay and Rutledge, [but] Henry opposed it. Galloway accepted a seat in Congress—having extensive interest on the popular side, but [being] at heart disaffected—to sit in the skirts of American advocates, that is, embarrass and defeat their measures. At first, five colonies were for the power of Parliament to regulate trade and five

were fixed on Philadelphia. Mr. Read wrote from time to time, during the session, which terminated October 26th, to Mrs. Read, and some of these letters I insert, with extracts from others of them. They were presented to me, with those inserted *post* (in all thirteen). in July, 1839, by Mrs. Anna G. McLane, second wife of Dr. Allen McLane, of Wilmington, Delaware, who received them through her mother, the wife of Matthew Pierce, of Poplar-Neck, Cecil County, Maryland, and only daughter of George Read.

Soon after the session of Congress commenced, he writes: "The day is consumed in this way,—shaving, washing, breakfasting, waiting an hour for the barber's coming, near half an hour under his hands, hurrying to the Congress, sitting there till three o'clock, then hastening to dine,—on invitation, waiting an hour before dinner appears, and walking quickly home to avoid the night-air. Not a moment to spare is disagreeable, yet there is very little in all this bustle. We are wide of our business. I dine to-day at Gurney's, where I expect to meet Mr. Biddle, to-morrow at Mr. Dickinson's a second time, and Wednesday at Mr. Richard Penn's. This is tiresome duty."

On Sunday, September 18th, my birthday, he writes: "I

against, and two divided, Massachusetts and Rhode Island. Duane grounds it on compact, acquiescence, necessity, and protection, [and] not merely on consent. Lee, Henry, and Hooper are orators. Chase is violent, boisterous, and tedious on frivolous topics; so E. Rutledge, and uncouth and ungraceful, and so his brother John. Dyer, long-winded, roundabout, cloudy and obscure, but honest and worthy, means well, and judges well. Sherman, ungraceful (but with a clear head and sound judgment), generally stands with his hands before him, the fingers of his left hand clinched into a fist, and the wrist of it grasped by the right,—Hogarth could not have invented a position more opposite to grace. Dickinson's air, gait, and action are not much more elegant."—*Writings of John Adams*, vol. ii. (Diary) pp. 387, 379, 397, 393, 423.

"The two great points labored were first, whether we should base our rights upon the law of nature as well as the British constitution and colonial charters, or exclude the first. Galloway and Duane for so doing, John Adams contra, [maintaining] it to be a resource to which Parliament might drive the colonies; second, what authority should be allowed Parliament, whether [admit] any control over internal affairs, or deny it in all cases; whether it be allowed to regulate trade, and, if so, with or without restrictions [It was] agreed, after much discussion, to admit the power to regulate trade from the necessity of the case, but excluding all right of taxation, internal or external."—*Ibid.*, 374, 539.

flatter myself that I am rid of my intermittent, though I had a slight fit on Thursday last, the day I wrote by Captain Young, since which I have taken fourteen doses of bark. I shall take a short ride on horseback this morning. . . . I long to be with you, but dare not hint a time lest I could not keep it, but you may be assured, if I can discover a few days that I can with propriety be absent, I will seize the opportunity. If I had been able to have travelled through yesterday, I should have blamed myself for being absent, as two matters were debated which I would have chosen to appear in,—to wit, a resolve of approbation of the conduct of the people of Boston and county of Suffolk, which includes Boston,* since the operation of the port-bill; and

* Pitkin's Civil History of the United States, vol. i. p. 283; Marshall's Life of Washington, Appendix xii., pp. 45, 47, Journal, 19, 20, 14.

The resolves of the people of Suffolk are suitable to the crisis; but their preamble, I think, is not, as a composition, equal to other Revolutionary state-papers. Its tone is too angry to be dignified, and its style diffuse, and somewhat grandiloquent. Under the pressure, as the author was in common with his fellow-citizens, of the port-bill, he may be pardoned for the indignation he manifests, and for thinking little or, perhaps, not at all of his style. Great had been the sufferings of Boston, notwithstanding the aid afforded her, which was not stinted. The troops commanded by General Gage were reinforced gradually by regiments from Ireland, and the whole encamped on Boston Common. Reports, unfounded however, that it was contemplated to starve the city into submission by cutting it off from communicating with the adjacent country, caused a rising in arms to prevent it. The new judges were not permitted to hold courts, and the new counsellors forced most of them to resign. Upon the fortification of Boston neck by General Gage, the extreme measure of burning the town was suggested, and the Continental Congress was consulted upon the proposition to remove the inhabitants to the neighborhood of that city, but, declining to decide upon it, they referred it to the Massachusetts congress, declaring that if executed it ought to be at the expense of all the colonies. General Gage took possession of military stores at Cambridge and Charleston, and the colonists seized powder in New Hampshire and Rhode Island. Disregarding the writs of the Governor for the election of members of Assembly, the freeholders of Massachusetts elected them on their own authority, and as a provincial congress they assembled and acted, all their acts being recognized as lawful, and receiving prompt obedience. Such was the state of affairs when the Suffolk resolutions were sent to Congress. To the letter of that body expressing their concern at his hostile acts, and cautioning against persistence in them, General Gage replied that under great provocations great care had been taken by his officers and soldiers to avoid offence, and that the communication between Boston and the country was and had ever been open and unobstructed,

another resolve for a further contribution from all the colonies for the support of the poor of Boston, both of which will be published to-morrow. These were suddenly done in consequence of an application from Boston to the Congress for their advice upon the late measures of General Gage, in fortifying the neck of land that leads into Boston. John Penn made, and Richard Penn accepted, the offer of the naval office on the day of Hackley's death."

The next of these letters is dated 16th October, 1774:

"MY DEAR G——, It is now brought to Sunday morning again, and no certainty yet of the time I am to return to you. The Virginians give out they will go off this day week, but I doubt the business before us will not be in that state it ought by that time. Mrs. Biddle left us on Friday, and that evening her husband was made Speaker of the House of Assembly of this province. I have not seen him since. I am told the chair went a begging. Galloway was named twice or thrice to it, John Morton, of Chester County, once, and Mr. Dickinson once. Galloway and Dickinson excused themselves for want of health, and unexpectedly a member for Northampton County got up, and prefaced his motion very well, it is said, taking notice of the difficulties the House was under, and said he had a person in his eye who had both health and abilities equal to the service, and as soon as he named Mr. Biddle the House was in an uproar, refused to hear any apology from him, and as many as could lay hold of him did, and forced him into the chair on a unanimous vote. Though I am pleased with the distinction that is paid him, I am afraid it will be prejudicial to his interest. I dined at the Governor's yesterday very agreeably; the set were Mrs. Elliott from New York, Mr. Gibson and his wife, Miss Oswald, John Wilcocks, and myself; and last night I went to club with Mr. Hamilton, whom I met with at the coffee-house, but our company there was not so sprightly. I am told there are letters in town from Boston, mentioning General Gage's declining state of

expressing in conclusion his hope that, to the disappointment of their common enemies, the disputes between the Americans and Great Britain might, like the quarrels of lovers, end in the increased affections of both.

health, supposed to be owing to uneasiness of mind, and that he is now actually confined to his bed. Most persons who wish for peace wish his recovery. It is also said that there are some letters in a late vessel from Liverpool mentioning that the American cause is gaining ground in England, and that Hutchinson and Barnard will be made the scape-goats by the ministry. I hear of numbers of persons having intermittents, so that the Philadelphians must leave boasting of the healthiness of their town. Mr. Paca, of Annapolis, was seized with it yesterday, James Allen has it, and others I do not now recollect. I have felt nothing of it since you left me. Eating and drinking distress me most; however, I was moderate yesterday; the ladies were the means of it, in some measure, and the wine at the tavern at night was bad. All are well at James Read's, and send their love to you. I yesterday delivered my resignation, in writing, of the Attorney-General's office to the Governor, when he told me he would order a commission to be made out for Jacob Moore, as Mr. Rodney had strongly recommended him. Mr. McPherson came to me on Thursday and asked me to go with him to the Governor, but I was obliged to decline it, as Moore was the person I had in view to succeed me, though I have a very favorable opinion of McPherson. Moore very luckily came to town on Wednesday last. He and his wife lodge at Mrs. Vining's. I do not know when they will be down.

"The Governor goes to Chester Wednesday afternoon, and to your town next day. We propose to get Mr. Rodney down.

"Yours, most affectionately,

"GEORGE READ.

"16th October, 1774."

Two days before the adjournment of Congress, Mr. Read writes thus:

"MY DEAR G——, I am still uncertain as to the time of my return home. As I expected, the New England men declined doing any business on Sunday, and though we sat until four o'clock this afternoon, I am well persuaded that our business can by no means be left till Wednesday evening, and even then very doubtful, so that I have no prospect of being with you till Thursday evening. Five of the Virginia gentlemen are gone. The two remaining ones

have power to act in their stead. The two objects before us, and which we expect to go through to-morrow, are an address to the king, and one to the people of Canada. This last was recommitted this evening in order to be remodelled. Your brother George* came to Congress this afternoon. All your friends are well. No news but the burning of the vessel and tea at Annapolis,† which I take for granted you will have heard before this comes to hand. We are all well at my lodgings, and send their love to you.

“I am yours, very affectionately,

“GEORGE READ.

“Monday evening, ten o'clock, 24th October, 1774.”

The Congress of 1774 having adopted a petition to the king, and addresses to the people of Great Britain, to the inhabitants of the province of Quebec, and to the colonies represented in the Congress, dissolved itself, recommending that another Congress should be held in Philadelphia on the 10th day of May, 1775. These state-papers are characterized by perspicuity, cogency of argument, moderation,

* George Ross, a delegate from Pennsylvania.

† “When the brig Peggy Stewart imported into Annapolis a quantity of tea (an article forbidden by the delegates of Maryland, June 22d, 1774), the irritated populace, then collected from the neighboring counties at the provincial court, threatened personal violence to the master and consignees of the vessel, as well as destruction to the cargo. The committee of delegates immediately met and appointed a sub-committee to superintend the unloading of the vessel, and to see that the prohibited article was not landed. Still the excitement of the popular feeling continued unabated, and the friends of Mr. Anthony Stewart, the owner of the vessel, applied to Mr. Carroll, as one most able to protect him from violence. His advice was concise and determined:—‘It will not do to export the tea to Europe or the West Indies. Its importation, contrary to the known regulations of the convention, is an offence for which the people will not be easily satisfied, and whatever be my personal esteem for Mr. Stewart and wish to prevent violence, it will not be in my power to protect him, unless he consents to pursue a more decisive course of conduct. My advice is that he set fire to the vessel, and burn her, together with the tea she contains, to the water’s edge.’ The applicants paused for a moment, but they saw no alternative, and Stewart, appearing immediately before the committee, offered to do what Mr. Carroll proposed. In a few hours after, the brigantine Peggy Stewart, with her sails set and her colors flying, was enveloped in flames, and the immense crowd, assembled on the shore, acknowledged the sufficiency of the satisfaction.”—*Biography of the Signers of the Declaration of Independence*, vol. iv. pp. 159, 160.

and dignity. The members of this body, for themselves and their constituents, signed non-importation and non-exportation agreements, the latter to take effect after September, 1775, should the obnoxious acts of Parliament not be repealed in the mean time. The major part of this Congress were confident that these measures would be successful, but some doubted, while a few were of opinion that they would be ineffective.*

The colonies, while anxiously awaiting intelligence of the effect of their proceedings in England, with wonderful unanimity approved and executed the recommendations of Congress. The suspension of labor and of business, which

* "When Congress had finished their business, as they thought, in the autumn of 1774, I had with Mr. Henry, before we took leave of each other, some familiar conversation, in which I expressed a full conviction that our resolves, declarations of rights, enumeration of wrongs, petitions, remonstrances, and addresses, associations, and non-importation agreements, however they might be expected in America, and however necessary to cement the union of the colonies, would be but waste paper in England. Mr. Henry said they might make some impression among the people of England, but agreed with me that they would be totally lost upon the government. I had just received a short and hasty letter, written to me by Major Joseph Hanley, of Northampton, containing 'a few broken hints,' as he called them, of what he thought proper to be done, and concluding with these words,—'*After all, we must fight.*' This letter I read to Mr. Henry, who listened with great attention, and as I pronounced the words '*after all, we must fight,*' he raised his head, and with an energy and vehemence I never can forget, broke out with, '*By —, I am of that man's mind!*' I put the letter into his hand, and when he had read it, he returned it to me, with an equally solemn asseveration that he agreed entirely in opinion with the writer. I considered this as a sacred oath upon a very great occasion, and could have sworn it as religiously as he did, and by no means inconsistent with what you say, in some part of your book, that he never took the *sacred name* in vain. The other delegates from Virginia returned to their State in full confidence that all our grievances would be redressed. The last words that Mr. Richard Henry Lee said to me, when we parted, were, '*We shall infallibly carry all our points; you will be completely relieved; all the obnoxious acts will be repealed; the army and fleet will be recalled, and Britain will give up her foolish project.*' Washington only was in doubt. He never spoke in public. In private he joined with those who advocated a non-exportation as well as non-importation agreement. With both he thought we should prevail, without either he thought it doubtful. Henry was clear in one opinion, Richard Henry Lee in an opposite opinion, Washington doubted between the two. Henry, however, appeared in the end to be exactly right."—*Letter of John Adams, Niles's Register*, vol. xiv. p. 258; No. xvi. July 13th, 1818.

was consequent, caused wide-spread distress, and while some were in want of the necessaries of life, others suffered not a little from loss of its luxuries which habit had made essential to their comfort. Not alone the rich responded to appeals to their generosity in behalf of their poorer brethren, but all who had aught beyond their own necessary expenses. The colonists were informed, by every means of addressing them, of the grounds of the controversy with the parent state, and incited by constant appeals to the noblest principles of man's nature to resist all attempts to crush their liberty; though hopeful of redress of all their grievances, they were preparing for the worst, by military training, by manufacturing gunpowder, and procuring, whenever they could do so, arms and military stores. This marvellous change in the habits of three millions of people was wrought by their love of liberty, which was enthusiastic.

The committee appointed to receive donations from the people of New Castle County for the sufferers under the Boston port-bill, remitted for their benefit nine hundred dollars, which occasioned the following correspondence:

“NEW CASTLE, February 6th, 1775.

“SIR,—I take the liberty to address this to you, as you have subscribed a letter per order of this committee of donations, now before me, dated the 25th of August last, and directed to the committee of correspondence of the county of New Castle, and I am to inform you that Nicholas Van Dyke and myself were appointed to receive the donations of the people of this county for the relief of the poor of Boston, and that we have now in our hands upwards of nine hundred dollars, which we have endeavored to remit to you by way of bills to be drawn by mercantile persons in Philadelphia, who transact business with your colonists, and were safe hands; but upon a strict inquiry we can find none amongst them willing to draw any bills for some time to come, lest they should distress their correspondents by drafts too early for the season of business. Upon this disappointment we had thoughts of purchasing English bills, but upon reflection doubted whether you might not be losers by the exchange; therefore, I must request the advice and direction of your committees as to the most speedy and acceptable mode of remittance. Perhaps

some amongst your townsmen may with convenience give orders to their correspondents at Philadelphia to draw for the amount of our small sum, which it is hoped will not come to you out of season, though late. You may be assured that it is from a people who sincerely sympathize with you in your distresses, and are anxious for your relief. Please to present my compliments to Messrs. Cushing, Adamses, and Pain, and I am, with esteem, your most obedient and humble servant,

“GEORGE READ.

“MR. DAVID JEFFRIES.”

“BOSTON, February 24th, 1775.

“SIR,—By your letter of the 6th instant, directed to Mr. David Jeffries, the committee of this town appointed to receive and distribute the donations made for the employment and relief of the sufferers by the Boston port-bill, are informed that a very generous collection has been made by the inhabitants of the county of New Castle on Delaware, and that there is in your hands upwards of nine hundred dollars for that charitable purpose. The care you have taken with our worthy friend Nicholas Van Dyke, Esquire, in receiving these contributions, and your joint endeavors to have them remitted in the safest and most easy manner, is gratefully acknowledged by our committee, and they have directed me to request that you would return their sincere thanks to the people of New Castle County for their great liberality towards their fellow-subjects in this place, who are still suffering under the hand of oppression and tyranny. It will, I dare say, afford you abundant satisfaction to be informed that the inhabitants of this town, with the exception only of a contemptible few, appear to be animated with an inextinguishable love of liberty. Having the approbation of all the sister colonies, and being thus supported by their generous benefactors, they endure the most severe trials with a manly fortitude, which disappoints and perplexes our common enemies. While a great continent is thus anxious for them, and continually administering to their relief, they can even smile with contempt on the feeble efforts of the British administration to force them to submit to tyranny by depriving them of their usual means of subsistence. The people of this province behold with

indignation a lawless army posted in its capital, with a professed design to overturn their free constitution. They restrain their just resentment, in hopes that the most happy effects will flow from the united applications of the colonies for their relief. May Heaven grant that the councils of our sovereign may be guided by wisdom, that the liberties of America may be established, and harmony restored between the subjects in Britain and the colonies!

“I am, sir, your sincere friend and fellow-countryman,
“SAMUEL ADAMS.

“P.S.—The committee have the prospect of negotiating this matter with some friends in Philadelphia.

“GEORGE READ, Esquire.”

It appears by the receipt of Samuel Adams, chairman of the Boston committee of donations, that the sum of three hundred and seventy-five pounds, Pennsylvania currency,—being one thousand dollars at seven shillings and sixpence each,—was received by him from Mr. Read, 11th May, 1775; and the additional sum of one hundred pounds was subsequently received by the New Castle County committee, as further appears by the following letter and receipt, and was no doubt remitted to Boston:

“SIR,—I received yours, attended by fifty pounds, part of the Boston subscription, by Mr. Tatlow, but have heard nothing from Mr. Tybout, though I sent your letter the day after I came up.

“It is said an express came to town last evening with an account that some Connecticut volunteers, under the command of a Captain Arnold, had taken possession of the fort at Ticonderoga, or Crown Point, in which there are near two hundred cannon, etc.; this, to prevent the Canadians marching down into the New England colonies. Upon the payment of the one thousand dollars to Mr. Samuel Adams, as chairman of the committee of donations at Boston, he desired that I should, in the name of that committee, give thanks to the contributors.

“In haste, your most humble servant,
“GEORGE READ.

“18th May, 1775.*

* This letter was kindly sent to me, 27th January, 1865, by a lady, a descendant of Governor Van Dyke, who found it among his papers,

“We know not how long we may stay here. All secret as before.

“Received, this 17th July, 1775, of Nicholas Van Dyke, Esquire, fifty pounds, for so much of the donations of the inhabitants of New Castle County towards the relief of the poor of Boston.

“£50.00.

GEORGE READ.”

On the 30th of September, 1774, by proclamation, the British Parliament, after an existence of six and a half years, was dissolved, and a new one summoned by writs returnable November 9th. The majority of the people, coinciding with the ministry in their policy towards America, were certain almost to elect a Parliament favorable to measures of coercion; the ministers, therefore, did not risk office by this appeal to the nation, while the result they anticipated would much strengthen them. The new Parliament met November 30th. In the House of Commons were members of great ability, knowledge, and experience, and some of transcendent genius and oratorical powers. While Chatham, in the House of Lords, was closing his brilliant career by efforts of his matchless oratory in behalf of freedom and justice, Charles Fox astonished the Commons and the nation by the display of power in debate which eclipsed veteran speakers. The king's speech stated in strong language the attitude of opposition to law and authority of his American colonies, and, claiming the right to tax them without their consent and without regard to their opinions and habits, expressed the determination to resist every attempt to curtail the authority of Parliament, and recommended vigor and harmony, with the assurance that his ministers would persevere in the policy they had pursued. The address of Parliament responded affirmatively to the speech. The king had refused to receive the petition of the Congress of 1774, on the ground that it was an unlawful and seditious assembly. Three colonial agents prayed Parliament to hear them in regard to this petition, but were denied a hearing on the same ground. Lord Chatham, in the House of Lords, moved the recall of the

and was written in Philadelphia, where Mr. Read was in attendance on the Continental Congress.

troops from Boston, but his motion, though sustained by a speech memorable for its force and eloquence, was rejected by a large majority. He then proposed the repeal of all the obnoxious acts of Parliament, asserting at the same time its supremacy, excepting the right to tax, but with the like result. An address to the king (February 3d) was moved in the Commons, and carried there and in the upper House, declaring Massachusetts to be in rebellion and aided and abetted by combinations in other colonies, and beseeching him to take efficient measures to reduce them to obedience. In reply, the king recommended an increase of the land and naval forces, which was voted. In the same month the act was passed which restricted the trade of the northern colonies to Great Britain and Ireland, and prohibited them from fishing on the banks of Newfoundland; the last, an especially cruel measure, for it deprived thousands of poor, hardy, and industrious men of their only means of gaining a living for themselves and families. Then was adopted Lord North's conciliatory plan, as it was called, which conceded nothing, for it only changed the manner without renouncing the right to tax. On the 29th of March, 1775, Mr. Burke offered his plan of conciliation, which, in substance, was that Great Britain, abandoning a novel and doubtful—if not detrimental—policy, and recurring to the ancient one by which she had so greatly prospered, should leave the colonists to tax themselves, as theretofore, by their own representatives, and repeal *all* the acts of trade enacted to raise revenue. This plan was rejected by the determined ministerial majority. Then the act restricting the trade of the northern colonies was extended to all but New York, where the tories were numerous, and which, therefore, from policy was thus favored. Thus was completed the ministerial plan of coercion, the effect of which was awaited anxiously but with great confidence in its success.

In the beginning of April were received the acts of Parliament, which completed what has been aptly termed "*the black catalogue*" of measures which constituted the ministerial plan of coercion. Instead of intimidating, it produced the conviction everywhere, "after all, we must fight." The provincial congress of Massachusetts, which exercised executive as well as legislative power, announcing this in-

telligence, warned the colonists that great reinforcements of the British troops already in their colony were soon to be expected, and exhorted them to redoubled efforts to prepare, by military training, to encounter these invaders of their soil. Blood had been shed at Concord and Lexington, and the wavering in New York—convinced that appeals to the justice or generosity of Britain were fruitless—coalesced with the Whigs, and this province from that time made common cause with her sister colonies. The middle and southern colonies, while they still believed that the conflicting pretensions of Britain and America might be accommodated,—and earnestly desired reconciliation,—with one voice declared their preference of war in its worst form—even civil war—to submission, and the royal government in all of them was at an end. In Virginia, the seizure of powder at Williamsburg, by Lord Dunmore, caused a rupture, which was preceded by acrimonious contests between that nobleman and her Assembly; and his calumny, that the Virginian planters rebelled to escape payment of their debts to British merchants, his intrigues with the Indians to gain them to the royal cause, and, above all, his atrocious offer of freedom to the slaves who should rise against their masters, provoked most violent indignation. The governors of North and South Carolina, having endeavored to incite the slaves of those colonies to insurrection, and intrigued to bring their back-settlers to the royal standard, fled ingloriously from the storm of wrath these measures awakened.

Such was the state of public affairs when the delegates from the colonies organized the General Congress of 1775, on the 10th of May, of that year, by the choice of Peyton Randolph, of Virginia, for president, and Charles Thomson, of Pennsylvania, for secretary. Mr. Read, Mr. Rodney, and Mr. McKean represented the lower counties on Delaware in this body. Their credentials were as follows:

“LOWER COUNTIES ON DELAWARE, IN ASSEMBLY, MARCH
16TH, 1775, A.M.

“*Resolved*, That the honorable Cæsar Rodney, Thomas McKean, and George Read, Esquires, be and they are hereby appointed and authorized to represent this government at the American Congress, proposed to be held at the city of Philadelphia on the 10th day of May next, or at any other

time or place, with full power to them, or any two of them, together with the delegates from the other American colonies, to concert and agree upon such further measures as shall appear to them best calculated for the accommodation of the unhappy differences between Great Britain and the colonies, on a constitutional foundation, which the House most ardently wish for, and that they report their proceedings to the next session of the General Assembly.

“True copy of minutes of Assembly.

“DAVID THOMSON,

“*Clerk to the Assembly.*”*

I regret that but four of Mr. Read's letters, written in 1775, have come into my possession; the first of them is addressed, as they all are, to Mrs. Read, and dated at Philadelphia.

“May 18th, 1775.

“MY DEAR G——, You too justly hint at my inattention to this kind of correspondence, but the life I lead here will in some measure account for it. I prepare in the morning for the meeting at nine o'clock, and often do not return to my lodgings till that time at night. We sit in Congress generally till half-past three o'clock, and once till five o'clock, and then [1] dine at the City Tavern,† where a few of us have established a table for each day in the week, save Saturday, when there is a general dinner. Our daily table is formed by the following persons, at present, to wit: Messrs. Randolph, Lee, Washington, and Harrison, of Virginia, Alsop of New York, Chase of Maryland, and Rodney and Read. A dinner is ordered for the number, eight, and whatever is deficient of that number is to be paid for at two shillings and sixpence a head, and each that attends pays only the expense of the day. I have dined there thrice in this way, as I find it very disagreeable to keep a table covered for me at these late hours at my brother's.

“I am so apt to put off the beginning to write to the last moment that I miss my opportunity. I must break through

* Journals of Congress, 1774, '75, and '76, vol. i. p. 72.

† The City Tavern was situated upon Second and Walnut Streets, was erected A.D. 1770, and was a distinguished eating- and boarding-house.—*Watson's Annals of Philadelphia*, p. 403.

this practice or I shall not mend. At this moment the sun is rising [and I am writing], though I got into my bed the last night just as the clock struck twelve, being told that the stage sets off at six this morning.

“I drank tea with Mrs. Vining yesterday, having seen her at the commencement of the college in this place, where the members of Congress attended by special invitation.

“As to news, you will see the depositions relating to the attack of the troops in their expedition to Lexington and Concord. These were sent to Congress, and by them ordered for publication in Bradford’s paper, which you get by the post.* I inclose the ‘Evening Post.’ Last night an express came to town from one Colonel Arnold, informing that, with a detachment of men from the colony of Connecticut, he had taken possession of the fort Ticonderoga,† an important pass on Lake Champlain, which, if kept, will prevent any army from Canada. I have not heard the particulars. It is reported that Dr. Cooper, President of the College at New York, and J. Rivington, have retired on

* These depositions were sent to the Continental Congress by the Provincial Congress of Massachusetts, and declare that the British troops were the aggressors at Lexington and Concord. It is true, depositions of British officers were published: according to which the Americans fired first, but to which they replied, it was improbable undisciplined militiamen would attack a far more numerous body of trained soldiers. Admitting these depositions to be equally reliable, and neutralizing each other, or putting them aside as irreconcilable, there remains no evidence but the circumstance of improbability in this case, which must decide it in favor of the Americans. The American depositions show that British soldiers on their return behaved with great barbarity, plundering and burning houses, killing helpless and aged men, and turning women in childbed into the open air.

One of these deponents, Hannah Bradish, sets forth her loss with great particularity. This is the list of articles she missed when the British soldiers left her house, and which she verily believed they took with them: one rich brocade gown, called a negligee, one lutestring gown, one white quilt, one pair of brocade shoes, three shifts, eight white aprons, three caps, one case of ivory knives and forks, and several other articles.—*Journals of Congress*, 1774, ’75, ’76, pp. 72–89.

† Fort Ticonderoga, now in ruins, is situated on an eminence on the west side of Lake Champlain, just north of the entrance into it of the outlet from Lake George, fifteen miles south of Crown Point, which were taken by Generals Allen and Arnold, then colonels, 10th May, 1775. These posts have been called the “gate” and “key” of Canada.—*Encyclopædia Americana*, vol. xii. p. 252.

board a man-of-war there; that James Delancey, Peggy Allen's husband, is scouting through the by-roads, towards Colonel Johnston's, in the Mohawk country; and that Oliver Delancey, captain of a troop of horse, that is coming over, has been on a visit to his father, but secretly retired, and is travelling in disguise through the back parts of the country towards Boston, and [I shall be] much [surprised] if he is not interrupted before he gets to his journey's end.

"Your friends here are all well. I dined at Gurney's last Sunday.

"Most affectionately yours,

"GEORGE READ.

"George must trust for an answer to his letter."

Mr. Read writes again, May 23d :

"MY DEAR G——, That you may not charge me with inattention, I take pen in hand, at a late hour, to chat with you, before I retire to my nest, as Mr. Van Luvenigh, whom I met on the Common this evening, returns to your town to-morrow, and promised to call upon me.

"I really begin to tire of my confinement. I attended at nine o'clock in the forenoon [to-day], and did not stir till after five; this is common; could we separate at three, I could bear it tolerably well. On Monday I dined with a select company of two or three persons at Mr. Dickinson's, where you were inquired after. He was, and indeed still is, much affected with the loss of his youngest child—the surviving one is a fine, hearty girl. I had an invitation to dine at Mr. James Allen's the same day, but subsequent to the other. An invitation is sent me this evening by Andrew Allen to dine on Saturday; but we distress these people by our late hours, though there is but little entertaining at this Congress compared to the last. The delegates are not such novelties now.

"There is a paragraph in the New York paper, brought by this day's post, that the regiment of horse, expected from England, had refused to embark, and also that the troops from Ireland were stopped on occasion of some disturbance there,—very lucky for America, if this be true; as it was our great dependence to save fighting here that the people at home would rouse and exert themselves to prevent a civil war here; however, no great dependence can be put on

this intelligence. A private letter from New York mentions that one regiment was detained, but the rest were coming, which, or whether either is true we cannot learn with any certainty yet.

“James Read had the ague yesterday; the rest of the family and all your friends here are well.

“I bid you good-night, and am yours, most affectionately,
“GEORGE READ, Philadelphia.

“Kiss our little ones for me.

“Per Mr. Van Luvenigh.”

The next letter was written 13th July, 1775.

“MY DEAR G——, I did expect you would have been agreeably surprised by a visit from Mrs. Biddle, as she, with her daughter, Mr. Biddle, and your brother, John Ross, set off in a pilot-boat on Friday morning, got to Chester that evening, and were to have proceeded on, but upon examining the pilot's boy, discovered that he had his master's order to return the next day, at all events; this, and a very warm night, determined their return here yesterday; and I find Mr. Biddle has determined to proceed home upon the first alteration of the weather from the extreme heat that prevails now, and this I think is right.

“In the present situation of the members of the Congress, and the state of the business before them, it is highly probable that we shall adjourn for some time. This is but just talked of; the major part of the six middle colonies are for it; however, some new business may frustrate the expectation of some persons of an early adjournment.

“The Parliament was prorogued on the 26th of May for two months. The king's speech upon that occasion has come over; there was nothing particular in it. The news of the Lexington battle had not got home then, but it is reported came two days after,—to wit, the 28th. This is a mere verbal account.

“Your nephew, James Ross, will command a company of riflemen,—one company only had been ordered to be raised in the county of Lancaster; however, Jemmy undertook to raise the second, and they have been accepted of by Congress. I have heard nothing from Colonel Thompson,—we expect him every day.

“The Congress have received no letter from General

Washington since his arrival at the camp. The account of their reception there, mentioned in Bradford's paper of yesterday, is said to be wrote by Griffin, General Lee's aid-de-camp. The list of the slain* on both sides, as mentioned in the same paper, came from Joseph Read, the lawyer, of this place. He went from hence with the general, and now acts as his secretary.

"Your friends are all well. I wish to share the cool breezes of New Castle with you. I grow impatient, but this only increases my uneasiness. Kiss our little ones, and believe me yours, most affectionately,

"GEORGE READ, Philadelphia."

The Congress recommended the training of the militia, and the raising of Continental troops, for which the necessary measures were adopted, and provided for the organization of the higher departments of the army, and adopted rules for its government, though as yet raised under the authority of the colonies, who furnished the quotas which composed it. They agreed to a manifesto or declaration of the causes and necessity for taking up arms. They authorized the issue of three millions of bills of credit for the expenses of the war. They adopted a petition to the king, and addresses to the inhabitants of Great Britain, to the Assembly of Jamaica, and to the people of Ireland, having previously approved a letter to the oppressed Canadians, reported by a committee of their body, and ordered it to be translated into French, and distributed.†

* At Bunker's Hill, I suppose.

† "I took my seat in the Congress of 1775 (June 21st), and was added, with Mr. Dickinson, to the committee appointed to prepare 'a declaration of the causes of taking up arms.' I prepared a draft of the declaration (which had been previously drawn, and recommitted because unsatisfactory). It was too strong for Mr. Dickinson. He still retained the hope of reconciliation with the mother-country, and was unwilling that it should be lessened by offensive statements. He was so honest a man, and so able a one, that he was greatly indulged, even by those who could not feel his scruples. We therefore requested him to take the paper, and put it into a form he could approve. He did so, preparing an entire new statement, preserving of the former the last four paragraphs, and the last of the preceding one. We approved, and presented it to Congress, who accepted it.

"Congress gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of our body, in permitting him to draw their second 'Petition to the King'

On the 15th June George Washington was unanimously elected, by Congress, commander-in-chief of all the forces raised or to be raised for the defence of American liberty, and on the 16th of that month accepted this high and responsible trust with the modesty and disinterestedness which distinguished him. He took his departure immediately for the army, and arrived, about the beginning of July, at Cambridge, its head-quarters, where he assumed the chief command.

Congress took a recess from the 1st of August to the 5th of September, but did not, for want of a quorum, recommence business till the 13th of that month. (Journal, vol. i. pp. 180, 181.)

General Washington was at the head of about fourteen thousand five hundred men, but disorganized, and inadequately supplied with powder and arms, especially bayonets, tents, and clothes, and without engineers, and with a small supply of working-tools. The American army occupied both sides of the Charles River, its right on the high grounds near Roxbury, extending from thence towards Dorchester; and its left was protected by the river Mystic or Medford. The space thus occupied was about twelve miles. Boston stands on a neck of land which extends northeastward into the ocean, and is joined by a narrow isthmus to the continent; which isthmus is bounded by the Atlantic to the south, and the Charles River to the north. The American and British armies labored on their works to strengthen them, with some skirmishing, but with little loss. General Washington was anxious to attack the works of the enemy, being strongly inclined to think they could be stormed, but a council of his officers not advising an attempt so hazardous, the blockade of Boston was continued.

While Mr. Read and his brother-in-law, George Ross, a

according to his own ideas, and passing it with hardly any amendment. The disgust against this humility was general, and Mr. Dickinson's delight at its passage was the circumstance that reconciled them to it. The vote being passed,—although further observation upon it was out of order,—he could not refrain from rising and expressing his satisfaction, and concluded by saying, 'There is but one word, Mr. President, in the paper I disapprove, and that is the word *Congress*.' On which Ben. Harrison rose and said, 'There is but one word in the paper, Mr. President, which I approve, and that is the word *Congress*.'"—*Writings of Thomas Jefferson*, vol. i. pp. 10, 11.

signer of the Declaration of Independence, in conjunction with the sages of Congress, were giving tone and direction to the ardor of our armies, *four* of their family were asserting the liberty of their country in the field: Colonel Bedford, afterwards Governor of Delaware; Colonel Read, of Philadelphia, who a few years since was gathered to his fathers, aged almost fourscore years; James, son of George Ross; and Colonel, afterwards General, Thompson, who had married a sister of Mr. Read. The following letter from General Thompson, who, at the head of the first rifle regiment raised in Pennsylvania, joined the American army besieging Boston, indicates the sprightly courage of the Irishman, while it exhibits in pleasing characters the naïveté of the soldier. It was written from the American camp, 10th of September, 1775:

“DEAR BROTHER,—I would have written to you before this time, but was prevented by being very much hurried when I first came here, and I knew you had accounts every day from the people here, who had much more time to write.

“I am fixed at present on the most beautiful spot of ground in the world, as I can see from the door of my tent all our well-regulated army from Roxbury to Winter Hill, and at the same time look down upon the enemies of our country, confined within the narrow bounds of Boston and Bunker Hill, and further, you may depend, they shall not pass, had they Lord North and [all] the troops in the pay of Great Britain to assist them.

“Our troops are well supplied, and in high spirits, and long much to come to action; but I am doubtful we shall have little to do in the fighting way.

“I am very happy in all my commanding officers. I always had a high esteem for the commander-in-chief, and higher now than ever. I am every day more pleased with General Lee; our country owes much to him, and happy we are that a man of his great knowledge assists in the command of our army.

“They have appointed me the second colonel in the Continental army, and Colonel Fry, that is the first, does the duty of a brigadier-general: so that if my friends take the necessary care for me, I may soon be promoted either in Continental or Provincial Congress.

“All the news is in cannonading, and a few bombs, which are the most harmless sport in life; indeed, I have seen more mischief done by throwing the same number of snow-balls, but don't tell cousin Gurney* so, or he will bring over the poor devils he killed in Germany, last war, to show that people have been put to death by cannons in other parts of the world, though the Americans are proof against them.

“Let me hear from you. My best compliments wait on Mrs. Read, your dear little ones, and all friends, and believe [me], dear George, to be your very affectionate brother,

“WILLIAM THOMPSON.

“P. S.—My love to my brother John [Ross]. I know he will be pleased to have his liberty secured to him, whatever he may say to the contrary.”

General Thompson again wrote to Mr. Read.

“PROSPECT HILL, October 26th, 1775.

“DEAR BROTHER,—I received your kind letter, for which I return you my thanks.

“Soon after my arrival here I delivered an account of the five thousand dollars to his Excellency General Washington, which he says he sent to the Congress. All the cash I paid the officers and soldiers of the regiment, the blankets, hunting-shirts, rifle-guns, etc., I have charged to the respective companies, and I am certain no mistake can arise in that quarter; and if it appears that anything is brought in the account from the different committees, and charged before, it will be found out when the accounts are compared, and I am certain I can, on seeing the state of the whole accounts, prevent any loss to the public. The cash I paid the wagoners I have ordered to be stopped out of their accounts, and I believe have mentioned it on the certificates which I gave them. I would not have made a charge of my own tent, etc., but I find that tents, blankets, etc. are all charged to the public by the officers of the army, so I have followed the good example.

“I shall write you and brother George fully to-morrow,

* Son-in-law of John Ross, and formerly an officer in the British army.

by Mr. Jesse Lukens. All I can say at present in regard to military matters, is—we are plagued keeping the regulars in, and the poor devils are as much put to it to keep us out, and so ends my story, and so will end our campaign.

“And am yours, very sincerely,

“WILLIAM THOMPSON.*”

“GEORGE READ, Esquire.”

The possession of Canada was a favorite object of Congress, who did not overrate its importance. The invasion of New York might be anticipated from Canada, and attempts were actually making to that end, and a great quantity of military stores was deposited at Quebec. The Canadians were disaffected to Great Britain, in consequence of the recent Acts of Parliament, in relation to their province, and would probably join the standard of the colonists, should they anticipate the British in occupying it, with an army that could protect them. General Schuyler was ordered to enter Canada. This distinguished officer obeyed, but in an early stage of the campaign was totally disabled by disease, and the heroic Montgomery, next to him in rank, assumed the command of the invading army. He reduced St. John's and Montreal, and with a force, diminished to three hundred men by the necessity of garrisoning those towns and Chambly, he resolved to attack Quebec. In the mean time Colonel Arnold, detached in August by Washington, with a force of about one thousand men, was marching upon that city.† After ascending the Kennebec River, as far as the lake of St. Peter, he traversed the wilderness between the frontier of New England and the St. Lawrence, overcoming almost incredible difficulties, scaling rugged and lofty hills, cutting roads through nearly impervious forests, wading morasses, and hauling bateaux against rapid streams. On the 9th of November, Arnold, his force diminished one-third by the return of his rear-guard, to escape starvation, arrived at Point Levi; but high winds delayed his crossing the St. Lawrence, and other untoward circum-

* For a notice of General Thompson, see Appendix to this chapter.

† As Charlton's force was insufficient to defend successfully both Montreal and Quebec, the object of Washington was to reduce him to a painful dilemma—to choose which he should leave to be captured by the American invaders.

stances prevented an immediate assault upon Quebec, which there is strong reason to believe would have been successful. Retreating to Point aux Trembles, twenty miles above Quebec, he awaited the arrival of Montgomery, who, as expeditiously as possible, joined him, and advancing with their united forces, but a handful, set down before Quebec.

Fourteen days before the assault upon Quebec, Major Macpherson, one of Montgomery's aids, wrote the following letter to Mr. Read :

“MY DEAR SIR,—A few days ago I was favored with your letter of the 11th of last month. I esteem myself much obliged by the friendly assurances it contains. ✓

“The general's dispatches will inform you of our former motions, which I dare say will meet the approbation of Congress, especially as we have been successful.

“Yesterday I was sent with a flag to try for the last time if Mr. Charlton would give over an useless defence, and thereby save the town and garrison from the distress of a blockade, or the horror and carnage of an assault. On my appearing before the walls a message was sent to him, and an officer soon after informed me I should not be admitted. I then asked if the governor would send some one to receive my letter, I was told ‘to make the best of my way off; for he would receive nothing from General Montgomery.’ To this I answered, ‘that Mr. Charlton would remember this by-and-by.’ It was with difficulty some of the people were restrained from firing on me, during this parley (which lasted a quarter of an hour), as they had done twice on flags sent by Colonel Arnold. But the most of those who were on the wall seemed disposed to listen to terms, as far as I could guess from their behavior. The officer who first appeared had agreed to my carrying my side-arms into town. But the general rendered our negotiation of no effect, by forbidding either me or my arms to enter. I hope this attempt, fruitless as it was, will open the eyes of the people to his conduct, and show them the folly of suffering his madness or pride to sacrifice their lives and properties by not hearing terms, which, if he did not like, he might refuse. But the truth is, that he is afraid of their receiving information of our conduct, or intentions, as he well knows the inhabitants do garrison duty only be-

cause he and his emissaries have told them that we have plundered every place which we have passed through except Montreal, which they say was redeemed for £16,000 sterling.

"Notwithstanding the advanced season, I hope we shall carry the resolve of Congress, of the 11th of November, into execution, by taking Quebec,* though considering you did not then know that we were in possession of St. John's, it might be thought you rated our abilities too high. But to willing minds nothing is difficult, and to a victorious army nothing is impossible. You see I have learned to gasconade a little. The air of the country is infectious in that particular. If the French could but do what they say, their attempts for universal empire would not have been so fruitless.

"I am happy to hear New Castle is not a deserted village, and hope my friends there will be free from apprehension of men-of-war during the winter. My best compliments attend them all, and particularly your connections. Be pleased to make my respects to Mr. McKean, Brigadier McKinley, and Brigadier Rodney, and believe me ever your most faithful, humble servant,

"JOHN MACPHERSON.

"Before Quebec, 16th December, 1775.

"GEORGE READ, Esquire.

"I had almost forgot to mention to you General Montgomery's writing to General Schuyler to recommend me for a majority in the new levies in Pennsylvania, or our government. I am tired of leading a life of so much ease, while other officers are exposed to hardships almost double what I experience. Head-quarters are extremely agreeable, but I wish for the roughs as well as the smooths of a soldier's life."†

Before Mr. Read received this letter Quebec was assaulted by the American army unsuccessfully, and the brave Mont-

* "November 11th, 1775. *Resolved*, That the fortifications of Quebec, in case it comes into our hands, be repaired, and furnished with such provisions, arms, ammunition, and artillery as may be necessary for its security."—*Journals of Congress*, 1774, '75, '76, vol. i. p. 230.

† See Appendix C, notice of Major Macpherson.

gomery, with Macpherson and Cheesman (his aids) numbered with the dead.

Mr. Read, 17th December, 1775, writes as follows:

“MY DEAR G——, I have yours of the 14th, which I was waiting with impatience for, as I began to suspect that Tatlow would have laid up his boats. As soon as this shall happen you must make use of the post for the conveyance of your letters. I find that the news of raising a battalion in our government has spread among you by the persons you mention as intending to apply for offices; perhaps, when they come to know that their service will not be confined to the government, but [they] may be ordered to the most distant parts of the continent, and that as soon as they are raised, it may repress the ardor of some of them.

“We have had no certain accounts from any part of Canada since the capitulation of Montreal, therefore what you see in the papers is not to be relied on.

“I doubt you will not see me in the beginning of the holidays. An adjournment of Congress is much talked of, and wished by some, but really there is so much that must be done before a separation that I cannot give a hint of the time.

“I was yesterday put upon a committee that is to meet every evening at six o'clock, which may be obliged to sit regularly for ten days to come, and as I am considered a great absentee heretofore, I must attend constantly for awhile.*

“Your friends are all well. My love to our little ones, and believe me yours, most affectionately,

“GEORGE READ.”

On Saturday, December 30th, 1775, Congress adjourned to Monday, January 1st, 1776, when they met, in ignorance of the repulse and death of General Montgomery, and hopeful of his success. They would have been startled indeed could they have raised the curtain which hid the future, and descried events which were to make the new year, on

* Mr. Read, December 14th (not 16th), was appointed by ballot, with others, on the committee of thirteen, to carry into execution the resolutions of Congress for fitting out a naval armament.—*Journals of Congress*, 1774, '75, '76, vol. i. p. 273.

which they entered, one of the most remarkable in our annals,—the evacuation of Boston, the Declaration of Independence, the battle and defeat of Brooklyn, the loss of Long Island and the city of New York, the capture of Fort Washington, the evacuation of Fort Lee, the retreat of our army through Jersey, and the sudden irradiation, as the year ended, of the gloom of disaster by that brilliant stroke of generalship at Trenton, which revived the waning confidence of his countrymen in the American commander-in-chief and restored hope when their cause seemed lost.

APPENDICES TO CHAPTER II.

A.

NOTICE OF GENERAL THOMPSON.

WILLIAM THOMPSON was by birth an Irishman. He emigrated, at an early period of the last century, to Pennsylvania, and settled on a farm he subsequently called "Soldier's Retreat," near Carlisle, in Cumberland County, of that State, then a frontier settlement. Agriculture did not afford sufficient occupation for a man of his active and intrepid temper, he, therefore, while a farmer, was also a surveyor; and to be a skillful one, as he was, must have received at least a good education in the common branches of learning. The surveyor, in the frontier settlements of the last century, was a very different person from the surveyor of the present time. Instead of a justice of the peace, a country school-master, or a scrivener running the lines of farms in long-settled districts, with no more hardship than being occasionally incommoded by a summer's sun or winter's wind, or having to wade a swamp, or being wetted by a thunder-gust, he was employed to locate grants of land in unsettled territory. He required a party of men, not only sufficient for the work of surveying, but others for their protection, hunting, cutting roads, felling giant trees, bridging streams, and camping; and must have been qualified to lead them by bravery, activity, enterprise, vigilance, prudence, and providence, with the eye quick to perceive the character of the country he traversed. For weeks or months he threaded forests never before penetrated by the white man, exposed to the deadly fang of the rattlesnake, or spring of the panther, or arrow of the red man, lurking to add to his trophies more scalps of the pale-faces. The influence of the grand and beautiful in the scenery of the solitudes he explored was salutary, for it purified and elevated.

With such training, it excites no surprise to find William Thompson serving in the war between France and England, prosecuted in America, for the magnificent prize of western territory each coveted.

Fort Granby, on the Pennsylvania border, had been surprised by the French and Indians, and its garrison, tottering under its stores with which their exultant captors loaded them as beasts of burden, were hurried away captives. More than a thousand whites had fallen beneath the tomahawk, their humble but happy dwellings given to the flames, their wives and children sharing their fate or made prisoners. A place of rendezvous of these devilish Indians was Kittanning, on the Alleghany, a river which has its highest sources in Potter County, Pennsylvania, and like a coy girl,—affecting to shun the youth of her choice,—running there a few miles, it enters New York, but after a short course in that

State, again turning into Pennsylvania, flows through a mountainous and romantic region, till, mingling with the Monongahela, they form the Ohio, which the French, charmed by its limpid waters and the beautiful scenery of its banks, loved to call the "belle rivière." An expedition of three hundred provincials, under command of Colonel Armstrong, was concerted against Kittanning. His troops rendezvoused at Fort Shirley, on the Juniata River, one hundred and fifty miles from Philadelphia, from which post he moved August 30th, 1756. Their march through a wilderness was conducted with secrecy and celerity. Armstrong joined the party he had sent in advance, with his main force, at Frankstown, and they arrived at a point distant six miles from Kittanning in the evening of September 7th. Discovering a party of Indians, Armstrong did not attack them, fearing, if he did so, he should alarm those at Kittanning; but passing them unnoticed, left twelve men under Lieutenant Hogg to assail them on the morrow at daybreak. Continuing his march with skill, equal to that of the stealthy red men, he struck the Alleghany one hundred perches below Kittanning at three o'clock in the morning of September 8th, guided by the whoops of the Indians, who were celebrating by a scalp-dance their recent successful marauds. That the reader may have the whole scene before him, let him picture to himself a clearing, thronged with Indians, warriors, squaws, and children; the braves first dancing singly, and chanting their exploits, and as they ended striking the war-post in the centre of the assembly; then all dancing together, flourishing their knives, with whoops and yells truly demoniac. The dogs, offered in sacrifice, had been eaten, and the exhausted revellers had sunk into slumber in the false and fatal confidence that their manitous, whom they had propitiated and invoked would keep around them sure watch and ward. The night was warm and beautiful, moonlit and calm, and a mist from the Alleghany, like a veil of gossamer, softened, without hiding from view, the hills, and vales, and forests. The setting of the moon—so poetically termed, by some Indian tribes, the "sun of night"—was the signal for the attack. The Indians were divided, part being with their chiefs, Captain Jacobs and "Shengis," in the village, and the rest in an open corn-field, which the heat of the night made them prefer to their houses for a sleeping-place. The attack began by the provincials charging the Indians in the corn-field, through which, having killed several of the enemy, they entered Kittanning. The Indians, though completely surprised, defended their houses bravely. Armstrong fired them. They refused, though offered quarters, to surrender. The chiefs chanted their death-songs, while the horror of the scene was enhanced by frequent explosions of gunpowder, of which there was a large quantity recently received from the French,—“with which explosions,” Armstrong wrote, “he and his men were agreeably entertained.” Of the Indians, a few, who burst through the windows of the burning houses, were shot, among them Captain Jacobs, and the king's son, a child of Anak, said to have been *seven* feet high. The victory was complete. Thirty or forty Indians were killed, Kittanning destroyed, and eleven prisoners released. Colonel Armstrong was wounded in the shoulder, and Captain, afterwards General, Mercer wounded in the arm, and left behind, though he reached the settled country afterwards. The provincials, fearing an attack from Fort Du Quesne,—about forty miles from Kittan-

ning,—immediately after their victory regained their horses, which they had left secured in their rear, and, moving rapidly, arrived safely at Fort Cumberland. General Thompson was a commissioned officer of this expedition. A silver medal was struck by the city of Philadelphia, and given to Colonel Armstrong and each of his commissioned officers, to express the public joy and gratitude for this success, and to commemorate their exploit. I have before me General Thompson's medal, which was given to me by my mother because I was named after him. It is blackened by time. Its device is "an officer followed by two soldiers; the officer pointing to a soldier shooting from behind a tree, and an Indian prostrate before him. In the background Indian houses are seen burning. Its legend is 'Kittanning destroyed by Colonel Armstrong, September 8th, 1756.' Its reverse, the arms of Philadelphia, with the legend, 'The gift of the corporation of the city of Philadelphia.'"*

I have before me the commission of William Thompson, Esquire, as captain of a troop of light horse in the first battalion of the Pennsylvania regiment, in the pay of this province, given under the hand and seal of Lieutenant-Governor Denny, at Philadelphia, the fourth day of May, 1758.

"On the 7th of October, 1763, at the close of the war between Great Britain and France, in America, the King of Great Britain issued his proclamation, testifying his sense and approbation of the conduct and bravery of the officers and soldiers of his armies, and, to reward the same, commanded and empowered the Governors of his three new colonies, and all others the Governors of the several provinces of the continent of North America, to grant, without fee or reward, to such reduced officers as had served in North America during the war then lately preceding, and to such private soldiers as then had been, or should afterwards be, disbanded in America, and were actually residing there, and should personally apply for the same, the following quantities of land, subject, at the expiration of ten years, to the same quit-rents as other lands were subject to in the provinces in which they should be granted, and also subject to the same conditions of cultivation and improvement: viz., to every person having the rank of field-officer, 5000 acres; to every captain, 3000 acres; to every subaltern or staff-officer, 2000 acres; to every non-commissioned officer, 200 acres; and to every private man, 50 acres; which proclamation was transmitted by the King of Great Britain to his several Governors in North America, and by them published, in order to give full information of this gracious decree. In consequence of this information, a number of the officers of the three Pennsylvania battalions who served during the war terminated in 1763, met in Lancaster in 1773, and deputed General Thompson to locate the quantities of land to which they were severally entitled, under the proclamation of the British king, in one of the royal governments, as they could not be obtained in Pennsylvania or any other proprietary government, and to secure their titles thereto in the usual manner. On the 16th of December, 1773, an order was made by the Governor and

*Holmes's Annals, vol. ii. p. 73; Collections of the New York Historical Society, vol. iii. pp. 337, 398, 399, 195; Western Annals, pp. 139-146; Irving's Life of Washington, vol. i. pp. 221, 222, 223; Lewis and Clark's Travels, p. 66; Flint's Geography, vol. i. p. 395.

Council of Virginia, pursuant to the before-mentioned proclamation, ordering that the officers and soldiers therein named should be at liberty to locate their lands wherever they should desire, so as not to interfere with legal surveys or actual settlements, and that every officer should be entitled to a distinct survey for every thousand acres, and defining who should be deemed settlers. In 1774 General Thompson proceeded down the Ohio, with a large number of men to protect him from the Indians, and, with great expense and with great danger to himself, made surveys on the Salt Lick River—then in Virginia, now in Kentucky,—an uninhabited country, free of claims by settlement or prior grant—of a large body of land, and divided the same into tracts sufficient to answer the claims of the said associated officers. General Thompson received a deputation from the College of William and Mary—holding the office of surveyor-general in Virginia—to make these surveys, and when he had completed the draught of them, and had made all the necessary arrangements with the officers for the completion of their titles, went to Richmond, Virginia, in 1775, for the purpose of returning these surveys and having them accepted; but the previous condition was required of him that he should take an oath of allegiance to the King of Great Britain, which, as a patriot, and about to take the command of a rifle-regiment, at Boston, to act against the troops of the British king, he could not possibly comply with: consequently the surveys could not be accepted and patents issued.” Thus he lost his land, but kept his honor. “General Thompson and many of the officers, claimants under the proclamation of 1763, serving in the American armies in the war of our Revolution, could not prosecute their claims until after the peace of 1783, when the survivors of them met, and, having learned that a law had been passed by the Legislature of Virginia, in 1779, declaring that all surveys made under the royal proclamation of 1763 not returned to the land-office thereof within twelve months after the enactment of the law, should be void and forfeited, and that the lands covered by their surveys had been granted to other applicants, deputed Dr. John Morgan to represent their case to the Legislature of Virginia, for redress, either by a repeal of this law, most unjust under the circumstances of their case, or by the grant of other lands as an equivalent; but a committee of the House of Delegates of Virginia, after fully recognizing the facts before stated, in their report to the House recommended the rejection of the petition presented for the relief of these officers, without assigning any reason therefor, and their report was adopted by the House.”*

The following duly certified copy of the resolution and proceedings thereon of the Virginia House of Delegates, on the application for relief of the officers claiming lands under the proclamation of 1763, establishes so indubitably the facts set forth in the foregoing extract from their

* From the Petition of “sundry officers, who served in the British army during the war between France and Great Britain which originated in 1755, to the United States House of Representatives, February, 1806, for a law to authorize them to locate their claims in the western unsettled territory of the United States, the lands ceded to them by the States being equitably thereto subject.” This petition was referred, 2d April, 1806, to the committee on public lands, who made a report on the 9th of that month, which was read, agreed to, and the consideration of the petition postponed indefinitely. The petition, thus indorsed, is before me.

petition to the United States House of Representatives, that I insert it, though thereby subjecting the reader to the repetition of somewhat that has been already stated.

“ Virginia, General Assembly, begun and held at the public buildings, in the city of Richmond, on Monday, the 20th of October, in the year of our Lord 1783, being the 2d session of the present General Assembly.

“ Mr. Mann Page reported from the committee of propositions and grievances that the committee had, according to order, had under consideration the memorial and petition of sundry officers of the Pennsylvania Line, who served in the war which commenced in America in the year 1755, to them referred, and had agreed upon a report, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read and agreed to by the House, as followeth :

“ It appears to your committee that officers of the State of Pennsylvania, by Dr. John Morgan, their Agent, and one of the said officers, made application in the year 1774 to the Governor and Council of Virginia for leave and permission to survey and lay off the portions of land which they were respectively entitled to, under the proclamation of the King of Great Britain, issued in the year 1763 : that the Governor and Council were of opinion that the claim of the said officers to lands, under the said proclamation, was well founded, and a commission was thereupon granted by the masters of William and Mary College to Captain William Thompson, afterwards General Thompson, of the American army, appointing him either a principal or deputy surveyor, for the purpose of making the said survey within this State, for as much land as would answer the claims of the said officers ; but the disputes commencing about that time between Great Britain and America, and the said Thompson, from principles of attachment to his country, refusing to take the oath of allegiance to the King of Great Britain, the said surveys were refused to be received by the surveyor of the county wherein they were made, and the said Thompson quitted this business, and shortly after joined General Washington at the head of a regiment, and that most of the said officers also entered into the service of the United States :

“ *Resolved*, That it is the opinion of this committee that the memorial and petition of the said officers, praying that their claims may be confirmed, be rejected.

“ Extract from the Journal.

“ Teste. J. PLEASANTS, *Clerk*.

“ For copying the above, 100^c cents.”

The following letters relate to the survey of lands claimed under the royal proclamation of 1763. The first of them is from John Randolph of Virginia.

“ SIR,—The President and Masters of our College have delivered to me the commission you desired. I have inclosed it to you, by Mr. Tilghman of your Province.

“ Our Assembly has been this day* dissolved, on account of a resolu-

* May 25th, 1774.—*Wirt’s Life of Patrick Henry*, p. 113.

tion of theirs, in relation to Boston. They had directed a fast to be observed on the first of June, in hopes by that means to avert the danger impending from the vengeance of the Parliament. Perhaps you did not think, when in Virginia, we had half so much devotion among us. The Governor for their piety dissolved them. I hope you are safely returned to Philadelphia, and there enjoy your health after your fatiguing journey.

"I am, sir, your most obedient, humble servant,
"JOHN RANDOLPH.*

"Our newspapers will inform you of the resolutions of the Governor with respect to granting land to the officers, etc.

"To CAPTAIN WILLIAM THOMPSON in Philadelphia."

The next letter is that of Dr., afterwards General, Mercer, who was killed in the battle of Princeton, written from

"FREDERICKSBURG (VIRGINIA), 9th June, 1773.

"DEAR SIR,—Your favor of the 28th of May, together with the certificate I requested, came to hand just now; please to accept my hearty thanks for your ready assistance in expediting that affair. The officers this way have been very dilatory as to securing their lands. Last fall some steps were attempted to be taken, but, I fear, to little purpose. Bullit, † who is appointed surveyor on the Ohio, is in no great estima-

* "John Randolph held the office of the King's Attorney-General for the Colony of Virginia. He was a gentleman of the most courtly elegance of person and manners, a polished wit, and a profound lawyer."—*Wirt's Life of Patrick Henry*, p. 34.

† In 1758 the expedition against Fort Du Quesne, which resulted in its capture by General Forbes, was concerted. In the middle of September, Colonel Bouquet was detached with nearly 2000 men to open a new military road for the army advancing upon this celebrated post. When more than fifty miles from Fort Du Quesne, he detached 200 men under Major Grant to reconnoitre. This officer conducted his enterprise with foolhardiness and ill judgment truly astonishing. Arrived in the vicinity of the fort, he posted his men on a hill, sent out a party of observation, who burnt a house close to the fort, and at the dawn of the next day beat the reveille, and then sent an engineer to take a plan of it, in full view of the garrison. Not a gun was fired, and profound silence was maintained, which the British ascribed to fear, and they were betrayed by their arrogant folly into a fatal security. A sudden and unexpected attack was made by the garrison, rallying from the fort, on their front, while the Indians, ambushed, assailed their flanks, and they were completely routed, with terrible slaughter.

Captain Bullit, detached by Major Lewis, commander of the Virginia troops, to protect the baggage, rallied several of the fugitives, and made a stand. Having sent off the most valuable part of the baggage, he formed a barricade of wagons, and stationed his men behind it. He displayed both courage and judgment—he suffered the Indians to get close to his barricade before he ordered his men to fire, which they did so fatally as to check the savages—but only for a moment, for after a brief pause they again advanced—then Bullit and his men made signal of their wish to capitulate, and moved forward as if to surrender, and when within eight yards of the enemy gave them a most destructive volley, and then charged with the bayonet. The savages fled terrified, which gave Bullit opportunity to retreat to Colonel Bouquet's camp, which he did rapidly, collecting in his march the wounded and fugitives.

The bravery of the Virginia troops, and Bullit's behavior, were much admired, and he was soon rewarded with the commission of Major.*

* Irving's *Life of Washington*, vol. i. pp. 283, 284, 285, 286, and 287.

tion with the superior officers, and from thence it happened that but few came in to his proposals, which were to join him early this spring at the mouth of the Scioto, from which boundary of the N——* Government he proposed to look out for and survey the officers' lands, downwards, along the Ohio. Colonel Peachey and myself, with a few others, have agreed with one Heinrich Taylor, who traversed that country some years ago, to look out for and survey our claims, under the authority of Bullit, for which services we give one-fifth of the land, and ten pounds Virginia currency, besides paying Bullit's legal fees as surveyor. We were induced to this expensive method by the hazard and many other difficulties attending this attempt. Thus far I had gone, when Dr. Walker, who knows more of the country in question than any other of my acquaintance, informed me by letter that the claims of the Cherokee Indians on the Ohio have not yet been settled, and that to him it was matter of doubt whether the Governor and Council of Virginia would think themselves at liberty to grant lands. Hereupon I thought of West Florida, and wrote to Mr. James Wood, of Winchester, who was employed by Colonel Washington and others to locate their claims in West Florida, to take the proper steps for me also; but he had left Winchester, and was on his way to Fort Pitt before my letter could reach him. As soon as I have any intelligence from Bullit, Taylor, or Mr. Wood, I will let you know. As there are a great number of officers in these middle colonies unprovided for in the lands they claim, I should think West Florida the most likely place to secure good lands, with the chance of their being soon settled, under due regulations of government. Should we succeed on the Ohio, our lands will be unconnected with any government, they lying without the Northern government, and being too remote from Virginia [for her] to receive any advantage from them, so that the people inhabiting them must soon be in a lawless condition, and of course property altogether insecure. The post hurries me so that I have only time to assure you that I remain, with unfeigned esteem and regard, your much-obliged and obedient servant,

“HUGH MERCER.

“To JOSEPH TILGHMAN, Junior, Esquire.”

The writer of the letter next inserted was a colonel, I think, of one of the regiments of Pennsylvania that served in the war of 1755.

“CAMP ON THE OHIO, OPPOSITE THE MOUTH OF [THE] SCIOTO,
“10th July, 1773.

“DEAR COLONEL,—I came out with Captain Thompson in order to see the lands surveyed for the Pennsylvania officers, and on our passage hither frequently went on shore with some of our best woodsmen to view the country, but could find none worth our notice, the bottoms being chiefly overflowed at times, and the lands back very hilly, [and] the whole very ill watered. We have been detained here several days, waiting for some horses, which we sent by land, in which time we sent out Mr. James Smith and some of our best woodsmen to view the country. They have returned, and have been in the country we want

* Sic in the original letter.

to be at; it is called the Blue Lick country, and is on the waters of a river called Kentucky, and they say it is the finest country they ever beheld, and [they] will, with their friends, come out and settle in it next spring, so that I make no doubt the land there in one year will be as valuable as the lands in Sewickley, which are now selling for twenty shillings per acre. We expected to have met with Captain Bullit here, through whose hands I understand the surveys must pass before they are accepted; but he was gone. We sent a canoe with some hands 40 or 50 miles down the river to find his camp; but they returned unsuccessful, since which we have seen some Virginians who had been with him, who say he has gone down as far as the Falls, or Big Bone Lick, and won't return till next spring. Should this be the case, it would greatly delay a confirmation of these lands to us, and perhaps such a change in the government might take place as would entirely frustrate our expectations. As we have a valuable interest depending, I think it would be necessary for you, with any of the gentlemen concerned, to make application to the College of Virginia for a commission to Captain Thompson to survey and return these lands, which I think may be obtained, and which, for the reason before mentioned, I think very necessary. I know that several gentlemen in Virginia, who have obtained grants, have also had surveyors of their own nomination, particularly Colonel Washington, who had Captain Crawford appointed, and had 175,000 acres surveyed, for which he has obtained patents. I beg you will write to Colonel Shippen and any other of your friends that can be of any service in this case. I am, with the greatest respect,

Dear sir, your most obedient, humble servant,

"PATRICK WORK.

"COLONEL JAMES BURD, Lancaster County.

"Received 8th August."

The last letter of those in my possession in relation to the survey and location of lands under the proclamation of 1763 is the following one of Hugh Mercer, from

"FREDERICKSBURG, 8th September, 1773.

"DEAR SIR,—Captain Woodford, of the late Virginia regiment, intending for Philadelphia, furnishes me with an opportunity of acknowledging your favor of the 31st of August, which came to hand yesterday. Please to accept my congratulations upon your safe arrival from Jamaica, and be assured that everything in my power shall be attempted to facilitate the land affair in which Captain Thompson is engaged. Unless our Governor and Council can be prevailed upon to pass over the usual forms in granting patents, I fear we must await the arrival of Captain Bullit, to give authority to the surveys. The College of William and Mary has, as you have heard, the sole authority of appointing surveyors, some of the fees [for surveys] passing into its funds. The person applying for such place is obliged to be examined by the professor of mathematics [of the college] and have some gentleman of fortune joined with him in a penal-bond for the faithful discharge of the office. As soon as I have sounded our great men on the subject, you shall hear from me. Captain Woodford will inform you of such steps as have been taken here in prosecution of the same affair. We did not agree in any general method, partly through want of due information as to the country in view, partly through want of confidence in the surveyor. Since Bullit

and those who were to survey under his authority set out from this place in March last, we have heard nothing of their proceedings. Your letter, and some others from Pennsylvania, furnish all the intelligence we have of them. It gives me very sensible concern to have done nothing in the recovery of your debt from Heaton. Mr. Jones can find no traces of the suit, or who were securities or bail, such has been for some years past the irregularity in the court business of Frederick County.

“Give me leave now to recommend to your good offices the gentleman who delivers you this, both as a stranger in your city, an old campaign-acquaintance, and a very particular friend.

“Dear sir, your affectionate, humble servant,

“HUGH MERCER.

“DR. JOHN MORGAN, Philadelphia.”

The fear expressed by Colonel Work, in his letter to Colonel Burd, that a change of government might frustrate the expectations of the officers claimants under the royal proclamation of 1763, was *prophetic*. This change, to which the patriotism of these officers much contributed, lost them the lands to which they were equitably entitled, and they or their representatives have failed in every attempt to obtain indemnity for them. The claims of their descendants, not upon the *generosity*, but the *justice*, of their country, may yet be heard.

Colonel Thompson, on the eve of marching with his regiment of riflemen for Boston, wrote as follows to Colonel Montgomery.* This letter indicates his zeal in the good cause in which he had engaged, and his sensitiveness when the honor of his county was affected :

“CARLISLE, 30th June, 1775.

“DEAR SIR,—I am very sorry to inform you that the companies asked of this county are not near complete, nor can I say when they will be filled, as it is in the heat of harvest, and I doubt arguments are rather used to keep the men here than to forward the service. But what surprises me most is that the resolves of Congress were not publicly made known till Thursday, though the express arrived here on Saturday, nor a single thing said or done in a meeting of upwards of seven hundred men under arms. Indeed, Colonel Magau has done everything in his power to forward the business, but great time was spent before he received an order. The York County company is quite complete, and has received my orders to march this day. Everything shall be done on my part, but you must feel for me when you know that I must march without my full complement of men from this county. As the honor of the county is greatly at stake, I hope in future that all public orders will be directed to gentlemen that will do their duty and not retard the service of the country by taking long time in contriving the private interest of a few particular friends.

“I beg you may mention these things to Colonel Wilson. I am certain he will do everything that is right, and I hope the county will never be found in the like situation when orders of such consequence are sent amongst us.

* So written in the original letter.

"My best compliments to everybody, and am, my dear sir, yours, very sincerely,

"WILLIAM THOMPSON.

"TO COLONEL MONTGOMERY."

He wrote, 10th September, 1775, a few weeks after he joined the American army before Boston, to his brother-in-law, George Read :

"I am fixed in the most delightful spot in the world, as I can, from the door of my tent, see all our well-regulated army from Roxbury to Winter Hill, and at the same time look down upon the enemies of our country, confined within the narrow bounds of Boston and Bunker Hill, and further, you may be sure, they shall not pass, had they Lord North and all the troops in the British pay to assist them. Our troops are well supplied and in high spirits, and long much to come to action; but I am doubtful we shall have little to do in the fighting way this campaign. I am very happy in all my commanding officers. I always had a high esteem for the commander-in-chief, and higher now than ever. I am every day more pleased with General Lee: our country owes much to him; and happy we are that a man of his great knowledge assists in the command of our army."*

"On the 10th of November, 1775, the British, taking advantage of a high tide, landed from Boston at Lechmere's Point. Colonel Thompson, with his riflemen, and Colonel Woodbridge, with part of his regiment and part of Colonel Patterson's, was ordered to attack them; who gallantly waded through the water, and soon obliged the enemy to embark under cover of a man-of-war, a floating-battery, and the fire of a battery on Charlestown Neck. We have two of our men dangerously wounded by grape-shot from the man-of-war, and we are informed by a flag, sent out this day, that the enemy lost two of their men."† Gen-

* See the letter from which the above extract is made, in chapter ii. of the Life of George Read, p. 112.

†

"BRAintree, 12th November, 1775.

"A number of cattle were kept at Lechmere's Point, where two sentinels were placed. In a high tide it is an island. The regulars had observed this, and a scheme was laid to take off the cattle which were kept there. Accordingly, last week a number of boats and about four hundred men were sent. They landed, it seems, unperceived by the sentinels, who were asleep; one of whom they killed, and took the other prisoner. As soon as they were perceived, the cannon on Prospect Hill were fired upon them, and sunk one of their boats; but as soon as the tide was very high it was difficult getting over. A Colonel Thompson, of the riflemen, marched instantly with his men,—and, though a very stormy day, they regarded not the tide, nor waited for boats, but marched over neck-high in water,—and discharged their pieces, when the regulars ran without waiting to get off their stock, and made the best of their way to the opposite shore. The general sent his thanks in a public manner to the brave officer and his men."—*Letters of Mrs. Adams, wife of John Adams*, pp. 61, 62.

Colonel Thompson's riflemen are thus described by Thacher (*Military Journal of the American Revolution*, pp. 37, 38): "Several companies of riflemen, amounting, it is said, to more than fourteen hundred men, have arrived here from Pennsylvania and Maryland, a distance from 500 to 700 miles. They are remarkably stout and hardy men; many of them exceeding six feet in height. They are dressed in white frocks or rifle-shirts, and round hats. These men are remarkable for the accuracy of their aim, striking a mark with great certainty at two hundred yards distance. At a review, a company of them, while on a quick advance, fired their balls into objects of seven inches diameter, at the distance of two hundred

eral Washington adds: "The alacrity of the riflemen and their officers, on this occasion, did them honor, to which Colonel Patterson's regiment and some others were equally entitled, except in a few instances; but the tide at that time was so exceedingly high as to compel a large circuit before our men could get to the causeway, by which means the enemy, except a small covering party, distant from the dry land on this side near four hundred yards, had retreated or were about to embark. All the shot, therefore, that passed were at a great distance; however, the men went to and over the causeway spiritedly enough."*

In March, 1776, Congress contemplated ordering an officer to take command in Virginia, and General Washington, having heard that Colonel Thompson was spoken of for this command, thus wrote on the 10th of this month to Joseph Reed: "I am of opinion that Colonel Armstrong, if he retains his health, spirits, and vigor, would be as fit person as any they could send to Virginia, as he is senior officer to any now there, and I should think could give no offence; but to place Colonel Thompson there in the first command, would throw everything into the utmost confusion, for it was by mere chance that he became a colonel upon this expedition, and by a greater chance that he became first colonel in this army. To take him, then, from another colony, and place him over the heads of several gentlemen under or with whom he has served in a subordinate character, would never answer any other purpose than that of introducing endless confusion. Such a thing surely cannot be in contemplation; and, knowing the mischiefs it would produce, surely Colonel Thompson would have more sense, and a greater regard for the cause in which he is engaged, than to accept of it, unless some uncommon abilities or exertions had given him a superior claim. He must know that nothing more than having been a captain of horse in 1759 (I think it was) did very extraordinarily give him the start he now has when the rank was settled here. At the same time, he must know another fact, that several officers now in the Virginia service were much his superiors in point of rank, and will not, I am sure, serve under him. He stands first colonel here, and may, I presume, put in a very good and proper claim to the first brigade that falls vacant; but I hope more regard may be paid to the service than to send him to Virginia."†

Colonel Thompson was not appointed to this command in Virginia, and it does not appear that he sought it. The objection that his superiors more than twenty years before in a different service might refuse to serve under him, was, I suppose, not without foundation. Questions of rank embarrassed General Washington throughout the Revolutionary war, and impeded the public service. The sensitiveness of officers in regard to rank, when just and reasonable, ought to be respected; but whether it would have been just and reasonable for officers in service in Virginia to have refused to serve under Colonel Thompson, had the command there been conferred upon him, may be questioned. When it is added that he owed his colonelship of his rifle-regiment to *chance*,

and fifty yards. They are now stationed on our lines, and their shot have frequently proved fatal to British officers and soldiers who expose themselves to view, even at more than double the distance of a common musket-shot."

* Writings of Washington, vol. iii. pp. 156, 157; Diary of the American Revolution, vol. i. p. 167.

† Writings of Washington, vol. iii. pp. 309, 310.

and his rank of second colonel in the American army to the start given him by his captaincy of horse in 1759, I am sure this is the language of prejudice or ignorance. The reader of this notice has evidence that he was a man of ability, energy, and courage, and so zealous in the cause of his country as to sacrifice, to his sense of his duty to her, lands which would have been a princely estate to his children, to which he had acquired an inchoate title by months of exposure, hardship, and danger in a wilderness. He was trained to be a soldier in the same profession which Washington had not disdained, and which did much to qualify him for the command of our armies, and was high in the confidence of his brother officers in the war which began between England and France in 1755. Well and widely known, as I have described him, in Pennsylvania and other colonies, it seems not unreasonable to ascribe his military preferment not to chance, but to his merits.

“Besides the eight brigadiers first appointed, Congress had, 10th January, 1776, appointed two others, Arnold and Frye, and on the 1st March of that year they elected six more, namely, John Armstrong, William Thompson, Andrew Lewis, James Moore, Lord Stirling, and Robert Howe; they at the same time ordered General Thompson to New York,” and, as he took rank of Stirling in the order of appointment, the command there consequently devolved upon him. He arrived in New York on the 20th of March, and assumed the command in that city, which he retained till ordered to join the expedition to Canada. He embarked for Albany with four regiments under his command on the 21st of April.

Upon the illness of General Thomas, which ended in his death, the command of the American army in Canada devolved upon General Thompson. He ordered Colonel St. Clair to attack the British at Three Rivers; but this officer, finding the enemy too strong for him, halted for a reinforcement. General Sullivan then arrived and assumed the command of the American army, and ordered General Thompson to reinforce St. Clair with thirteen or fourteen hundred men, take the command of the whole force, and attack the enemy at “Three Rivers.” The plan of attack was judicious, and it was made and supported bravely, “but, requiring the concurrence of too many circumstances, failed,” and General Thompson was not only defeated, but taken prisoner. A full account of this attack and its result, so unfortunate for General Thompson, who was made prisoner, is given in the third chapter of the *Life of George Read*, to which the reader is referred.*

General Thompson was not exchanged until the year 1780.† In the beginning of 1777 General Thompson was with his family, his zeal for the American cause undiminished by his recent misfortune, impatient to be restored by exchange to active service, and his sound judgment

* Writings of Washington, vol. iii. pp. 318, 319, 365.

† “1780, October 20.—It has long been the desire of General Washington to make some arrangement with General Clinton for an exchange of prisoners, but many difficulties have attended to prevent the accomplishment of the object. A partial exchange has now been effected. Major-General Lincoln, who was taken at Charleston, has been exchanged for Major-General Phillips, captured at Saratoga. General Thompson and a number of other officers who have long been prisoners are also liberated by exchange.”—*Thacher's Military Journal of the American Revolution*, p. 283.

and long experience exercised in suggesting remedies for defects in that important department of the army, the commissariat, and prevention of evils he apprehended, as appears by the following letter to James Wilson, the eminent lawyer, statesman, and signer of the Declaration of Independence.

“CARLISLE, 29th January, 1777.

“DEAR WILSON,—A quartermaster and commissary is much wanted at Carlisle, and indeed in every town where the militia pass through. Wagons are taken up at will by the officers at a very great expense, many not half loaded, and much longer detained in the service than there is occasion for them. The troops kept at taverns at two shillings and three pence per day, when rations may be found them for one shilling and two pence. I clearly see there is a loss to the public of one hundred per cent. for want of those officers, besides the desertion of troops on their march.

“But what alarms me most is that the high price of whisky at this time induces the distillers to purchase up all the wheat they can get, and I am certain every bushel of wheat in the country will be wanted before next fall. Indeed, I have my doubts that bread will be a very scarce article, and the army be in want, without care is taken immediately to buy up all the wheat that can be got in the country. Some time since I wrote to the commissary-general to appoint John Davis, Jr., his deputy, with orders to purchase all the provisions he could get in the counties of York and Cumberland; and I also wrote to General Mifflin to appoint a deputy to purchase forage, etc., and mentioned Mr. Stevenson, but have received no answer. Grain is now fifty per cent. higher than when I wrote, and I am almost sure it will be one hundred per cent. higher before the 1st of April. I know the general officers in every department have been so much employed lately that it is impossible for them to think of anything but what is immediately wanted for the army. I think as those matters [I have mentioned] are so essential towards carrying on the next campaign, a hint from Congress to have people appointed to do this duty will be absolutely necessary, and also to direct our council of safety to issue their order forbidding the distilling of wheat within this State; and perhaps the like order to the back counties of Virginia and Maryland may not be amiss.

“I was told that part of General Armstrong’s business up the country was to establish magazines in different parts of the country, but have not learned that anything is yet done in that way.

“The bearer waits. I shall write you more fully in a day or two (your Mrs. Wilson and family are well), and am, dear sir, yours,

“WILLIAM THOMPSON.

“COLONEL WILSON.”*

The change of residence which it appears by the letter of General

* “When military movements were first made, Mr. Wilson, then resident in Carlisle, was chosen colonel of a regiment of militia raised in the county of Cumberland. He acted in that capacity when occasion demanded his services, and the public stores and magazines in Carlisle were committed to his charge; but he was never in active service, owing, probably, to his very frequent civil appointments.”—*Life of Wilson—Biography of the Signers of the Declaration of Independence*, vol. iii. p. 262.

Thompson, next presented to the reader, he thought of, did not take place.

“CARLISLE, 26th September, 1778.

“MY DEAR BROTHER,—I have been informed that there is an excellent grass-farm to be sold in the neighborhood of Wilmington, and, as I intend leaving this part of the country, would wish to fix on some healthy spot near you. I have advertised a few tracts of land for sale, and can, I believe, without touching on the best part of my lands, raise ten thousand pounds, which I would wish to lay out on some pleasant situation near the banks of the Delaware. A grass-farm I like the best. Write if such a place can be got, and I will take Mrs. Thompson down to see it. She now writes to Mrs. Read, and her letter is herewith inclosed. My best compliments wait on Mrs. Read, your dear Polly, the boys, and all my New Castle friends, and am, dear George, your very affectionate, humble servant,

“WILLIAM THOMPSON.

“HON. GEORGE READ, New Castle.”

He announces, in the letter which follows, his safe return, with Mrs. Thompson, to their home—from a visit, I suppose, to their friends in New Castle.

“CARLISLE, 6th September, 1779.

“MY DEAR BROTHER,—We got safe home yesterday, and found the family well, and house clean, and everything in good order, to the great satisfaction of Mrs. Thompson.

“Poor Mrs. Biddle and Miss Abby we met, and brought back with us. She is in very great distress, indeed, but we shall do everything to relieve her, in our power, and hope a few days will in some measure restore her peace of mind.

“The bearer, Mr. John Holmes, uncle of Parson Thomson, is going in quest of the Reverend Mr. Rankin, to be the pastor of our parish, and, as my salvation is a little interested in the appointment, I would be glad to know the character of the man, and how far you think him capable of the task. As to his preaching, I don't care so much about it, provided he is a gentleman, and a man of honor, and has lived in charity with the world. Tell Holmes what you know of the man, and, if you have time, write me a line.

“Mrs. Thompson, and the family, and Mrs. Biddle, join in love to you, and Mrs. Read, and all our New Castle friends, with, dear George, your very affectionate

“WILLIAM THOMPSON.

“GEORGE READ, Esquire, New Castle.”

It appears by this letter that General Thompson was of the Protestant Episcopal Church, and was interested and engaged in the business of his parish. He writes on the all-important relation of a pastor to his people with sprightliness, but not, it seems to me, with levity, which would be unbecoming such a subject. How true to nature was it that the veteran soldier should desire the same qualifications in the parson of his parish that he once valued in the chaplain of his regiment! But he did not think lightly of the pastoral charge, for he calls it a task,—that is, in the connection in which he uses this word, a charge, grave, solemn,

and responsible,—and deems an essential qualification for it to be the grace which will survive hope, and even faith—charity.

In 1779 occurred the affair of "Fort Wilson," as it was called. There were then two parties in Pennsylvania, the Constitutionalists, who approved and sustained the then existing constitution, and the Republicans, who reprobated it as wanting the checks necessary to guard against abuses of power. James Wilson was of the Republican party, and a leader of it. The people were suffering from a depreciated currency, injuriously affecting them in the every-day transactions of life, and unprincipled demagogues persuaded them that the ills they suffered were caused by merchants, who monopolized goods, and lawyers, who screened Tories from punishment. Wilson was especially obnoxious. In September a committee, appointed by a town-meeting, regulated the price of rum, salt, and other articles. Robert Morris, Blair McClenachan, and other merchants had quantities of these commodities in their stores, which they refused to sell at the prices fixed by the regulation. On the 4th of October (1779) they, with Mr. Wilson and others, were threatened in placards posted in different parts of Philadelphia, and resolved to defend themselves in his house, a large and old-fashioned edifice, at the corner of Third and Walnut Streets, to which they withdrew, having supplied it with arms, but having only a small quantity of ammunition. The house was quickly attacked by a fierce mob of two hundred armed men, having two cannons, and commanded by one Mills, a captain, of North Carolina, a tailor, a ship-joiner, and one Bonham, a man of no character, but what calling he disgraced is not mentioned. They fired upon the house, and their fire was returned. With a sledge and cross-bar from a blacksmith's shop near, they had almost forced the front door of the house, when the first troop of city cavalry came to the rescue and compelled the mob to retreat. As the "troop" freely used their swords, many of the mob were severely wounded, and one man and a boy killed. Of the garrison of Fort Wilson, Captain Campbell was killed, and Messrs. Mifflin and Samuel C. Morris wounded. Among the party in Mr. Wilson's house were Messrs. Wilson, Burd, Robert Morris, George and Daniel Clymer, Allan McLane, Sharp Dulaney, George Campbell, Paul Beck, and Generals Mifflin, Nicholls, and Thompson. Being advised to leave Philadelphia for a short time, they withdrew to a house on the Schuylkill, but upon consultation returned at once to the city, walked about its streets as they found it necessary or agreeable to do, and attended the funeral of their unfortunate friend Campbell in a body.*

The last of General Thompson's letters which I have found among Mr. Read's papers was written a few months before his decease. Declining health, which warned him that the "inevitable hour" of death was near, could not subdue his constitutional buoyancy and cheerfulness, which still discover themselves in this letter.

"PHILADELPHIA, 13th March, 1781.

"DEAR BROTHER,—This will be handed you by Mr. Patterson, a young gentleman who is on his way to Chester to study under Dr.

* Life of James Wilson.—*Biography of the Signers of the Declaration of Independence*, vol. iii. pp. 281-286.

Samuel Smith. His father is a very particular friend of mine, and, should he make any stay in New Castle, I beg leave to recommend him to your friendly notice.

"I came to this place to endeavor to settle with the public for my pay since I was made a prisoner. How far I shall succeed I know not, but think it a duty I owe my family to try the matter with them, as they are indebted to me about £2500—good money, not paper.

"I have been laid up with the rheumatism for upwards of a year, and have for this six weeks or two months past been very ill, with a pain in my breast and a bad cough. I with some difficulty got down [here], and continue unwell, though much better than I was a few days ago, and hope to be restored to a good state of health.

"Indeed, I have at times some doubts that I am going to take a trip to another country; but I believe these fears are such as generally attend a thin diet and a still thinner drink of small-beer and barley-water. I thought of paying you and the parson a visit, but believe I must defer it till May, when I intend to see you on my way to the sea-shore. If I can prevail upon Mrs. Thompson to leave her little family, I shall bring her down with me. I left everybody well at home, and George [Ross] and all friends well in Lancaster. Mark Bird is here, and says all our friends in Reading are in good health.

"My best compliments wait on Mrs. Read, Miss Polly, and the boys, and am, my dear brother,

"Yours very affectionately,

"WILLIAM THOMPSON.

"GEORGE READ, Esquire."

General Thompson died on his farm, near Carlisle, Pennsylvania, September 3d, 1781, and was buried in the cemetery of St. John's Church (Protestant Episcopal) in that town,—“his grave being within the inclosed burying-place therein of the family of Judge Hamilton, deceased, whose wife was related to him. It is covered by a marble slab, in good preservation, but somewhat discolored, in the lapse of more than seventy years, by the weather.”

It bears this inscription:

“GENERAL WILLIAM THOMPSON,
who departed this life
September 3d, 1781,
*Aged 45 years.”**

In the “Diary of the American Revolution” (by Frank Moore), vol. ii. pp. 476, 477, may be found the following obituary notice of General Thompson:

“September 4th, 1781.—Yesterday, at his seat, near Carlisle, Pennsylvania, died General William Thompson. Those who knew his virtues will remember and mention his character with esteem. At the commencement of the present war he took an active and distinguished part

* Extract from a letter of F. Watts, Esquire, of Carlisle, Pennsylvania, to Andrew C. Gray, Esquire, New Castle, Delaware, May 10th, 1858. The author begs leave to thank these gentlemen for this information.

in the cause of liberty. Recommended to Congress by his spirit and military knowledge, by his great popularity, and his zeal for the interest of freedom, he was appointed by that honorable body to the command of the first regiment raised in Pennsylvania. When he joined the army before Boston, the rank of first colonel in the service was assigned to him. At the siege of that place, intrepidity, generosity, hospitality, and manly candor rendered his character the object of uniform admiration and esteem.

"Fortune, which had hitherto smiled upon him, forsook him at a moment when she promised to lift him to the pinnacle of fame. In a gallant attack upon the British at 'Three Rivers,' in Canada, in 1775, he was made a prisoner. His captivity was long and embittered; his sensibility, generous and keen, was chiefly wounded by the reflection that he was precluded from signaling himself in the defence of his country.

"His death is considered a subject of universal concern and lamentation. His funeral was the most respectable that has ever been known in Carlisle. In the great number that assembled on the melancholy occasion, scarcely was there one person to be found who did not drop a tear to the memory of the soldier, the patriot, and the friend."—*Pennsylvania Packet*, September 4th; *Gaines's Mercury*, September 10th, 1781; and see, also, *Thacher's Military Journal*, p. 326.

For Letters of General Thompson, see Force's "American Archives," vol. vi. (4th series), 1776, pp. 448, 593, 627, 628, 684.

DR. KEARSLEY'S DREAM.

"CARLISLE, January 26, 1777.

"DEAR SIR,—Last Monday night, the 20th January, 1777, be it remembered, I went to bed at ten o'clock, and as it is common with me to order [the] servant to cover up the unconsumed part of the fire with ashes, after I had seen it done. A little before daybreak I was awakened by an extraordinary dream, viz., that I was then in company with our old friend John Ross, *lawyer*. As it then made a great impression on my mind, it is easy for you to conceive the emotions I felt on the occasion, nor will you be surprised when I tell you I jumped directly out of bed, and by the gleaming light of my fire, which had forced its way in a small flame through the ashes, I imagined I saw his figure, on which, without any fear, I looked with great earnestness. At this instant the fire burst forth into a blaze, insomuch that I could see him very distinctly, with a paper in his hand, standing, in a speaking attitude, when he began, and thus addressed me:

"MY DEAR SIR,—You and I, in the state of body you are now in, ever lived in the greatest harmony and the best friendship. I have been

removed from you by the *wise and kind providence of God* to a place of peace and everlasting felicity, while you are yet to remain some time in a world of *trouble* and great confusion, where you will hear of wars and rumors of wars, accompanied with pestilence, already begun, and famine, which will ensue, and continue till your sins abate. These, my friend, are the scourges of sin, the [vengeance] of God poured forth on the *American* [people] for their ingratitude, that *superlative* of sin which the Almighty—His laws just, perfect, and immutable—always punishes.’ Continued he, ‘Lest you should doubt the authority of what I now say, I pray you to take this paper,’ which he held forth in his hand, ‘and, to convince you that I have really made an appearance to you, behold my signature—the initials of my name and profession in your world. These are placed first to every line, and I leave them with you, as my *steward*, to be shown to my friends, but particularly to General Thompson, whom I love, and wish to hint something not unlike to what with you is termed *prophecy*.’ On thus speaking these words, he disappeared, leaving the *matter* behind him. In discharge of my duty to the above commission, [and] conceiving it also my duty to you to *discharge* so important a trust, I send you a copy, and whenever you will do me the favor of a visit you may see the original. I am, my dear sir, with my compliments to you and Mrs. Thompson and family, your very humble servant,

“JOHN KEARSLEY.

“A TRUE COPY.

“‘Inspired to leave with you, my trusty friend,
 Old counsels, which I dare not wish to mend.
 Honor to you—disgrace to C—ngress’ laws,
 Nor can their terrors make you join their cause,
 Nor yet their prisons make you love their laws:
 Right well we lived when justice ruled the land,—
 O know you’re at the would-be-kings’ command,*
 Sent forth to fight† as tyrants rule their slaves,—
 Still will Britain rule both land and waves.
 Lawyer I was, and Magna Charta knew,—
 Averse to riot,—studied to be true.
 When just laws ceased, Heaven kindly gave her call,
 You have felt,—I now foretell,—so will all.
 Ever-gracious Lord! avert the dreadful stroke!
 Repent, ye ingrates,—nor your God provoke!’

“‘Agreeable to our many conversations about eternity that the first of us who died, if permitted, should visit the other,—by the will of the *Omnipotent* who *governs the universe*, I am sent to comfort you under your great and severe persecutions. Not only to comfort you, but to redeem the land which is now overwhelmed with trouble, a sure consequence of sin, a continuance in which will be misery, destruction, and death. Believe, O ye sinners, believe and repent! The sins of ingratitude, willful and corrupt perjury, persecution and cruelty, with the sin of falsehood, [con]tinually propagated to inflame and [mislea]d the ignorant, has so provoked the vengeance of Heaven that the Almighty

* All the American noblesse want to be kings; they are, properly, would-be-kings.

† By force.

is come forth against you with a flaming sword to burn you up, and cut you off; and I am risen from the dead to give you this last most solemn warning. Moses and the prophets have admonished former generations, and some have believed and been saved. But if ye will not believe me when risen from the dead, horrid judgments will attend you.'

"At the era of the Revolution Dr. John Kearsley, although otherwise a citizen of good character and standing, became exposed to the scoffs and insults of the people by his ardent loyalism: being naturally impetuous in his temper, he gave much umbrage to the Whigs of the day by his rash expressions. It was intended, therefore, to sober his feelings by the argument of tar and feathers. He was seized at his own door, in Front Street, a little below High Street, by a party of the militia, and in his attempt to resist them received a bayonet-wound in his hand. Mr. Graydon, a by-stander, has told the sequel. He was forced into a cart, and, amidst a multitude of boys and idlers, paraded through the streets to the tune of the Rogue's March. The concourse brought him before the Coffee-House, where they halted; the Doctor, foaming with indignation and rage, without a hat, his wig dishevelled, and himself bloody with his wounded hand, stood up in the cart, and called for a bowl of punch,—when, so vehement was his thirst, he swallowed it all before he took it from his lips. 'I was shocked,' says Graydon, 'at the spectacle, thus to see a lately respectable citizen so vilified.' It is grateful to add, however, that they proceeded to no further violence,—thus proving that a Philadelphia mob has some sense of restraint. But though the Doctor was allowed to escape the threatened tar and feathers, the actual indignity so inflamed and maddened his spirit that his friends had to confine him for a time as insane. He died during the war, a resident of Carlisle."*

October 6th, 1775.—"The infamous Dr. Kearsley, of Philadelphia, not content with his late triumphal procession for his enmity to his country, has made a further attempt to injure it, but to-day was, happily, discovered. Some letters of his were intercepted in a vessel bound from here to London, which were filled with the most villainous invectives and scandalous misrepresentations of the first characters in this country and the public proceedings. This so enraged the people in general that if it had not been for the humanity of some gentlemen, who conducted him to jail, he would have been very roughly handled. He was sulky as when exalted on the cart, glories in the mischief he yet hopes to do to his country, and refuses to give any satisfaction. This ungrateful son of Galen has acquired a considerable fortune by his practice in Philadelphia, and in manufacturing Keyser's pills, which are sold as genuine by a certain Tory biblioplist."†

"Constitutional Gazette," October 14th and 21st.—"We hear that Dr. John Kearsley is sentenced to be imprisoned, for a limited time, in the back counties of Pennsylvania, for high crimes against his country."‡

It is evident from the "letter" and "paper" that Dr. Kearsley was still insane when he wrote them. His exile to Carlisle, then a frontier

* Watson's Annals of Philadelphia, p. 615.

† Diary of the American Revolution, vol. i. p. 148.

‡ Ibid., p. 148.

town of Pennsylvania, though seemingly a punishment, was, like his commitment to jail, an act of humanity, for his insanity would have been aggravated by his continued abode in Philadelphia.

John Ross was half-brother of Mrs. Thompson. General Thompson, I have no doubt, was well acquainted with Kearsley, an intimate friend, as he states, of John Ross. General Thompson, though he differed from Kearsley in his political opinions,—being a decided Whig,—yet, generous, warm-hearted, and hospitable, and commiserating his unhappy condition, I am sure, with his family, was kind to him. If, as is probable, the insanity of the Doctor was only partial, and if, as I infer from his profession and social position, he was a well-informed gentleman, he may have been a pleasant guest.

The treatment of Dr. Kearsley by the Philadelphia mob was cruel, but provoked by his imprudent violence and treasonable act, which palliated it. The foregoing particular narrative will give the reader a more lively idea of the too frequent cruel treatment of the Tories, during the war for independence, than do the general histories of that period. It has been truly said: "The charm of biography is that it presents minor events beneath the dignity of the historian to narrate." Could he stoop to them, he would give liveliness and interest to his pages, cheaply purchased by a little sacrifice of the dignified march of his story, and save from oblivion facts very illustrative of the events and actors he describes.

The "letter," and "paper" accompanying it, of Doctor Kearsley, were found by me in 1839, mislaid, and recovered in July, 1867, among the papers of George Read. The manuscript, I infer from its condition—much worn, tattered somewhat at its sides, and separated where creases were made by its folds—was much sought for, handled, and read. The words worn away from the manuscript (not many) were easily supplied by aid of the context, and are within brackets.*

B.

NOTICE OF ETHAN ALLEN.

ETHAN ALLEN was a man of vigorous but haughty and undisciplined mind. His treatise entitled "Reason the only Oracle of Man, or a Compendious System of Natural Religion," was the first formal publication in the United States against Christianity, and was printed in Bennington, Vermont, in 1784. It is characterized as "a crude and worthless performance" in "American Biography," by the writer of his "Life," in that work, vol. vi. p. 349, who treats the infidel phases of his character with a leniency inexcusable, but which does not surprise me in a disciple of Socinus. Passages he cites from Allen's work, showing his belief in the immortality of the soul and a future state of

* Thus, [].

retribution, to disprove his having held the doctrine of the "metempsychosis," fail to do so, if this belief may consist with this doctrine.

Allen was taken prisoner, September 10th, 1775, in an injudicious and unsuccessful attack,* without orders, and with a handful of men, on Montreal. He wished, it has been conjectured, to filch from Montgomery the credit of taking Montreal, by an exploit like that of his surprise of Ticonderoga. He was sent to England, and treated with great barbarity.

He is a hero of the vulgar, and I conjecture some of the marvellous stories told of his uncouth manners and dress, feats of strength, and indomitable courage are to be received with some abatement.

Besides being an avowed infidel, he held very wild and ridiculous opinions, among them the Pythagorean notion of the transmigration of souls, saying "he would live again in a white horse."

He was imperfectly educated, and the author of several pamphlets, among them the "Narrative of his Captivity;" was remarkable for his courage and fortitude, and was brave, open, liberal, true to his friends, and loyal to his country.

Happily for his family, his wife was a Christian of great piety. She had carefully trained their daughter in the faith she professed. This daughter, when about to die, said to Allen, "Father, shall I believe in the principles you have taught me, or in those my mother taught me?" He was greatly agitated—paused a little while—and answered, "Believe what your mother taught you."

C.

NOTICE OF MAJOR MACPHERSON.

THE cheerful and hopeful tone of his letter, in a situation so disheartening as that of the little band of brave men with whom he was blockading Quebec, with no protection from the rigor of a Canadian winter but the imperfect one of their tents, without artillery that could make impression on that strong fortress, and with the prospect of a protracted blockade or the imminent perils of an assault, and his chivalric weariness of the "smooths," as he calls them, of head-quarters, and his generous desire to share with officers less fortunate in position the "roughs" of military life, awakened my admiration, and made me desirous to obtain what information I could of the gallant Macpherson. I thought it probable that the oration pronounced by Provost Smith, of the College of Philadelphia, February 19th, 1775, at the desire of Congress ("Journals," vol. i. p. 38), in honor of Montgomery and the officers who fell with him, might afford it at least to some extent, and that it was probably in the Philadelphia Library. A friend found this oration in a volume of pamphlets, No. 9115, there, and procured it very

* Diary of the American Revolution, vol. i. pp. 152, 158, 159.

kindly for me. From this and other sources* I gathered the following facts.

The father of Major John Macpherson† was a Scotchman, who settled in Philadelphia, and raised a large family there, having previously followed the sea. A brother of the major was also an officer in the army of the Revolution, and subsequently a general of Pennsylvania militia, and son-in-law of Bishop White. John was educated in the colleges of Philadelphia and Nassau Hall. He studied law with John Dickinson, and practiced it in New Castle, Delaware. His name appears in an ancient docket in the Prothonotary's office for New Castle County so often as to show that his practice was respectable, and upon Mr. Read's resignation of the office of Attorney-General he was an applicant, though unsuccessfully, for it. "He was eminent," I quote from the oration, "in his profession when some have scarce begun to think of business; but, the love of liberty being his ruling passion, he thought it his duty to offer himself to the service of his country, and had soon an opportunity of attaining the military pre-eminence of which he was so laudably ambitious. Enjoying an hereditary bravery, joined to a well-cultivated understanding and an active spirit, he soon became the bosom friend of Montgomery, and his aid-de-camp, and was intrusted with a share in the management of his most important negotiations, and stood by his side in the attack on Quebec. A few days before his death he visited the very spot where General Wolfe expired, and his reflections in his letter on this occasion, as well as in that he left, sealed up, for his father, in case of his death in the attack upon Quebec, were such as became a Christian and a soldier. He bequeathed his little fortune to his only brother, an officer in the regular army." General Montgomery and his aids were killed by the discharge of a gun fired by the last of the soldiers who fled from the battery they attacked. But for this chance-shot this battery would have been carried; and even after Montgomery's death, had Colonel Campbell, who succeeded him in command, been an officer of more enterprise, he might have taken it, and supporting Colonel Arnold, who, with his detachment, had penetrated the lower town, the result have been, not their surrender, but the capture of Quebec. "Forgetting their foes in the heroes, their adversaries," I quote again from the oration, "gathered up their breathless remains, and committed them to kindred earth, 'with pious hands' and 'honors meet.' So may your own remains, and particularly thine,

* One of them a letter from a gentleman connected with the family of the late General Macpherson of Philadelphia

† "September 18th, 1775, Monday.—This day John McPherson, Esquire, came to my lodgings, and requested to speak with me [John Adams] in private. He is owner of a very handsome country-seat, about five miles out of Philadelphia, and father of Mr. McPherson, aid to General Schuyler. He has been captain of a privateer in the last war, [and] made a fortune in that way. He is well skilled in naval affairs. Proposed a plan to burn all the British men-of-war in America. Sanguine of success.

"September 25th, 1775, Monday.—Rode out of town and dined with Mr. McPherson. He has the most elegant seat in Pennsylvania, on the banks of the Schuylkill, a clever Scotch wife, and two pretty daughters. [He] has been nine times wounded in battle. An old sea-commander, [he] made a fortune by privateering. [Had] an arm twice shot off, and shot through the leg, etc."—*Writings of John Adams, Diary*, vol. ii. pp. 424, 425, 428.

O Carleton! be honored, should it ever be your fate to fall in hostile fields."*

In obedience to a resolution of the Legislature of New York, in the year 1818 the remains of Montgomery were disinterred at Quebec, and received by his nephew, Colonel L. Livingston. Montgomery's grave, within the walls of Quebec, was readily pointed out by an old soldier who witnessed his interment. His coffin was found entire, of rough structure, having on its lid a silver plate, but no inscription appearing upon it, and the skeleton within was perfect, except the lower jaw, which was shot away. The statement of Provost Smith that Montgomery and *all* his officers who fell with him were buried "with honors meet" is not sustained. General Carleton recognized Montgomery's body, and gave it *decent interment*.—he had been his intimate friend,—but Macpherson and Cheeseman, his aids, were thrown into a hole, in their clothes. Cheeseman, just before the assault, dressed himself carefully, and put into his pocket a large sum in gold, thus hoping, if he fell, to secure the decent sepulture of his remains.† General Montgomery's remains were conveyed to Whitehall, New York, and from thence to Albany, the people in all the towns on the route to that city receiving them with minute-guns, solemn music, tolling of bells, and processions, civil and military. From Albany they were conveyed, by the Hudson, to the city of New York, with signal demonstrations of respect from the people of the towns on that river, and interred July 9th, near the monument erected to his memory by Congress, in front of St. Paul's Church, with solemn and imposing military and civil ceremonials. The narrative of this expression of gratitude for the services of Montgomery is one of those passages of history on which all love to dwell. In the words of the Governor and commander-in-chief of the State of

* Some persons may have thought Montgomery's determination to attempt the carrying of Quebec by *storm* a rash one, but all have praised his plan of attack, which was made between four and five A.M., December 31st, 1775, in darkness and the bitter cold of a driving storm of sleet and snow. Two feints or false assaults were made on the upper town, at St. John's and the upper gate, and two real attacks on the lower, under Cape Diamond, at opposite sides of it, Drummond's wharf and the Pot Ash.—*Marshall's Life of Washington*, vol. i. p. 329, etc.; *Bissett's Hist. of Reign of George III.*, vol. i. p. 367, chap. xv.; *Diary of the Amer. Revolution*, vol. i pp. 185–187.

Congress, January 9th, 1776, directed General Schuyler to appoint Mr. John Macpherson a major in one of the battalions ordered to be raised out of the troops in Canada, intelligence of his death not having then been received.—*Journals of Congress*, 1774, '75, '76, vol. i. p. 19.

† "Mr. James Thompson, of Quebec, who was one of the engineers at the storming of Quebec, and assisted in burying General Montgomery, also assisted in disinterring his body, making an affidavit as to its identity. 'It was,' he swore, 'taken to the house of Mr. Gobert, put in a coffin lined with flannel and covered with black cloth. Rev. Mr. Montmollin, garrison-chaplain, performed the funeral-service. *Macpherson and Cheeseman, Aids, were buried in their clothes, without coffins.*'

"Cheeseman had a presentiment of his death, saying, with a smile, when he put the gold into his pocket, as mentioned above, 'This will insure a decent burial.' He was not instantly killed, but pressed forward [after he was wounded] to the attack of the battery; but it was a feeble effort, and he fell back in a wind-swept-sheet of snow."—*Lossing's Pictorial Field-Book of the Revolution*, vol. i. p. 201, note.

New York, "in rendering due honor to illustrious heroes and patriots we not only reward distinguished merit, but incite to new achievements of patriotism and glory."—*Niles's Register*, vol. xiv. pp. 371-375, No. 22, July 25th, 1818.

D.

PROVOST SMITH.

"PROVOST SMITH," wrote John Adams, September, 1774 ("Writings of John Adams," Diary, vol. ii. p. 358), "soft, refined, polite, insinuating, adulating, sensible, learned, industrious, indefatigable, he had art enough, and refinement upon art, to make impression on Mr. Dickinson (Quaker) and Reed (Joseph, Presbyterian). Smith is looking up to government for an American Episcopate and a pair of lawn sleeves."

"In this province,—Pennsylvania,"—Mr. Adams wrote to Colonel Palmer, June, 1775, "indeed, in Philadelphia, there are three persons, a Mr. W——, who is very rich and very timid; the Provost of the college, Dr. Smith, who is supposed to be distracted between a strong passion for lawn sleeves and a stronger passion for popularity, which is very necessary to support the reputation of his Episcopal college; and one Israel Pemberton, who is at the head of the Quaker interest: these three make an interest here which is lukewarm, but they are all obliged to lie low for the present."*

Between the people of the Eastern and Middle States there were strong prejudice and distrust in relation to their supposed opinions on religion and government. While the New Englanders believed the gentry of the Middle and, to some extent, of the Southern States inclined to aristocratic or monarchical polity, and those of this class who were members of the Church of England, and of course maintained the divine institution or expediency, at least, of Episcopacy, to be in truth the partisans of a hierarchy, the natural ally of despotism, the gentry thus misunderstood looked with repugnance upon the Eastern people, and especially those of Massachusetts, as levelers in politics and Puritans in religion, who aimed at nothing short of independence. So sensible were the Massachusetts delegates to the Continental Congress of this fact that they surrendered the lead (at least in 1775) they could have fairly claimed to Virginia, and suffered her to initiate the first measures of that body, fearful that their introduction by the Massachusetts representatives might, because of this opinion, delay or defeat them.†

The imputations against Dr. Smith of artfulness, adulation, and ambition to attain a mitre may reasonably be regarded as calumnies of the

* Writings of John Adams, vol. i. pp. 173, 174.

† *Ibid.*, vol. i. pp. 150-152.

enemies of the Church of England and the Provost, which Mr. Adams, sharing their prejudices, received without sifting or examining them.

In the important work of the alterations in the "Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Protestant Episcopal Church in the United States," made necessary by the revolution which severed them politically from Great Britain, Dr. Smith bore a conspicuous part, and especially in the revision and publication of the "Book of Common Prayer" in conjunction with Bishop White.*

* Journals of the General Convention of the Protestant Episcopal Church in the United States, vol. i. pp. 495-578.

CHAPTER III.

Mr. Read, January, 1776, with his family—Letter of John Evans, and notice of him—Mr. Read contemplates removal of his family to Newark—State and United States offices not thought incompatible—People impatient at the inaction of the American army before Boston, and its cause—Boston evacuated; its condition; treatment of American prisoners there—Tories who retired thence with the British—Instructions to Mr. Read and his colleagues in Congress—Colonel Arnold before Quebec; his condition; disposition of the Canadians towards the Americans; character of the *habitans*—American army reinforced—General Wooster takes command—Ineffectual fire opened upon Quebec—American army despondent and insubordinate—Part thereof entitled to discharge refuse to serve longer—Arnold, dissatisfied, retires to Montreal; he commands there—General Thompson ordered to Canada—Richard Howell's letter to Mr. Read—Operations and prospects of the American army—General Thompson's letter to Mr. Read—British fleet arrive below Quebec—General Thomas takes command of American troops—Retreats—Command of American army devolves on General Thompson—He attacks the British at "Three Rivers," and is defeated and made prisoner—His plan of attack judicious; why it failed—Letter of Jonathan Potts giving particulars of General Thompson's capture—Colonel Irving captured also—Mr. Read's family resident in Wilmington—His letters to Mrs. Read—Attack of American row-galleys upon the Liverpool and Roebuck British frigates off mouth of Christiana Creek; Mr. Read's letter to Messrs. McKean and Rodney giving account of it; notice of Captain Houston; anecdotes—Mr. Read in Congress; his letter to Mrs. Read; items of news—Question of independence before Congress; Mr. Read's course upon it; view of the subject; John Dickinson in connection with it—General Howe awaits reinforcements at Halifax—British plan of campaign—Americans determine to hold New York and Long Island—Battle of Brooklyn—Generals Sullivan and Putnam—Retreat of American army from Long Island—Letters of Colonel Bedford and Cæsar Rodney to Mr. Read—Notice of the Delaware regiment—History of the "three lower counties" or "territory," now the State of Delaware—Convention elected 1776 to frame constitution for Delaware, as recommended by Congress—Mr. Read a member, and its president; account of its proceedings, and the constitution adopted; this convention contrasted with other conventions; other proceedings; erroneous statement as to Mr. McKean's framing this constitution; rough draft thereof in Mr. Read's handwriting; its defects—Letters of Cæsar Rodney to Mr. Read, and to Messrs. Read and McKean, giving account of public affairs—The "flying camp;" how composed; commanded by General Mercer; Delaware battalion part of it; commanded by Colonel Patterson; his letters to Mr. Read—Colonel Bedford's letters to Mr. Read—Letter of Cæsar Rodney to Mr. Read—Military operations after the evacuation of New York—Battle of White Plains; Colonel Bedford wounded—Report that Continental troops were ordered to Lewistown, Delaware; letters of Messrs. Read and Robert Morris in consequence—Cæsar Rodney's letter to Mr. Read; Captain Gibson—Letter of Messrs. Wilson, Clymer, and Chase to Mr. Read, urging march of volunteers to defend Philadelphia—Colonel Patterson's letter to Mr. Read at the end of his service with the "flying camp"—Readiness of Delaware militia to aid in defence of Philadelphia—Letter of General McKinley to Mr. Read—Notice of John McKinley—Letters of Thomas Duff and John Evans to Mr. Read—Success of General Washington at Trenton; happy results—Appendix A, the second instructions to the Delaware delegates in Congress—Appendix B, synopsis of arguments for and against the resolution that the United States should declare their independence—Appendix C, account of the "signature" of the Declaration of Independence—Appendix D, biographical

sketch of Cæsar A. Rodney—Appendix E, instructions to Delaware Legislature, A.D. 1776, for, and remonstrance against, a change of the constitution thereof—Appendix F, state of parties in Congress A.D. 1776.

MR. READ was, in the beginning of 1776, for a brief period, with his family.

Mr. Evans, the writer of the following letter, was a member of the committee of freeholders of New Castle County, appointed to take measures for holding a convention to choose delegates to the Continental Congress of 1774, and to receive contributions for the sufferers under the Boston port-bill (see *ante*, chapter ii.), and from the first paragraph of his letter, I think, a member—as was Mr. Read—of the committee of safety. From his position, I conclude he was an active and influential Whig.

Mr. Read, it seems from the second paragraph of this letter, was contemplating the removal of his family to Newark, a village ten miles west of New Castle, which was entirely exposed to the landing of parties from British men-of-war, the advent of which into the bay and river Delaware was much dreaded by its inhabitants.

“DEAR SIR,—I received yours of yesterday, and, on considering the contents, would gladly oblige Colonel Bedford, and join in the opinion with him that Mr. Holland would be of great service in training the battalion, and could Kirkwood or Anderson be prevailed on to give place to him, I should approve of it highly; and as Anderson is second lieutenant, I should be of opinion he would have no objections to [the] alteration you propose, as being eldest ensign in the battalion will be quite equal to his present appointment.

“Since my return home Mr. Black gave me notice that he would not hold the house his store is kept in longer than the 25th of March. That being the case, I have the promise of it from Mr. James Anderson, though I would be glad if your time and business would permit you to come and see it before I should agree for it. There are four rooms on the first floor. Being a one-story house, the rooms on the second floor are only fit for servants. [There] is a good cellar under the whole, a kitchen adjoining the west end of the house, and six acres of pasture. If you or Mrs. Read, the weather permitting, could come to Newark on

Monday or Tuesday next, I would make it my business to stay at home and await your coming; but if it should not, you can let me know, [and] I will make the best terms I can for the house.

“From your friend and humble servant,

“JOHN EVANS.

“January 17th, 1776.

“GEORGE READ, Esquire, New Castle, per Lieutenant Popham.”

There is, I think, scarcely an American citizen who does not believe that the holding at the same time and by the same person of State and United States offices is incongruous and wrong, and this independently of constitutional prohibitions of such holding, though, no doubt, these prohibitions have done much to produce this opinion. But at the period of the American Revolution the strict notions of the present day on this subject were not held. Mr. Read and Mr. McKean, delegates to the Continental Congress, were at the same time members of the Assembly of Delaware. The nomination of the Chief Justice of the Supreme Court of the United States as minister to the Court of St. James would now excite universal astonishment and reprobation; and yet Washington nominated John Jay, chief justice of that court, and the United States Senate, though not without opposition, confirmed him, as Envoy Extraordinary to his Britannic Majesty.* Mr. Read and Mr. McKean were, by the following letter, summoned, and urgently, to attend the Legislature of Delaware if the business of Congress would permit. By the exercise of sound judgment, they, and others in the same situation, were, I have no doubt, successful in filling offices that seem to us incompatible. If they left one body for another, they did so when the state of business permitted it without injury to their constituents, and, if all could not leave, one might do so.

“NEW CASTLE, March 6th, 1776.†

“GENTLEMEN,—I am ordered by the House to require

* Marshall's *Life of Washington*, vol. v. p. 545.

† In 1781 Thomas McKean, Delegate in the Continental Congress from Delaware, was Chief Justice of Pennsylvania.—*Hildreth's History of the United States*, vol. iii. pp. 401, 402.

your immediate attendance, unless business of the first importance should make your stay in Congress necessary: if so, you are immediately to let the House know it.

“I am, gentlemen, your very humble servant,

“CÆSAR RODNEY, *Speaker*.

“GEORGE READ and THOMAS MCKEAN, Esquires.”

Through the winter of 1776 all eyes were anxiously fixed upon Boston. Day after day and month after month passed away without the anticipated attack upon the beleaguered city. People became impatient, and, as the impatient too often are, unjust. The inaction of Washington was even charged to the mean and selfish desire to continue the war that he might prolong his importance as commander-in-chief of the American army. What was the true state of the case? Let the heroic general answer this question. “It is not,” wrote Washington, January, 1776, “in the pages of history to furnish a case like ours. To maintain a post, within musket-shot of the enemy, for six months together, *without ammunition*, and at the same time to disband one army and recruit another within that distance of twenty British regiments, is more than probably ever was attempted.” And yet, while daring and doing all this, to be, as he was, assailed with murmurs, slanders, and complaints, must have sorely tried his patience, and it was a still greater trial of it, to be forced to submit to them in silence, when by a word he could have exposed their utter groundlessness. But he could not make known to his impatient countrymen his want of ammunition and soldiers, without at the same time publishing it to the British.

The fortification of Dorchester Heights by the Americans forced upon their foe the unwelcome conclusion that unless they were dislodged Boston was untenable. A tempest defeated the contemplated attack upon the works on these heights when unfinished, and when completed the strength of the position forbade an attempt to carry it. On the 17th of March, as the veil of morning mist was lifted from the harbor of Boston, there were to the American lookouts unmistakable signs of an important movement. The men-of-war and transports were hove short to their anchors, their sails were let fall, and, soon after, boats were lowered and manned, and, impelled by the steady man-of-war's-

man's stroke, neared the quays, and received company after company of British soldiers, the sun glancing on their scarlet uniforms and burnished muskets. The evacuation of the city, commenced on the 11th, was on the 17th to be consummated.

The capture of Boston by assault would have been a more splendid success; but it could not have been obtained without great loss of men and destruction of property, while to have compelled the enemy, after all their vaunts, to abandon a strong position, was a great triumph, especially as achieved by raw troops over veteran soldiers.

By a tacit understanding, the retiring fleet was not fired upon, and Boston was left undestroyed. It had suffered much from the enemy's occupation. How could it have been otherwise? Houses had been pulled down for fuel, when it failed, and, no doubt, fences and trees shared their fate, grass-plots and shrubbery and flowers had perished under the tread of rude soldiers, and the churches and other public buildings, or some of them, were occupied as barracks or riding-houses. If the Americans detained in Boston as prisoners were not cruelly treated, they endured, it may be fairly presumed, more than the garrison from want of food and firing, and found more intolerable than hunger and cold the contumely of their insolent enemies. The humanity extended to them was extorted by fear of retaliation, and could not therefore have been of high character or degree. General Gage seized and imprisoned, *as rebels*, all in Boston who espoused the American cause, and, when Washington remonstrated, replied, "that his clemency was great in sparing the lives of those destined by the laws of the land *to the cord*." There was another class of men to be not less, if not more, pitied—the Tories, who had found refuge in Boston, and left it with the evacuating army, abandoning, many of them, large estates, with the faint struggle of hope of better days against the fear that they were leaving their country forever. Unhappy men! they had taken sides honestly, I believe, most of them, in an unhappy civil quarrel, but it was with oppressors against their countrymen.

To the delegates of the "Three Lower Counties on Delaware" the following instructions were at this time given:

"In the House of Representatives for the Counties of

New Castle, Kent, and Sussex, upon Delaware. At New Castle, Friday, March 22d, P.M.:

“Instructions to the Deputies appointed by this Government to meet in General Congress :

“1st. That you embrace every favorable opportunity to effect a reconciliation with Great Britain, on such principles as may secure to your constituents a full and lasting enjoyment of all their just rights and privileges; and, as the most probable means of obtaining such desirable ends, you are to cultivate with the greatest care the union which so happily prevails throughout the United Colonies, and consequently to avoid and discourage any separate treaty.

“2d. Notwithstanding our earnest desire of peace with Great Britain, upon the terms aforesaid, you are nevertheless to join with the other colonies in all such military operations as may be judged proper and necessary for the common defence, until such a peace can be happily obtained.

“3d. On every necessary occasion you are decently, but firmly, to urge the right of this government to an equal voice in Congress with any other Province on this continent, as the inhabitants thereof have their all at stake as well as others.

“Extract from the minutes.

“JAMES BOOTH,

“*Clerk of the Assembly.*”

After the repulse and death of General Montgomery, Colonel Arnold, who succeeded him in the command of the American army, reduced to about six hundred men, retreated up the St. Lawrence three miles. He encamped. Congealed snow formed his ramparts. Wounded, with a handful of raw troops, insubordinate under any circumstances, and disheartened by defeat, hundreds of miles of wilderness stretching between the frontiers of Canada and their homes, with the cold of Siberia, the thermometer sinking to forty degrees below zero, Arnold commenced the blockade of Quebec. It is situated on the northern bank of the St. Lawrence, at the termination of the promontory formed by the confluence of the river St. Charles with the St. Lawrence. The Heights of Abraham, a wall of rocks rising nearly perpendicularly from the bank of the St. Law-

rence, are an almost impregnable defence to the upper town, built on the Plains of Abraham, which extend in width from one to two miles from east to west. The lower town occupies the narrow space at the base of the Heights of Abraham. Cape Diamond, across which, declining to the St. Charles, the upper town is built, rises gradually to the height of more than three hundred and forty feet above the St. Lawrence. Arnold's indomitable spirit sustained him under discouragements to which most commanders would have succumbed. Stretched upon his rude couch, with no shelter but his tent, with, perhaps, supplemental walls of snow, and without the comforts and attendance necessary for the speedy healing of his wound, he sustained the blockade through a very severe winter, but must have combated doubts and fears of his ability to maintain his position, of the most harassing character. The cold had become intense and still, and deep snow, the winding-sheet of nature in the deathlike embrace of winter, covered the province. In the clear winter atmosphere Arnold could see the walls of Quebec, impregnable to his guns of small caliber, perhaps the half-frozen sentinels pacing the ramparts, the flag of England drooping along its staff, and the tin-covered steeples, seeming, in the glancing sunlight, to be plated with silver. Would Carleton attack him, or, content with his success, and fearing to sally with a disaffected garrison, wait the reinforcements of which, in the spring, he was certain? Would the Americans be reinforced before the expected British troops could reach Quebec, and would their leader win the high renown of taking it by assault? On receiving intelligence of Montgomery's defeat, might not his countrymen abandon the attempt to conquer Canada, requiring, as it did, ten thousand men, whom they could neither spare nor equip, and hard money they could not command? Could he expect further support from the Canadians? It was unlikely that they would further imperil their lives and their property by adhesion to a defeated army with no flattering prospects of success. The priests and the seigneurs sustained the English authority, pleased with the Quebec bill, which gave to the Canadian ecclesiastics an establishment, and to the noblesse all legislative power except that of taxation. The peasantry—the cultivators or *habitans*—it is true, were at first favorably disposed to the Americans, but that inclina-

tion was not increased by familiarity with each other. The sprightly Canadian, with the mercurial temperament, the graceful manners, and the love for conversation, music, the chanson, and the dance of his French ancestors, saw little to admire in the American soldiers, uncouth in dress and rough in manners. They seemed to him only a few shades less repulsive, cold, and morose than their English cousins, while the noble qualities of both they perhaps neither perceived nor could appreciate. The American, on the contrary, equally unable to estimate qualities so amiable and delightful as those of the Canadian "habitan," contemned him as an effeminate,* fiddling Frenchman, wasting in games and talk and song and dance and music the long winters of his country, which he, the manly American, would have passed in hunting, or prospecting the wilderness around him. The indisposition of the Canadians to the invaders was increased when Arnold, by proclamation, announced that they were to be paid for supplies to his army in the paper money of the Continental Congress. He might as well have offered cowries or wampum. In March reinforcements to the American army began to arrive, and continued to arrive till it was increased to seventeen hundred men; but many of them were suffering under that loathsome disease the small-pox, and they occupied a space of twenty-six miles on the island of Orleans and both banks of the St. Lawrence: besides, they were ill disciplined, and did not respect the property of the Canadians, which further alienated them. On the 2d of April General Wooster arrived, and took command, and the next day a fire from the American batteries was opened on Quebec, but without effect, and Arnold departed for Montreal, to command there, mortified and displeased at being overlooked, as he supposed he was. A considerable part of the American army, entitled to discharge, could not be persuaded to remain.

In April General Thompson announced to Mr. Read that

* Effeminate they were not: hardy, patient, and laborious, they furnished the engagés, coureurs de bois, or voyageurs, by whose agency the fur-trade was carried on. They were unrivaled in skill as boatmen, and made long journeys, enduring almost incredible privations and toil, for very small wages. The descendants from the mixed marriages of the voyageurs and Indian women are an athletic and handsome race.

he was ordered to Canada. This order was unexpected, and perhaps unwelcome; yet he obeyed it with alacrity honorable to him as a soldier and a patriot.

“NEW YORK, April 15th, 1776.

“MY DEAR BROTHER,—This minute I have received orders to march to Canada. I confess I did not expect to have been ordered from here so soon, but I shall always be most happy where I can most serve my country.

“I have wrote to Mrs. Thompson to send my boys to Newark, where I know you will see that care is taken of them.*

“As the office of Paymaster-General is [to] be soon vacant by the resignation of Colonel Warren, let me recommend, in his room, Mr. Palfrey, a gentleman of Boston, who, from a campaign’s acquaintance, I know to be a man of strict honor, and well acquainted with business. General Hancock and Colonel Harrison know him well, and to them I refer you for his character.

“I have been so very kindly treated by the people of this place that I should gladly have stayed to have rendered them every service in my power. You shall hear from me when I arrive at Albany.

“My love to Mrs. Read and all friends—and am, my dear brother, yours very sincerely,

“WILLIAM THOMPSON.

“To GEORGE READ, Esq., Continental Congress, per post, Philadelphia.”

On the 1st of May arrived General Thomas, who had been appointed to command the American army in Canada, its effective force not more than one thousand men, so scattered that more than three hundred men could not be assembled at any point that might be attacked. The following account of the American army, its operations and prospects, just before its retreat from Quebec, will, I think, be read with interest. The writer of this letter was related to Mr. Read on his mother’s side, and was subsequently, I believe, Governor of New Jersey.

* *Post.*

“DEAR SIR,—I have had information of affairs at home by no person since I left Burlington. I expected, indeed, letters through your hands, but find I am entirely neglected or forgotten. Be that as my friends please or I deserve; but, unless I have given you offence, I beg a line from you, informing me of my brother’s destination, [and] the welfare of our family and yours.

“Yesterday we reached the post assigned us before Quebec, and I am unhappy to assert that the strength of our army here is vastly inferior to our expectations, and I doubt not to yours. The first evening we were called to duty by an alarm to observe the effect of a fire-ship bearing down on the shipping at the lower town, and to co-operate with it, if the wind might bear the flame on the town; but beyond all expectation there did not appear above eight hundred men, exclusive of the guards, nor do I think more can appear without calling the several parties on command in from the detached posts, and including the guards. The New England troops are arrived, and even at this critical period inoculated themselves, and became unfit for duty. Their regiments are merely nominal, some not more than two good companies. We ardently wish for ammunition and reinforcements, that we may try our fortune before the town is supported by additional troops. If we do not succeed before they receive a reinforcement, or we are strongly supported from the southward, we shall undoubtedly be forced to evacuate the ground. We are situated in a wide-extended country, of uncertain and inconstant friends, and a strong town, garrisoned by brave [and] inveterate enemies. They know our situation and measures, and even ridicule our attempts. Yesterday we opened a two-gun battery against them, and after our fire they discharged, deridingly, a musket in return. We have very light metal and little ammunition; they have heavy metal and abundance of powder and ball. They fire very frequently, so that we can procure their shot in great plenty. Should the reinforcement they expect come soon, whilst the New England troops are so few and unfit for duty, surely, with superior numbers, and a secure retreat to a strong town, they would sacrifice this handful of us, without sufficient ammunition and uncovered by a single line. They are prepared for us, and surprise we cannot take them by; I

doubt not but that they have beams prepared to roll upon us and our ladders, should we try it, and their walls are illuminated to secure them from night attack. Difficult indeed is our situation; but we encourage the men, and I am happy to believe that my little company is resolutely firm to my most dangerous purposes. Last night I found them ready, obedient, and willing, though the first night in camp. Our news here is trifling; it is suspected that the savages with the troops at the Forts Detroit, Niagara, Mushiinamaccanac, are coming down, and troops have been dispatched, I know not with what propriety. Our fire-ship, I mentioned, was repelled, as I am told, by a boom across the river, and blew up to no purpose, while our adjutant, who directed it, was in the cabin, whether from the fire of the enemy, or the too sudden effect of the combustibles, is uncertain. Poor Anderson,* however, threw himself out of a port-hole, wretchedly burned, and by good fortune swam to the boat. But I am in haste, though very prolix in my letter, and conclude, with best wishes for you, your lady and family, and am, dear sir, your humble servant,

“RICHARD HOWELL.

“May 4th, 1776.

“GEORGE READ, Esquire, Member of Congress, Philadelphia. To be left at the Coffee-House.”

Intelligence was received May 6th that the British fleet was below, and on the next day five of their vessels entered the harbor of Quebec. General Thomas retreated, abandoning many of his sick and all his stores, to Du Chambeau, and then to the mouth of the Sorel, where he was attacked by the small-pox, and the command of the American army devolved upon General Thompson, and soon after General

* Ephraim Anderson, notwithstanding the failure of his attempt to burn the British fleet in the St. Lawrence, and his narrow escape from death, had the tenacity of purpose a characteristic of projectors, happily for the world, but too often unhappily for themselves. I find that in the early part of the summer of 1776 he was in New York, adjutant of the 2d New Jersey battalion, proposing to Congress the destruction of the British men-of-war in the waters of New York by fire-ships, that Congress authorized the attempt, and he was employed to construct them, but that the number necessary could not be prepared in season, and the scheme was abandoned.—*American Archives*, 5th Series, Section 1, p. 155.

Thomas died. Actuated by the laudable desire to strike the enemy where he seemed to be vulnerable, and thus give a happy turn to affairs in Canada, which were so unprosperous to the Americans and unpromising of improvement, General Thompson, having been informed that eight hundred British troops, commanded by Colonel McClean, were stationed at the "Three Rivers," ordered Colonel St. Clair to attack them, if he could do so to advantage. St. Clair, thinking his force of six or seven hundred men insufficient, paused for reinforcement and further orders. General Sullivan arrived, and, as senior officer, took the command of the American army. He ordered General Thompson, at the head of between thirteen and fourteen hundred men, to join St. Clair, and, taking command of the whole force, to attack the enemy, if there should be good prospect of success. General Thompson, embarking his troops in boats, coasted the St. Lawrence on the south side of its expansion, called the "Lake of St. Peter," and joined St. Clair at Nicollet. Believing that he could accomplish his purpose, though his information as to the strength of the British, commanded by General Frazer, was contradictory, he dropped down the St. Lawrence, under cover of night, with the design to surprise them. The "Three Rivers," a village of some length, was so called because located where the St. Maurice disembogues into the St. Lawrence by "three mouths," about midway between Montreal and Quebec. The town was to be assailed, a short time before daybreak, by the American troops, simultaneously at each of its extremes, and two smaller bodies were to support them. The Americans passed the armed British boats below them, June 8th, undiscovered, and were sanguine of success, but unfortunately arrived at the "Three Rivers" an hour later than was proposed, so that they were seen and the post alarmed as they disembarked. The British vessels opened their fire upon the Americans; to shelter them they were ordered to march through what appeared a wooded point, but was really a morass, and extending three miles. They were so long making their way through this morass that General Frazer had time to land field-pieces and make complete preparations to receive their attack, while General Nesbit cut off their retreat to their boats. The American general, under all these disadvantages,

showed no lack of courage, but ordered his troops to charge. They obeyed, but were repelled, and retreated through a swamp, the British pursuing for a while. The loss in killed did not exceed thirty, but two hundred prisoners were taken, and among them General Thompson and Colonel Irvin. The plan of attack was judicious, and courageously made, and only failed because it required too many circumstances to concur to make it successful.* The following letter gives an account of the capture of General Thompson and Colonel Irvin :

“FORT GEORGE, July 5th, 1776.

“MY DEAR OLD FRIEND,—Would to God it were in my power to give you some agreeable intelligence from this place! but at present it is out of my power. You will be much pleased with Colonel Allen’s account of General Thompson’s engagement, in which, as he ever will, he acted the part of a hero and a great general. His capture was owing to the treachery of a rascally Canadian, a captain in our troops, who invited him, on his retreat, to take some refreshment at his house, which the general, with Colonel Irvin, accepted, and, while they were supping a little milk, the traitor gave the enemy notice, who immediately came up and took them.

✓ “Should Howe get a drubbing at New York, it will effectually check the progress of Burgoyne, who is not provided with boats to cross the lakes. You will have heard that Burgoyne’s army is composed of the foreigners we have been threatened with. I am stationed here, and very much hurried in building a hospital for the reception of three thousand men, who will be down in a few days.

“I should be happy to hear from you. Make my most respectful compliments to Mrs. Biddle, your good daughter, Mrs. Jemmy Biddle, and the rest of your good family.

“I am, my dear sir,

“Your affectionate and most humble servant,

“JONATHAN POTTS.

“Major Scull, Nicky, and the rest of our Reading friends are well.

“COLONEL EDWARD BIDDLE, Philadelphia.

“Favored by Colonel Allen.”

* Marshall’s Life of Washington, vol. ii. pp. 362–366.

It appears from the following letter that Mr. Read's family in May, 1776, were resident in Wilmington :

"MY DEAR G——, I have this morning wrote to Katy Thompson,* proposing to her to send her oldest son, George, to Philadelphia, to the college, where Ned Biddle will provide him with board and lodging, and that she should send her second son to Wilmington, where you will do the like for him. I presume that you will approve of this last [proposition].

"The Province ship left the town yesterday, being hurried off in consequence of intelligence that the Roebuck, man-of-war, was ashore near the cape. A ship, fitted out by Congress, and called the Reprisal, is ordered down also, with several of the gondolas, but a report prevailed last evening that the Roebuck had got off. Little else has been talked of since Sunday noon that the news came. I flatter myself that I shall see you on Saturday next. Last Saturday the Congress sat, and I could not be absent. I saw Mr. Bedford last evening; he has had a little gout in both feet, attended with a fever; of this last he most complained, but it is gone off. This day is their election for additional members of Assembly. Great strife is expected. Their fixed candidates are not known. One side talk of Thomas Wil- ling, Andrew Allen, Alexander Wilcox, and Samuel Howell, against independency; the other, Daniel Roberdeau, George Clymer, Mark Kuhl, and a fourth I don't recollect; but it is thought other persons would be put up. My love to our little ones, and compliments to all acquaintances, and I am

"Yours, most affectionately,

"GEORGE READ.

"Mrs. GEORGE READ, Wilmington, 1st May, 1776."

In the month of May, 1776, Mr. Read was one among the multitude of his fellow-citizens who witnessed the attack made by the row-galleys upon the Roebuck and Liverpool frigates off the mouth of Christiana Creek. The letter next inserted, written by Mr. Read to Mr. McKean and Mr. Rodney, contains some particulars of that affair.

* Wife of General Thompson.

“WILMINGTON, Friday, May 10th, 1776.

“GENTLEMEN,—The inclosed letter* came to hand this evening by the person employed to take the two hundred pounds of lead to Lewistown, sent by Brigadier McKinley, upon the requisition of Colonel Moore, which you have seen.

“The committee of safety have thought it highly important that you should be acquainted with the condition of the magazine at Lewistown, to exert your influence for an immediate supply of powder and lead, which, I suppose, must be by land, as the Roebuck and Liverpool will probably continue as high up the river as Reedy Island. This morning they were in the bight below New Castle, and, though the row-galleys have proceeded down from Christiana Creek’s mouth about two hours ago, I am apprehensive that the high wind now blowing will not permit their acting to advantage in that cove.

“We have had warm cannonading between the ships and galleys these two days past,—all within our view. Great intrepidity was shown on the part of our people, who compelled the two ships to retire, not much to their credit; but it appears to me the ships were afraid the galleys would get below them. Young Captain Houston led the van. As to the other particulars, I must refer you to the very many spectators from your city, who will have returned before this time.

“I suppose it will be thought that too much powder and shot have been expended by the galleys in these attacks; but I am well satisfied they have produced a very happy effect upon the multitudes of spectators on each side of the river; and in that part of the colonies where this relation shall be known, British ships of war will not be thought so formidable. A few long-boats drove, and apparently injured, those sized ships best calculated to distress us.

“The committee of safety are going this morning to New Castle and downward, to see what may be necessary to advise for the protection of the shore below. Truly the people at large have shown great alacrity and willingness on this occasion. I know not when I shall be with you, as I may be of some little use here. I shall stay till there is

* This letter was wanting.

some alteration in the appearance of things. Excuse this scrawl. Compliments to all friends.

“I remain your very humble servant,

“GEORGE READ.*”

“P.S.—Apothecary’s paper—written in the smell of vials.

“To the Honorable CÆSAR RODNEY and THOMAS MCKEAN.”

Young Houston, who so gallantly led the van in the battle of the row-galleys, was a native of Philadelphia. He was described to me by a venerable Revolutionary naval officer, Captain Henry Geddes, as a handsome man, born in the city of Philadelphia, fond of dress, of polished and agreeable manners, and much admired in female society.

I was also informed by Captain Geddes that he was captured, three days after the battle of the row-galleys, by the Liverpool, Captain Billew, who was a native of Scotland. This officer related to our informant that, in the hottest of the fight, a row-boat came from the shore, manned with four boys, who placed themselves directly under the stern of his ship, and fired incessantly into her. His officer of marines, calling his attention to these juvenile assailants, exclaimed: “Captain, do you see those d—d young rebels? Shall I fire upon them?” “No, no,” cried the brave old Billew; “don’t hurt the boys; let them break the cabin-windows!”

“In the heat of the engagement,” added Captain Geddes, “the attention of the thousand spectators who lined the Delaware shore was diverted from the sublime spectacle of a naval combat by a militia major riding at full speed among them, who threw himself from his horse, which he turned loose among the crowd, and entreated to be put on board one of the galleys. With much difficulty he persuaded two men to put off in a boat with him. He steered for the galley nearest the enemy, and as soon as he set his feet on board he stationed himself at a gun. The cartridges

* This letter was communicated to me by the late Cæsar A. Rodney (who very kindly permitted me to take a copy of it) in 1821, and was inserted in the sketch of Mr. Read’s life which I then wrote for the “Biography of the Signers of the Declaration of Independence,” edited by M. Wain, and then in the course of publication. For a biographical sketch of C. A. Rodney, see *post*, Appendix D.

failed, cartridge-paper was called for to make more cartridges, but it was all expended: the gallant major instantly pulled off his boots, filled them with powder, and rammed them into the gun. When he returned home, he bragged 'that he had not only been in the battle, but that he had fired his boots at the enemy.'"

Mr. Read was, very soon after the attacks of the row-galleys on the Roebuck and Liverpool, as appears by the following letter, in Philadelphia, in attendance on Congress:—

"MY DEAR G——, I have your letter of the 12th instant. I did expect to have been with you last evening, but was detained by a special call of the marine committee. This morning there is a call of Congress, owing to a letter, by express, from General Washington, who writes that two men-of-war and two tenders passed New York up the North River on Friday, notwithstanding a heavy fire from several batteries, [and] that a large ship, with a flag at her fore-topmast head, had come to the fleet at the Narrows, and was saluted. Supposed to be Lord Howe's—the admiral's—ship.

"We have no accounts from the army at the lakes. Most of the companies of militia of this city have proceeded to Trenton, where they rendezvous. Your brother George came to town last evening, and says his battalion are on their way here. Two companies of them will be in town this morning.

"One of the smallest frigates building here, called the 'Delaware,' was launched yesterday, and one of the largest was expected to have gone off the stocks at the same time, but could not be moved, owing to the misplacing of the ways, or some such cause, to the great disappointment of the builder, John Warton, and a numerous set of spectators.

"I was out at Mr. Gurney's all Friday, on a message from Mrs. Gurney the preceding night, delivered to me in bed about eleven o'clock. I inclose the letter for the singularity; and, behold! the cause was none other than a notice they had that some associators were going about to collect arms from the non-associators. Before I got there they were gone, and the fright was over, but I was kept the whole day. Mrs. Ross was in tolerable spirits, but complaining as usual. Mrs. Murray is still with them.

“As to my own health, it is not so good as I could wish. This day week I confined myself to the house, and took some bark, that has relieved me, and am now better, and I should have dined with Gurney to day, but the rain induced me to accept of a seat in Mr. Braxton’s coach, and I have been at Mr. Robert Morris’ country-house, with a set of people who think and act alike—some consolation in these times.

“As our Assembly are to meet to-morrow week, I shall have a proper excuse to return to you the last of this. Be assured I wish it most sincerely. Preserve your spirits, and an equanimity of mind, for your health’s sake. Banish your fears—all may be right—a few weeks may discover much, I hope, in our favor. God preserve you and our little ones, and believe me yours most affectionately,

“GEORGE READ.

“PHILADELPHIA, 14th May, 1776.

“P.S.—I expect Mr. Rogers, of Maryland, to carry this. If you see him, treat him as my old acquaintance. I am told the second frigate was launched to-day. James and Tom Read send their love to you.”

In the month of May, 1776, it was evident that Congress would soon have before them the question whether the thirteen American Colonies should or not, by a formal act, throw off their dependence upon Great Britain. Congress took a decisive* step towards independence by recommending, on the 6th of that month, to the colonies the establishment of permanent governments, instead of the temporary ones under which justice had been administered, order preserved, and the contest with the common enemy maintained.

Richard Henry Lee moved on the 7th of June, seconded by John Adams, the resolution “that the United Colonies are, and of right ought to be, free and independent states, and that the political connection between them and Great Britain is, and ought to be, totally dissolved.” This resolution was debated on the 8th and 10th days of June by Congress in committee of the whole, and, it appearing “that New York, Pennsylvania, Delaware, and Maryland were

* See Appendix F.

not yet matured for falling from the parent stem, but were rapidly maturing to that state, it was thought prudent to wait awhile for them, and to postpone the final decision till July the first.”*

The condemnatory judgment of some of my countrymen upon those who voted against the resolve of independence cannot, I think, bear the test of impartial consideration. These persons have viewed that measure from a stand-point different from that of the American senators who deliberated and voted upon it, and without the feeling of mighty responsibility pressing upon them. Time has made what was then doubtful certain. Was there no ground for doubt whether the great measure was not premature? Let it be remembered that the question was only as to time. Would not the declaration be worse than in vain if the people were not ready to welcome it. Were they ready? Had not delegations of colonies appeared in Congress *without* instructions to vote for independence—nay, some with instructions to *oppose* it? In the brief period which had elapsed since the election of those delegates, had so great a change taken place in the public mind on this question as was alleged? Would not a premature declaration be disastrous? Could foreign aid be truly counted on? Would monarchical governments become the patrons of democracy, and embark their noble officers and plebeian soldiers to fight its battles, and bring home its principles, the seed, to be sown broadcast, of revolution there? Had they no colonists who would but too readily follow the example of successful revolt from the iron rule of a parent state? Had the obscure English staymaker, by a pamphlet of a few pages, in the brief period of three or four months, wrought all the marvels claimed for it, equalling those of the most remarkable uninspired writings upon the opinions of men? Was it true that thousands who, on New Year's day, 1776, still spoke of England as “home,” and the king as “their gracious monarch,” misled, only for a time, by evil counselors, had awakened from their fatuity? When Paine proclaimed the monstrous folly of paying the enormous price of conflagrated towns, of countrymen slaughtered in battle or destroyed in the foul holds of prison-ships, of other

* Writings of Thomas Jefferson, vol. i. p. 17.

thousands reduced to widowhood and orphanage, and all the calamities of civil war, for a mere accommodation, which would leave them still a dependent people, he told the truth; but were the colonists convinced that it was the truth? When he said to those, and they were many, who only asked, "Bring us back to the state we were in in 1763," that this was impossible, for, though obnoxious laws might be repealed, the feelings of that period could never be revived, he told them the truth; but were they convinced of it? When he said to the colonists, Unless you strike for something higher and nobler than a mere compromise, which at best could be but temporary, you engage in a miserable game, he again told them the truth; but did they perceive that the play was not worth the candle? The conclusions of "Common Sense," it was urged, were true, and his reasoning irrefutable, but the change of opinion it was claimed they had wrought was so great and marvellous that it was prudent to wait for more evidence than Congress had of it. Independence must be declared, it was admitted, but it did not follow that it must *then* be declared. Delay of a few months could do no harm, on the contrary might insure the success of the great measure. Those were oversanguine who expected great immediate effects upon foreign nations from the "Declaration." France, for instance, would hardly march fifty thousand men into Germany to make a diversion in favor of the colonies. It was not the declaration of independence by the colonies, but their manifested ability to maintain it, that would determine France, and Spain, and Holland, to enter into treaties of alliance with them. The declaration, then, would gain nothing for the colonists abroad, and might drive numbers, more timid or cautious or less enthusiastic than others, into the ranks of the loyalists and Tories, who, if not disturbed in the calm exercise of their judgment by so strong a resolve, would in no long time be convinced that independence was the only measure which could insure permanent peace, safety, and prosperity to the American colonies. Did not the very anxiety for foreign alliance indicate doubt of the ability of America to maintain the contest unaided? There was no oracle to which the American senators could bring these doubts for solution. They asked for *delay* of this great step, and not for its *rejection*, for *all* were in favor of it. Was

this unreasonable, when it was admitted, in the language of Mr. Jefferson, "that New York, New Jersey, Pennsylvania, Delaware, and Maryland were not yet matured for falling from the parent stem, but were fast advancing to that condition"?* When the only concession to their doubts and fears was a delay of less than one month, was it unreasonable in them not to be satisfied? Mr. Read, looking, as he was especially bound to do, to the effect of the Declaration of Independence upon his own colony, where disaffection to the Continental Congress was great, and the hostility between the Whigs and Tories most virulent, could scarcely hope that it would be like that of oil on troubled water.

Mr. Read's instructions of March 22d, 1776 (*ante*, page 149), did not authorize him to vote for independence, but, on the contrary, by enjoining upon him and his colleagues to embrace every favorable opportunity to effect reconciliation with Great Britain, impliedly forbade such vote. But on the 14th of June, 1776, the General Assembly of the three lower counties upon Delaware gave, by unanimous vote, new instructions, which, though not directly, yet virtually, empowered them to assent to a declaration of independence, while they left them at liberty to vote for or against it as they might deem best or most expedient, thus indicating the greatest confidence in their wisdom and integrity. These instructions are as follows:

"INSTRUCTIONS TO THE DEPUTIES APPOINTED BY THIS GOVERNMENT TO MEET IN GENERAL CONGRESS WHICH WERE APPROVED UNANIMOUSLY:†

"*First*, That you concur with the other delegates in Congress in forming such further compacts between the United Colonies, and concluding such treaties with foreign kingdoms and states, and in adopting such other measures as shall be judged necessary for promoting the liberty, safety, and interests of America, reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same.

"*Second*, On every necessary occasion you are firmly to

* Jefferson's Writings, vol. i. p. 17.

† Pennsylvania Journal and Weekly Advertiser, No. 1750, Wednesday, June 19th, 1776.

urge the right of this government to an equal voice in Congress with any other province or government on this continent, as the inhabitants thereof have their *all* at stake, as well as others.

“Extract from the minutes of the General Assembly of New Castle, Kent, and Sussex on Delaware.

“JAMES BOOTH,* *Clerk*.

“June 14th, 1776.”

Until the resolution declaring the colonies free and independent states was adopted, Mr. Read, being of opinion that the measure was premature, was bound to oppose and vote against it; and he did so; but when (July 2d) it was adopted there was presented for his decision the question, “Should he sign the Declaration, or not?” He was not opposed to the measure, which would have been an insuperable objection: therefore, why not sign? Would his refusal to do so rescind the resolve? No, for it was *un fait accompli*; but it would aid the opponents of the measure in their efforts to prevent its sanction by the people, and if that should not be given it might be fatal to success in the struggle with Britain. If he withheld his signature, he could not be re-elected, it was probable, to the Continental Congress, nor to any public station, and would thus be deprived of all power to serve his country. Should he not, then, yield his own opinion, on a mere question of expediency, to a majority of delegates, almost a unanimity,—his own colleagues being part of it,—when he could perceive no possible benefit to his country from maintaining this opinion? True, if he set his name to the instrument which proclaimed that the thirteen American colonies had taken their place among the nations of the earth, his risk of life and estate would be much increased, should the British triumph; but superior to a consideration purely selfish, as was this, he signed the Declaration of Independence,† and when Joseph Galloway tauntingly said “he had done so with a rope about his

* See Appendix A, *post*, of this chapter.

These instructions were the same as those of the Pennsylvania delegates, June, 1776, for which see Pitkin's History of the United States, vol. vi. pp. 263, 264.

† See Appendix (to chapter iii.) C.

neck," he replied, "I know the risk, and am prepared for all consequences."

While John Dickinson, whose services in the early stages of the contest had been so great, and his popularity commensurate, voting against the Declaration and refusing to sign it, had fallen from his exalted place in the esteem and confidence of his countrymen, Mr. Read, with James Wilson, and the great financier Robert Morris, who voted with Dickinson, but afterwards affixed their names to that instrument, were re-elected year after year to the Continental Congress; and Mr. Read, in his own county, where the Whigs were numerous and influential, to the Assembly and Council of his State. The reason is obvious. Those best qualified to judge them discriminated between a vote against independence as premature, and hostility to that great measure; and yet, at a later period, men wiser in their own conceit than the constituents of these patriots have classed them for this vote with loyalists and Tories. While I maintain that contemporaries are to be esteemed the best judges on this question, because the best informed upon it, I do not hold they were infallible, but think they judged John Dickinson hardly.* He, with all the speakers, Mr. Jefferson declares, in the memorable debate on the resolution that the thirteen colonies ought to be declared independent of Britain, avowed themselves in favor of that measure, and opposed it as premature, and, as appears by his summary of their arguments, urged none against independence. The difference between Mr. Dickinson and Mr. Read, it seems to me, was that the first was *timid*, the last *cautious*.

Whatever diversity of opinion may have existed as to the *time* of adopting the Declaration of Independence, the strictest union and co-operation were observed when its immediate necessity was impressed upon the minds of the minority. The glory of the enterprise in which they had embarked appeared the same to all, and all regarded independence as the only security for peace and liberty. With

* "John Dickinson's opposition to the Declaration of Independence was an example of moral courage of which there are few instances in our history."—*Hildreth's History of the United States*, vol. ii. series ii., p. 330.

them peace and liberty were indissolubly connected; “*et nomen pacis dulce est, et ipsa res salutaris; sed inter pacem et servitutum plurimum interest; pax est tranquilla libertas servitus malorum omnium postremum; non modo bello, sed morte repellendum.*”^{*} Such were the sentiments of our forefathers, and in the fruits of their toil, their sacrifices, and their wisdom, we enjoy the repose of liberty, and they have merited and obtained a high and noble station among the heroes and patriots of the world.†

After the evacuation of Boston, General Howe retired with his army to Halifax, there to await expected reinforcements. But, from the commanding hill on which Halifax is built, week after week he in vain strained his eyes to catch the first glimpse of the longed-for fleet parting the translucent surface of Chebucto Bay. His troops suffered for want of fresh provisions, and impatience of inaction; winter lingered with the murky fogs common in that season in Nova Scotia, and every passing hour took from the brief period for active operations against the rebels. He determined to sail for the vicinity of New York and await reinforcements there. The plan of the contemplated campaign against the Americans was judicious. It had three objects,—the recovery of Canada, with the opening, as a consequence, of the communication with New York by the lakes, an attack upon the Southern colonies, and the occupation of the city of New York, with the islands and territory adjacent to it. The Americans were excited and anxious, and well they might be so. Congress was debating in secret session the question of independence, and the result of this debate was momentarily expected, and at the same time everywhere men watched for the jaded express-rider with the announcement that the British fleet had anchored in New York Bay. There was no room to doubt that New York would be attacked. Occupying New York and the

* Cicero.—*Oratio in Marcum Antonium*, section xlv. p. 652.

† The Continental Congress sat with closed doors; and if Mr. Jefferson had not taken notes of the debate in committee of the whole, on the motion of the Virginia delegation that the thirteen colonies should be declared independent, this debate would have been lost to history. I subjoin, as an appendix to this chapter of Mr. Read's life, Mr. Jefferson's "Summary of this Debate," for the reader's convenience. See Appendix B.

islands in its vicinity, and having, as was certain from naval superiority, command of its waters, Sir William Howe could from that point choose his theatre of operation in the State of New York or New England, the Middle or Southern colonies, while the fertile neighboring islands and country would furnish abundant supplies for his army, and its presence embolden the American loyalists, who were numerous, and, having command of the Hudson, he could prevent, or at least make difficult, the communication between New England and the Middle and Southern colonies. New York, immediately after the evacuation of Boston, was occupied and fortified by the American army, and Long Island, without the possession of which it was untenable. Should the attempt be made to hold both? The almost universal response was in the affirmative. The successes of our armies, crowned by the recent repulse of the British in their attack upon Fort Moultrie, had inspired confidence in our troops, which General Washington by no means shared. The inherent vices of our military system, short enlistments and reliance upon hasty levies of militia, the subjects of his frequent representation and remonstrance to Congress, made it but too evident to him that an army thus constituted could not cope with disciplined and veteran soldiers in the open field. But, in the state of opinion in Congress and without it, to have retreated from Long Island and New York without a contest would have been almost as injurious to the American cause as defeat; besides, as the American army had defensible heights in front of their fortified camp in the rear of Brooklyn, they might, with hope of success, venture a battle. Washington resolved to await the attack of the British. The Greyhound frigate, with General Howe on board, with seven transports conveying a regiment of Highlanders, towards the end of June was descried from Sandy Hook, and was soon followed by the first and rear divisions of his army. The ink was scarcely dry of the first general signature of the Declaration of Independence on the 4th of July, when General Howe completed the debarkation of his army on Staten Island. On the 23d of August, in the period intervening between that time and his arrival in the Greyhound, having been every day, almost, reinforced by troops from England and those detached to the Southern colonies, he landed his army, with its artillery, except a small reserve,

on Long Island, at Gravesend Bay. His plan of attack was judicious. It was to engage the attention of the Americans* by feints upon their center and right wing, while General Clinton, with a strong division, should essay to turn their left flank, and get into their rear. The engagement began at daybreak, August 27th. General Clinton finding the pass by the Bedford road unguarded seized it, advanced into the plain between it and Brooklyn, and attacked and routed the left wing of the American army, while its center, at Flatbush, and its right, on the coast-road, were assailed and defeated by Generals Heister and Grant, the Americans fighting at the greatest disadvantage, when the enemy, by Clinton's successful movement, engaged them at the same time in front and rear. There seems to me some ground for censure of General Putnam, and perhaps of the American commander-in-chief, for not sufficiently guarding the Bedford road. General Sullivan commanded† the whole force defending the wooded heights. It is true, his force was inadequate to defend these heights, which were passable everywhere by infantry, and through which led three roads, any one of which the enemy might choose for his main assault; but as his only mode of remedying his deficiency of troops was by his immediate knowledge of the point of that assault and prompt reinforcement of the division guarding it, and he seems not to have given its due share of attention to the Bedford road, so that the left flank of the American army was surprised and turned, there seems room to impute to him some deficiency of vigilance. But if censure attaches to him or his superiors, it is much alleviated by the circumstances of the case. The want of vedettes seems to me an insufficient excuse for the surprise of the American left wing; for though cavalry were

* Brooklyn, where the Americans were posted, is situated on a small peninsula formed by the East River, the Bay of New York, and Gowanus Cove. The American lines were at the back of Brooklyn, then a village, and looked towards the mainland of Long Island: they extended across the peninsula, from Whaaleboght Bay, in the East River, on the left, to a deep marsh, on a creek, debouching into Gowanus Cove, on the right, and in front of these lines wooded hills stretched almost the length of the island, their rear being covered and protected by formidable batteries on Redhook, Governor's Island, and East River, the last mentioned of which kept open the communication with New York.

† Marshall's Life of Washington, vol. ii. p. 441.

wanting, yet, as there were horses, and men to mount upon them, a commander of any resource would have extemporized vedettes.* The masterly retreat of our army, in the face of the enemy, more numerous, better disciplined, and elated by victory,† consoled the Americans, in some degree, under their defeat, was almost as creditable to Washington as a victory, and reanimated the drooping confidence of his countrymen in his generalship. The fog, such as had not been known in August for thirty years, which, while it was clear in New York, hung over Long Island and veiled the retreating army till its rear was beyond the fire of the British, was hailed, not only by enthusiastic and superstitious but by sober-minded Americans, as a sign that God was their ally, as He, the Lord of Sabaoth, took part with the Israelites when the pillar of cloud, at his command, went from before their face and stood between them and the pursuing host of Egypt. This brief notice of the movements of the British army after the evacuation of Boston, and of the battle of Brooklyn, seems necessary to introduce the following letters of Colonel Bedford and General Rodney, which, now first published, furnish some facts additional to the history of this battle. The biography of a public man must, to be coherent and intelligible, have interwoven with it portions of the general history of his times, at the risk of wearying readers familiar with it.

“NEW YORK, 27th [August], 1776.

“DEAR SIR,—I should have wrote you before this, but want of time and opportunity and nothing worth communicating are the reasons I did not. A day or two after our arrival at this place we were furnished with tents, and encamped about two miles out of the city, up the North River, till yesterday, when our brigade, which is Lord Ster-

* This he alleged that he did. Letter to John Hancock, 25th October, 1777.

† “To do full justice to this masterly retreat, it must be considered that they [the Americans] had been driven to the corner of an island, where they were inclosed in a space of two square miles, with near 20,000 disciplined troops in front, and in the rear an arm of the sea near a mile wide, which could not be crossed but in several debarkations, and notwithstanding these obstacles they did not lose a man, and carried off the greater part of their provisions, ammunition, and artillery.”—*Bissell's History of the Reign of George III.*, vol. i. p. 401.

ling's, were ordered and marched to Long Island, about three miles from this, and within two of the enemy, at a place called Flatbush, of which they have taken possession with a large advanced party. Our people, I am told, are advantageously posted, being in possession of the heights. Our army on Long Island is said to be ten or twelve thousand. It is conjectured the enemy are nearly the same. Lord Sterling's brigade consists of Miles' two battalions, Atlee's, Smallwood's, Hechlin's, of Lancaster County, Shutze's, of York County, and our regiment, which is thought here to be a fine brigade, the flower of the army.

"I should have gone over yesterday, but a general court-martial sitting, of which I was a member, prevented me. It was for the trial of Lieutenant-Colonel Zidwitz, of a New York regiment, for correspondence with the enemy. A letter of his to Governor Tryon was detected before the delivery of it, in which he proposes to furnish the general with a weekly return of our army, and to be every other way at his service, for a proper gratuity. He was found guilty of the attempt, and sentenced to be cashiered. He certainly deserved more, but the 'Articles of War' seem a little defective, otherwise he would not have come off so well. [Diary of the Revolution, vol. i. pp. 299, 305; vol. ii. p. 157.]

"We have just received intelligence of a fleet being seen in the sound, about sixty or seventy miles from this place, to the eastward, which will cut off the water-communication with the Eastern colonies. It has been long expected. Since our being here, every tide has given us expectation of the enemy's approach. The fleet since their landing the troops on Long Island is much diminished. There seems at this time six sail of men-of-war in motion. We must have a large army here and on Long Island, but I believe not so many as is generally said. They talk [of] twenty-five or thirty thousand. The Eastern regiments in general are very small. The works here are strong and extensive, and will require many men to occupy them.

"The report of last night from Long Island was that the enemy are much annoyed by our people, they scarcely daring to go outside of their breastworks at Flatbush. About two thousand Hessians, it is said, are on Long Island, and at the advanced post. I heard Lord Sterling yesterday say

about twenty of them are killed. We have lost two [killed] and three wounded. He likewise said he yesterday saw them kill a horse, cut him up, and dress him. Our people are well supplied with provisions, and I hope on Long Island they will be furnished with water, which at this place was rather scarce and not good.

“If I should have the pleasure of hearing from you, please direct your letter to be left at Mr. Bradford’s Coffee-House, New York. Remember me, if you please, affectionately to James and Thomas.

“I am, sir, your affectionate brother,

“G. BEDFORD.*

“To GEORGE READ, Esquire, Philadelphia.”

Colonel Bedford writes again to Mr. Read from

“NEW YORK, September 1st, 1776.

“DEAR SIR,—Eight days ago I wrote you, per post, informing you we were ordered to Long Island. Immediately on our going there, intelligence was received that the enemy were advancing in three large bodies. Our brigade, under Lord Sterling, was quickly ordered out to meet them, which they did in a short time. We found their numbers were three to one, with a large train of artillery, and [they] had possessed themselves of the most advantageous situations and passes, notwithstanding which Lord Sterling would engage. Colonel Miles’ two battalions suffered much, as did also Colonel Atlee’s, having lost at least one-half of each, with a number of officers. Colonel Parry was killed, as is supposed, Lieutenant-Colonel Piper, with Colonel Miles and Colonel Atlee taken prisoners. Lieutenants Stewart and Harney of our regiment, we fear, are among the slain, as there was no account of their being prisoners, and we had a flag from the enemy informing who were. Major McDonough, Lieutenant Anderson, and Ensign Course are slightly wounded, all except Course being fit for duty the

* The Council of Safety of the “Three Lower Counties on Delaware” having recommended sundry gentlemen for field-officers of the battalion ordered to be raised in that colony, the Congress, on Tuesday, January 19th, 1776, proceeded to an election, and, the ballots being taken, John Haslet, Esquire, was elected colonel, and Gunning Bedford, Esquire, lieutenant-colonel.—*Journals of Congress*, vol. i. p. 30.

next day. General Sullivan and Lord Sterling were taken prisoners, Lord Sterling not until the last, as he kept Colonel Smallwood's and our regiment four hours after every other regiment had retreated from the field, drawn up for battle in sight of five brigades of the enemy, who were surrounding us fast, when we received orders to retreat. On our retreat our regiment filed off [to] the left in pursuit of a small detachment of the enemy, which we made prisoners,—a lieutenant, twenty-three grenadiers, and three Hessians. Smallwood proceeded on, and fell into an ambuscade of at least double their number. They engaged them, and lost near three hundred men, killed and taken prisoners. I am just informed General Sullivan came up to New York last evening to negotiate an exchange of prisoners. The proposal is Lord Sterling and General Sullivan for General Prescott and General Grant, who they supposed might be a prisoner; but our people say he fell on the field, and that his hat, with his name in the inside, and a bullet-hole through it, is brought in. I don't know the certainty of it, as I have not been out of our camp since here, and have it only by the report now in camp. I forgot to mention that it was thought advisable to retreat from Long Island to this place, our lines there being but indifferent, and our people very sickly. We expect with our brigade to go to King's-Bridge this day or to-morrow: part of it are gone; it is now General Mifflin's brigade. It is supposed the enemy will attempt that pass next. The men-of-war, in number twenty, are within a mile and a half of this place, New York. Their troops, it is supposed, are all on Long Island. I wish it may be in my power to inform you in my next of some agreeable news—what I have given you must be the reverse. This opportunity has waited with some impatience; I therefore must conclude, with my compliments to Mrs. Read, and love to the children.

“Your affectionate brother, and humble servant,

“GUNNING BEDFORD.

“To GEORGE READ, Esquire, Philadelphia.”

Cæsar Rodney writes to Mr. Read, then presiding in the convention which framed the first constitution of Delaware, as follows, from

“PHILADELPHIA, September 4th, 1776.

“SIR,—Inclosed you have a resolution* of Congress. One of these papers was delivered to the delegates of each colony, to be by them transmitted to their several Assemblies or Conventions, that order might be taken thereon.

“I mentioned in my last the arrival of General Sullivan, and then hinted the business of his coming. The day I wrote you last he was admitted in Congress, and informed them that he had been on board the *Eagle*, and there had private conversation with Lord Howe: the substance of which was that his lordship declared that he had ample powers, together with the general, to settle matters between Great Britain and colonies in such a manner as should be for the true interest and benefit of both, and to make such settlement permanent: that he wished for nothing more than to converse with General Washington, or some one or more members of Congress, on that head; but that there was a difficulty in the way which prevents it, for that his rank and situation was attended with that kind of delicacy that he could not treat with the Congress as such, and had no doubt that the Congress, from their situation, lay under the same difficulty; therefore [he] proposed his having conversation of an hour or two with some of the members as private gentlemen: that he would meet them in that character also wherever they pleased: that he did not doubt, by this step, matters might be put in a train of accommodation; if not, that it would only be so much time lost: that his lordship further said, that he had staid in England two months, after he was otherwise ready to come, on purpose to obtain those ample powers before mentioned, by which means the Declaration of Independence had taken place before his arrival. There was other conversation, such as that his lordship thought this a fine country, that he had many friends and acquaintances here, and that he should be pleased much to have an opportunity to ride through the country to see them, etc. You, sir, may be desirous to know what Congress think of this message delivered by Sullivan at the request of Lord Howe. To satisfy your desire, I think I may venture to say that a

* For, I suppose, the enlistment of a permanent army. Marshall's *Life of Washington*, vol. ii. p. 456.

very great majority of the members look on it as an insult, and [I] believe a resolution will pass that no proposals for the future be received unless reduced to writing, and signed [by] some person who has authority to treat with the Congress as an assembly of the United Independent States of America, or to that effect.

“From certain intelligence received since I wrote last, Colonel Haslet, Colonel Smallwood, and Colonel Bedford were sitting on a court-martial in York at the time the Delawares and Marylanders were engaged with the enemy: that those two battalions fought as bravely as men could possibly do: that the Marylanders lost two hundred and fifty-nine men missing, many of whom were killed: that it was owing chiefly to their being separated, by which means the enemy got between them and obliged them to fight in small parties. The Delawares, being well trained, kept and fought in a compact body the whole time, and, when obliged to retreat, kept their ranks, and entered the lines in that order, frequently, while retreating, obliged to fight their way through bodies of the enemy who had before made an attack on our lines, where they were repulsed, and were also retreating, and met each other. The Delawares, in this retreat, lost four or five men, one or two killed and two or three drowned in crossing a creek. This would have been all their loss; but, unfortunately, about the beginning of the engagement a small party of observation was placed at some distance, with whom they could never again join, the enemy having got between them, though frequently attempted. [The] greatest part of those

* Major McDonough was in immediate command of the Delaware regiment, being senior officer present.

“The Assembly of the counties of Delaware, having recommended a gentleman to be major of the battalion ordered to be raised in that county in the room of John Macpherson, who fell before Quebec and never received his commission, the Congress proceeded to the election, and, the ballots being taken and examined, Thomas McDonough was elected, March 22d, 1776.”—*Journals of Congress*, vol. ii. p. 100.

Major McDonough was a physician. He did not long remain in the military service, but returned to private life and the practice of medicine until after 1792, when he was appointed an associate judge of the Court of Common Pleas, which office he held until his death, in 1795. He was the father of Commodore McDonough, who, in September, 1814, captured the British fleet on Lake Champlain after a sanguinary battle.—*Delaware Register*, vol. i. p. 343.

were lost, either killed or taken prisoners, but supposed chiefly killed. Upon the whole, the Delaware battalion has now missing thirty-one, including two officers, to wit, Lieutenant Stewart and Lieutenant Harney. The major had a slight wound on the knee. This is the whole of the damage they have sustained. Captain Adams, of Kent, after fighting bravely a considerable time, was seized with a most violent colic. He was sent off the ground, and a soldier with him, to conduct him to our lines. On his way he had to cross a deep marsh, in which, when the battalion crossed [it], they found him fast expiring. They carried him over on boards, [and] got him in the lines, and he is now well.

“Our old friend Billy Livingston is appointed Governor of the Jersey[s], Ogden, Chief Justice. The other appointments not yet come to hand.

“I am, sir, your sincere friend and humble servant,

“CÆSAR RODNEY.

“P.S.—You will communicate the matter relating to Sullivan’s message to Mr. McKean.

“GEORGE READ, Esquire.”

The foregoing letters of Colonel Bedford and Cæsar Rodney are especially valuable to the citizens of Delaware, for they add another leaf to the laurels won by the gallant Delaware regiment in many a well-fought field.

It appears from these letters that the Delawares were associated with four hundred of Smallwood’s regiment in the brilliant attack upon Lord Cornwallis;

That the Maryland and Delaware regiments were kept on the ground, drawn up for battle, four hours after every other regiment had retreated, in sight of five brigades of the enemy, and were not ordered to retreat until nearly surrounded; and

That while Smallwood’s regiment fell into an ambuscade, and lost, after engaging double their number, near three hundred men, killed and taken prisoners, owing chiefly to their being separated, the Delawares, being well trained, kept and fought in a compact body, even on their retreat, during which, in the face of a superior force, they captured a small detachment of the enemy, and in that order, to the admiration of their countrymen, entered the American lines.

“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, at Trenton and at Princeton, at Brandywine and at Germantown, at Guildford and at 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.

The “three lower counties on Delaware” are part of the North American continent discovered by John and Sebastian Cabot, sailing in 1497 under a commission from Henry VIII. of England. The Delaware Bay, called by the Indians “Poutaxat,” and the river, by them named “Arasapha” and “Lenape Wehulluck,” or “the rapid stream,”† were discovered and explored, how far is uncertain, in 1610, by Henry Hudson, who was in the service of the Dutch West India Company, and who, it has been said, sold his right to the Dutch, but at what time they settled on the Delaware is uncertain; however, as early as 1623 they had a small town at Gloucester Point and a fort at Nassau. The Swedes as early as 1631 settled at Lewes (Swaendal), Christiana, and other places on the Delaware, under purchases from the Indian sachems. The contest which ensued between the Swedes and Dutch for the Delaware territory was terminated by the successful expedition of Governor Stuyvesant from New York in 1655, to whom it was surrendered and the principal Swedes expelled. The English under Sir Robert Carr conquered the Delaware territory in 1664. It was reconquered by the Dutch, but only held till 1667, when, by the treaty of Breda, it was restored to the English. In 1670 the Swedes, Dutch, and Fins, few in number, were settled along the west side of the Delaware from New Castle (the chief town of the Delaware territory) to a point sixty miles above it.‡ This territory was granted by Charles

* Ramsay's History of the United States, vol. i. p. 209.

† Watson's Annals.

‡ Hazard's Annals, vol. i. p. 381.

II. to James, Duke of York, and by him, 24th August, 1682, to William Penn, who, before he left England to take possession of Pennsylvania and the "Territory," prepared "a frame of government" and "fundamental laws" for both. The Delaware territory, 7th day of December, 1682, was by Governor Penn, with the advice and consent of the freemen of that territory and of the Province of Pennsylvania, annexed thereto,* the people of both, with one Assembly, to be governed by the same laws and enjoy the same privileges, and by the act of settlement† the first charter, dated the 25th day of the 2d month, 1682, was, with modifications, accepted. In 1701, being found not so suitable as it had been, in some particulars, to the circumstances of the inhabitants, this charter was surrendered by six parts of seven of the freemen of the province and territory, and one better adapted to their condition granted, October, 1701, and accepted the same day. By the second article of this charter it was provided that there should be one Assembly for the three counties of the province and the three counties of the territory, each to choose four representatives, and one Council, to consist of eighteen members, three from each of the counties. This union of the province and territory lasted till the session of their common Assembly, which terminated the 28th day of October, 1701. During that session two members of Council brought into the House of Representatives a bill for the confirmation of the laws passed at New Castle the year preceding, and the vote being put, October 10th, whether this bill should pass into a law, the Delaware members, except two from Sussex, declared their negative to this bill, having never disputed the validity of these laws, and arose and left the House; but the bill, notwithstanding this secession, was enacted. They returned on the 15th of October, upon condition that they should enter their dissent to this bill, their further proposed condition that "nothing should be carried over their heads by outvoting them" being rejected, and rightly, "as impracticable and inconsistent with the privileges of Assemblies;" but the confirmation-bill, before mentioned, being again read, and it being proposed to read the laws it was to confirm three times, the Delaware members departed

* Delaware Laws, vol. i., Appendix, pp. 8-10.

† *Ibid.*, p. 11.

the House again. There was immediately a conference of the House with the Governor to endeavor an accommodation with these seceders, and it was successful. In the afternoon of the same day (the 15th) they came again into the House, and a letter was read from the Governor to the whole House, in which he declared "he expected their peace and accommodation of one another, the reputation of which was something, but the reality much more," exhorted them "to yield in circumstantial to preserve essentials," and besought them "not to make him sad, as he was then going to leave them;" and, the Governor having assured the House "that he should offer nothing further to the House," the Delaware representatives sat down, but, steady in their opposition, not till they again declared their negative vote to the passing of the confirmatory bill. After the rising of this General Assembly on the 28th of October, 1701, Penn went to England, and the representatives of the "Province" and "Territory" never after joined in any acts of legislation, though the deputy-governor and Council often endeavored to restore their union. The last of these attempts was by Governor Evans, April, 1704, upon the offer of the Delaware representatives, who met in Philadelphia on the 10th of that month, expecting to unite in Assembly with the Pennsylvania members, but, as they stated, "found themselves disappointed by the Pennsylvanians pretending a former separation;" notwithstanding, fearing that disunion might prejudice the peace and interest of the proprietary and government, they persisted in offering to join, provided there should be four representatives for each of the six counties, but the Pennsylvanians would not yield, for "the Delawareans had alleged yesterday that they could not act together, because they were called together by writ, the Pennsylvanians by charter, and because the separation could not be called 'pretended,' seeing it had been forced upon them by the Delaware members refusing to act with them on several occasions." So, being settled in a separate Assembly, they declined the proposed union, and coolly told them, in conclusion, that "they too may form themselves into a separate Assembly, and by mutual candor and good neighborhood the evils feared from separation, they hoped, might be prevented." Penn, though believing that the legislative union of his province and territory would be for

the advantage of both, yet, after this untoward occurrence, notwithstanding the closure and test of the charter of 1701, added thereto an article by which he granted them the privilege of establishing, within three years, distinct Assemblies. It is stated in the Appendix to the Laws of Delaware, volume i. p. 49, from which I have obtained the foregoing facts in relation to the union and separation of the "Province of Pennsylvania" and the "Delaware Territory," that these facts were extracted from a book entitled "Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, beginning 4th December, 1682, vol. i., in 2 parts," printed in Philadelphia by Benjamin Franklin and D. Hall, 1752, there being no minute of legislative proceedings of such an early period extant in the State of Delaware, the traditional account being that all such minutes preceding the year 1722 were destroyed by fire in the burning of Colonel John French's house in New Castle, where they were repositied.

The "Territory" seems during the "union" to have enjoyed due consideration, and there was a disposition in the province to conciliate it, the joint Assembly having met as often in New Castle as in Philadelphia. I find no reason stated for "the confirmatory bill," the introduction of which disturbed the harmony of the joint Assembly, and the laws of 1700, having been enacted by the Proprietary and Governor, with the advice and consent of the freemen of the province and territory, in conformity with the charter,* seem to me not to have needed it, unless the surrender of the charter to be immediately restored with modifications made it necessary, which cannot, I believe, be shown. The blame of originating this difficulty, from what appears, was with the "Province." Secession, it is true, was a strong measure, but the territorial members did not persist in it, and endeavored afterwards in vain to re-establish the legislative union. Among them were William Rodney, ancestor of Cæsar Rodney, who signed the Declaration of Independence, and Richard Hallowell, the generous donor of a beautiful

* Five of these laws are in the Appendix to vol. i. Delaware Laws, pp. 26-37, viz.: the Acts "for ascertaining descents," "for confirming devises of lands and nuncupative wills," "for empowering administrators to sell lands to pay debts," "for confirming freeholders in their lands," and "for taking land in execution."

farm close to New Castle, for the use of the rector for the time being of the Episcopal church there, which has been for almost a century and a half held and enjoyed by the ministers of that church. James Logan, the friend of Penn, prominent in the early history of Pennsylvania, stated in 1708 "that New Castle did not prosper, as the inhabitants there wished, as the rivals of Philadelphia, because of their disorderly way of living, and the unhealthiness of the place, and that to make New Castle flourish they fell upon the expedient to separate the lower counties from the province and to make it a seat of government; but, notwithstanding, the inhabitants below have still preferred to bring their trade to Philadelphia." He adds, "Much of this scheme was projected and conducted by Jasper Yeates and J. Coutts."* Mr. Logan was a citizen of the "Province," one of the parties in this dispute, and may not have been exempt from the feelings and prejudices which unfitted a man to judge impartially in this matter; and in nothing do men oftener mistake than in imputing motives. William Penn stated in 1704 "that the territory sought the union with the province, and he owes to the foul practices of Quarry the late defection of the people there."†

The dissolution of this legislative union was fortunate, I think, for the "Territory." In 1701 the representatives of the "three lower counties on Delaware" were equal to those of the "Province;" but this equality could not continue. Out of the vast territory over which the growing population of Pennsylvania would spread, new counties must inevitably be continually added to her original three counties;‡ but the little "Territory" could hope for no such addition. In no long time her representatives would be in a minority of the joint Assembly, and, in con-

* Edmundson, who was in New Castle, then called "Delaware Town," in 1672, described its Finnish and Dutch inhabitants as very intemperate.—*Watson's Annals of Philadelphia*, p. 46.

† "Quarry was Judge of Admiralty, and he, with David Lloyd, Attorney-General, and John Moore, advocate, were the ringleaders of the opposition to the Pennsylvania government. They were unwilling to provide an income for Penn and his officers, created embarrassments in the courts as to oaths and affirmations, and desired to change the proprietary into a royal government."—*Watson's Annals*, pp. 37, 39.

‡ In 1776 there were twelve counties in Pennsylvania.—*Paine's Works*, vol. ii. p. 142.

flicts of interest, at the mercy of the province; and if in 1704 she had consented to the proposed union, the province might afterwards have established an influence potent enough to defeat any effort to dissolve it.

The charter of 1702 was, unaltered, the fundamental law of the "three lower counties on Delaware" during the residue of their colonial existence.

The Continental Congress, because the colonists were declared out of the royal protection, a deaf ear turned to their prayers for redress of grievances, and the military power of Great Britain, with her German auxiliaries, was to be exerted against them, recommended, May 15th, 1776, that all authority emanating from the crown of Great Britain should be abrogated, and that the people of the United States should establish such governments as they might deem best for their security and felicity. The Declaration of Independence soon followed, and made the measure thus recommended still more necessary, and constitutions were adopted by all the colonies except Rhode Island and Connecticut, where no change was necessary, the legislature and executive being both under their charters eligible by the people.

The House of Assembly of the "three lower counties on Delaware" in July, 1776, recommended their constituents to choose ten deputies for each of these counties, to meet in convention and ordain and declare the future form of government for the State of Delaware.* These deputies were elected August the 19th, and met in New Castle, August 27th, and on the 29th proceeded to the choice of a President, when George Read was unanimously elected. On the 2d of September a committee, of which Mr. Read was chairman, was appointed to prepare a "Declaration of Rights," which on the 11th was reported, debated, amended, and adopted. On the 7th the Convention named a committee, of which Mr. Read was also chairman, to frame a constitution. This committee reported on the 13th. Their report was read a second time on the 15th, and, after some debate, recommitted. They reported again on the 16th, and the proposed system of government was debated from day to day till the 20th, when, with some amendments, it

* See *post*, Appendix.

was agreed to. The yeas and nays appear but once upon the Journal (pp. 25, 26), and were called upon the question of expunging the two last parts of the 29th Article, which exclude the clergy, while exercising their functions, from holding any civil office in the State. The ayes, among them McKean and Van Dyke, were but six, so that there was an overwhelming majority against the proposition. Mr. Read's name does not appear in the list of votes, he not voting, I suppose, because there was no tie.

By this Constitution the Legislature consists of two bodies, —the House of Assembly, of twenty-one members, seven for each county, freeholders, eligible annually by the freeholders of these counties; and the Council, of nine members, freeholders of the age of upwards of twenty-five years, to be chosen in like manner, to serve for three years, but one to go out every year, and a successor to be elected with all the powers necessary to the Legislature of an independent state. The executive power was vested in a President, to be chosen by joint ballot of both Houses of the Legislature, and to continue in office three years. He was empowered to draw money appropriated by the Legislature, to lay embargoes, but not longer than for thirty days in the recess of the Legislature; with the assent of the Privy Council, embody and command in chief the militia, grant reprieves and pardons, and exercise all other powers of executive government, limited and restrained by the Constitution. The Privy Council to be chosen by joint ballot of the Assembly and Council, two by each. The delegates to the Continental Congress to be annually chosen by joint ballot of the Assembly and Council. The judicial authority was vested in a Supreme Court for the State of three Justices, one of whom to be Chief Justice, and a Judge of Admiralty, and four Justices of the Court of Common Pleas and Orphans' Court (one of whom to be Chief Justice) for each county, to be chosen on joint ballot by the President and General Assembly, and continue in office during good behavior, an adequate and fixed and moderate salary being settled on them during their continuance in office. The Secretary of State, Attorney-General, Registers in Chancery, and clerks of Courts of Common Pleas, Orphans' Courts, and Clerks of the Peace, to be appointed by the President and Privy Council for five years, if they should so long behave well.

Twenty-four Justices of the Peace to be nominated by the Legislature for each county, from which the President, with the approbation of his Privy Council, was to select twelve for each county, to be commissioned for seven years, if so long behaving well. The Chief Justice of the Supreme Court to appoint the clerks thereof, and the Justices of the Courts of Common Pleas the Recorders of Deeds for five years. Two Sheriffs and a Coroner to be chosen annually for each county by the people, of whom the President and Privy Council to commission one. The Assembly to appoint all general and field officers, and all other officers of the army or navy of the State, by joint ballot, and the President to appoint, during pleasure, all necessary civil officers not mentioned in the Constitution till the Legislature otherwise direct. The Court of Appeals to consist of seven persons, the President for the time being, and three to be appointed by the House of Assembly, and three by the Council, so long as they behave themselves well. The Judges, Privy Councillors, Secretary, Trustee of the Loan Office, clerks of the Common Pleas courts, and army or navy contractors, ineligible to the Legislature, and seats of members thereof to be vacated by acceptance of any office under the Constitution, except that of Justice of the Peace. All officers to swear allegiance and obedience to the State of Delaware, and to faithfully execute their offices, and to make and subscribe a declaration, in writing, of their faith in the Trinity, and the divine inspiration of the Holy Scriptures. The President and other officers impeachable by the House of Assembly before the Legislative Council for misbehavior, and punishable by removal from, or disqualification to hold, office, or subjected to such penalties as law may direct, and all officers removable upon address of the Assembly. The English common and statute law declared to be in force, so far as adopted, and not repugnant to the Constitution or Bill of Rights until altered by the Legislature. No person in future imported from Africa ought to be held in slavery, and no Indian, negro, or mulatto slave ought to be brought into Delaware for sale, from any part of the world, under any pretence. Freedom of elections is secured, religious establishments prohibited, and clergymen, while exercising their functions, excluded from office; and rash alterations of the Constitution are guarded against by

making it unalterable except by the consent of five parts in ten of the House of Assembly, and seven of the council.

The convention which adopted this Constitution sat twenty-six days. Its members were farmers and merchants, with a few lawyers, and their work has the merits and defects of the constitutions framed at the same time by their sister colonies, all of which have been altered, not always for the better. That men taken from the common walks of life should so soon, so forcibly, and harmoniously reconstruct the fundamental laws of communities, and admirably suit them to secure rights and promote happiness, is a marvel only to those ignorant of American character, history, and institutions. They were already in the enjoyment of all the great principles of free government, and had little more to do than to provide a few new agencies for administering it, or new names for existent ones, and some additional securities against the abuse of power.*

This convention, "elected to ordain and declare the future form of government for the State of Delaware," did much besides exercising legislative, executive, and even judicial functions, without hesitation and without question, then or subsequently. Public exigencies compelled, and therefore justified, this irregularity. The convention ordered the raising, equipping, and marching of the quotas of militia

* How unlike the members of the conventions and assemblies of the French Revolution, whose extravagances have excited, as they will excite, the mirth, but oftener the horror or indignation of all who have read, and may read, their history,—the page of it, for example, which chronicles the work of one memorable day, August the 4th, 1789, when there was a grand renunciation of privileges of nobles, clergy, corporations, monopolists, and even of provinces! I wonder these mercurial Frenchmen, so fond of melodrama, did not get up a scenic representation of these renunciations, each figured by an appropriate emblem of costly material and beautiful or magnificent design, and when heaped upon the altar, the flamen of liberty, in classic costume, applying his torch to the patriotic offering. This 4th of August, first distinguished as "the day of sacrifices," is now known as "the day of dupes." The Constitution of 1791, a democracy having the king with little power at its head, was overthrown by the united force of the Girondists and Jacobins, and the well-meaning but visionary Girondists were soon swept away by the terrible energy of the Jacobins, who maintained their hideous despotism by the bayonet and the guillotine, and the reign of terror has been succeeded by various governments, the present probably no more stable than its predecessors.

required from the State by Congress, appointing, promoting, and commissioning officers, and settling their accounts, and borrowing money. (Journal, *passim*.) They (Journal, pp. 31, 32) order the finishing of a powder-magazine near Wilmington, and put it in charge of a fort-major and troops under him, and direct these troops to be raised. They (Journal, pp. 34, 35) frame and adopt instructions to recruiting-officers, and (p. 36) authorize a contract for making gunlocks. By the third of the Rules of Order (Journal, p. 6) members are forbidden to go out of the convention, after adjournment, before the President, under penalty of a check; or to leave it, when in session, longer than half an hour, under the penalty of five shillings. Members are required (Journal, p. 8) to make and subscribe the declaration of their faith in God the Father, God the Son, and God the Holy Ghost, one God blessed for evermore; and on motion of Mr. McKean (Journal, p. 12), as soon as he took his seat, after a short absence, the words, "I acknowledge the Holy Scriptures of the Old and New Testaments to be given by divine inspiration," were unanimously added. They (Journal, pp. 21, 22), on petition of a tanner, discharge his apprentice, who had enlisted in Captain Duun's company, of Colonel Patterson's battalion. Sat (p. 23) on Sunday, and order (p. 23) the signing of bills of credit, and restore (pp. 28, 29) forty persons who had risen in insurrection in Sussex County, in the month of June, 1776, to the favor of their country, upon profession of their penitence, and promise of future obedience to the Assembly of Delaware and the Continental Congress.

Among Mr. Read's papers I find a document in his handwriting, indorsed "Original Draft of the System of Government of the Delaware State, with Amendments," which makes it certain that he framed this first Constitution of Delaware.* These amendments are four in number,† one

* In the "Life of Thomas McKean," page 19, volume iv. of the "Biography of the Signers of the Declaration of Independence," is this paragraph:

"After the 'flying camp' was completed, the associators were dis-

† In a different handwriting, probably that of the Secretary of the Convention, who might thus have easily furnished Mr. Read with a copy of the Constitution adopted.

of them being the paragraph of Article 22, requiring all officers, before entering on the execution of their offices, to make and subscribe a declaration of their faith in the doctrines of the trinity in unity, and the divine inspiration of the Holy Scriptures.* This constitution remained in force

charged, and Mr. McKean returned to Philadelphia, when he resumed his seat in Congress, and signed the Declaration of Independence on parchment. Finding that he had been elected a member of the Convention for forming a constitution for the State of Delaware, he in two days departed for Dover, which he reached in one day. Immediately on his arrival, after a fatiguing ride, a committee of gentlemen waited on him, and requested that he would prepare a constitution for the future government of the State. To this he consented. He retired to his room in the tavern, sat up all the night, and having prepared it without book, or any assistance whatever, presented it, at ten o'clock the next morning, to the House, when it was unanimously adopted."

This anecdote hardly needs formal refutation, its utter improbability is so patent. Mr. McKean, after a journey of nearly eighty miles, arrives at Dover, is solicited by a committee to prepare a constitution for Delaware, sets up all night, without aid from books or men frames it, and he, not the committee, presents it next morning to the House, when, that is the same morning, it was unanimously adopted, with a precipitancy unusual even in passing an ordinary Act of Assembly. He must have large credulity indeed who can believe that a body of men, selected for the grave trust of framing a fundamental law for a community, could thus stultify themselves.

In this fine specimen of glorification, ascribing even greater facility in constitution-making to Mr. McKean than that of Syeyes, who had his pigeon-holes always full of constitutions, there is not a word of truth, except that there was a convention which framed a constitution for Delaware in 1776, and he was a member of it. As has been already stated, this convention met, not at Dover, but New Castle. Messrs. Read and McKean were members of it; Mr. Read was unanimously elected its President; on the 7th September a committee was appointed to frame a constitution for the State of Delaware, of which both were members, and Mr. Read was chairman; this committee reported a "Frame of Government" on the 13th, which was recommitted on the 14th, again reported on the 18th, and having been debated and amended until the 20th, was then approved.

* Men associate for their common good, therefore, unless inhibited by constitutions, legislatures may enact any laws necessary in their judgment to secure it. Religion, in se, is no more excluded from their province than any other subject, but it seems to be especially within it, as its influence upon men's temporal affairs is great. On the question, "Is our voluntary system better than an established church?" much may be urged on both sides of it, and "*adhuc sub judice lis est.*" However that the evils of the union of Church and State outweigh its benefits may be plausibly, at least, argued from the present state of the Church of England—her bishops nominated by time serving statesmen,

till 1792, when a new one was enacted and continued till 1831, at which time the present constitution of the State of Delaware was adopted. The amendments to this constitution, proposed to the people of Delaware in 1853, were rejected by a very large majority. Of the constitutions adopted in 1776 by Delaware and her sister colonies it may be said

“Facies non omnibus una,
Nec diversa tamen; qualem decet esse sororum.”

The greatest defect of this, the first constitution of Delaware, is the provision of a cumbersome judiciary, fourteen judges for a State of three counties and thirty-seven thousand* inhabitants. They were lessened by the constitution of 1792, and reduced by that of 1831 to four common law judges and a chancellor, and the population of Delaware has, I believe, more than doubled since 1776. Another defect, common to the constitutions of that period, except those of New York and New Jersey,† is the provision of a “Privy Council,” controlling in most cases the executive power, and thus impairing its unity, clogging its action, and sometimes covering its faults. A court of chancery was not established by this constitution, nor by those of most of the other colonies, but chancery-powers were vested in the common law courts. This I think a defect.‡

her convocation striving, with what success remains to be seen, to recover the power of legislating for her, wrongfully withheld, and her ritual and doctrinal controversies judged by laymen, it may be, not of her communion. But I do not doubt that the right conclusion *as to religious tests* has been reached in the United States, because they would, if adopted, be oftener employed to maintain error than truth, and because education and freedom of speech and of the press are better guarantees for its supremacy than tests.

* Compendium of U. S. Census, 1860, p. 39. As there was no general enumeration of the people of the United States before 1790, this estimate is conjectural, but may be accepted as at least approximating truth.

† Federalist, No. 70.

‡ The expense of this convention was three hundred and fifty-two pounds, fourteen shillings, and ninepence, which, to the amount of loans to the State in his hands, the President of the convention was directed to pay.

I find among Mr. Read's papers the account of William Anderson for the boarding, etc. of the New Castle County members of the convention, with his receipt for its amount from John Jones. There are

Cæsar Rodney writes to Mr. Read from

“PHILADELPHIA, September 7th, 1776.

“SIR,—Since I wrote last, three letters directed to you have come to my hands. I imagine they are from New York, and have sent them, with this, by the New Castle stage.

“In my last letter to you I gave you the substance of Sullivan’s message and what I then thought would be the determination of Congress thereon; however, the matter, after three days’ debate, has in some measure received a different determination. The Congress have refused sending any of their members to confer, as private gentlemen; but with a view to satisfy some disturbed minds out of doors rather than expectation of its bringing about peace, they have appointed a committee of Congress to repair to New York, with powers to confer with Lord Howe, to know the extent of his powers and the terms he shall propose. General Sullivan was furnished with a copy of this resolution, certified, and returned to Lord Howe yesterday. You will see by this that if Lord Howe receives the committee thus sent he acknowledges the Congress, and of course the independence of the States, which I am convinced he will not do. Yet it may tend to convince the people at large that we are desirous of peace whenever it can be had upon those principles.

“There is no material change in affairs at New York, except that a great part of our army are gone up to King’s Bridge, among others the Delaware battalion, and that Captain Wallace is gone up the East River with his ship. She was fired on by the fort, but not much, if any, hurt. She proceeded up till she got to a place called Blackwell’s Island,

charges every day in this account for wine-punch and toddy, and a large one for slings and morning-bitters at sundry times, and at the bottom of the account of the receipt of John Silsbee, barber, for thirty-nine shillings.

I was told by an aged lady, who died a few years ago, that when a girl she heard read a letter, in rhyme, from Francis Hopkinson, a signer of the Declaration of Independence, and author of the “Battle of the Kegs,” in which he humorously describes citizens of the village, among them

“Little John Silsbee, who hobbles about,
And takes the best man in the town by the snout.”

and anchored. Our people then, with two twelve-pounders, obliged her to slip her cable and get behind the island.

"I am, sir, your most obedient, humble servant,

"CÆSAR RODNEY.

"P.S.—How goes on your Convention?

"GEORGE READ, Esquire, New Castle."

On the 13th of September General Rodney again writes to Mr. Read:

"PHILADELPHIA, September 13th, 1776.

"DEAR SIR,—The whole of your time must certainly be engaged in the affairs of the Convention or I should have heard from you more frequently. I have wrote you three letters since you went to New Castle, but whether you have received more than one of them I cannot say. However, this letter is a proof I am not discouraged as yet.

"The people here have been for several days fully employed in forming conjectures with respect to the conference between the commissioners of Congress and Lord Howe. They have been various: some, Lord Howe has full powers, and if we have not peace it is the fault of Congress; others, there is no doubt but they will finally settle matters, and the army be disbanded; others again are cursed if they believe he has any powers at all. However, this business is put an end to by the return of the committee, who report that having sent a letter to Lord Howe, by express, to acquaint him of their coming, they proceeded to Amboy, where they arrived on Tuesday evening, and there the same evening received a letter from Lord Howe in answer to theirs, letting them know that he would meet them, on Wednesday, at a house on Staten Island, opposite Amboy, that his lordship the next day sent his boat for them, with a flag, and met them himself at the water-side, and in a very polite manner conducted them up to the house, where he had a dinner and plenty of good wine for them, and that after dinner they had a conference, which, with the time they were dining, was about three hours. Upon the whole, it seems his lordship has no power to make a peace, or even to order a cessation of arms; that he had a power to confer with any person or persons whatsoever to hear what they had to offer, and report to his Majesty, but that previous to anything else we must return to and ac-

knowledge obedience to his Majesty. This being done, he did not doubt, on his representing matters home, but that the several acts of Parliament and instructions might and would be revised and many of our grievances removed. The whole proceedings of the committee, Sullivan's message, and everything relating to it, will be published on Monday or Tuesday.

"One Mr. Duff, a young man, called on me for a commission as a doctor's assistant in our battalion of the 'flying camp.' Should be glad you would let me know immediately when and how he was appointed, and whether he ought to have a commission. They are to march on Tuesday, if possible, and if there be propriety in giving him a commission I could wish he had it, as it would be of great service in case of his being a prisoner.

"We have letters dated in July last, from our Connecticut friend* in Paris. There's a change of ministry in France; and he is the greatest man in the world except Lord North, and has as great a levee as he has. This is a secret.

"I don't recollect anything else worth communicating just now, except that I am, sir,

"Your humble servant,

"CÆSAR RODNEY.

"GEORGE READ, Esquire."

Mr. Rodney makes known to Messrs. Read and McKean the occupation of the city of New York by General Howe, and the bad behavior of the American troops posted to defend it, in a letter dated

"PHILADELPHIA, September 18th, 1776.

"GENTLEMEN,—I have sent my servant to you with the following disagreeable intelligence. By letters from General Washington to Congress we are informed that General Howe, with about six or seven thousand of his troops, took possession of New York on Sunday last. We are not so much astonished that he should get possession of New York (because we have expected it for some time past) as at the scandalous behavior of our troops that were placed to defend the post where the enemy landed, who ran away from their

* Silas Deane.

lines and breastworks in a most dastardly manner, when not more than sixty [men] were landed to oppose them. You must know that the main body of the enemy have been for [some] time past on the Long Island side, opposite Harlem Creek or River, and had erected several batteries there that played on ours at Horn's Hook, on the New York land side of the Harlem. A part of the main body of the enemy had taken possession of Montresor's Island, situate at the mouth of Harlem, and [which] is divided from Morrisania on the east side of Harlem and Harlem Point, on the west side by a water not so wide as Schuylkill Ferry. At one or both these places it was expected they would attempt a landing. General Washington, therefore, fixed his headquarters on the Heights of Harlem, as they are called, on the York Island side of the creek, and posted General Mifflin, with his brigade—consisting of Shee's, Macgaw's, Haslet's, and some other battalions—on the Heights of Morrisania. He had also placed troops on the heights near King's Bridge to support either the main army or Mifflin's detachment, as the case might require. The general, finding that two forty-gun ships, two frigates, and one twenty, had come up the East River and anchored opposite Turtle Bay (which is four miles above the city, and three miles or thereabouts below head-quarters), placed Brigadier-General Parsons, with his brigade and some Connecticut militia (in the whole near three thousand), there to defend that post, at least till they could be supported by the main body or a detachment from it. General Putnam, with about three thousand, were left in the city to defend it in the best manner he could till the stores should be all removed, in which they had been employed for several days before, and would have completed in one more. From all I can collect, this was the situation of affairs on Sunday morning, when the ships before mentioned began a very heavy firing at Turtle Bay, to scour the country previous to their landing the troops, but hurt nobody that I can hear of. When the firing ceased, their troops began to land, and ours to run as if the devil was in them. In spite of all the general could do they never fired one gun. General Washington, having discovered the enemy's intention to land at that place, ordered a reinforcement, and set out there himself. However, before he got to the place he met our people running

in every direction. He endeavored by persuasion and threats to get them back, but all to no purpose; in short, they ran till they left the general to shift for himself. General Putnam, who was in New York with his people, hearing what had happened, made the best of his way to head-quarters, lest he should be cooped up, fought his way through the enemy's lines, and brought his men to camp, with the loss of only three or four, as said. It seems not one of the men who ran from the place of the enemy's landing was from this side the North River,—all New England men. General Washington writes he is advantageously situated at present, and if attacked should be more than a match for the enemy, if their numbers were even more than they are, provided his men would fight, which is more to be wished than expected. I have wrote on this subject till I am in an ill humor, and my only comfort is that by the time you have read my letter you will be as angry as I am.

“I have inclosed Mr. McKean's order on the trustees of New Castle, thinking it might be wanting.

“I am, gentlemen, your most obedient, humble servant,
“CÆSAR RODNEY.

“P.S.—My boy will return to-morrow morning.

“Messrs. READ and MCKEAN.”

The grand army under General Washington being occupied in the defence of New York, the shore of New Jersey was open to the British, who might debark a large body of troops, and march them into the very heart of the middle colonies. Some measure of defence was necessary against this danger, and Congress, therefore, called upon New Jersey, Delaware, and Maryland to raise, equip, and march ten thousand men to form a “flying camp” in the middle colonies for their protection, and to serve till December 1st, 1776. These troops were placed under the command of General Mercer.* The battalion furnished by Delaware was commanded by Colonel Samuel Patterson, who, in the course of this service, wrote letters to Mr. Read, which will be inserted in the order of their dates.

* Marshall's Life of Washington, vol. ii. pp. 395, 396; Hildreth's History of the United States, vol. iii. 140, 141.

The first of these letters was written from

“PHILADELPHIA, September 19th, 1776.

“SIR,—This day I leave this city, thank God! Never man has been so uneasy. Yesterday five companies went off by water; Captain Latimer to-day; and what few remain of Captain Woodgate’s, yesterday about twelve o’clock had them all paraded to embark. The whole almost lay down their arms, [and] swore they would not go without a bounty such as others got in Pennsylvania. I told them such conduct I must treat in a proper manner if they did not take up their arms, [which] some did after awhile. I told them our counties were generous, and good behavior might do much, but on no other terms [could they expect the bounty], as they were not entitled to it. However, all would not do. At last I told them I would send to the ‘Play-House’ for two battalions, there, to disarm them, and making every soul prisoners. This had, with the other, good effects. I got them down to the wharf, fixed bayonets at the head of it, [and] sent them off. Captain Woodgate’s arms not [being] done, [I] kept his company along with the others to go with me; but, to my astonishment, this morning [I learned] his whole company deserted in the night, but eleven men. Their officers are after them. Captain Woodgate is sick in the ‘barracks,’ and not like to live; and about forty men, out of the different companies, left behind.

“I hope you and all the friends of government will keep a strict lookout for all these rascals and others.

“Yesterday evening [I] received Captain Mitchell’s letter as sent. I can leave no officer, but he must march up as fast as possible. Stores and blankets [are] at Hollingsworth’s store for him, for forty men. I shall leave a letter for him.

“The taking New York last Sunday has cast our people down much; but this morning an account is come, generally believed, that on Monday last the regulars went out to attack our people at a place called Bunker’s Hill, when a bloody engagement ensued. The enemy had killed 3000, [and] 2000 taken prisoners. Our loss 1000 men, and the brave Putnam slain. Pray God it may be true. Our spirits are much raised again.

“I shall give you a small opinion on battalion affairs. If ever you order one other, never sacrifice liberty to licentiousness by leaving the officers to be chosen as mine were. Had I known the men in general I would not [have] went with them. Some few excessive good; others, perhaps, another day may be brave—not at present. In my opinion they had better [have] staid at home. I hope I shall be able to go through this campaign. Nothing shall be wanting on my side. In haste, I am, sir, your real friend and humble servant,

“SAMUEL PATTERSON.*

“To the Honorable GEORGE READ, Esquire, on public business, in Wilmington.”

Colonel Patterson wrote to Mr. Read from

“NEW BRUNSWICK, September 22d, 1776,
“10 o'clock.

“SIR,—I am to acquaint you that I am now setting off for Amboy, and all the companies [are] here, except Captain Woodgate's and Captain Mitchell's, for an account of which I refer you to my last. If the men who deserted are not found I should be glad you would take the remainder and officers under your notice and order them to join Captain Mitchell's company, if coming up, or discharge them, and not suffer them to pilfer the public money and all arms and accoutrements, if agreeable to your advisement. I expect no good from them; in general, rascals in principle they are.

“At this place we have every hour news from New York and Paulus Hook about setting it on fire on Friday night. Just now a gentleman arrived [who] seems very intelligent. He says the regulars set it on fire in many places first, and

* Samuel Patterson owned a large grist-mill about one mile from Christiana Bridge, in New Castle County, Delaware, and carried on business as a miller there. The tomb over his remains in the Presbyterian burying-ground in the village of Christiana bears the following epitaph:

“In memory of Samuel Patterson, Esquire, Colonel of the Regiment of the ‘flying camp’ of Delaware, in the army of the United States of America, Brigadier-General of the Militia of the Delaware State, Continental Loan Officer and Treasurer of the same; [He] departed this life 27th May, 1785, aged 51 years; was a zealous friend of the American Revolution, a firm patriot, a hospitable and an honest man.”

at last in general by carrying fire in one hand and straw in the other, and that the Whigs, when New York was taken, were confined in gaols and places so full that they could hold no more, dragged, and cruelly used. That the city is destroyed almost all in my opinion is without doubt, and by the regulars, although some, not with us, want to say we did it—absurd.

“To-day I shall be at Amboy, with the companies with me. Our sick men are recruiting fast.

“Captain Woodgate remained [in Philadelphia]; when I left him; [he] had but eleven men, and they mostly sick, himself like to die, and since have heard not a word about him. I heard nothing of Captain Mitchell’s company when I left the city, or of him; left accoutrements for forty men at Hollingsworth’s store, which he is to look out and deliver to him.

“A deserter from Howe said this day [there] was to be a general attack on General Washington.

“In haste, I am, sir, your most humble servant,

“SAMUEL PATTERSON.

“My best respects to my general and all friends. Since [they] left Philadelphia the battalion is sorry for their misbehavior. It was owing to a rascal telling them they were fools to go without their bounty. As I have no time to write more, please let my father know I am here and well.

“S. P.

“To the Honorable GEORGE READ, Esquire, in New Castle.”

Answered the 3d of October.

The next letter is from Colonel Bedford from

“CAMP, NEAR HEAD-QUARTERS, October 1st, 1776.

“DEAR SIR,—By a letter received from Captain Read am informed you have not received any from me, which I am concerned for and amazed at, as I have wrote you three times since leaving Philadelphia: the first was on the morning of the action on Long Island, just before I went over. I delivered it to my Cousin Gunning Bedford, who, I understood, went to Philadelphia two days after; once by the post; and the other, I think, by some gentleman who went from the Maryland camp. The chief part of our time, since

leaving Long Island, have been encamped on the Heights of Morrisania, on the other side King's Bridge, a very remote place,—having very little opportunity of writing. I should be glad to use every opportunity to let you hear from me, especially if we had anything to communicate. Your intelligence must be better than I can give you as I suppose you frequently hear from the general.

“The enemy's lines and ours are about two miles from each other. By information lately received, and which General Washington acquainted us with in orders, they are meditating something speedy, which has put us on our guard for these few nights past, the army parading and marching down to the lines two hours before day, and when the lines are completed (which they are very forward in) I think our situation will be a good one; should the enemy attempt them, they must suffer greatly.

“Our army in general is much reduced by sickness or something else, as our regiment appears equal to any two I have yet seen in the service, and we want seventy to complete us, and [there are] one hundred sick. Our army suffers much for many things, the sick especially, as there appears to be no medicines anywhere. I know it the case with our own regiment and many others. Upon the whole, I think it has been a hard campaign and a discouraging one. I have not been well since I came from Philadelphia till within these few days. I feel now better, though I have lost no duty. Colonel Haslet and the major are both unwell. The colonel is in the country, about five miles from here, and has been there these three weeks, which confines me to the camp; otherwise I think I should go to Philadelphia shortly to provide some winter clothing for our people, and blankets, of which near two hundred are without. I have very seldom heard from any of my friends to the southward, which has made my time rather uneasy. I expect this will go safe to you, and shall hope to hear from you soon. In the mean time, with compliments to Mrs. Read, and love to the children, I am

“Your affectionate brother,

“GUNNING BEDFORD.

“To GEORGE READ, Esquire.

“Favored by Captain Spenser.”

Colonel Patterson writes to Mr. Read from

“HEAD-QUARTERS, AMBOY, October 4th, 1776.

“SIR,—We are here at present, and I believe we shall continue here during this campaign, if the Hessians will not drive us out, who parade just before us every day, but by some accounts our general has received there are not more than about seven hundred men opposite to us, and on the island about fifteen hundred. I am sorry to say I don't think we have effective men here to turn out above one thousand in case of an attack. If fear does not take hold of us I think we can beat three thousand, owing to our situation. It is whispered these few days the Hessians intend to try for our good quarters, but from what point I cannot say. General Mercer is unwell with an intermittent. General Roberdeau [is] at Bergen; General Dickin-son gone home for a few days. The troops here live well, and in great plenty. As to myself, am happy, and in an elegant house, which I will fight for before I give it up.

“Yesterday our lieutenant-colonel joined us, as also Captain Caldwell's company from Fort Constitution—miserable living there. The battalion is all here now, but what is coming up, deserters and Captain Mitchell's remainder. Now here, four hundred and sixty-one men, officers included. Two men dead—one in Captain Caldwell's, and one in Captain Manlove's. If I ever come campaigning again, I should never be for bringing up the men from below. They are not fit for fatigue, have no constitutions, and are always dissatisfied. Almost fifty or sixty of them every day sick and unfit for duty, and fond of desertion, as you have seen at Philadelphia; the forty who deserted there, were all out of the lower county troops.

“This you will receive by Colonel Latimer, who sets off this morning to join his regiment. In my opinion it will be of little service this campaign; if it comes as militia, and the men do not sign their enlistments, they will only increase the confusion here, and injure subordination, as the militia has always done. Our general has much the same opinion. The time of their service, if they turn out, must be short, as they will not be here before November. In short, the militia I have seen here are of no service—they

eat up the colonies, and the day after they arrive here are ever wishing to be back.

“I left at Philadelphia everything Captain Mitchell wanted, for forty men of accoutrements, but by some-fate he did not get my letter, and came up in want of all. I have supplied him here, and written to Mr. Hollingsworth to sell what was left with him.

“I am, sir, your obedient servant,

“SAMUEL PATTERSON.

“Remember me to General McKinley, and all friends. Pray ask how old bachelor Morris is, in my name.

“GEORGE READ, Esquire, Wilmington, favored by Colonel G. Latimer.”

Again Colonel Patterson writes to Mr. Read from

“PERTH AMBOY, October 9th, 1776.

“SIR,—I received a letter from Mr. Rodney, dated October 2d, wherein he says he received a letter from my quartermaster, Mr. Watson, wherein he complained he was not fit for the task. I must say I think so. Mr. Rodney’s answer to me on that head was that he had a right to resign, and thinks it would be proper for me to accept [his resignation], and as our States [Assembly] are not sitting, inclose it to the President of Congress, and they to commission some other person, and I to name one. This I communicated to Mr. Watson, and persuaded him to stay. He said he grew worse and could not perform. This morning he sets off from here for home. Inclosed is his commission, with notes that he has settled and paid off for all his transactions. The time is so short that it is hardly worth any person coming from your place to accept of the quartermastership. We have at present one George Purvis acting, till further orders. He was adjutant in Sussex, as he tells me, to General Dagworthy’s battalion, and was a candidate for the adjutantcy in mine.

“I now note the welcome receipt of your letter, per Major Duff. I am much obliged to you for the resolves of our Convention.

“You will note Mr. Rodney said in his last, he was returning home from Congress very ill, and applied to me to get him a medicine for his eye, which I did; it now comes

per Mr. Watson: perhaps Mr. Watson may be tardy or sick on his way down, if so, please to forward it by a messenger on purpose; his anxiety for it is great, and by accounts here it has in some instances done wonders in that way. Pray don't fail.

"I have also, for your perusal, inclosed you a state[ment] of my battalion, as per returns from the different captains, and you will see by that the number of sick, but in fact I could add as many more, not fit to turn out to do business—mostly the lower companies. By this you will see we have room for your new battalion—men, without any additional expense of officers; however, I don't expect men nor battalion from your place. The [winter] season always makes men cold: were I there, I think I could convince you our patriotism ran too high to keep up, notwithstanding £7.10 and one hundred acres of land in view, till the spring, and then hearts will be warm. We want no help here but what we have, for we frighten the Hessians every week. They are erecting new works before our faces, for fear, on every corner where our boats can land, near us; some of them we had brought down from up the Raritan, in their sight. You cannot conceive how afraid they are at present, as they are by desertion weak, and have not more than six hundred men in two small encampments opposite us. We have now here in camp, I suppose, four thousand men, and about one I am certain is about as many as could push a fierce bayonet. However, never fear us. A good general we have: every man loves him; his great tenderness and humanity have endeared him to all,—General Mercer. He has been sick with a tertian, at present is better. My respects to all friends. No general here but General M——.

"I am, sir, your most obedient servant,

"SAMUEL PATTERSON.

"Tell General McKinley I will not write till he does. Poor Captain Kain is in a very bad way with the dysentery, about six days [ill]; am afraid he will not recover. A noble officer—as such he will be missed by me."

Colonel Bedford writes to Mr. Read from the

"CAMP NEAR HEAD-QUARTERS, October 10th, 1776.

"DEAR SIR,—When I wrote you last I informed you of my disappointment to hear you had not received any letters from me, as I had wrote you often.

“We were yesterday alarmed with the Roebuck, Phoenix, and Repulse men-of-war passing us up the North River. They did it without receiving much damage that we could know of. We had no person hurt, or any damage done. It is reported they have taken two of our galleys up the river about two miles from this, but I have no certainty of this. I am now convinced men-of-war can pass any place with fair wind and tide. Lord Sterling has returned from captivity, and our brigade he has again taken charge of, as General Mifflin is to do quartermaster-general’s duty, and no other. We are in much the same situation as when I wrote you last. We are strengthening our lines,—the enemy are also busy with theirs. Our duty continues hard, having the lines to man every morning before day, and they are a mile and a half from here, and [we have] a great deal of other duty. I am sorry to inform you that many of our men have deserted to the enemy, though none from our regiment. Many from the York regiment, and a few from Colonel Shee’s that was, and Magaw’s. We have had none from the enemy till within these few days. The day before yesterday I had the advanced guard on the North River, when two of the enemy’s soldiers came over to me. There seems no probability that the Hessians will. The deserters say the enemy are apprehensive of an attack from us. They all, likewise, say they are healthy, and their army strong,—above thirty thousand. The day before yesterday two brigades of the enemy went over to Long Island. Our army is very sickly yet. We have one hundred and forty of our regiment unfit for duty. We have neither hospitals nor medicines for them, which makes them suffer much. I am glad to hear of General Thompson’s return,—if you see him, remember me to him. Colonel Haslet and our major are both well. I am likewise so, and have been for some time. Colonel Haslet is not yet come to camp: he continues in the country. My duty has been something the harder for it. I have some expectation of going down before a long time, if it is admissible. I want to see you much. I have no news to acquaint you of. Our army seems in good spirits, and we think our lines are secure, if they should be attempted. You will please give

my compliments to Mrs. Read, and all friends. I am your affectionate brother,

“G. BEDFORD.

“GEORGE READ, Esquire.”

The next letter of Colonel Patterson to Mr. Read is from

“HEAD-QUARTERS, October 12th, 1776.

“DEAR SIR,—Your kind favor [is] received by Captain Rumford, and [I] note its contents for answer. This morning there is a surprising change here; perhaps occasioned by General Lee’s arrival here last evening. This I leave to the world’s wise conjectures, as many such prophecies have lately been.

“This morning [there] is not a Hessian in sight of us. They had two encampments right opposite us, and sentries opposite our lines two miles long. Last night they struck [their] tents, and carts and wagons they had employed all night; also a ship of sixteen guns lay before my door, which skulked after them in the dark, and I do suppose the whole are marched for the southeast end of the island, there to cross or embark to assist General Howe in some place, for by some accounts the British army is not very strong, as we had imagined, as was stated in a letter to General Mercer, which I saw about six days ago. I wrote you the other day, per Hugh McCorachen, of Christiana, with a letter and small bundle of medicine for Mr. Rodney for his eye. Do forward it by a special [messenger] if he has gone home. I shall send him more, to your care, to-morrow without fail.

“I will write you, per every opportunity, any further movements of the enemy.

“As to the new battalion, [I] am not very sorry to hear it will not come out this blessed year. You mention Colonel Latimer’s not receiving your letter. He did about six miles from this. His carrying off the drummer was not, in my opinion, genteel; and, in fact, his coming up and going down was to me extraordinary, and he had like to have broken up his company with his fair promises. Three deserted that night, but followed by a good sergeant, who secured them, and brought them back. His men would hardly serve under him if he was reappointed. Major

Duff now waits for this letter; I cannot say much more. My respects to all friends.

“I am, sir, your most obedient servant,

“SAMUEL PATTERSON.

“I am glad to tell you Captain Kain is recovering and out of danger.—S. P.

“To the Honorable GEORGE READ, Esquire. Favored by Major Duff.”

Colonel Patterson writes to Mr. Read from

“HEAD-QUARTERS, October 13th, 1776.

“SIR,—This you will receive per Doctor Duff, with a paper bundle for Mr. Rodney, for his eye; the same as some sent before, and to be used in the same way. You will please to forward it per the first safe hand.

“I wrote you yesterday, per Major Duff, of the Hessians evacuating Staten Island. Yesterday our people passed and repassed all about. Not a Hessian on the island. Many persons have also come over. As to the number of the Hessians none agree. They are gone over to Long Island; some say fifteen hundred men, some say four thousand; but there was no large body [of them] together. The inhabitants say they in general behaved well to them, and swore them to George. As a badge such wear white crosses on their breast. We used to see many of them, but did not know their order before. We cannot see any now of them, nor, I hope, will soon. In the two camps before us, they were so afraid of our coming over that horses were always in harness, and for their guns also, these two weeks past. We never could get any account of their number before, with all our art, so well did they watch the island. In haste, I am, dear sir, your most obedient, humble servant,

“SAMUEL PATTERSON.

“I wish they had staid here, for Fort Constitution I don't like. I am happy here. General Lee staid only one night here,—is gone to head-quarters, with spades, etc.—S. P.”

Colonel Patterson further informs Mr. Read of the operations of the “flying camp” in his next letter from

“HEAD-QUARTERS, AMBOY, October 17th, 1776.

“DEAR SIR,—I have now just time to write you a few lines, which I should have done before, only for this reason: just as I returned from our excursion to Staten Island, [I] was ordered with my battalion to march to Fort Constitution, to join General Washington, but now have got a reprieve from, as it were, death. Our general has sent others in our room, owing to our battalion's being very sickly. Now [I] am likely to have my good quarters yet till we retreat.

“I shall now give you a small sketch of our affair to clear Staten Island, in the order [in which] it was conducted; and as to our success, we sent you a sample of the Hessians down and regulars—in all seventeen prisoners.

“On the 14th, in the evening, General Mercer ordered part of four battalions to be ready (mine all) to march and go on board boats at eight o'clock that evening. We did, in the whole about six hundred men, with two pieces of brass artillery. We crossed all about ten o'clock at night, in order to attack a small fort at the east end of that island, at the watering-place, and to be there by break of day,—seventeen miles, our battalion in front,—and to march there on all occasions. We had with us General Mercer and General Green. When we got two miles on, an express followed us for Generals Mercer and Green to attend a council of war of General Washington's in the morning. On this we had liked to have returned. General Green did. At the same time was informed by the country people that the fort was reinforced the day before by the arrival of fresh troops from England, Hessians, to about twelve hundred men. This put us to a stand; then sent our artillery back on consultation. Not far off we heard there were about two hundred and fifty soldiers, as they said, at the town of Richmond. We then agreed to pick them up. General Mercer ordered us to divide, and sent my battalion, with Colonel Griffin and myself, with two rifle companies, to march about a mile below the town, by a route of near five miles, to accomplish it, and to lay about there till near break of day, to cut off their retreat between that place and the main fort, about six miles [distant]. [This] we did, and a dark march we had.

“About break of day we arrived. General Mercer's plan

was—he to attack, with his party, in three places, and we to be ready at the same time in the other quarters. Colonel Griffin was too eager. He ordered my battalion to attack as soon as it came up. At this time the others had not a man arrived. This then was dawn of day. We began at it as hard as we could blaze. The few enemy there were ready at a church and a corner of the street near there. We should not have begun so soon, but came near one of their sentries, who fired at our advanced flanking-party, [commanded by] Captain Rumford, which brought us all to work, and not being light, had liked to have shot our own people. It lasted about one hour in attacking parties of the regulars that ran up the hill, and made a small stand in the cedars, and then ran off. We killed five of theirs, and [had] two of ours killed, and three or four wounded. One of the killed was of my battalion. Colonel Griffin got wounded in the first fire in the heel. [He is] now in a good way. I then had the command. About half an hour after the first attack the general came up, amidst smoke, and escaped narrowly from being fired on by our own people, as it was not light [enough] to know him. He is a hero, and as cool in his plans as a philosopher. I love him. We nearly caught Courtlandt Skinner,* the villain (he has raised a company of Tories), but the cedars hid him. I was in his room where he has lived for some time. You would not give five pounds for it, and a poor bed to lie on. Ships—numbers in sight at the Hook—just arrived. This letter you will excuse not coming sooner.

“I am, sir, your real friend,

“SAMUEL PATTERSON.

“HONORABLE GEORGE READ, Esq.”

We are now approaching the darkest period of the American Revolution, when reverses were followed by reverses till all seemed lost. Mr. Rodney expresses in the following letter his feelings, which were those of all true patriots, at this

* Soon after the battle of Brooklyn, Oliver Delancy, the captor of Woodhull, brother of a former Governor of New York, and Courtlandt Skinner, late Attorney-General of New Jersey, and Speaker of the Assembly, were commissioned as brigadiers, with authority to raise four battalions each, to be commanded by Tryon as Major-General.—*Hildreth's History of the United States*, vol. iii. p. 153.

dark hour; he is indignant at the base men who thought only of coining gold out of the public distress; he is sad, but not despondent or despairing, and counsels not the seeking safety for himself or friends, but more strenuous efforts to save his country and more earnest thought for means to that noble end :

“DOVER, October 25th, 1776.

“SIR,—Since I came to Kent I have purchased and paid for coarse cloths to the amount of near two hundred pounds. They come very dear; but what is worse, I have little or no expectation that many more can be got. The shops throughout this county seem to be entirely drained. Part of those I have are home-made. Be pleased to let me know whether you would propose that the House should take such order in the matter as to enable me to raise an account against this State for these articles procured for the Delaware battalion, or whether I must look elsewhere to be reimbursed. Dear as the cloths are they will now sell for considerably more than I gave.

“The last papers announce the almost total defeat of our fleet, under General Arnold.* Though I greatly feel for the loss the continent hath sustained and the many disadvantages we may have to labor under in consequence of it, yet I cannot but be much pleased with [the] behavior of that brave officer and his men. They are certainly a parcel of fine fellows, and will, while they show such bravery, convince their opponents that America is not to be subdued but by Americans. Yet the uneasiness and discontent which too generally prevail among the common people, partly occasioned by the scarcity and intolerable prices of necessary articles, is much to be lamented, as it tends more to the injury of the cause than anything I know. The disaffected, by painting the distresses of the people in strong colors, will create such a general discontent as that I fear the more unthinking among those will, in a little time, wish to submit, even at discretion, rather than contend. For this approaching evil we must find a remedy. Government must exert itself. But what can government do with those persons who are base enough to ingross these necessaries of life, in a time of general distress, when every nerve should be

* On Lake Champlain, 4th and 12th of October, 1776.

strained in the prosecution of the cause, with a desire to accumulate fortunes, even at the expense of their dearest rights and privileges? To submit now is undoubtedly to be slaves. However, I know you have turned your thoughts for a considerable time past to these things, and your more fruitful invention will contrive, if possible, a remedy.

“I received a letter from Colonel Patterson a few days ago. No news, but says Watson, the quartermaster, has, as all quartermasters do, discovered a profit in the business, and therefore intends to continue in the service.

“With my compliments to Mrs. Read, I am, sir, your sincere friend and humble servant,

“CÆSAR RODNEY.

“To the Honorable GEORGE READ, Esquire, at Wilmington, per Mr. Garmant.”

After the evacuation of New York the British were posted on York Island,—their right upon Horen’s Hook, on the East River, and their left on the North River, near Bloomingdale, the distance between these points being about two miles. Skirmishes took place, in one of which the Americans behaved well, so recovering character and restoring, somewhat, confidence. The American army was so advantageously posted—ten thousand at King’s Bridge, which was strongly fortified, and six thousand on Harlem Heights, nearer New York—that General Howe would not risk an attack upon it from New York, but determined to gain their rear by moving his troops behind King’s Bridge, and for this object, embarking them in flat-boats, landed at Frog’s Neck, on the east of the Sound. While the British commander-in-chief remained there a short time, awaiting reinforcements, guns, and stores, a council of war to counteract his plan of shutting up the American army in the island, and forcing it to give battle on unfavorable terms or surrender, recommended that its position should be changed by extending its front or left up the North River towards the White Plains, beyond the enemy’s right. The American army was accordingly disposed, having quitted York Island. Its right or rear division remained a few days in the vicinity of King’s Bridge to cover the baggage, which could not be quickly removed for want of wagons. General Howe’s reinforcements having been landed at Pell’s Point,

where, with his army, he united with them, he, October 18th, advanced, but with very great caution. On the 21st he was posted at New Rochelle, and General Washington on the high grounds between it and the North River. The British, reinforced by Knyphausen's division from New Rochelle, moved, as did the Americans, toward White Plains, where a large camp was marked out and where was posted a detachment of militia, the ground being strong. General Washington, by degrees calling in his outposts, occupied, October 25th, the high grounds east of the river Brunx, where, on the 26th, Lee joined him with the rear division. "On the 28th the American army was encamped on a long ridge of hills on which they had hastily constructed lines. A bend of the Brunx protected the right flank, and another turning secured the right wing. The left wing was posted on uneven ground, steep and rugged in front, but affording a secure retreat in the rear. The most accessible part was the centre, the slope of the hill being there gradual, the lines not fraised, and the ditches, from the rockiness of the soil, shallow."* General McDougal, with sixteen hundred men, chiefly militia, was posted upon a hill, to the right of the American troops, distant about a mile from them, on the west of the Brunx, to cover their right flank. On the 28th, at an early hour, the British advanced upon the American lines. Having driven in their outposts, a cannonade was begun at ten o'clock and kept up by both for some time with little or none effect. Howe then determined to occupy the hill, where McDougal was posted, and attacked it, with Lesly's brigade and Donop's grenadiers, on the right flank and in front, the Brunx being passable with ease. The militia fled, but the regulars, Smallwood's Marylanders and Reitzemar's New Yorkers, bravely advanced to meet the enemy, but were compelled by superior numbers to retreat. The residue of McDougal's force, consisting of his brigade, the Delaware battalion, and a small regiment of Connecticut militia, were driven from the hill, but for some time kept up an irregular contest from behind the stone walls which divided the adjacent fields. The Americans lost between three and four hundred in killed, wounded, and prisoners. The day was so far spent

* Bissett's *Reign of George III.*, vol. i. p. 404.

in taking the hill that the assault on the American camp was deferred till October 29th, and General Washington having strengthened his intrenchments and drawn back his right to stronger ground, it was further postponed to the 30th, when reinforcements, under Lord Percy, arrived; but rain then prevented the attack, and, on November 1st, Washington, fearing that the loss of the hill taken from McDougal would enable the British to gain his rear, withdrew to North Castle Heights, distant five miles. The foregoing summary of events from the evacuation of New York to the 1st of November, 1776, seemed to me a necessary preface to the following letter of Colonel Bedford to Mr. Read from

“CAMP, ABOUT FIVE MILES FROM WHITE PLAINS,
“November 2d, 1776.

“DEAR SIR,—I have just received your letter, per Captain Dean, with the paper inclosed, for which am much obliged.

“Since our leaving York Island have been in perpetual motion. The enemy moving has caused our regiment to do so also. I have now slept five nights without a tent or anything but the ground to lay on, and not a blanket to cover us, our baggage being ten miles from us, and our station being advanced toward the enemy, which is always our case. I have very little conveniency of writing at present, being obliged to sit on the ground and use the backs of letters.* I would inform you of the occurrences lately. About ten days since Colonel Haslet, Major Green, of the Virginians, and myself were ordered, with six hundred men, to march and attack Colonel Rogers† (the famous Major Rogers for-

* On the back of this letter is written “Lieutenant-Colonel Bedford, of the Delaware Battalion, near New York, per Captain Dean.”

† Robert Rogers, born in New Hampshire, was a distinguished partisan officer in the war with France which issued in the loss to her of Canada. His exploits and escapes at the head of his “Rangers” were as daring and romantic as those of Stark and Putnam. When the Revolution commenced, he was, or pretended for a time to be, neutral, but in 1775 was in Carleton’s pay as a spy. In 1776 he was in New York, and being suspected was arrested, but set free by Congress, upon his written engagement “on the honor of a gentleman” not to serve against the United States while the war continued with Great Britain. But he immediately after violated this pledge, entered the British service, received the commission of colonel, raised a corps of Tories, and

merly) and his regiment, which was supposed to be about three hundred strong, or his outguard. Accordingly we proceeded; but instead of meeting with his main body our guides brought us (it was eleven o'clock at night) on their picket-guard, consisting of seventy men, thirty-six of whom we brought off, and about fifty muskets and as many blankets; the rest, I believe, were chiefly slain, as several deserters from that corps (they are called Royal Rangers) say but two escaped. We had two men killed. Major Green, who had the chief merit on that occasion, and made the first attack, with one hundred and fifty men, was wounded through the shoulder near the socket, but hope he will recover, and six or seven men wounded. The place we attacked was about ten miles from our camp, and called 'Mainaranek.' Instead of three hundred we afterwards learned they had six hundred, and fled on the alarm.*

"Last Monday the enemy advanced on our lines on the 'White Plains.' Our regiment was ordered to reinforce General McDougal's brigade, who occupied an advantageous hill. The enemy soon made preparations to gain it, and at last succeeded, after our defending it in the best manner we could with our small number, in comparison of the enemy, and a large train of artillery. They cannonaded us with their whole force, which, I suppose, was as great as any ever brought out, which forced a retreat. Our regiment lost about fifteen killed and as many wounded. Captain Adams, of our regiment, we fear is killed, as he is missing. We had an ensign, Hazard, shot through the arm, [and which is] broke[n]. Captain Caldwell is slightly wounded in the wrist, and myself in the arm, but am now quite well of it, as is Caldwell. The night before last our lines at White Plains were evacuated, and yesterday the enemy took possession. We are about five miles from them, and expect them here next, probably to-morrow. You mention the new appointment of officers in this battalion. I wish to see you, but at present can only inform you I mean to decline serving any longer if you think well of it. I

at their head was now serving against his countrymen, who, while they dreaded the courage, enterprise, and resources of this renowned partisan, hated him intensely as an apostate and despised him for his breach of parole.

* Marshall's Life of Washington, vol. ii. pp. 500, 501.

believe too many of our officers will also [decline serving], as they generally talk of it. You will do as you think best. For my part I am tired of the service. We have just received orders while I am writing this to fortify this post. There is only Lord Sterling's brigade here. We are on the right of the whole army, and 'tis supposed the enemy mean to surround us, which must be done by forcing their way on our right. I must conclude, with my compliments to all friends.

“Your affectionate brother,
“G. BEDFORD.

“GEORGE READ, Esq.”

Colonel Patterson gives Mr. Read further information of the state of his battalion, asks his opinion upon a point it was difficult to decide, and makes some useful suggestions in his next letter, dated

“HEAD-QUARTERS, PERTH AMBOY, November 4th, 1776.

“DEAR SIR,—I have wrote you two letters lately, [and] as yet [have received] no answer. This comes by the Reverend Mr. Eakin, who is now going home, by leave, not to return. He has been an honor to your appointment. As to news here, [there is] none material. Our battalion is half [of] the garrison, and by some late accounts our enemy are numerous on Staten Island. General Mercer at present [is] supposed to be at head-quarters. My battalion is somewhat mending, and this day and yesterday [I] discharged about thirty men—invalids, supposed not to be able to do duty our time, at their own request, and perhaps soon sixty more [will be discharged]. Their clothing excessive thin. [It is] now here very cold. No likelihood of [things] mending here. By deaths and discharges have many arms. [I] have ordered chests to be made [for them], and shall send them down to Messrs. Hollingsworths' store, under guard, to lie there until your further orders, or I return with an inventory if approved of. In discharging the men [I] am much at a loss how to act—whether to pay them from the day of enlistment or not. Some have done one way, some the other, as the captains say they had some assurance. I well know the orders, but think it hard they should not be paid from the date. Your answer to this

point I want much, [as I wish] to do justice to all, but those sick would give all up to be discharged, and more.

“Another affair comes under my notice, but shall only touch slightly on it, and [it] has been hinted to me also [by other persons] that think as the Delaware State is to furnish a quota of troops at the expiration of our time, whether it would not be proper for you to send some orders to recruit [the discharged soldiers] at £7.10 in cash to each man, and perhaps some scheme might be adopted to make one battalion out of both; there is a difficulty, as one’s [term of service] is out a month sooner than the other,—and officers hard to determine. This to your better judgment.

“I am sorry to inform you Colonel Bedford got wounded in a late engagement. I am told [the wound] is slight.

“The [enemy] advance on us, but very slow[ly] yet. The sending up troops for the ‘flying camp’ is absurd. As such some arrived to-day from Maryland to stay to December, unarmed. No arms here.

“My best compliments to all my friends. I am, dear sir, your most obedient servant,

“SAMUEL PATTERSON.

“I have some noble officers in my battalion I could recommend if a door open.—S. P.

“Honorable GEORGE READ, favored by Rev. Mr. Eakin.”

A false report, but not without foundation, that Congress had ordered troops to Lewistown, no application for them having been made by the President or Legislature of Delaware, then in session, occasioned the following letters of Mr. Read and Robert Morris :

“NEW CASTLE, 5th November, 1776.

“SIR,—A report prevails here, this morning, that Congress have ordered four companies of one of the Virginia battalions to Lewistown, on some intelligence supposed to have been transmitted by Henry Fisher to the Council of Safety of your Province. Upon inquiry I find that Mr. Rush, Secretary to the President, told the under-sheriff of this county so yesterday morning. I must own I can with difficulty believe that Congress would take a step of this kind, upon any application other than from the legislative

or executive bodies of this State, especially as the Congress must know that the General Assembly is now sitting at New Castle, who, it is to be presumed, are the best judges of the necessity or propriety of such a measure; but if such is the fact, take the most speedy way to prevent its being carried into execution, otherwise it may be attended with bad consequences, as I well know the Legislature of this State will look upon it as an ill-timed interference with their internal affairs. As to Harry Fisher, he may be qualified for the post assigned him by your Council of Safety, and they may give him what credit they think fit in that line, but they ought to be careful of giving credit to his intelligence of the political conduct or sentiments of the people of Sussex or any other county in this government. More injury to the common cause was done by sending down the rifle battalion of your province last summer than most people are aware of. I would not have it increased by a repetition of insult. Let me hear from you by the messenger, who is sent for the purpose, and you will oblige yours, etc.,

“GEORGE READ.

“To the Honorable ROBERT MORRIS, Philadelphia.”

It is evident from Mr. Read's letter that these troops were to be sent to overawe citizens of Sussex disaffected to Congress. I am, therefore, not surprised at the indignation excited by the report that troops were to be ordered there for such purpose, upon the representation merely of an individual.

Mr. Morris replied promptly to Mr. Read's letter:

“PHILADELPHIA, November 6th, 1776.

“DEAR SIR,—You will not wonder that I should be obliged to answer your favor of the 5th instant in a great hurry, after detaining the bearer some time before I could even sit down to write.

“It seems there is some foundation for the report you heard, although not strictly true. I was not in Congress when Dr. Rush brought the account from the Council of Safety, but am told, he moved for some Continental troops being ordered down, which was opposed by several members upon the very principles you would wish, and finally the

motion was rejected; but as a Virginia regiment was ordered up from the Eastern Shore, they were directed to halt at Dover for the further orders of Congress, on the supposition that your government would apply for them if they should think it necessary.

"This I believe to be the true state of facts, and as my sentiments are totally with you, I am ready to obey your commands, or do anything you desire, if in my power; being very sincerely, dear sir, your obedient servant,

"ROBERT MORRIS.

"To the Honorable GEORGE READ, Esquire, New Castle."

The next letter in the order of their dates, I find among Mr. Read's papers, is from General Rodney.

"November 17th, 1776.

"SIR,—At the request of the members of the Council and Assembly, delivered me by Mr. Collins, I sent, to the care of Thomas McKean, Esq., in Philadelphia, by John Palmer, shallopman, sixty blankets, and all the cloths of any kind whatsoever that I could procure here suitable for the Delaware battalion. They were packed in hogsheads, and accompanied with a letter to Mr. McKean. But as the collectors of those articles had not made me their returns in proper order, [I] could not send him the invoice and account of them. I have now inclosed you a general account of them, and the charges thereon, all of which I have presently charged to this State, as directed by Mr. Collins.

"On Monday, the 4th of this month, one George Gibson (who says he is a captain in the First Virginia Regiment, was sent by the State of Virginia and General Lee on an expedition to New Orleans, and was passing through here with letters from the Governor of that place to Congress) applied to me to assist him with horses, and a small matter of cash. I procured horses to send him part of the way, let him have six pounds,—which was all he asked,—and have inclosed you his receipt for it.* As the money was

* Inclosed in Mr. Rodney's letter is the following note:

"Captain Gibson presents his compliments to General Rodney. When he applied to him for horses, for prosecuting his journey towards head-quarters, he forgot to request the favor of an article of equal im-

advanced for the public service, [I] should be obliged to you to procure it again for me. Before I let him have the money he showed me his credentials, signed by Mr. Pendleton, and many other gentlemen of note, in Virginia. Yesterday and the day before I received two letters from General McKinley, by express, with copies of other letters inclosed, informing that a great number of vessels had sailed from New York, [and] that it was expected they intended up Delaware to pay Philadelphia a visit. On the receipt of this piece of intelligence, I immediately issued and sent orders to all the field-officers in this and Sussex County, to see that their several battalions were immediately prepared, with their arms, accoutrements, etc., [to move] when and where they should receive orders for that purpose. This I did in discharge of my duty as commanding officer; but, between you and I, I no more believe they are coming, at this season of the year, to attack Philadelphia than I believe they intend besieging the moon. I am much pleased to find, by the postscript of Mr. Hancock's letter, that General Carleton, with all his forces, has retreated. Whenever you have anything, either public or private, worth while and proper to communicate to me, and be fortunate enough to steer clear of those violent lazy fits that sometimes seize you, [I] should be much obliged to you to let me have it. I am, sir, with much respect, your most obedient, humble servant,

“CÆSAR RODNEY.

“GEORGE READ, Esquire.”

Mr. Read was invoked to exert his influence to induce the immediate march of volunteers from Delaware to aid in the defence of Philadelphia against the apprehended attack of the British, by Messrs. Wilson, Clymer, and Chase in their letter, dated

portance—*cash*. Would it be convenient for General Rodney to let him have about five or six pounds, Continental currency? If it would, he will esteem it a particular favor, and a very essential one.

“MONDAY, November, 1776.

“Received of General Rodney six pounds Continental currency.

“GEORGE GIBSON,

“Captain, First Virginia Regiment, on particular commission.”

“PHILADELPHIA, November 25th, 1776.

“SIR,—The inclosed resolutions* will inform you of the steps adopted in this State for the immediate reinforcement of the army under the command of General Washington. We wish for assistance from the State of Delaware, and cannot doubt their alacrity in furnishing every aid in their power in this hour of common danger.

“We know not to whom our application ought to be made, but we earnestly entreat your influence and exertions with the proper authority of your State to send a speedy assistance of five hundred volunteers, if possible, on the same terms and times of service with the volunteers from this State.

“We are, sir, with great regard, your obedient, humble servants,

“JAMES WILSON,
“GEORGE CLYMER,
“SAMUEL CHASE.

“Honorable GEORGE READ, Esquire, New Castle.”

The letter I next present to the reader is the last of Samuel Patterson's letters, written to Mr. Read during his service with the “flying camp.” He was, as I judge him by his letters, a spirited and brave officer, an ardent Whig of respectable abilities, and limited education, and of quick temper.

“BRUNSWICK, November 30th, 1776.

“DEAR SIR,—Yesterday morning I had orders from Lord Sterling to evacuate my post at Amboy with the troops there—about five hundred men—and the remainder of the stores, cattle, etc., and to join him about three miles off. This I did by sunrise, and then proceeded, with the main body, to Brunswick, where we arrived about two o'clock—in the whole about nine thousand men, with a good train. But this place is miserably dirty—no entertainment. Many of our men lay out without even tents—most distressing to the campaign and future success of recruiting. Our men [are] many of them sick, [with] hardly a place to put their heads in. Here are Generals Washington, Putnam, Mercer, Green, Stevens, and Beal, with their brigades. General

* Published in all the newspapers.

Washington has wanted the 'flying camp' to stay two weeks, but such proposal will not do with any. I do not much wonder at this, as [the men are almost naked, with] no place many times to put their heads in. We must do better for the future, or give up our army.

"As to General Howe, [by] last accounts he was at Elizabethtown, and that yesterday. This day I think he will be at Amboy, and, if you will have my opinion, I don't think he will advance farther this winter, as the rains prevent him now and [the] badness of roads. If [he should have] good weather, it is my opinion he will not go any way towards Philadelphia, but through [the] Jerseys, which there is nothing to hinder him [from doing,] and [if he have also] good roads. Was I in Philadelphia, and an inhabitant, I should remain, in my opinion, secure this winter. Colonel Bedford is here, very poorly, but I think mending; [his disease] is pleurisy. I shall set off in the morning for your city.

"I am, in haste, yours, etc.,

"SAMUEL PATTERSON.

"As to General Lee, [there is] no certainty, but suppose he is coming this way, as what kept him was to attack Rogers. By report Rogers escaped him; if so, he will soon be here.—S. P.

"HONORABLE GEORGE READ, Esq., at Congress."

The gratifying intelligence that many of the Delaware militia discovered "a noble ardor to aid in the defence of Philadelphia" was communicated to Mr. Read by General McKinley in his letter from

"WILMINGTON, 4th December, 1776.

"DEAR SIR,—Last Monday the Council of Safety of this county met here, before whom I laid the letters, of which the inclosed are copies, who were unanimously of opinion that the same should be referred to the whole Council for this State, and for that and other purposes the members should be notified to meet next Monday, being the 9th instant, at the town of Dover, and an express was sent off very early yesterday morning to notify them accordingly of this proceeding. I wrote to the gentlemen who addressed themselves to you, James Wilson, etc., and sent my letter by a gentleman traveller yesterday morning, but

lest it might miscarry, please to inform them thereof. Many of the militia in this place and around have discovered a noble ardor to go and assist, as far as in their power, their brethren of Philadelphia, but will not enter for the time proposed by the Committee. Some proposed that I should issue orders, calling forth the militia to march, but this I could not in the present case apprehend that I could properly do, or that I could answer for the charges and consequences that might accrue; so I thought it better to defer any such orders until the General Council have met, but in the mean time to renew my orders for the militia to hold themselves in readiness to march at an hour's notice. Pray write as speedily as possible the state of affairs, as nearly as you can understand, with respect to the situation and circumstances, etc. of both armies, and your advice as to our proceedings, which the Council would be extremely glad to have. Pray excuse haste, as I have scarcely leisure to read this scrawl over.

"I am, with sincere regard, dear sir,

"Yours affectionately,

"JNO. MCKINLEY.

"To the Hon. GEORGE READ, Esq., Philadelphia, per favor of Mr. Edward Gyles."

General McKinley wrote again to Mr. Read, on the subject of his letter sent by Mr. Gyles, on the same day.

"WILMINGTON, December 4th, 1776.

"DEAR SIR,—I was favored with yours of yesterday, a very short time after I had written a few lines to you this morning, and delivered them to Mr. Gyles,—therein I perceive that you recommend the marching of the militia from this State even in single companies, which will greatly encourage them, and will be properly attended to. I shall immediately order them to get in readiness in this county, and hope to have the concurrence of the General Council in ordering them to march, which I expect will be done shortly. Pray write me as frequently as possible. I write this at your house. Mrs. Read and family are very well, and desire their love to you.

"I am yours sincerely,

"JOHN MCKINLEY.

"To the Hon. GEORGE READ, Esquire, Philadelphia, favored by Mr. Gyles."

Mr. Read, it appears by the last of Mr. McKinley's letters, had a house then in Wilmington. He wrote to Mrs. Read from

“PHILADELPHIA, 6th December, 1776.

“MY DEAR G——, Attendance night and morning at committees, and all day at Congress, puts it out of my power to write to you so frequently as I ought, and have had opportunities, but I have no chance of a moment but when I retire out of Congress to the Committee-Room, where I now am, to write to any person; however, be assured if any [thing] very material occurs you shall hear it. General Washington, in his letter of yesterday, mentions the enemy's being at Brunswick, and Lord Sterling, with two brigades, consisting [of] 1200 men, including the Delaware battalion, at Princeton, about fifteen miles apart,—that General Mercer has marched back 1200 men from Trenton to Princeton as a reinforcement, and General Washington is to follow this day. General Lee is somewhere in the neighborhood, but where particularly, or [with] what force, is not precisely known. The German battalion belonging to the continent, with the city militia, have marched from here—supposed more than 3000. I have little doubt that the progress of the British army will be stopped—if no more. The troops belonging to the ‘flying camp,’ whose term of enlistment had expired, left the general in whole brigades,—particularly Jersey and Maryland,—as also Colonel Patterson's battalion—they would [not] serve an hour longer, so that the city is filled with the returning soldiers, though never more needed in the field. The Delegates of Maryland, with General Mifflin, harangued a great number, perhaps six or seven hundred of them, in the State House yard yesterday with success, and it is expected a great part will return for a month. G—— Gurney told me, as I came by to Congress, that she had thoughts still of going down to you; she is presently engaged in preparing their house in town for Messrs. Tilghman and Carroll, of Maryland, who are to go into it. Bedford came to town Tuesday evening,—he is mending. Tom Read marched last evening. Jemmy Read goes this evening; his company went yesterday. General Thompson is still with us. I am satisfied you will not be disturbed in your quarters this season, therefore make yourself easy, and kiss our little ones. I know not when I

may see you. I cannot stir, for the non-attendance of our representatives for times past has been severely animadverted upon since my return.

“I am yours most affectionately,

“GEORGE READ.

“MRS. GERTRUDE READ.”

General McKinley wrote again to Mr. Read on the subject of the reinforcement of the American army by militia from Delaware.

“WILMINGTON, 7th December, 1776.

“DEAR SIR,—In consequence of your letters, orders have been issued to the commanding officers of the several companies of the first battalion, as likewise to the commanding officers of the second battalion, of militia in this county, to procure as many of those who are under their respective commands [as they can], to provide themselves with everything necessary, and to be ready to march to reinforce the army under General Washington as speedily as possible. Many have shown much alacrity, and, in particular, a company of the militia in this place are ready to march, but hearing that the English army has not been farther than Brunswick, and are now retreating, and that General Lee hath joined General Washington, with a considerable army, and the militia not being willing to comply with the terms of the only requisition made by proper authority of continuing in service [from] this [time to] the 10th of March next, and no provision for pay or other necessary supplies is mentioned to us, what is to be done? The militia would, I am persuaded, readily go to the immediate defence of Philadelphia at all events, but they object to march farther on the terms proposed. By whom are they to be paid and subsisted is what they require to know. The Council of Safety for this county meet here this day, and the General Council at Dover on Monday. The bearer will deliver you £225 for the salt purchased by Captain Grantham. The owners had actually agreed with Mr. Aaron Musgrave, of this place, for twenty shillings per bushel; though they afterwards charged Captain Grantham twenty-two shillings and sixpence. Pray write me frequently, and excuse haste.

I am, very sincerely, dear sir, your affectionate, humble servant,

“JOHN MCKINLEY.*”

“To the Hon. GEORGE READ, Esquire, Philadelphia, per the favor of Mr. Molis Patterson.”

The last letter I find among Mr. Read's papers upon the all-absorbing subject, in December, 1776, the reinforcement of General Washington's army to cover Philadelphia, is from Thomas Duff, marching to join his army.

“PHILADELPHIA, December 16th, 1776.

“WORTHY SIR,—I make bold to acquaint you that we arrived here next day after our departure from Wilmington, and [that] on our way [we] met General Mifflin at Chester, who [received us kindly; at which time there were two vessels at Chester with salt, bought by some Tories from Jersey. We stopped one, and sent the salt to Philadelphia, and the other was under sail, but followed by a vessel which overtook her, etc.

“I am sorry to hear that our Brigadier McKinley should discourage the men from marching. Captain Craighead's men, whom we sent for, and who were on their way to us, were, it seems, sent home by him, saying, ‘they need not proceed without they pleased,’ etc. This, you must know, was told me by the guard sent for them, and had such

* Conjecturing from his name that President McKinley was of Scotch or Scotch-Irish extraction, and was a Presbyterian, and interred in the Presbyterian burying-ground in Wilmington, where he resided, I lately* searched there for his grave, and found it covered by a massive marble slab, bearing the following inscription, which, though sixty years had elapsed since his death, I copied without difficulty :

“This monument is erected in memory of John McKinley, M.D., who was born in the Kingdom of Ireland, on the 24th February, 1721, and died, in this town, on the 31st August, 1796.

“He settled early in life in this county, and pursuing the practice of physic, soon became eminent in his profession.

“He served in several important public employments, and, particularly, was the first person who filled the office of President of the State after the Declaration of Independence.

“He died full of years, having passed a long life, usefully to the public, and honorably to himself.”

* August 28th, 1856.

influence that some of the guard, as well as ten of Captain Craighead's men, turned back immediately, so that his company is reduced to a few, in so much that they who are here of his company are almost discouraged. " And further, sir, I am ashamed that so few men from our State have appeared here as yet, which astonishes the officers and gentlemen here very much, as they always expected something clever from our militia. I make what defence I can for the brigadier, but I am afraid the backwardness which seems to be shown by him and some others, on this alarming occasion, will grow here, as people seem to know everywhere of the transactions below.

"We thank you, sir, for your friendship and assistance, which we account preferable to all that has been done for us. We have not made use of your order as yet, not knowing how matters may yet be fixed, [and] we would choose to act with credit. [I] am, in haste, your most obedient, humble servant,

"THOMAS DUFF.

"I sent your letter to camp this day by Mr. Robert Curry.

"To the Honorable GEORGE READ, Esquire, in Wilmington, favored by Lieutenant Garrett."

These charges may be unfounded, but they have some support, it seems to me, from the caution, bordering upon timidity, manifested by the foregoing letters of General McKinley in an emergency demanding prompt decision and action, and the unhesitating assumption of responsibility from which he appears to have shrunk. He must have been soon after elected President of Delaware, for he held this office when taken prisoner by the British, in September, 1777, soon after the battle of Brandywine.

The last of the letters, addressed to Mr. Read, in 1776, which I find among his papers, is from his friend Mr. Evans, in reply to his letter communicating the welcome intelligence of General Washington's daring attack on the enemy at Trenton, and its brilliant success.

"December 29th, 1776.

"DEAR SIR,—I received yours of yesterday, and upon reading the contents, it gives me real satisfaction to hear

of the success of General Washington's army, which was related nearly in the same terms by Mr. Joseph Carson, who came from Philadelphia yesterday into our neighborhood. I hope it is the happy prelude to better times, for a few such attacks will have the happy tendency to animate those who were dispirited from the incursions the enemy had made in the Jersey. If this lucky event is improved (which I make no doubt it will be) our affairs will, I hope, soon put on a very different appearance.

"I this moment received a letter from my brother George, who informs me that General Heath attacked Hackensack with success; in which [attack] he took 130 prisoners, and a great quantity of plunder carried there by the English army. I approve of your not going to Baltimore* until your General Assembly have met, as some general regulations may point out themselves as absolutely necessary to be done, and I am convinced the members will expect your aid. I should be glad we had a representation in Congress, but under your particular circumstances make no doubt you will stand excused for not appearing in Congress earlier, as the business of the government was deferred over, at the last meeting of the General Assembly, to this time, and the people will expect something to be done, or grow very uneasy, the more especially if our affairs should take a happy turn in our favor, which the news of the day seems to give great reason to hope for; or should we be disappointed in our sanguine expectations from General Washington's success at Trenton, yet, upon the return of the militia, they will be very urgent to have a militia law established for the recovery of the fines of the non-associators, and they will think themselves the more entitled to such an act now as many of the associators have been in the service at this season of the year. I hope you will excuse my remarks, and attribute them to the constant wish I have to see our internal peace flourish, and the confidence of the people established in their representatives.

"I am a little easier at present from my disorder than I have been for some days past. My compliments to Mrs.

* Congress, being insecure from the advance of the British at Philadelphia, had adjourned to Baltimore.

Read; and I am, with great respect, your friend and humble servant,

“JOHN EVANS.

“TO GEORGE READ, Esquire, Wilmington, per Captain Samuel Evans.”

The condition of America seemed desperate. New Jersey appeared subjugated, neutrals were declaring for the royalist party, thousands of timid friends of independence in the Middle States were ready to save their lives and property by unqualified submission, recruiting was at an end, the soldiers, as their terms of service expired, left the American standard, and the exulting Tories were confident that the rebel Washington would soon be a general without an army, and a fugitive beyond the Alleghany, should he escape the just doom of his treason. The brilliant success at Trenton dispelled the deep and general despondency of the Americans, and the eventful year 1776 closed upon them, more resolved than before to maintain the independence they had declared, and again hopeful of success.

APPENDICES TO CHAPTER III.

A.

I WAS not aware of the instructions to the Delaware delegates in the Continental Congress, of June 14th, 1776, until having been referred to volume 9th of the "Writings of John Adams," page 398, I found there the following statement in his letter of June 14th, 1776, to Samuel Chase:

"McKean has returned from the 'Lower Counties' with full powers. Their instructions are in the same words with the new ones to the delegates of Pennsylvania. New Jersey has dethroned Franklin, and in a letter which has just come to my hand, from indisputable authority, I am told that the delegates from that colony will vote plump. Maryland now stands alone. I presume she will soon join company; if not, she must be left alone."

After careful examination of the Journal of the Continental Congress, A.D. 1776, I failed to find these instructions there, while those of New Jersey and Maryland, empowering their delegates in that body to vote for independence, appeared pages 224, 225, 226, and a resolution of the New York Convention, approving the Declaration of Independence, page 250. Doubt was therefore caused of the accuracy of Mr. Adams's statement, to test which I endeavored unsuccessfully to find the Journal of the session of the Delaware Assembly that gave, it was alleged, these instructions. They were, however, discovered in the "Pennsylvania Journal and Weekly Advertiser" of June 19th, 1776, by the Honorable John M. Read, who favored me with a copy of them. Chancellor Harrington examined a collection of journals of the Delaware Legislature he had previously given to gentlemen in Wilmington, Delaware, but they were posterior to 1776. He also sought for this journal in Dover, and H. F. Rodney in Sussex, without success. James R. Booth, Esquire, grandson of James Booth, Clerk of the Delaware Assembly, and afterwards Chief Justice of the Court of Common Pleas of this State, put into my hand several journals of the General Assembly of Delaware, in manuscript, but, though of years immediately before and after 1776, the one I sought was not among them, and I fear it is not extant in Delaware. I am much indebted to these gentlemen for their kind and ready aid in this search.

B.

ARGUMENTS FOR AND AGAINST THE DECLARATION OF INDEPENDENCE.

IN CONGRESS, Friday, June 7th, 1776.

The Virginia delegates, in obedience to instructions from their constituents, moved that Congress should declare that the "United Colonies" are, and of right ought to be, free and independent States. This proposition was debated in committee of the whole on the 8th and 10th days of June.

It was argued by James Wilson, R. R. Livingston, E. Rutledge, and others.

That though friends to the proposition, and convinced of the impossibility of the colonies ever being again united to Britain, they were opposed to the adoption of it,—

1. Because it was not wise to take this capital step till the voice of the people drove Congress to it; the people were their power, and without them such "Declaration" could not be carried into effect.

2. The people of the middle colonies were not yet ripe for this Declaration, and soon would join in the general voice of America.

3. The ferment caused by the resolution of Congress suppressing the exercise of all power derived from the crown, in the middle colonies, showed that they were not yet prepared for separation from Britain.

4. That some of them had expressly forbidden their delegates to consent to the Declaration of Independence, and others had given no instructions, and consequently no powers to consent to it.

5. That if the delegates of a colony could not declare it independent, other colonies could not declare it for them, the colonies being as yet perfectly independent of each other.

6. That the Assembly of Pennsylvania was then sitting, its Convention would soon sit, the Convention of New York was then sitting, and the Assemblies or Conventions of Jersey and Delaware would meet on the Monday following, and it was probable these bodies would take up the question of independence, and declare to their delegates the voice of their States.

7. That if such "Declaration" should now be agreed upon, the delegates of the colonies just mentioned must retire, and possibly their colonies secede from the union, and secession weaken us more than we would be strengthened by any foreign alliance.

8. That in the event of such a division, foreign powers would refuse to join us, or, taking advantage of our desperate situation, would impose hard terms.

9. That there was little reason to hope for an alliance with France and Spain, to whom we were looking.

10. That France and Spain had reason to be jealous of us as a rising power, who would certainly one day strip them of their American possessions, and were more likely to form a connection with Great Britain, who, if they should find themselves unable to subdue us,

would, to recover these colonies, restore Canada to France and Florida to Spain.

11. That there would soon be certain information of the disposition of the French court from our agent, sent expressly to ascertain it, and by awaiting the issue of the present campaign, which all hoped would be favorable, an alliance with this power might be had on better terms than at present, and to such aid postponing the "Declaration" would work no delay, for it was impossible for us to receive assistance this campaign.

12. That it was prudent to fix among ourselves the terms on which we would form an alliance before we declared we would form one, at all events, and if we agreed upon them and had our "Declaration of Independence" ready by the time our ambassador was prepared to sail, it would be as well as to go into a declaration of independence at this day.

On the other side it was urged by John Adams, Lee, Wythe, and others,—

1. That no gentleman had argued against the policy of separation from Britain or supposed the renewal of our connection with her possible.

2. That the question was not that we should make ourselves by a declaration of independence what *we are not*, but whether we should declare a fact which already exists.

3. That as to the people or Parliament of Great Britain, we had always been independent of them, their restraints on our trade deriving efficacy only from our acquiescence in them, and not from their right to impose them; and so far as our connection had been federal only it was dissolved by the commencement of hostilities.

4. That as to the king, our allegiance to him was dissolved by his assent to the act of Parliament declaring us out of his protection and levying war upon us, a fact which proved us out of his protection,—that these are reciprocal, the one ceasing when the other is withdrawn.

5. That James II. never declared the English people out of his protection, yet his actions proved it, and the Parliament declared it,—therefore

6. No delegate can be denied or want a power to declare an existing truth.

7. That the delegates from the Delaware counties having declared their constituents ready to join, there are only Pennsylvania and Maryland whose delegates are absolutely tied up, and that these had only by their instructions reserved the right of confirming or rejecting the measure.

8. That the instructions from Pennsylvania might be accounted for from the time in which they were drawn, near a year ago, since when the face of affairs had totally changed.

9. That since then it was evident Britain would accept nothing but *carte-blanche*.

10. That the people wait for us to lead the way, and are in favor of the measure, though the instructions given by some of their *representatives* are not, and that the voice of representatives is not always consonant with that of the people, and this is remarkably the case in the middle colonies.

11. That the resolution of the Virginia House of Delegates, of the

15th of May, by raising murmurs against it in Pennsylvania and Maryland, and thus calling forth the voice of the freer part of their citizens, showed them to be the majority even in these colonies.

12. That the backwardness of these colonies was partly ascribable to proprietary influence and partly to their not having been yet attacked by the enemy, and the last cause was not likely to be soon removed, as it was not probable that the enemy would assail them this summer.

13. That it would be vain to wait for perfect unanimity, since it is vain to expect all men to be of one sentiment on any question.

14. That the conduct of some colonies had given reason to suspect they meant to keep in the rear of the rest that their particular prospect might be better in the worst event, and therefore it was necessary that those colonies who had hazarded all from the beginning to come forward and put all again to their own hazard.

15. That the history of the Dutch revolution, of whom three provinces only confederated at the first, proved that the secession of some colonies would not be as dangerous as was apprehended.

16. That the declaration of independence alone could make it consistent with European delicacy for European powers to treat with us, or even to receive our ambassadors, and that till this they would not receive our vessels into their ports or acknowledge the adjudications of our admiralty courts to be legitimate in cases of captures of British vessels.

17. That if France and Spain be jealous of our rising power, they will be much more jealous of us if we be connected with Great Britain, and therefore see it their interest to separate us from her; but if they refuse our alliance we are only where we are; but without trying we shall never know whether they will or not.

18. That the present campaign may be unsuccessful, and therefore we had better propose an alliance while our affairs are hopeful.

19. That to await the event of the present campaign will certainly work delay, because during the summer France can effectually assist us by cutting off the supply of provisions from England and Ireland, on which the armies of England here depend, or by putting in motion her great power in the West Indies and calling our enemy to defend his possessions there.

20. That it would be idle to lose time in settling the terms of alliance before we had determined to enter into alliance.

21. That we should lose no time in opening a trade for our people who will want clothes, and money to pay taxes.

22. That the only misfortune is that we had not entered into an alliance with France six months sooner, as, besides opening her ports to our last year's produce, she might have marched an army into Germany, and prevented the petty princes there from selling their unhappy subjects to subdue us.

"It appearing in these debates that New York, New Jersey, Pennsylvania, Delaware, and Maryland were not yet matured for falling from the parent stem, but were fast advancing to that state, it was thought prudent to wait awhile for them, and to postpone the final decision to July 1st; but that this might occasion as little delay as possible a committee was appointed to prepare 'a declaration of independence,'—Jefferson, John Adams, Roger Sherman, Robert R. Livingston, and Doctor Franklin."—*Jefferson's Writings*, vol. i. pp. 12–17.

C.

THE SIGNATURE OF THE DECLARATION OF INDEPENDENCE.

The Declaration of Independence was signed July 4th, 1776, by all present in Congress on that day, except Mr. Dickinson.

The subsequent signatures of members, not then present, and some of them not yet in office, is easily explained, if we observe who they were,—to wit, of New York and Pennsylvania. New York did not sign till the 15th, because it was not until the 9th her convention authorized the signature of the Declaration by her delegates. The Pennsylvania convention, learning that the Declaration had been signed only by a minority of her delegates, named a new delegation, leaving out Mr. Dickinson, who had refused to sign, and Willing and Humphrey, who had withdrawn, and reappointing the three who had signed, with Morris, who was not present, and appointing five new ones, Rush, Clymer, Smith, Taylor, and Ross. Morris and the five new members were permitted to sign, because thus was manifested the assent of their full delegation, which else might have been doubted.

Mr. Jefferson did not know why Thornton, of New Hampshire, was permitted to sign so late as November 4th, but adds, "doubtless for a sufficient reason."* But Mr. McKean, in his letter to the editor of the "Freeman's Journal" (16th June, 1817), states, it was because he was not elected to Congress till September, and did not take his seat till the day he signed the Declaration.—*National Recorder*, vol. i. p. 86.

The above named are the only post signers except Mr. McKean. At the foot of the "List of Errata" (vol. i. p. 3) of the Laws of Delaware, edited by George Read, and printed by John and Samuel Adams (New Castle, 1797), is this note: "In the Appendix (to vol. i., Laws of Delaware) to the list of signatures [to the Declaration there inserted], p. 72, † under the head of Delaware, after George Read add Thomas McKean, who, though not present at the first general signature, being then with the 'flying camp' in New Jersey, had voted for the measure, and signed the original on his return from thence, and so it happened that in the first printed copies the name was omitted, and such was the one transmitted by Congress to this State."

* Jefferson's Writings, vol. i. pp. 118-121.

† It is page 78.

This page is all a blank sheet. It shall be
 of paper name under the Dec. 4th. The
 journal has names and the printed order list
 The printed Dec. 4th journal July 19th 1776
 under Dec. 4th is in parchment & printed
 with name journal Aug. 2. The Dec. 4th
 & compare with the name & Dec. 4th

D.

BIOGRAPHICAL SKETCH OF CÆSAR AUGUSTUS RODNEY,

Read before the Grand Lodge of Delaware, by WILLIAM T. READ, Grand Master of Masons in Delaware, June 27th, 1853. Published by order of the Grand Lodge.

CÆSAR AUGUSTUS RODNEY was born in Dover, in Kent County, in the State of Delaware, on the 4th day of January, 1772. He was the son of Colonel Thomas Rodney and Elizabeth Fisher. His family is of great antiquity in England. Sir Walter de Rodney, its founder, having come, in the twelfth century, from Normandy as a follower of the Empress Matilda, daughter of Henry I., and having been distinguished in the war she waged with the usurper Stephen. His descendants were possessed of many manors, and were actors, and prominent ones, in the stormy periods through which they lived. But, at last, by divisions of its estates in several generations of the family, lavish expenditures, advances to aid the royal cause in the time of the great rebellion, and forfeitures upon the success of the popular party, its wealth and importance were greatly diminished. Soon after the settlement of Pennsylvania, William Rodney, who had married Alice, daughter of Sir Thomas Cæsar, an eminent London merchant, migrated to that province, and finally settled in Kent County, Delaware, where he took an active and prominent part in public affairs; and was the first Speaker of the first House of Assembly of the three lower counties on Delaware. He died in 1708, leaving eight children, and a large entailed estate, most of which, by the decease of nearly all of them without issue, came to the youngest of his sons, Cæsar, who was benevolent, unambitious, and undistinguished. He married the daughter of the Reverend Thomas Crawford, the first missionary to Dover, Delaware, of the venerable Society for Propagating the Gospel in Foreign Parts, a pious, learned, and diligent minister of the church. Among the eight children of this marriage were Cæsar, the signer of the Declaration of Independence, and Colonel Thomas Rodney.* I have been informed by an eminent gentleman, far advanced in life, formerly resident in Dover, Delaware, that in his youth he well knew Thomas Rodney,—a gray-headed man,—much respected,—of small property,—not a householder, but living with his friends,—reputed a man of extensive reading, and having good knowledge of law, though not a lawyer by profession,—a writer of essays for newspapers, and somewhat eccentric in his opinions; and that he was appointed by President Jefferson a judge in the territory of Mississippi, where he died, in that office, having acquired considerable property.† To Thomas

* His daughter Lavinia was married to John Fisher, late judge of the United States District Court for the District of Delaware.

† Biography of the Signers of the Declaration of Independence, vol. iv. pp. 313-318.

Rodney was made the remarkable communication by General Charles Lee "that he was the author of the *Letters of Junius*." Lee, with great military talents, was vain, insatiably ambitious, and unscrupulous, and, with some good qualities, very eccentric. Soured by the disappointment of brilliant hopes, he became neglectful of the common decencies of life, and terminated his career, full of romantic incidents, in fierce misanthropy, almost like a beast of the jungle or forest in its lair. This statement may be found on pages 76 and 77 of the Preliminary Essay to the London edition of *Junius* of 1812, republished in Philadelphia in 1813. That Lee made this statement to Thomas Rodney is certain, but it has been proved a pure fiction by the comparison of his style and political opinions with those of *Junius*, and his absence from England, when the "*Letters of Junius*" were published, and that writer frequently communicating with Woodfall.

Mr. Rodney was brought up by his uncle Cæsar, who was pre-eminent among the patriots of our Revolution for ardent attachment to the cause of his country. His talents, consecrated to the public weal, gave him great influence in that august assembly, the Continental Congress, while the amenity of his manners and the playfulness of his wit made him the darling of his friends. From this venerable man, in whom the stern virtue of an old Roman was softened by the heaven-born influences of our favored era, Mr. Rodney, doubtless, imbibed that admiration of our civil institutions which distinguished him. His uncle made provision in his will for his education, which was completed in the University of Pennsylvania, where he graduated with distinction at an early age, in 1790, and soon after commenced the study of the law in the office of Joseph B. McKean. The profession of his choice did not tempt his young ambition with the splendid incentives of the British Barrister, the princely revenue and the glittering coronet, but he adopted it from inclination, and by the advice of his friends, who considered him suited to it. He was admitted to the bar in 1793, and commenced the practice of the law in Wilmington, Delaware. His practice, though he was discouraged by failure in his first efforts, after a time became respectable, and then lucrative. If he was surpassed by some of his contemporaries in vigor and grasp and subtlety of intellect and profound erudition, they were in the first rank of the lawyers of their day. While he brought to the forum competent power as a dialectician, with extensive knowledge of legal principles and decisions, it was in addressing a jury that he excelled. Always fluent, he could be pathetic, or delight his hearers with declamation, adorned by figures, from his prolific fancy, or by facts, from his ample store of general knowledge. So simple and unaffected was he in dress, and address, so kindly, and benevolent, and good-humored, that the Court, the jury, the bar, and the by-standers listened to him with favor, and were inclined to his side of the case. Old-fashioned lawyers sometimes thought he got out of bounds. Chief Justice Read, when he quoted "*Beccaria on Crimes and Punishments*," stopped him, saying, "that book was no authority in his court." Invective—that terrible weapon of the orator, beneath which men of iron nerves cower in dismay and confusion, I will not say he could not wield, but I believe he never did wield it.

Seldom is the deep-read lawyer a polite scholar. Inured to grapple with syllogisms, and to chase subtleties through the labyrinths of legal

disquisition, he disdains to frolic with the Muses. Mr. Rodney, wisely, thought that an argument would not be less conclusive because clothed in elegant diction, nor less clear because illustrated by metaphor, and though he must cite black-lettered reporters he might quote from the poets. He justly concluded that a man to be eminent in his peculiar pursuit must have some acquaintance, if not with all others, at least with kindred ones. His taste for elegant literature, perhaps first awakened at the university, was sedulously cultivated in after-life. His library, judiciously selected, was the largest in our State, and whoever listened to him was soon aware that it was not for show he accumulated books—to accumulate them was, indeed, his passion—to love them—what is it but to delight in converse with the wise and with the good of all ages?

Mr. Rodney appeared to greatest advantage—bland, gentle, and affectionate as he was—in the bosom of his family. Too often, could we follow distinguished men from the public scene of their triumphs to the hallowed precincts of domestic life, would we be pained by witnessing the jocund laugh of infancy stilled at their approach, fear paling the menial's brow, and tears on the cheeks of partners they had sworn before high heaven to love and to cherish. Too often the man who has inveighed, in the forum or Senate-house, against oppression, is the mean tyrant of his own hearth.

Mr. Rodney possessed great conversational talent.

He talked much, not from ostentation, but because his mind was full to overflowing, and because he loved to impart pleasure. He was not one of those lovers of logomachy, who open their mouths only to do battle, nor one of those haranguers, who make mutes of all not as vain, selfish, and impudent as themselves. To the young and the diffident his manner was kind, and almost paternal, he was watchful to draw them out, and prompt to commend when they acquitted themselves well. His reading was so general that he could instruct or amuse on many subjects, and from his share in public affairs, and intimate acquaintance with statesmen of his day, during some of the most interesting periods of our history, he had a fund of valuable information. His anecdotes, of which he had ample store, were pointed, well told, and happily introduced. Benevolence, unfeigned, so impregnated his discourse that it was difficult to listen to him and not to love him, and while listening to the wisdom and the wit of this fascinating companion the sands of life passed unheeded, and

“Daylight would into the lattice peep
Ere night seemed well begun.”

He loved to speak not of the divine attribute of power, not of Jehovah when

“Looking on the earth it quakes,
Touching the mountains and they burn,”

but of God as love, pitying the infirmities of his creatures, opening wide his hand, and filling all things living with plenteousness, and spreading his protecting wings over his children, on the land and on the sea.

In 1791 Mr. Rodney married Susan, daughter of John Hunn, who survived him, and they had twelve children.*

He was at an early period of his life involved in the turmoil of politics, because then, as now, it was difficult for the eminent lawyer to avoid being a busy politician. The political contests of that period were violent. Truth, candor, and charity were too often immolated on the altar of party. It is a fact most honorable to Mr. Rodney, that though an active and leading Democrat, he numbered among his warmest friends some of the most distinguished Federal leaders—for example, Bayard, White, and Vining. There can be no stronger evidence of his great popularity than his election, in 1802, to the House of Representatives of the United States by a majority of fifteen votes over James A. Bayard, so eminent as a statesman.† It appears, by his letter of December 5th, 1803, to my father, that he was then a member of the Committee of Ways and Means. On the 5th of December, 1804, he was chosen, by ballot, one of the seven managers to conduct the impeachment of Judge Chase, which, from the character of the accused, the ability it evoked, and the deep and extensive excitement of political feeling it caused, was invested with an importance and interest which, in some measure, it still retains. What was the City of Washington at that day? It was a city of great pretension and small performance. The visitor there, for the first time, who had seen its magnificent plan, was astonished to find its avenues and streets, fitted to be the thoroughfares of the busy throngs of a great emporium, partially opened, and bordered not by lofty edifices, but the stately trees of the American forest, with groups of houses, at wide intervals, which made it, in truth, no more than a collection of villages. The President—who affected contempt for forms, which that wily leader of a great party knew full well would be lauded as republican simplicity—might be encountered, any day, on the Pennsylvania Avenue, making his way through its sloughs, on his Virginia pony, and hitching it to a post, while he paid a visit. The wings of the Capitol alone were built, the gap between them being filled by a structure of boards, which gave the appearance of meanness to both. The trial of Judge Chase began on the 4th of February, 1805. The beautiful Senate-chamber, which has that greatest merit of any work of man, suitability to its object, which its more imposing neighbor—the Hall of the House of Representatives—wants, was fitted up for this occasion with due regard to convenience and some to effect. Aaron Burr presided, dignified and impartial, as was universally admitted; his hands red with the blood of Hamilton; his dark eye as piercing and his equanimity as undisturbed as if he had not made utter shipwreck of fortune and of fame. Upon his right hand

* Aaron Burr, in a letter to his daughter Theodosia, of the 17th February, 1802, requests her to desire Dr. Edwards to give Mr. Alston a "line to C. A. Rodney, a very respectable young man."—*Davis's Life of A. Burr*, vol. ii. p. 145.

In a letter dated —, to A. Burr, Mr. Rodney says, "I had the pleasure of receiving yours of the 10th instant. The advice you kindly give I shall cheerfully follow. It has ever been my maxim to be moderate but firm—*suaviter in modo, fortiter in re.*" And in a letter dated 20th March, 1802, he informs him, "I have purchased a little tract, adjoining Dr. Tilton's, which he showed you, and have cut out abundant work for the season."—*Ibid.*, pp. 102, 190.

† Hildreth's History of United States (2d Series), vol. ii. p. 486.

and his left sat the Senators on benches covered with crimson cloth. The eye of the spectator, as it glanced over these statesmen, elderly, grave, and dignified, dwelt longest on the men of mark; among them, for example, on our own Bayard; on John Quincy Adams, already distinguished by ability in debate, multifarious knowledge, and ungainly manners; or Pickering, with his bald head and cue, covering, as the elder Adams afterward charged,* under his puritanical garb and demeanor boundless ambition, who, retiring from office as poor as he entered it, lived on a farm of a few acres with the simplicity of Cincinnati, and who has left in the archives at Washington proofs of his ability as Secretary of State inferior to that of none of his successors, Webster excepted. The Representatives, most of them much younger men, were seated in front of the Senators, on benches covered with green cloth. In front of the Representatives, on seats draped with blue cloth, were the Managers of the House. Among them the most prominent was John Randolph, whose failure on this occasion dimmed the splendor of his fame as a great parliamentary orator, and was poorly covered by the lame excuse that he had lost his notes. On the left of the President appeared the counsel of the accused. Harper—working as a joiner while he gained his early education, and by indomitable perseverance making his way to Nassau Hall—stood in the front rank of the lawyers of his country and the statesmen of the Federal party; Lee, Attorney-General of the United States, set off his legal knowledge with the fluent speech and graceful action which distinguished the Virginians in the early periods of our history; Martin, with his profound learning and ponderous reasoning, which, *ebrius vel non ebrius*, seldom failed him; the young Hopkinson, elated by his success in the courts of Pennsylvania, and burning with ambition of fame coextensive with the Union, and already extensively known as the author of "Hail Columbia,"† patriotically composed to awaken an American feeling, which might supplant the miserable devotion of the two great parties of that day to the two great belligerents of Europe. Hail Columbia, though no high place can be claimed for it as a poetical composition, carries with it so many precious recollections that it will not, I hope, be consigned to oblivion when we shall boast, as assuredly we shall, a national song equalling or surpassing the grand lyrics of Campbell. In the arrangements of the Senate-chamber for this trial the ladies were not forgotten. They were seated in a semi-circular gallery, over the benches of the Representatives, and for the most part were the wives and daughters of the most distinguished men of the nation. Among them, pre-eminent for her queenly bearing, sat Mrs. Madison, receiving, as her due, the homage paid to her bland and graceful manners rather than to her position as wife of the Secretary of State. No Senator, I am sure, looked reprovingly upon these fair ones, if in parts of this solemn trial which they could not understand, and would not have relished if they could, their eyes wandered to the box of the foreign ministers and their young attachés, glittering with orders and embroidery. But the object of absorbing interest was the accused. Proclamation was made that Samuel Chase appear and answer the articles of impeachment exhibited

* Hildreth's History of the United States (2d Series), vol. ii. pp. 37, 372.

† *Ibid.*, p. 208.

against him. When that old man eloquent addressed the court denying most of the acts imputed to him, asserting the legality of those he admitted, and denying the improper motives with which the acts charged were alleged to have been done, who could forget that the sonorous voice which filled the Senate-chamber, first raised in opposition to the stamp-act, had, through the whole period of the Revolution, stirred his fellow-citizens in the Legislature of his native State, in their primary assemblies, and in the halls of Congress, to resist unto death the arbitrary acts of the mother-country? who could forget that some of the ablest of the great state-papers of that Congress were from his pen? and, above all, who could forget that his name was signed to that immortal instrument which proclaimed to the world that the United States, free, sovereign, and independent, had taken her place among the nations of the earth? Judge Chase was declared guilty of only three articles of the impeachment by a bare majority, unanimously acquitted of one, and found guilty of none, by a vote of two-thirds, and, of course, pronounced acquitted of all,—and, I think, justly, though his ardent attachment to great principles of government, he thought endangered by factious violence, led him to touch, in his charges, on topics forbidden by sound policy to the judge, and conscious of great ability, and by nature overbearing, he, perhaps, exhibited on the bench somewhat of the passion and hauteur said to have characterized many of the colonial judges.*

Mr. Rodney displayed such ability and legal knowledge as one of the managers of this impeachment as greatly augmented his reputation. In 1804 three of the four judges of the Supreme Court of Pennsylvania were impeached for their (alleged) unlawful commitment for contempt of one of the parties in a libel suit pending in their court. In 1805 Mr. Rodney was employed to conduct this impeachment, which resulted in the acquittal of the accused. (Hildreth's History of the United States (2d Series), vol. ii. pp. 514, 552.) The Federal party having regained its ascendancy in Delaware, he was not re-elected to the United States House of Representatives; but in 1807 he was appointed Attorney-General of the United States, and held this office for four years. The attorney-general was not a cabinet-officer until 1814; but though not a member of the cabinet, from his high place in the friendship and confidence of Jefferson and Madison, he shared, I have no doubt, in the anxieties and counsels of that momentous period, when our country, constantly on the verge of war with the belligerents, who plundered her commerce, was brought to the brink of disunion by internal dissensions. I know of but one of his opinions as attorney-general that has been questioned,—that one under which Mr Jefferson, applying to the case a territorial law, ousted Edward Livingston; and his opinion must have been required on many nice and difficult questions which arose under the embargo and non-importation laws. In February, 1807, in the cases of Bollman and Swartwout, brought by habeas corpus before the United States Supreme Court, on the questions whether they should be discharged or held for trial, and, if held, confined or bailed, Mr. Rodney, as Attorney-General of the United States, appeared and made an able argument, the court deciding that the accused should be discharged for want of probable cause for sup-

* Hildreth's History of the United States (2d Series), vol. ii. p. 544.

posing them guilty. (Burr's Trial, vol. i. pp. 21-30.) In 1807 the mysterious movements of Aaron Burr induced his arrest on the Tombigbee, on the charge of treason, and his removal to Richmond, Virginia, where he arrived on the 26th of March, and on the 30th of that month was transferred by his military escort to the civil authority and brought before Chief Justice Marshall for examination. In his trials in August and September of that year, on indictments for treason and misdemeanor, Mr. Rodney did not participate. Upon the motion that he should be committed to take his trial on the charges of misdemeanor, in setting on foot a military expedition against the dominions of the king of Spain, and of treason, in levying war against the United States, Mr. Rodney, as Attorney-General, argued in support of this motion. His speech is not given at large, but imperfectly by the reporter from his own recollections and information from others. (Burr's Trial, Preface.) But with these disadvantages, it exhibits legal knowledge and ability equal to the requirements of a case so important, in which it was his painful duty to appear against an individual so distinguished, and who, he remarked, was once his friend and received in his house as such. (Burr's Trial, vol. i. pp. 1, 8, 9, 10, 20.) I have been informed by a member of his family that he went to Richmond to take part in the preliminary proceedings in the case, but had little share in them, having been prostrated by an attack of yellow fever soon after his arrival there.

Archibald Hamilton Rowan, then an exile from Ireland for political opinions, for which he had been prosecuted and convicted, though ably defended by Curran in the most eloquent of his speeches, had been the guest of Mr. Rodney, having been a resident for a short time in Wilmington or its vicinity. The intercourse between Rowan—highly educated and refined—and Mr. Rodney, under circumstances that excited his warmest sympathy, soon ripened into friendship. As soon as he heard of Mr. Rodney's illness, this warm-hearted Irishman travelled, *on horse-back*, to Richmond, to minister to his friend in a disease of the most malignant character, then generally believed to be contagious, and which has too often scared from the bedsides of its victims their nearest relatives and their dearest friends. The Irishman has his faults,—no son of Adam is without them,—but was he ever found ungrateful? The following anecdote I may be pardoned for recounting, upon the same authority as the preceding one, because it illustrates a trait of Mr. Rodney's character, his antipathy to titles of all sorts, and his scorn of the fondness of some of his countrymen for such distinctions, so inconsistent with their professed opinions:

Soon after he had taken lodgings at a hotel in Richmond, one of its waiters (a sable one, of course), addressing him, said, "Major, will you please come to supper?" "I am no major," answered Mr. Rodney. "Colonel," replied the black, "please to come." "I am no colonel," said Mr. Rodney, much amused with his pertinacity. The waiter then retreated, but quickly returned, and addressing him, with tenfold formality and respect, said, "General, be so good as to walk down to supper." "My friend," replied Mr. Rodney, "I am not a general." "You are," persisted the waiter, "for I heard men say in the bar-room that you are the 'Eternal General.'" Office subjected Mr. Rodney, as it has most of our public men, to great pecuniary loss. In a letter to

my father, from Washington, dated July 20th, 1807, soon after the attack of the Leopard upon the Chesapeake, he says, "I have been detained here, my dear friend, much longer than I contemplated, by events as unexpected as they are unexampled. It is very uncertain when I shall get a furlough from head-quarters, though I never was so anxious to see home, because I came here unprepared for a summer's residence, after having spent the winter at this place. It is extremely inconvenient to me, at this time, to abandon, as it were, my family and my business at the court, for I stand in need of the profits of every term, but at such a crisis there is no personal sacrifice I would not make rather than desert my post in a perilous season." He adds, "The Triumph and Bellona, each of seventy-four guns, still remain in the Chesapeake. In a short time Captain Decatur will give a good account of them. He has eight gunboats complete, and in a few days he will have eight more. With this flotilla, on a calm day, he could attack and sink seventy-fours." From which paragraph I infer that Mr. Rodney was a believer in one of Thomas Jefferson's hobbies and fallacies—the gunboat system. In 1811 he resigned the office of Attorney-General of the United States, probably from prudential considerations, which the claims of his large family would no longer suffer him to disregard.

He returned to the practice of the law, in Wilmington, and must have vividly enjoyed the transition from the toils and disquietude of office to the tranquillity of his happy home.

As soon as the war of 1812 was declared, he was elected captain of a company of artillery. Beloved by his men, as he was in every situation, he was a good officer, and commanded them through that war. They volunteered their services to the United States—were accepted, discharged garrison duty for some time, and were encamped for a season, being part of a body of four hundred men who marched from Delaware to aid in the defence of Baltimore, but were arrested before reaching it, by intelligence that they were not needed.

Careless as Mr. Rodney was of dress, his coats always having been of the cut ludicrously, but aptly, termed the *shad-belly*, his military equipment may have shocked a martinet, but if his artillery jacket was sometimes buttoned awry, it covered as brave and patriotic a heart as ever beat beneath a uniform.

Mr. Rodney was a member of Washington Lodge, Wilmington, and was elected Senior Warden of the Grand Lodge of Delaware on the 24th of June, 1812.

The citizens of the United States were, from mingled motives of benevolence and interest, anxious spectators, during the long civil war between Spain and her South American colonies. The colonial policy of the great commercial nations of Europe has disgraced them by its selfishness and rapacity, and that of Spain especially. The agriculture and manufactures of her colonists were subjected to restraints almost incredible; for example, the cultivation of the olive and the vine was forbidden in districts well suited to them. The commerce of the Spanish colonies was restricted to Spanish bottoms, and though never granted to exclusive companies, yet being confined to a single port (first Seville and then Cadiz), falling into a few hands, was in effect a monopoly. Even intercourse between her provinces was only partially permitted. Education was not fostered, and was confined to

Latin, scholastic philosophy, and jurisprudence, civil and ecclesiastical. The creoles were excluded from all offices but municipal ones; there was among them no liberty of conscience, no freedom of the press, no habeas corpus, no trial by jury, no share in legislation, and no books but those admitted by government censors. The king of Spain, not the Spanish nation, was the owner of these colonies, by virtue of a papal grant, the bull of Alexander VI. His will was law. Foreign vessels were excluded from his colonies, and intercourse with them punishable with death; and when he relaxed this rule, as on a few occasions he did, it was for brief periods. But though he could shut out legitimate trade, and though he treated intruding foreigners, who fell into his power, with exceeding cruelty, he could not exclude the smuggler. It was, too, part of his narrow system to make this vast region a sealed book to all except Spain. But her own writers had delighted and astonished the world with narratives of the conquest of South America, and accounts of its climate, its geography, its productions, and aboriginal inhabitants, truthful in general, but with the coloring of romance, and very far from possessing the accuracy of such works of our time. The royal license, but at recent periods, had opened South America to enterprising and intelligent travellers; for example, in 1790, to Alexander Von Humboldt, the result of whose journeys was given to the world in twelve volumes, illustrated with maps and drawings, a work for extent, value, and accuracy of information unparalleled. Our trade with South America since 1810 had greatly augmented our knowledge of this region. In 1817 a large party of our citizens had become impatient for the acknowledgment by our government of the South America republics. Calm and reflecting men in the minority, as they have ever been, doubted whether their citizens, misgoverned for centuries, could, in the brief period they had been left to their own guidance, have gained the knowledge and love of true political principles necessary to establish and maintain free and independent governments. To solve this doubt Mr. Monroe instituted the mission to South America, of which Mr. Rodney was the head. This appointment was most gratifying,—true, the duty it devolved upon him was arduous, separation from his family was in prospect, the perils and privation of a protracted sea voyage, and sojourn in a land of various climates, were before him, but the trust was most honorable, for he was to leave his country, not on an ordinary errand of diplomacy, but to solve the momentous problem whether millions of his fellow-men deserved or not to be recognized by the United States among the independent nations of the earth. In July the Commissioners proceeded to New York, to embark in the *Ontario*, but their sailing was delayed by the illness and death of Mr. Rodney's second son, a midshipman of that vessel, and they finally declined taking passage in her, considering her accommodations inadequate. They sailed on the 4th of December, 1817, in the frigate *Congress*, Commodore Sinclair, from Hampton Roads. In that little world—a ship of war—there was much to interest and instruct. He had been, for the recovery of impaired health, a voyager in early life, and ever after was an ardent admirer of our hardy mariners, and their floating abodes. There is, perhaps, no object which awakens so many associations, dear to the philanthropist and the patriot, as that miracle of art, a ship. While she equalizes the distribution nature has made of her bounties among nations,

she is the winged messenger who diffuses the precious light of knowledge among millions who sit in darkness and the shadow of death. We think, as we look upon her, anchored in some placid bay, in the language of Campbell, "of her days of toil, and her nights of danger." Every American must remember how often she has proudly borne the flag of his country aloft in the hour of battle, and the halo of undying glory with which she has encircled our name. In this voyage Mr. Rodney's power to attract and attach was soon manifested. Often in the delicious nights, peculiar to the tropics, while the gallant frigate glided through the ocean, which reflected the orbs that shone in glory above her, but among which no star of home sparkled, and the gleeful laugh of the frank-hearted sailor alone broke the stillness, did the officers of the Congress find in his conversation a delightful relief from the ennui of a sea voyage. Alas! many of these young men—then so full of talent, and courage, and hope—with Sinclair, and Graham, and Bland, and Baldwin*—have long since been numbered with the dead. Having touched at Rio de Janeiro, the Commissioners arrived after a prosperous voyage at Montevideo, from which place, the Congress having too great draught of water to ascend the La Plata farther, they proceeded in a small brig, "the Malacabada," or "Unfinished," by name, as ill-found and dirty a craft as ever sailed, to Buenos Ayres, where they arrived on the 28th of February, 1818, landing so unexpectedly as to defeat the public reception, with which it was intended to honor them. The "United Provinces of La Plata," or the "Argentine Republic," then comprised about two-thirds of the viceroyalty of Buenos Ayres, the area of which was about one million five hundred thousand square miles. Watered by the grand La Plata and its affluents, and other rivers, its fertile soil teemed with the productions of the temperate and torrid zones. The heroic and successful repulses of the attacks of Sir Home Popham in 1806, and of General Whitelock in 1807, taught the inhabitants of this viceroyalty their strength, and the war consequent upon the overthrow of the ancient government of Spain by Napoleon so engrossed the parent-country that she abandoned, as it seemed, her colonies, and the Argentine provinces, as much from necessity as choice, assumed and exercised in 1810 the powers of self-government, virtually independent from that year, though their independence was not formally declared till 1816. From 1810 almost till the arrival of our Commissioners they had been distracted by war with the old Spaniards, who, occupying, with armies from Peru, the upper country of the La Plata, and stained by great cruelties, strove to restore the despotism of the mother-country. This war was succeeded and accompanied by contests, too often sanguinary, between two great parties of the revolutionists, one in favor of a consolidated government, adapted to the changed state of their affairs, with a chief magistrate, much like the old viceroys, the other advocating a confederacy of these provinces, like that of the United States. There were, besides, the disturbing elements of ambition and cupidity in unprincipled men, and intense jealousy in the other provinces of the ascendancy and leadership of

* Surgeon of the Congress—a native of Wilmington, Delaware, and eminent as a botanist. H. M. Brackenridge, the able and accomplished Secretary of the Mission, afterwards a member of the U. S. House of Representatives, survives.

Buenos Ayres, to which, though it may have been unduly claimed and attained, her superior intelligence, wealth, and sacrifices for the common cause gave her pretensions, plausible at least. But on the 3d of December, 1817, a general Congress of these provinces, at first nine, then fourteen (the additional provinces being created out of the original ones), enacted at Buenos Ayres a provisional regulation, to be in force till a constitution should be adopted. This regulation provided for the election of a Congress, and invested it with supreme legislative power, under wise restraints, with power to appoint a chief magistrate, to be styled Supreme Director. This provisional instrument, with great defects, has many good enactments, but is blemished by a pedantic declaration of rights and duties, which American constitution-makers take for granted none can question, and therefore never insert. The Commissioners found this provisional government subsisting, Don Manuel Puerreydon, Director, and the country tranquil, with the appearance at least of stability. Their reception by this officer was, in Mr. Rodney's words, "kind and flattering, and they received from every citizen a cordial welcome." Many were the novel and interesting objects presented by Buenos Ayres to the Commissioners—her regular and spacious streets, the Moorish style of architecture of her houses, her noble plaza, her stately cathedral and churches, with their gorgeous worship, her theatre and bull-fights, her salubrious climate, indicated by her name, the brilliant eyes and graceful carriage of her ladies, their sallow complexions, bad teeth, and cigarros, and the viaticum, borne by a priest, seated in a gilded chariot, drawn by white mules, with a guard of black soldiers. Great was the embarrassment of Protestant foreigners when they encountered the host; they avoided, usually, shocking the religious feelings of the people not (as Gen. Wilkinson is said once to have done) by kneeling, which in them would have been idolatrous conformity, but by turning a corner or taking refuge in a store. Who has not heard or read of the mighty pampa stretching from Buenos Ayres, for a thousand miles, to the Andes, without hill or tree or house, except the occasional hut of the herdsman, depressing the traveller with the painful sense of utter loneliness, and in its apparently endless undulation of verdure, well likened to the long but low swells of a great sea, arrested, in an instant, by the fiat of Omnipotence, and fixed forever? Every facility in their power was given by the Director and his officials to the Commissioners in collecting the information for which they had been sent forth by their government, and as a mark of very great respect, on their intercession, a soldier, under sentence of death for insubordination, was pardoned.* It would have been in character for some of the Roman emperors to have treated an ambassador they especially desired to honor with a slaughter of gladiators. As if to give éclat to the departure of the Commissioners and their arrival in the United States, on the eve of their leaving Buenos Ayres was received intelligence of the decisive battle and victory of Maypu, won by its liberating army under San Martin, which secured the independence of Chili. The Commissioners narrowly escaping shipwreck from a pampero, in the port of Maldonado, near the mouth of the La Plata, where the Congress had anchored to receive bullocks, and calling at St.

* Niles's Register, vol. xiv. p. 326.

Salvadore and Margareta, arrived at Norfolk, after a favorable passage, in July, 1818. Mr. Rodney's report, communicated to Congress in November of that year, is an able paper, and increased his reputation. Mr. Graham made a separate report, as did Judge Bland, who, with a spirit honorable to him, proceeded over land from Buenos Ayres to Chili, as the instructions of the Commissioners authorized one or more of them to do. Their reports presented the Argentine Republic in less favorable aspect than did Mr. Rodney's, and they were less sanguine in their expectations of the success of the South Americans in their experiments in self-government, but this difference of their views afforded their countrymen better means for arriving at just conclusions than if they had coincided.

In 1820 Mr. Rodney was a second time elected to the United States House of Representatives, and received a respectable vote for the Speakership of that body, and in 1822 was elected by the Legislature of Delaware to the Senate of the United States, being the first of his party who had received this distinction, as he was the first Democrat chosen to the House Representatives.

In 1822 it was resolved by Congress that the "United Provinces of La Plata" ought to be acknowledged by the United States, and in 1823 Mr. Rodney was appointed Minister Plenipotentiary to their government. The United States had the honor of preceding Mr. Canning in his recognition of the South American republics, one of the three measures on which he rested his fame as a statesman, and which was received with a burst of approbation from every quarter of Great Britain. The frigate Congress—Commodore Biddle—was ordered to carry Mr. Rodney and his family to Buenos Ayres. They were conveyed by a steamer to this ship, at anchor near the mouth of the Christiana; an elegant dinner having been given him, a few days previous to his embarkation, by citizens of Wilmington and its vicinity, in testimony of their respect and esteem for him, at which were present Commodore Biddle, and Hugh Nelson, Minister to Spain, who was to be landed from the Congress at Cadiz. The Congress sailed from the Delaware on the 8th of June, 1823, with a fair wind, and arrived, without accident, at Cadiz, from which port, having landed Mr. Nelson, she sailed on the 3d of August. While the friends of Mr. Rodney—their hopes that a sea voyage would renovate his declining health scarcely predominating over their fears that they would see him no more—looked anxiously for news of his progress, they were astonished by intelligence that, by reason of unkind and discourteous treatment experienced from Commodore Biddle, he had left with his family the Congress at Rio de Janeiro, and taken passage in a merchant vessel for Buenos Ayres. Deep indignation was excited and expressed. Commodore Biddle was assailed in the newspapers, and defended, with little judgment, which was his misfortune, not his fault, much stress being laid on his sacrifice of his own comfort to that of his passengers, and on the unreasonable extent of which Mr. Rodney had incumbered his ship with his furniture, the homely character of which was sneered at. He was even reproached for lumbering the Congress with agricultural implements, which he had taken with him for the honor of our mechanics and the benefit of the Buenos Ayreans. The Legislature of Delaware (January 1st, 1824), by resolution unanimously adopted, requested

their members of Congress to use their best efforts to have an inquiry instituted as to the misconduct of Commodore Biddle. This proceeding would have been more in accordance with justice, and much more effective, if, instead of assuming on ex-parte evidence, as it did, the guilt of the accused, it had alleged, as was true, that there was ground for inquiry. In a biographical sketch of Mr. Rodney this occurrence could not, without injustice to his memory, be omitted, but it is with regret I mention it. I would do no wrong to the memory of an accomplished gentleman and gallant officer, and therefore, from what appeared to be the facts of the case, state it thus. Mr. Rodney was careless of forms to a fault, and the discomfort from having ladies and many children passengers was great, and his effects incumbered the frigate; and the commodore, a strict disciplinarian, was fond of having things ship-shape, and withal of irritable temperament, while his passengers may have been too sensitive. This view palliates, but does not, in my opinion, justify the conduct of Commodore Biddle to a distinguished citizen in feeble health, to ladies and to children, in some sense his guests, the character of which may be inferred from the fact that Mr. Rodney left the Congress, a thousand miles short of his destination, which he could not have done without great inconvenience and expense. The death of Mr. Rodney, and absence of Commodore Biddle, delayed the inquiry, and the public mind being soon occupied by newer occurrences, though asked, it was not pressed, and there was no further proceeding in this case. Let us not forget that Biddle shared with Jones in the capture of the *Frolic*, was the captor of the *Penguin*, and by masterly seamanship saved the *Hornet* from capture by a British seventy-four, so close to him at times during the chase as to throw her shot on his deck. His grandmother, when a British officer tauntingly said to her (in 1775), "the Americans should not make war, for they could find none to lead them," replied, "she had seven sons, whom, if necessary, she would lead herself against their oppressors." Two of these sons fell in the war of our Revolution;* one being blown up, in command of the *Randolph* frigate, and an officer of great promise, with his crew of three hundred men, while attacking with courage bordering on rashness the *Yarmouth* British man-of-war, of sixty-four guns.

Mr. Rodney presented his credentials as Minister Plenipotentiary from the United States on the 27th of December, 1823, to the Governor of Buenos Ayres, who exercised, under the constitution of the Argentine Republic (adopted May 25th, 1819), the function of its chief magistrate. Addresses were delivered by both, and the reception was cordial and imposing.

The hopes, which Mr. Rodney shared with a great majority of his countrymen, that the South Americans would prove their capability for self-government have proved delusive. Revolutions, their history traced in characters of blood, have succeeded revolutions; in their beautiful country military despotisms have been overthrown only that others should be erected in their stead. "Liberty," exclaimed the lovely Madame Roland, as her ruthless murderers hurried her to the scaffold, "Liberty, what crimes have been perpetrated in thy name!" I add,

* Letter of Charles Biddle to Aaron Burr, *Davis's Life of Burr*, vol. ii. p. 235.

what follies, too, and of these none greater than political institutions in advance of the intelligence of a nation.

Mr. Rodney's health gradually declined, and on the 10th of June, 1824, at six o'clock A.M., he died tranquilly, surrounded by his family. The Americans in Buenos Ayres immediately met, and passed resolutions appropriate to this mournful event. The government decreed that a sepulchral monument, to receive Mr. Rodney's remains, should be erected at the public expense. He was interred in the English cemetery, followed by his children, his countrymen then in Buenos Ayres, and many of its citizens, preceded by the officers, civil and military, of the Argentine Republic, its flag with that of the United States enshrouding the corpse, which was escorted by a military guard of honor, and minute-guns, during the ceremonials, were fired from the fort, and at its close a volley from the battalion which formed the escort. All vied in condolence with the bereaved family and in rendering them kind offices.

On the margin of the pampa, extending in its grandeur from the La Plata to the Andes, moulder, among strangers, the remains of CÆSAR AUGUSTUS RODNEY. I reiterate the wish, and the hope, before expressed in this hall, that, by the act of his Masonic brethren, they may have their final resting-place in Wilmington, beneath a monument worthy his abilities, his virtues, and his public services.

Non sibi sed patriæ vixit.

E.

THERE was diversity of opinion in the "three lower counties on Delaware" as to the propriety and necessity of a change in the existing form of their government, upon the recommendation of Congress (May 15th, 1776), as appears by the following instructions and remonstrances* addressed to representatives in the General Assembly, by which the election of the Convention that framed the first Constitution of the State of Delaware was recommended:

INSTRUCTIONS OF THE SUBSCRIBERS, FREEMEN, AND INHABITANTS OF THE COUNTY OF KENT ON DELAWARE TO THE HONORABLE CÆSAR RODNEY, WILLIAM KILLEN, JOHN HASLET, THOMAS RODNEY, AND VINCENT LOCKERMAN, ESQUIRES, THEIR REPRESENTATIVES IN ASSEMBLY.

Whereas, The representatives of the united colonies in North America, assembled in Congress at Philadelphia on the 15th day of May [1776], did first declare "that his Britannic Majesty, in conjunction with the Lords and Commons of Great Britain, has, by a late act of Parliament, excluded the inhabitants of these united colonies from the protection of his crown, etc., and that it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all

* Pamphlet of Tinsleon, pp. 12-15.

the powers of government exerted under the authority of the people of the colonies, etc.; therefore resolved, that it be recommended to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigency of their affairs has been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general;”

And whereas, It is our opinion that our present government is not “sufficient to the exigency of our affairs,” and we have full faith and confidence in the virtue and wisdom of the Congress, and being convinced of the propriety and necessity of complying with the above recommendation, and not doubting but it will answer the valuable purpose thereby intended;

We do, therefore, hereby instruct and require you to exert your utmost virtuous endeavors, in Assembly, to have the same complied with, always saving to the freemen and inhabitants of this colony the full enjoyments of their just rights and liberties, agreeable to the Constitution, laws, customs, and usages of the said colony, so far as the same are not injurious or destructive to the union and general safety and happiness of the united colonies.

But in case the House of Assembly should refuse or neglect to comply with the above recommendation, we do further hereby instruct and require you to exert your utmost virtuous endeavors to get the said Assembly to direct the appointment of a convention of this colony, to be held for the purpose aforesaid, and not to consist of less than ninety members; and if this shall be denied, that you then withdraw yourselves and dissolve the said Assembly.

We trust that you will discharge your duty, as before directed, with the greatest fidelity, and in such a manner as shall best conduce to the happiness and safety of your constituents in particular, and America in general.

TO THE HONORABLE THE REPRESENTATIVES OF THE FREEMEN OF THE COUNTIES OF NEW CASTLE, KENT, AND SUSSEX, IN DELAWARE, IN ASSEMBLY MET. THE ADDRESS AND REMONSTRANCE OF THE SUBSCRIBERS, INHABITANTS OF KENT COUNTY ON DELAWARE.

Whereas, To our great concern and surprise we have been informed that a paper, called a “Petition, Remonstrance, or Instruction,” to the House of Assembly of this government, has been handed about among the good people of this county, purporting a change in the Constitution of this government, upon principles which we conceive must be erroneous and unsound, and by no means supported or even countenanced by the late resolution of the Continental Congress, entered into May 15th, 1776, upon which resolution, we suppose, said Petition, Remonstrance, or Instruction is pretended to be founded, viz., “That it be recommended to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigency of their affairs has been hitherto established, to adopt such government, as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general,” which we conceive must refer only to such colonies as are in confusion from the prorogation or dissolution of assemblies; and in no measure

intended to affect the good people of this government, whose Assembly has been and still is competent and adequate to the exigencies of their affairs; and have had all due obedience paid to their acts and resolutions by their constituents.

But the movers of the above Petition, Remonstrance, or Instruction, as we understand, having taken the said resolution in a different sense (as if the Congress had intended another mode of representation and government than by assemblies, under which we have long considered ourselves a happy people, and which we look up to with reverence and the warmest affection), we should think it criminal not to declare to your Honors our sentiments, which we are fully convinced are those of a large majority of the inhabitants of this county, and, as we believe, of this government.

We beg leave to observe that the present unhappy disputes, in which the colonies are involved, were begun for the defence and preservation of the chartered rights and privileges of the colonies, and their then forms of government. And we humbly apprehend that the changing the Constitution at this critical period would be acting contrary to the avowed principles upon which the opposition was made to the oppressive measures of the British ministry, would tend very much to disunite the people, and be productive of the most dangerous consequences.

The experience of all ages and nations clearly manifesting that constitutional changes never fail to alarm the people, and rouse their fears; and unless they are gone into with the greatest delicacy, deliberation, and caution, and with the entire approbation of the people in general, are attended with the most violent convulsions, often fatal to their liberty and property.

We further beg leave to say that if the honorable House should adopt our ideas, and determine to continue to exercise the powers the Constitution has invested them with, we are firmly persuaded they may rely upon the support of their constituents.

We therefore humbly pray that the House may not, by dissolving itself, or otherwise, yield up any of the powers the Constitution hath intrusted them with, under the pretence of conveniency or necessity. But, retaining them in their own hands, may continue to exercise them for the good of their constituents; and we, as in duty bound, etc.

The issue of this controversy appears by the following extract from "Force's American Archives" (4th Series), vol. vi. (A.D. 1776), pp. 883, 884:

DELAWARE ASSEMBLY.

In the House of Representatives for the Counties of New Castle, Kent, and Sussex upon Delaware, at New Castle, June 14th, 1776, A.M.

Mr. McKean delivered in at the chair a certified copy of a resolution of Congress of the 15th of May last, which was, by order, read, and is as follows, to wit:

“IN CONGRESS, May 15th, 1776.

“*Whereas*, His Britannic Majesty, in connection with the Lords and Commons of Great Britain, has, by a late Act of Parliament, excluded the inhabitants of these united colonies from the protection of his crown; *and whereas*, no answer whatever to the humble petition of

these colonies for redress of grievances and reconciliation with Great Britain has been or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies; *and whereas*, it appears utterly irreconcilable with reason and good conscience for the people of these colonies to take the oath and affirmations necessary for the support of any government under the crown of Great Britain, and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the power of government be exerted under the authority of the people of the colonies, for the preservation of internal peace, virtue, and good order, as well as for the defence of their lives, liberties, and properties against the hostile invasion, and cruel depredations of their enemies; therefore

“Resolved, That it be recommended to the respective assemblies and conventions of the colonies, where no governments sufficient for the exigencies of their affairs has been hitherto established, to adopt such government as shall, in the opinion of their representatives of the people, most conduce to the happiness and safety of their constituents in particular, and of America in general.

“Extract from the Minutes.

“CHARLES THOMSON, *Secretary.*”

By special order the same was read a second time, and, on motion, resolved, unanimously, that this House do approve this resolution of Congress.

Saturday, June 15th.

The following preamble and resolution were offered, and unanimously adopted:

Whereas, It has become absolutely necessary for the safety of the good people of this colony forthwith to establish some authority adequate to the exigencies of their affairs, until a new government can be formed; *and whereas*, the Representatives of the people, in this Assembly met, alone can and ought, at this time, to establish such temporary authority; therefore

“Resolved, unanimously, That all persons holding any office, civil or military, in this colony, on the 13th of June, instant, may and shall continue to execute the same, in the name of the government of the counties of New Castle, Kent, and Sussex upon Delaware, as they used to exercise them in the name of the King [of Great Britain], until a new government shall be formed, agreeably to the resolution of Congress of the fifteenth of May last.

“Extract from the Minutes.

“JAMES BOOTH, *Clerk of Assembly.*”

F.

PARTIES IN CONGRESS A.D. 1775.

MR. ADAMS (Diary, pp. 31, 32) thus describes the two parties in Congress at this time: the favorers of independence, himself, Samuel Adams, R. H. Lee, Wythe, and others, and the *cold party*, who hesitated to vote for it.

Harrison, of Virginia, one of this party, he describes "as an indolent, luxurious, heavy gentleman, of no use in Congress or committees, but a great embarrassment to both; a kind of 'nexus utriusque mundi;' a corner-stone in which the walls of both parties in Virginia met. He was descended from one of the most ancient, respectable, and wealthy families there, and set up in opposition to R. H. Lee, who was very unpopular in Virginia, because, when a very young man, upon his first appearance in the House of Burgesses, he moved and urged an inquiry into the state of the treasury, by which it appeared that large sums had been lent to influential families, who, being thus exposed, never forgave him. Harrison was another Sir John Falstaff in all things except his larcenies and petty robberies, and his conversation disgusting to every man of delicacy or decorum. General Washington chose him for his confidential correspondent. Harrison, Pendleton, and others showed their jealousy of R. H. Lee's intimacy with Hancock (whom therefore they courted), and Samuel Adams, and myself, and their party, with whom we agreed, and by whom we kept a majority of the Virginia delegates with us. Among them were great divisions and jealousies. Harrison courted Hancock, and Hancock* Duane, Dickinson, and their party, and leaned so partially to them that Samuel Adams became very bitter against him. Jay and Wilson, in general, favored dilatory measures."—*Writings of John Adams* (Diary), vol. i. pp. 220, 517; vol. ii. pp. 31, 32, 35, 93.

* His sobriquets among the 'Tories' were "Soft John," and "King Hancock," and "Rosy."—*Diary of the American Revolution*.

CHAPTER IV.

Washington recrosses the Delaware—Cornwallis advances against him—Cannonade between their armies—Washington marches in the night towards Princeton—Battle of Princeton—Death of Mercer—Haslet to the officers—Results of this battle—Position of British and American armies through the winter of and until April, 1777—Adjournment of Congress to Baltimore—Letters of John Evans, Thomas Holland, and George Evans to George Read—Messrs. Read, John Evans, and Dickinson chosen delegates of the State of Delaware to Congress—Messrs. Evans and Dickinson decline serving—Mr. Dickinson's letter to Mr. Read—Policy of France and Spain—Letter of Mr. Rodney to Mr. Read—Events after Washington recrossed the Delaware, 29th December, 1776, to 23d January, 1777—Delaware militia, under Major Duff, fulfil its tour of duty and honorably discharged—General Mifflin's letter to Mr. Read—Notice of Major Duff—Special election in Delaware; best places for holding it—Letter of Thomas McKean to Mr. Read—Notice of Nicholas Van Dyke; his letter to Mr. Read; delays his acceptance of admiralty judgeship—Congress, at Baltimore, adjourns—Nicholas Van Dyke and James Sykes elected delegates to Congress in room of Dickinson and Evans—Mr. Sykes takes his seat; his letter to Mr. Read, and distress at his absence from Congress, and reflections thereon—Season for active military operations approaches—Disposition of the American army—Mr. Read's active part and influence in the affairs of Delaware as well as in Congress—Letters to him of William Killen—Painful uncertainty as to the objects of General Howe's campaign in 1777; Philadelphia his object; endeavors to draw Washington from his strong position; fails; determines to move his army by sea to head of Delaware or Chesapeake Bays—British fleet sails from New York; no news of it for some time; British troops disembark at Elk; move forward; Washington advances to meet them; subsequent movements of both armies—Battle of Brandywine—General Sullivan; remarks upon his conduct—Speculation in regard to this battle, and incidents—Wilmington, Delaware, occupied by British troops—President McKinley captured—Chief magistracy of Delaware devolves upon Mr. Read; then in Congress, at Philadelphia; his journey through New York to Delaware—Letter of Colonel Bedford to Mr. Read—Crosses the Delaware from Salem, New Jersey—In danger of capture by a British barge—His escape—State of parties in Delaware—Gloomy state of public affairs—Mr. Read locates his family in Cecil County, Maryland; why—Thomas McKean's letter to Mr. Read—During his absence temporarily assumed Presidency of Delaware—John Dickinson appointed brigadier-general; did not act—Incapable offices—Letter of Theodore Maurice to Mr. Read; why inserted—Alexander Porter persecuted as a Tory; his letter to Mr. Read—Correspondence relative to President McKinley—Mr. Read's letters to General Washington and Speaker of Congress—Thomas McKean's letter to Mr. Read—Disturbed state of Sussex County, Delaware—Armies retire into winter quarters—British at Philadelphia; Americans at Valley Forge; contrast between them—General Smallwood with detachment of Continental troops ordered to Wilmington to command there; requisition on State of Delaware for militia to reinforce him; not obeyed; Mr. Read's letter to General Washington; prevalence of party strife—Letter to Mr. Read of William Hooper, with notice of him—Letter of President of Congress to Mr. Read—Notice of Henry Laurens—Thomas McKean's letter to Mr. Read (12th February, 1778)—Letter of Washington to Mr. Read—Letter of Mr. Read to General Washington—Mr. Read's reply to Mr. McKean's letter of 12th February—Mr. McKean's reply to this letter—Articles of Confederation; objections to them; finally ratified—Mr. Read

declines Presidency of Delaware—Succeeded by Caesar Rodney—Mr. Read's letter to Dr. Bench—Paper-money and its depreciation (note)—Letter of Daniel McKinly—Mr. Read's good offices to effect his exchange—Appendix A, fairs—Appendix B, roll of Captain Clark's militia company—Appendix C, occurrences after the battle of Brandywine—Appendix D, letter of a British spy—Appendix E, Cheney Clow—Appendix F, Valley Forge—Appendix G, Colonel Haslet—Appendix H, Thomas McKean—Appendix G 2, last will of Caesar Rodney; extract from and letter of, and personal appearance.

THE hopes of the final success of their glorious resistance to the attempt of the British government to subjugate them by force awakened in the American patriots by the brilliant stroke of Washington at Trenton were increased tenfold by the still more brilliant one at Princeton. Recrossing the Delaware, January 1st, 1777, the troops under his immediate command being increased to about five thousand men by the junction of Generals Mifflin and Cadwallader, who were ordered from Bordentown and Crosswix, General Washington again occupied Trenton. Lord Cornwallis, who lay at Princeton with a body of troops, superior not only in number, but in discipline and equipments, marched against him. As they approached Trenton, General Washington, at 4 o'clock P.M., January 2d, crossed the Assumpinck, a small creek flowing through Trenton, and faced the enemy, who attempted, unsuccessfully, to cross this little stream, a warm cannonade having been kept up by both armies till night closed upon them. When an immediate attack upon the Americans was advised by Sir William Erskine, Lord Cornwallis is reported to have jocularly said "that he need not risk a night assault, for the fox was secured, *and he only had to bag him*, which he could surely do next morning." Thus by his lack of promptitude and daring this officer lost, as General Howe did at Brooklyn, the opportunity of defeating, and probably destroying, the American army. General Washington was in a serious dilemma. If he kept his position a battle would be inevitable, and the almost certain defeat of his raw troops; if he attempted to recross the Delaware, filled with floating ice, probably many of his men would be lost, perhaps the whole destroyed, Jersey would be again overrun by the British troops, and the enormities they had perpetrated there re-enacted, and Philadelphia, to the preservation of which vast importance was attached, left uncovered. It was then Washington showed military genius of the highest order. While his camp-fires, affording light for his own

movements and shrouding them from the British, were carefully maintained, his sentries were at their posts, and his officers made their rounds, he, as silently as was possible, decamped, the roads so soft through the preceding day as to have made the march of an army, with artillery, over them difficult and tedious, having providentially been, just before he moved, hard frozen. Washington marched circuitously towards Princeton, where were posted the 17th, the 40th, and 55th British Regiments, under command of Colonel Mawhood, hoping to beat them, and then to move, by a rapid march, upon New Brunswick, where were the baggage and stores, to a large amount, of the British army, and, as the result of his manœuvre, to compel the enemy to forego his march upon Philadelphia, and to recover New Jersey. The 55th and 17th British Regiments, on their march to join Cornwallis, were encountered by the advance of the American army, under General Mercer, about sunrise, near Princeton, and a spirited and severe contest ensued, in which fell Mercer and Haslet, Neal, Potter, and Fleming. Washington soon supported his advance with the main body of his troops, and the British were defeated with the loss of one hundred killed and three hundred taken prisoners, the loss of the Americans being not so much. If we look only to the numbers engaged and the loss sustained in the battle of Princeton, we may justly regard it as insignificant; but if we consider the generalship of the American commander and its results, it may be ranked among important and decisive battles. The early-morning slumbers of Lord Cornwallis were disturbed, and perhaps a pleasing dream of "bagging the fox" dispelled, by the booming of cannon in the direction of Princeton, and trembling for the safety of New Brunswick, he retreated there by a forced march, and Lord Howe was compelled to relinquish all his posts in Jersey except that town, and Amboy, at the mouth of the Raritan, where, by concentrating his troops, he kept open his communication with New York, and his army in a favorable position for a movement upon Philadelphia, should it become expedient. Washington, through the winter, with his fragment of an army, reinforced by the militia of Pennsylvania, New Jersey, and Delaware, who went and came as they pleased, restrained the British to the two posts

they held, skirmishing constantly with their foraging-parties, threatening attacks on their lines, covering Jersey from reoccupation, and animating its citizens to avenge the outrages of the Hessians upon their persons and their property.

Such was the position of the contending armies through the winter of 1777, and until the month of April of that year.

Congress feeling themselves insecure in Philadelphia, which was menaced by General Howe, adjourned, in December, to Baltimore. It appears by the following letter from Mr. Evans that Mr. Read did not immediately proceed to that city, his attendance being necessary in the Legislature of Delaware, which sat in January :

“ January 6th, 1777.

“ DEAR SIR,—My mind is so fluctuated with the present appearance of affairs, sometimes elevated and at other times depressed, that I cannot form any precise judgment to govern my own conduct by ; but upon a full consideration of our present circumstances, notwithstanding many difficulties offer themselves, I think it will be advisable for the Delaware State, at this meeting of the General Assembly, to complete their system of government by appointing the several executive officers; for while matters lie in their present unsettled situation government will be weak, and not able to use its own internal strength, and from appearance a vigorous exertion must be made the ensuing season or all our past labor, with our liberty, will be in great danger [of being lost], the people will become uneasy from many causes, and attribute all to the leaders of the people: and by having the government established upon the new system some good may be derived that may prove of more consequence than we are yet able to discover.

“ I have wrote to Mr. Jones, informing him of my desire that the General Assembly would appoint some other person in my stead to represent them in Congress, which I hope will be complied with. My state of health at present is such that I could not with conveniency go abroad. I have likewise mentioned two or three gentlemen to Mr. Jones, in case officers are appointed, for justices of the peace, which he will show you, and [I] shall be pleased if it meets with

your approbation. I am, sir, with great regard, your sincere friend and humble servant,

“JOHN EVANS.”

The writer of the letter that next follows was a captain in the Delaware regiment, and connected with Mr. Read by his marriage with Joanna, daughter of the Reverend Æneas Ross.

“MORRISTOWN, 10th January, 1777.

“SIR,—General Washington has ordered me to remain with the army some time longer, until the enemy retire into winter quarters, when I shall immediately rejoin the regiment at New Castle. I am sorry to inform you of the death of Colonel Haslet, who fell at Princeton. I am the only one here belonging to the Delaware regiment,—am very much fatigued with the campaign,—and having lost my baggage, shall be happy to return home to recruit. We are just informed that the enemy are retreating for winter quarters.

“I am, sir, your most humble servant,

“THOMAS HOLLAND.”*

George Evans, serving in a battalion of Delaware militia, wrote to Mr. Read from

“HEAD-QUARTERS, MORRISTOWN, January 16th, 1777.

“DEAR SIR,—After a march of four weeks our little battalion is now arrived at Morristown. Where we are to march to next is not yet made known to us. We have parties of the army stationed in different places, for five or six miles round this place. I make not the least doubt that you have heard of the different engagements at Trenton and Princeton, therefore will omit mentioning the particulars at this time, more than you may be assured that we have taken and killed above two thousand of the enemy since Christmas, [and] our scouting-parties are still bringing in some strolling persons, which gives great spirits. A gentleman from New York, that called at my lodging, informs me that the Tories there are going over to Long

* Captain Thomas Holland was a native of England, had served in the British army, and was killed in the battle of Germantown.—*Delaware Gazette*, No. 216, 8th August, 1789.

Island, and that the enemy had evacuated Forts Washington and Lee, and had taken off all the heavy cannon, also that a party of General Heath's people had taken possession of Harlem. It is generally reported here that the Hessians are all going on Staten Island, and have refused to continue out any longer, on account of so many of them having been taken and killed, and one hundred and fifty wagons have been sent from Brunswick to Amboy, with their baggage, under guard of three hundred men, and that a party of our people had fallen on their rear, scattered the guards, and taken several of the wagons. It is generally expected that the English troops will evacuate Brunswick, and leave us in quiet possession of Jersey. Our little battalion is much diminished: some have deserted shamefully when we had gained great advantage over our enemies, and others are disabled for service by sickness, [so] that out of two hundred and sixty men we have not more than one hundred and twenty left. I have had the good fortune, through God's mercy, to be very hearty and well ever since I left home, and hope to see you in a few weeks. My compliments to you, Mrs. Read, and all our friends, from your friend and humble servant, etc.,

“GEORGE EVANS.

“GEORGE READ, Esq., New Castle.”

The 11th article of the Constitution of Delaware, adopted 20th September, 1776, provided that the delegates to the Congress of the United States should be chosen annually by joint ballot of both Houses of the General Assembly, and in January, 1777, George Read, John Dickinson, and John Evans were thus chosen by that body delegates to the Continental Congress.* Messrs. Dickinson and Evans declined this high and honorable trust. Mr. Dickinson's reasons for so doing appear in the following letter.

“NEW CASTLE, January 20th, 1777.

“MY DEAR SIR,—The principal reason of my coming to New Castle from Kent was *personally* to acknowledge to the Gen-

* Journal of Congress, April 4th, 1777.

eral Assembly of this State the deeply grateful sense I feel of the honor they have conferred upon me by their appointing me a delegate to Congress, and to inform them of the reasons that have prevented me from taking my seat.

“When I lately went to Philadelphia I expected to return so quickly as to find the Assembly still sitting. I have received advice from home that my house has been in danger of being burnt by an accident, and that Mrs. Dickinson is in great distress of mind. I myself am exceedingly indisposed, with a violent cold, and therefore think it necessary to hasten down immediately, so that I hope I shall stand excused for not expressing, in the most respectful manner I could think of, my very great obligations to this government.

“I beg of you, sir, to acquaint both Houses that when I received notice of their appointment I was in a very low state of health, which continued till the removal of the Congress to Baltimore. I then was forced to attend my wife and child into the country, where I was of necessity detained to provide them conveniences absolutely requisite till my journey to this place, and now it will by no means suit me to be absent from them in Baltimore.

“In addition to these reasons, I will mention to you, my friend, that I know it to be impossible for me to render any essential service to my unhappy country at this time. More blood must be poured out, and more calamities endured, before truth and sound policy will have any weight where they ought to prevail. I therefore beg leave, with all possible regard, to resign my place as a delegate. I have conversed on this subject with two of our friends in this town. They will speak to you upon it. Mr. M—— will inform you of the news, and of what relates to, my dear sir, your affectionate friend,

“JOHN DICKINSON.

“Please to present my compliments to Mrs. Read. I gave Hines a letter for you.”

Mr. Dickinson writes very soon after to Mr. Read in a desponding tone, caused or increased, it is probable, by his sickness and the late unpleasant occurrences in his family, from

“KENT, January 22d, 1777.

“MY DEAR SIR,—This winter is the only time that will be allowed us to think of peace before we suffer indescribable calamities. It ought not to be neglected. I beg leave to press this upon you. Do exert yourself. The event will certainly prove that France and Spain are more afraid of our becoming a great and flourishing empire than of our being conquered by Great Britain,—perhaps they may try to prevent both these events. I think the very vigor of our resistance in this our infancy will alarm those two powers.

“God bless you! I am forced to conclude, being very sick.

“Your ever affectionate,

“JOHN DICKINSON.

“GEORGE READ, Esquire, in New Castle.”

The sagacity of the last of Mr. Dickinson's above surmises is proved by the facts that France and Spain, hating Great Britain, and jealous of her power, did try, and successfully, to prevent her subjugation of her colonies, and then endeavored, during the negotiations for peace in 1782, “to coop them up,” as Franklin said, “within the Alleghany Mountains,”* and to deprive them of the fisheries, designing to secure them and the western country to themselves, or to barter them to England for equivalents, thus preventing the colonies from being formidable. This selfish and unworthy design was defeated by the sound judgment, patriotism, and boldness of our envoys in signing the preliminary treaty with England, without consulting the Count de Vergenes, as they were instructed to do.

Cæsar Rodney, hoping to encourage the Delaware militia that had marched to reinforce General Washington, was on his way to them; when at Philadelphia, he was ordered to Trenton to take command there,† and from that town wrote as follows to Mr. Read:

* Pitkin's History of the United States, vol. ii. p. 149.

† Biography of the Signers of the Declaration of Independence, vol. iv. pp. 331, 332.

“January 23d, 1777.

“MY DEAR SIR,—If I may judge of you by myself, I dare venture to say that you are anxious to know what is going on in this part of the American world, and as it gives me pleasure to satisfy the anxious mind, [I] would have wrote to you long ere this, but accounts of everything that happens are so various and perplexing that a man who would wish to support any degree of credit dare relate hardly anything he hears. The first engagement between us and the enemy, after the retreat from the North River, was at Trenton, where I am not only playing the general but commander-in-chief. It happened the day after Christmas, and you well know the circumstances attending it. On the Sunday following, which was the 29th of the same month, Général Washington passed the Delaware to Trenton again, and on Thursday, the second of January, had an advanced post of three or four field-pieces, covered with six hundred musketry, attacked on the hill next towards Princeton by (as the inhabitants of this town think) a body of about five thousand English and Hessians. In this attack there was very little done but discharging field-pieces at each other. Washington continuing to retreat in and through the town; the others, commanded by General Lord Cornwallis, endeavoring to flank them, till Washington got over the bridge in the town, and on the side where the main body of his army lay, and where, by his order, they had, during the time of his retreat, been fixing a number of cannon. As soon as these cannon were discharged, the enemy retreated quite back to the first-mentioned hill, where they remained till nine o'clock the next morning, expecting to be reinforced, and then to fight it out. Washington with his army lay in the field and woods, between the town-creek and the river, till about two o'clock in the morning, and after having caused the fires to be well made up, marched his army round the head of the creek into the Princeton road, and so to Princeton, where, a little on this side the town, they met the party coming to reinforce those at Trenton. Here a warm engagement came on, first with General Mercer's brigade, who were far advanced, and being overpowered with numbers, were obliged to retreat, after having pushed bayonets. This gave the remainder of Washington's army time to form, and, after giving the

enemy two rounds, obliged them to retreat and immediately after to run. By this means they lost all their baggage, and only saved themselves by our people being so fatigued as not to be able to keep pace with them. Washington, after following them a little beyond Kingston, filed off to the left, and then made for Morristown. Mr. Tucker, of this town, told me he never saw men so filled with astonishment as the English officers on finding that Washington's army was gone. [They] wondered how he could have got over the river without being discovered, etc. He says that between eight and nine o'clock that morning two of the British officers came to his house, asked for breakfast, and just as they had poured out a dish of coffee heard the cannon, and immediately left it, thinking, as they heard the cannon so very plain, that Washington had engaged their body. However, [they] very soon marched off. In this last-mentioned engagement we took about two hundred and thirty prisoners, and at Trenton, the day before, thirty. Since this General Maxwell has taken, at Elizabethtown, one hundred and twenty prisoners, and all their baggage, to a considerable amount. Soon after he took Spanktown, about four miles from Elizabethtown, towards Amboy, on the Sound, where he took a few prisoners, a thousand bushels of salt, and some baggage of value. Colonel Gurney, who was sent by General Putnam, with five hundred men, on to Monmouth, has taken a very large quantity of stores that were lodged there and guarded by Skinner's Jersey volunteers. Forty wagons' load of them have arrived at Princeton, and a great quantity of cloths and other English goods. There was a skirmish on Monday last between one of our outposts and a superior number of the enemy [in which] our people drove them, and took thirty-one wagons and sixty-five horses, and have brought them safe in. It is said by those who come from the camp every day that our army increases very fast. I believe it does increase some, though great numbers are leaving it. Sure I am, if none would leave it for three weeks to come, there would be enough to eat the enemy up. Our Delaware militia, in number two hundred and thirty-eight, I sent to Princeton the day before yesterday, and yesterday [they] were ordered from there by General Putnam to head-quarters. I shall leave this to-morrow, and have the

pleasure to inform you that I have not been in the least unwell since I left home, not even with the asthma. In short, I every now and then conceit I grow fat. You may readily suppose there is nothing very pleasing in a cold winter campaign, and yet, if I could but see those Parliamentary robbers off, and my old friend Livingston restored to his government, I should be happy. Good God, what havoc they have made! He that has not seen it can have no idea of it. The dead bodies of Colonel Haslet* and Major Morris are here, on their way to Philadelphia for interment. Thus ends a history [to read] which, perhaps, will give you much more trouble than real satisfaction. However, be that as it may, you must take it as the poor man took his wife, and permit me to say, I am, with the greatest respect, your most obedient and most humble servant,

“CÆSAR RODNEY.†

“GEORGE READ, Esquire, at New Castle.”

Major Duff returned home in the winter of 1777 with the detachment of Delaware militia that had completed their term of service in Jersey, bearing the very honorable testimonial of their good conduct in the following letter from General Mifflin to Mr. Read:

PHILADELPHIA, 31st January, 1777.

“DEAR SIR,—I have the pleasure to inform you that the detachment of Delaware militia, commanded by Major Duff,‡ from your State, have served the term of their enlistment with credit to themselves and satisfaction to me, under whose command, in New Jersey, they happened to serve.

* For a notice of Colonel Haslet, see Appendix G.

† See Appendix G 2.

‡ On the march of General Howe from the head of Chesapeake Bay to Philadelphia, in 1777, a skirmish occurred between an advanced party of his army and a detachment of Delaware militia, at Cooch's Bridge, in New Castle County. I have heard, when very young, an old bachelor uncle give an account of this affair, at which he was present, and which he called the “battle of Cooch's Bridge.” I recollect nothing of the account, except that Major Duff was in the battle, behaved with much courage, and had his horse shot under him. He rose to the rank of colonel in the Delaware militia, and was sheriff of New Castle County.

“The officers in particular deserve the thanks and esteem of their country for the readiness shown by them to turn out on all occasions. Major Duff, by a mistake of orders, was prevented from joining me in the march to Trenton; but I have every cause to believe that he exerted himself on all occasions when his duty and my orders were clearly made known to him, and I do not recollect one single instance in which his spirit and zeal were not equal to those of any other officer of my brigade.

“I have the honor to be, very respectfully, your obedient servant,

“THOMAS MIFFLIN, *Brigadier-General*.

“To the Honorable GEORGE READ, Esquire, at Wilmington.”

As the 27th article of the Constitution of Delaware adopted in 1776 provided that the elections for members of the General Assembly should be held October 1st in every year after 1777, the elections, as to the time of holding which Mr. McKean asked Mr. Read's opinion in the following letter, were, I suppose, special ones, to fill vacancies in the General Assembly (as provided in article 5 of the above constitution), made, I conjecture, by the acceptance by members of that body of offices incompatible with their seats therein:

“DEAR SIR,—I have waited with impatient expectation a letter from you respecting the elections in the several counties. I have thought that it would be best to have them all on the same day, and would propose Friday, the 25th day of April next. In this appointment we shall avoid all fairs,* courts, etc., which appears to me proper.

“Please to write to me by the very first opportunity whether you approve of my proposition, and inform me how you expect to forward the writs to the sheriffs of Kent and Sussex; if by express one may answer.

“I am, dear sir, your most obedient servant,

“THOMAS MCKEAN.

“NEWARK, March 29th, 1777.”

Nicholas Van Dyke, the writer of the letter which next

* See Appendix A.

follows, was of Dutch descent, a lawyer of eminence, afterwards Governor of Delaware, and recently appointed delegate to Congress and judge of admiralty. I have heard from my father that his attendants offering, when he was dying, to raise him, he motioned to them to take the pillow from his head.

“SIR,—Your favor, by Colonel Cantwell, was handed me last eve[ning]. I find by the section of the Constitution you refer to an acceptance of [my appointment as] judge of admiralty would vacate my seat in Council. This I did not attend to before the election; but soon after I examined that section, and thereupon was immediately determined what part to act: to wit, not to accept, and for this reason, that as the electors of this county have thought proper to confide so much in me as to elect me to a seat in Council, I do not choose to accept any office, however lucrative, which would vacate that seat, unless I was convinced that I could in some other department render more important service to my constituents, which I am persuaded I cannot do as judge of admiralty; but as some trouble may be saved by your not issuing a writ for an election of a member of Council at present, if I was determined to accept, you may, if you choose, consider my answer as a delay of acceptance, and then when the Assembly meets I shall regularly give them my answer to their appointment.

“I am pleased to hear Mr. Sykes is gone to Congress. The very distressing dispensation of Providence to me since I saw you, and the unavoidable necessity I have thereby been reduced to, has hitherto prevented my leaving home, nor can I possibly go until the first of the week after next.

“I am, sir, your very humble servant,

“NICHOLAS VAN DYKE.

“7th April, 1777.

“To the Honorable GEORGE READ, Esquire.”

Congress adjourned at Baltimore, February 27th, to meet in Philadelphia on the 4th day of March.

John Dickinson and John Evans having declined to serve as delegates to Congress from the State of Delaware, Nicholas Van Dyke and James Sykes, Esquires, were appointed in their room, and Mr. Sykes appeared in Congress, and

presented his credentials on the 4th of April.* He wrote to Mr. Read, in almost intolerable distress, from

“ PHILADELPHIA, April 10th, 1777.

“ DEAR SIR,—Yesterday it was agreed in Congress that the subject of the Articles of Confederacy should be taken up on Monday next, and that two days in each week should be employed therein, until that work should be completed. As this is a matter of the utmost importance, it is certainly necessary that our State should be fully represented, especially as I am by no means competent to the task. I therefore most ardently wish you would give your attendance in Congress, and beg you would write to Mr. Van Dyke, pressing his immediate repair hither. I am in a most disagreeable situation, a stranger to every person, unable to speak my sentiments in Congress, and no colleague to confer with on any subject that may concern our State. There has already a matter been determined which, I am afraid, will throw the whole county of Sussex into confusion and disorder: I think it is the report from the Board of War that an independent company shall be raised in that county, to be stationed at Lewistown, that Harry Fisher shall have the command; [and] if he refuse, he shall have at least the appointment of the subaltern officers. This was brought in immediately on my taking my seat in Congress, and though I utterly disapproved the measure, as far as respected

*

IN COUNCIL, February 22d, 1777.

Whereas, Nicholas Van Dyke and James Sykes, Esquires, have been chosen by joint ballot of both Houses of the General Assembly to represent the Delaware State in the Continental Congress, in the room and stead of John Dickinson and John Evans, Esquires;

Resolved, That they, together with George Read, Esquire, or any one or more of them, are hereby fully authorized and empowered, for and in behalf of this State, to concert, agree to, and execute any measure which they or he, together with a majority of the Continental Congress, shall judge necessary for the defence, security, interest, and welfare of this State in particular, and America in general, with power to adjourn to such times and places as shall appear most conducive to the public welfare and advantage. Sent for concurrence. Eodem die, in Assembly read and concurred.

Extract from the Minutes.

SLAYTOR CLAY, *Clerk of the Council.*

Journal of Congress, vol. iii. p. 87.

Fisher, I could not open my mouth in objection.* This, sir, shows the necessity of some person being here who has the inclination and power to object to and show the impropriety of such appointments. I am totally unfit for it, and am miserable on the occasion.

“From what we hear from head-quarters it seems to be the prevailing opinion that the enemy intend to [move] to Philadelphia in a very short time, that the fleet are coming into this river, and that boats are preparing for the army to cross the same.

“I should be exceedingly sorry to press you upon a subject that I know at this time is disagreeable,—I mean your attendance here; but it appears to me to be indispensably necessary to our State that you should be in Congress: with respect to myself it is so much so that without your attendance I cannot think of staying,—alone I will not. I hope you will excuse this incoherent scrawl. Please to present my best compliments to Mrs. Read. It would give me great pleasure to receive a line from you. I am, in the mean time, dear sir, your most obedient, humble servant,

“JAMES SYKES.

“FOR GEORGE READ, Esquire, Wilmington.

“Favored by John Evans, Esquire.”

Mr. Sykes, judging from his letter,—its style, orthography, and penmanship,—was well educated, and we must believe, from the fact of his appointment to Congress, not only highly respectable but influential. His constituents, perhaps, thought that, as his colleagues were lawyers, his not being a speaker would not matter. If they so thought, they were mistaken; but he might, and I have no reason

* “The Board of War brought in a report, which was taken into consideration: Whereupon, *Resolved*, That blank commissions be sent to Henry Fisher of Lewistown, with orders to raise, on the Continental establishment, an independent company, for the safeguard of the pilots, and the persons and goods of other well-affected inhabitants and subjects of these States, residing or being near Lewistown, and the coasts of Delaware Bay; and that Mr. Fisher be informed that if he chooses to accept the command of the company, Congress will confirm him therein; but if he should decline the acceptance thereof, that he should be requested to nominate a proper person to fill that station, and that in either case he nominate the subalterns.”—*Journal of Congress*, vol. iii. p. 89.

to doubt he did, by voting with judgment and integrity, and on committees, serve them well. Still, his situation, as he describes it,—that of a man out of place,—is pitiable indeed. He was in an assembly more imposing (august may not be too strong a word) than any he ever before had sat in, without colleagues, knowing no one. A measure was proposed, he disapproved it, because it would probably disturb a whole county of his State; all eyes were turned to the delegate from Delaware as the member from whom they had a right to expect full and reliable information on the pending resolution, his self-possession was utterly lost, his tongue was paralyzed; ashamed and mortified, he sat mute, and the resolution was adopted. Thomas McKean, in a letter to Mr. Read of December 6th, 1777 (see *post*), says, “The honorable attachment of James Sykes, Esquire, to the virtuous and glorious cause in which his country is engaged, will no doubt induce him to give his immediate attendance in Congress.” From this passage I infer that Mr. Sykes was an ardent Whig. Mr. Read was in his seat in Congress April 25th,* when he was appointed with Messrs. Roberdeau and Sergeant “to confer with the President and Council of Delaware, and enforce the necessity of calling out fifteen hundred of the militia of that State.”†

The season for active operations had now come. What would be the enemy’s plan of campaign? Would Burgoyne transport his army, by sea, to New York, or, capturing Ticonderoga, force his way to Albany, and get the command of the Hudson? and would General Howe co-operate with him, or would he move against Philadelphia? It was necessary that the Americans should be prepared to defend Ticonderoga, the Highlands of New York, and Philadelphia against two armies, superior not only numerically, but in discipline and equipment. Washington so posted his troops as to make them available for the defence of the points the British might choose to attack. The northern army was posted between Ticonderoga and Peekskill, and there was a detachment at Peekskill from which the northern army could be reinforced, while the junction of this detachment

* And he may have been in it sooner.

† Journal of Congress, vol. iii. p. 124.

with the troops under Washington's immediate command could be effected without difficulty. Washington's army, which he had endeavored to increase by every means in his power (its effective men being about five thousand), was in May drawn out of its winter quarters, and posted in a fortified camp at Middlebrook, behind and near the road that led from New Brunswick to Philadelphia. Painful was the suspense in which, for several weeks, the Americans were held.

Mr. Read, while sharing with his colleagues in Congress the burden of Continental affairs, was at the same time taking an active and leading part in those of Delaware.* The organization of the courts constituted by the Constitution of Delaware adopted in 1776 had been delayed by its disturbed condition, and the next following letter shows what had been done towards accomplishing it:

"DOVER, July 19th, 1777.

"DEAR SIR,—General Rodney, last evening, delivered me a commission from the President, constituting me Chief Justice of the Delaware State, as also another appointing me, with Messrs. Evans and Cook, Justices of the Court of Oyer and Terminer and General Jail Delivery of the same State, by the last of which I flatter myself Mr. Evans has agreed to accept of a seat in those courts; and, therefore, I shall take without delay the necessary qualification, and enter upon the performance of the duties of the places assigned me; but how reputably for myself or advantageously for the State I shall execute the arduous task, Heaven only knows. However, the scarcity of proper persons to fill every department, if it does not make my undertaking those affairs absolutely necessary, will, at least, justify the measure.

"The President, in his letter to General Rodney accompanying these commissions, mentions the necessity of holding a Court of Oyer and Terminer speedily for the trial of some State criminals now confined in Dover jail, and I am informed that there are some others confined in the jail at

* His name appears in the "List" (Appendix B) returned June 24th, 1777, by Captain Clark, of able-bodied associators "ready and willing to march" against the enemy.

New Castle, charged with other capital offences. I shall, therefore, take order forthwith for the removal of those in Dover to New Castle, in order to their being tried in that county where they are said to have committed the offences. But previous to the holding a court for this purpose, I shall be obliged to you for informing me when will be the most proper time to hold it, in regard to the officers and the inhabitants of the county in general? Will Monday the 4th of next month be too soon? Pray give me your opinion by the first opportunity of a conveyance. Or if you will mention the business to Mr. Evans, I shall agree to any time he may think proper to appoint for holding this court, and for that end he may make out the precept, returnable what day he pleases, and send it to me in order to my signing it.

“You will please also to consult Mr. Yeats whether he would choose to be appointed, or rather continued, clerk of the Supreme Court for the county of New Castle. I have already had an application for the appointment to this office from another gentleman, to whom I have given a grant of it in case Mr. Yeats should not incline to be continued, but if he should, I am very willing to give him the preference.

“We have been for some time past apprehensive of being rudely disturbed, on some unlucky night, at Dover by some of those bullying, swearing fellows belonging to the men-of-war, encouraged thereto by bad men among ourselves, but General Rodney is now taking some measures for our better security. Ever since the apprehending the criminals in our jail, mentioned above, we have been threatened by the men-of-war’s people with the most direful vengeance, through resentment for confining their friends in prison.

“I am, sir, your most humble servant,

“WILLIAM KILLEN.

“GEORGE READ, Esquire.”

The letter next introduced, and indeed Mr. Read’s correspondence, indicates his influence, the confidence reposed in the soundness of his judgment, and his readiness to exercise it for the benefit of his friends and the public.

“DOVER, August 9th, 1777.

“DEAR SIR,—Your letter of the 20th ult., if the whole tenor of my conduct through life has not sufficiently evinced it, informs me that Mr. Theodore Maurice, of your town, was perfectly right when he told me, about seventeen years ago, ‘that I was not a cunning man.’ I will explain myself. Some weeks since a commission appointing me Chief Justice of this State, and another, constituting myself and Messrs. John Evans and John Cook Justices of the Courts of Oyer and Terminer and General Jail Delivery, to be held for the several counties of this State, came to General Rodney’s hands; with which he acquainted me. Upon seeing Mr. Evans’s name in this letter, I took it for granted that he had agreed to this appointment, and I therefore, without hesitation, accepted of both commissions, took the necessary qualifications, and got to dealing with the Tories, and have been engaged with them almost ever since. Now, sir, you know that I had made Mr. Evans’s acceptance a *condition precedent* to that of my own, and yet without any other evidence of his acceptance than barely seeing his name in the commission of Oyer and Terminer, I *uncunningly* swore in, and have fully proved that Mr. Maurice was not mistaken in his opinion of me mentioned above; indeed, your letter not only satisfies me that Mr. Evans has not yet qualified, under those commissions, but has caused a great doubt in me that he never will.

“This new task is really too arduous for me. In essaying to execute it I find both a want of knowledge and firmness of mind—the latter most. There have been about forty persons, men and women, apprehended in the Head of Sussex and the lower part of New Castle on suspicion of trading with the men-of-war in Delaware [Bay]. Some of these I discharged, after examining of them, some I let go upon bail, others I committed, but have since admitted them to bail, except two, now confined in New Castle jail. As to one of these two last, namely, Jonas Edingfield, I am much importuned by his sister and other relations to admit him to bail also. His offence is furnishing the men-of-war with fresh provisions. He has confessed the fact. Is not this act an aiding and comforting the enemies of the State? I have ventured to call it so in my proceedings with these offenders. I have no friend here of whose knowledge I can

avail myself in any difficulty that occurs to me in my new office, and I find myself often at a loss in endeavoring to do the duties of it. Add to this that a milkiness of disposition bears down the little understanding I have, and they maintain a perpetual war between them. Pray inform me whether I ought to admit Edingfield to bail. He has an old mother, a wife, and seven children, and his circumstances but low. Also, what offence is he guilty of who is apprehended with live stock and sundry other provisions on his way to traffic with the enemies of the State, and acknowledges that that was his intention? Your answer to these questions will much oblige a quondam brother in distress. I intend to propose the holding of a court of Oyer and Terminer for Kent County, about the first week in next month, to my brother, I wish I could say my brethren. The apprehending these Tories is really like cutting off the hydra's head. I hear Colonel Richardson has seized several of them. Captain Murphy has made prize of a Tory's boat, who had given out that the enemy had taken her, loaded with grain, going to Philadelphia, some time last June; but it has lately been discovered to me, on oath, that he voluntarily fell in with a man-of-war's boat at the mouth of Mispillion, has made a voyage to New York with her since, and carried on a constant trade with the enemy. I have also made out precepts for seizing a number of those trading-gentry in Sussex. I intend to send herewith the commission of Oyer and Terminer, and earnestly request you to write to Mr. Evans to qualify and urge him thereto by putting him in mind of the distraction and anarchy that prevail in our little State for want of the due execution of the laws. Sure he cannot be indifferent to a measure so interesting to his country.

"I am, dear sir, your most humble servant,

"WILLIAM KILLEN.*

"GEORGE READ, Esquire."

* My lack of information in regard to William Killen has, in some measure, been lately and unexpectedly supplied.

In the grave-yard of the Presbyterian church, Dover, Delaware, which I lately visited, to see the monuments of two distinguished citizens of my native State, recently erected there, while scanning with interest (July 5th, 1859) the tombs around me, I came upon an ancient stone, which covers the grave of William Killen, and read upon it that "he was born in Ireland A. D. 1722; landed in America A. D. 1737;

Sir William Howe's object in the campaign of 1777 was Philadelphia. His first plan was to march to that city through Jersey, fighting the American army, if it attacked or could be forced to engage him. He deferred opening the campaign till the country could afford food and forage for his soldiers and horses, and was delayed until the latter end of May by the non-arrival of tents and camp-equipage from Europe. Early in June, with the British troops, less those left to garrison New York, he moved from that city to New Brunswick, and on the 14th of that month marched, in two strong columns, towards the river Delaware, intending and hoping, by awakening fears for Philadelphia, which would by this movement be shown to be his object, to draw General Washington from his strong position at Middlebrook to offer him battle, but the wariness of the American commander foiled him; he remained on the strong ground he occupied, and General Howe, being of opinion that there would be too much risk in his attempt to cross the Delaware, with a strong force, on its west bank, in front, and Washington's army in his rear, determined to move his army by sea to the Delaware or Chesapeake Bays, from either of which great estuaries Philadelphia could be reached by a march of a few days through a country traversed by no rivers of magnitude and in general of level or undulating surface, and therefore offering no strong positions to the army that might oppose his march.

Early in July the British fleet stood to sea from New York, with the British army on board, their destination being carefully concealed from the Americans. The history of the period of their uncertainty as to the point to which the winds were wafting their foe, has to me a thrilling interest. The storm of war must fall somewhere; but what portion of their goodly heritage was to be devastated? None could answer this question—the suspense was that of a people—the common current of thought was interrupted—there was a pause in the business of life—the timid quailed, “the boldest held their breath for a time.” This suspense

was first Chief Justice of the Supreme Court of Delaware under her Constitution adopted A.D. 1776, and until the adoption of her second Constitution A.D. 1792; and then Chancellor of Delaware until he resigned this office A.D. 1802. Died October 5th, 1807, aged 85 years.”

was removed, July 30th, by intelligence that the British fleet was within the Delaware, but only to be renewed by information that it had left that bay, and stood to the east. It was next descried, August 7th, a short distance south of the capes of the Delaware, and from that day until almost the end of that month nothing was known of its movements. How terrible must have been this uncertainty! Howe might have intended to draw Washington to the Delaware, and then, retracing his course, ascend the Hudson, surprise the posts in its vicinity, in order to co-operate with the expected army of Burgoyne, or he might menace the Eastern States, or, transferring the war to the South, attack Charleston. The British fleet entered the Chesapeake August 16th, sailed to the head of that bay, where, on the 25th of that month, the British army was landed unopposed. General Howe, with one division, marched on the 27th to Elk, and on the 28th his vanguard occupied Gray's Hill, two miles east of it, while Knyphausen moved by Cecil Court House, with two brigades, within eight miles of the Christiana, and Grant was left with six battalions to guard the baggage and keep open communication with the fleet. Generals Cornwallis and Knyphausen united their divisions on the 3d of September, at Pencader, and on the 8th General Grant, having shipped the tents and baggage left in his charge, joined them. A large amount of stores had been removed from Elk by a detachment of Delaware militia. General Washington in the mean time had not been idle. As soon as he received intelligence of the arrival of General Howe's army in the Chesapeake he marched his army, August 24th, through Philadelphia, to encourage his friends and intimidate the disaffected by its number and martial appearance. He halted for a short time at the Brandywine, and thence moved to Wilmington and encamped on the hills around it. General Maxwell's light corps had been attacked by Cornwallis, and forced to retreat over White Clay Creek. On Sept. 5th the American army was posted behind Red Clay Creek, with its right wing on Newport, and its left on Hockesson, the Maryland and Delaware militia having previously been ordered to annoy the enemy's rear, and that of Pennsylvania to co-operate with the American army in front. General Howe endeavored by a feigned attack in front to mask his movement to turn the American right.

As this movement, if successful, would have inclosed Washington in a narrow strip of territory, where he could have been forced to fight at disadvantage, or the enemy might occupy the heights of Brandywine, and cut him off from Philadelphia, and capture it without a battle, he therefore, soon after nightfall, marched to the Brandywine, crossed it the day after, and posted his army on the high grounds north of it, leaving Maxwell's light infantry on the southern side of this stream to skirmish with the British. Works were hastily thrown up on a hill north of Chad's Ford, where Wayne's artillery corps was posted. At the lowest ford, Pyle's, two miles south of Chad's, was stationed one thousand Pennsylvania militia under General Armstrong, and the right of the army, Sullivan's division, of three thousand men, was so extended as to cover, it was expected, the fords above, of which there were several, while the centre, Green's division (the brigades of Weedon and Muhlenburg), was on the hills in the rear, whence it could reinforce the wings as might be necessary. His army thus in order of battle, Washington awaited, with his characteristic equanimity, the onset of the British. A thick fog covered the country for some hours.* General Knyphausen moved about nine A.M. from Kennett Square, and was attacked by Maxwell's troops, who, after fighting bravely, were driven by superior numbers across the Brandywine. Knyphausen then kept up a heavy cannonade, under cover of which he made feigned attempts to pass Chad's Ford, the object of these feints being to divert the attention of the Americans from the real point of attack. Two small streams, rising in Pennsylvania, after a course, generally from west to east, of about five miles, unite and form the Brandywine. At the confluence of these streams the Brandywine flows from west to east, about seven miles, to Chad's Ford, and thence, about twelve miles more, to the point where it empties into the Christiana, two miles below Wilmington. The great water-power of the Brandywine before the American Revolution was only applied to the manufacture of flour, from the wheat of Delaware and the Eastern Shore of Maryland, esteemed the best raised in the colonies. The main body of the British, led by Cornwallis, Howe being with it.

* September 11th.

marched up the Lancaster road, at dawn of day, to pass Trimble's and Jefferis Fords above the point of confluence of the branches of the Brandywine, and so turn the right of the Americans, while Knyphausen amused them with his bluster. This stratagem, skilfully devised and executed, was completely successful, screened as the movement was by the fog and the wooded hills along the Brandywine, and aided by the neutrality, or disaffection to Congress, of the Quaker population of this region, who withheld information of the movement of the main body of the British army. At last, about mid-day, this movement was reported by Colonels Bland and Ross to Washington, who at once boldly determined to pass Chad's Ford, and attack with his centre and left wing Knyphausen, while Sullivan was ordered with Sterling to cross the Brandywine, and assail the left of Cornwallis's column; but before this plan could be carried into effect Sullivan received and communicated intelligence that the enemy were not near the Forks of Brandywine, and that therefore Cornwallis's movement was a feint to draw the American army across the creek, there to find itself engaged, not with a division, but the whole British army. It was not until two o'clock P.M. that the uncertainty produced by contradictory intelligence was dissipated. The enemy had turned the American right, and were moving eastwardly. Sullivan's, Sterling's, and Stephens's divisions were ordered to change front, so as to face the advancing column of the British. Wayne was ordered to remain at Chad's Ford, and with Maxwell's light troops hold Knyphausen in check, and Green's division, with General Washington, was stationed as the reserve between them.

As the British advanced toward Birmingham Meeting-House they were surprised and amused by a number of Quakers mingling with and moving forward with them. The spectacle was magnificent,—a great body of disciplined troops marching in military order, the scarlet uniforms, and muskets and bayonets, bright as silver, gleaming in the sun, which shone unclouded. It had a fascination for these simple rustics, who followed on, all fear swallowed up by curiosity, till the battle began, about 4 o'clock P.M. They were surprised by the smooth and white skins of the British officers, mostly short and portly men, neat and clean, and

elegantly attired, in strong contrast to the dingy uniforms and gaunt forms of the Americans, who had passed the preceding winter under privations and discomforts to which ordinary patriotism and fortitude would have succumbed, while their enemies were housed, warmly clad, and well fed. They came upon a group of mounted officers, flashing in scarlet and gold; one of these is prominent, evidently a general, of large body, on a stately charger, but reduced in flesh, his features coarse and large, and his mouth fallen in from loss of teeth; it was Sir William Howe. The fields before them were *red* with the British regiments moving rapidly forward, and covered with the knapsacks and blankets of which they had disencumbered themselves.*

The troops under Sullivan, unfortunately, to prevent Duborre's brigade from being on the right of them, made such a wide circuit as to delay so much his getting up his men that they were not formed when attacked. The fight was animated for some time, but the right first wavered and then gave way, followed by the left wing; and the centre, though it fought bravely, could not long endure the whole fire of the British, and broke also. General Green, with his division, moving forward so rapidly as to clear five miles in fifty minutes, most gallantly covered the retreating Americans, opening his ranks for them to pass behind, and then closing; and about dusk, at a defile near Dilworthtown (chosen by Washington for making a stand, if necessary, on a previous reconnoissance), after a gallant fight, much of it with the bayonet, checked the farther advance of Howe, and then withdrew his division in good order. His able and brave stand diverted the main body of the enemy from Wayne, who had resisted the attacks of Knyphausen until the enemy appeared on his right, when, knowing from this fact Sullivan's defeat, he took the road to Chester, where the whole American army remained through the night of September 11th, and retreated the next day to Philadelphia. The American loss in the battle of Brandywine was about nine hundred, killed, wounded, and prisoners, and that of the British, as stated by themselves, five hundred.

General Sullivan was unjustly censured for sending the

* Townsend's Account of the Battle of Brandywine, pp. 21, 24, 26.

false (as it proved) intelligence which induced the countermand of the order that he should cross the Brandywine and attack the enemy, for had he withheld it, and Washington passed that stream, as he would have done, to encounter not Knyphausen alone, but the whole British army, in case of defeat, his men being pushed into the Brandywine in his rear, a total rout must have ensued. Though Sullivan retained the confidence of Washington, and was by him and other superior officers acquitted of the charge of defect of vigilance and activity in guarding the fords of Brandywine, yet I cannot divest myself of the inclination, at least, to the opposite opinion. General Sullivan, I think, was too much occupied with the responsibility of his charge, and how he should screen himself from censure, and was not of that high order of men who forget self when great public interests are at stake. He posted troops at several fords and was careful to communicate all intelligence he received to Washington, but made no extraordinary effort, as he should have done, to obtain it, especially as he expressed and repeated the opinion that the attempt would be made to turn the American right.* As the fords by which the British crossed were distant from him but five miles, an officer vigilant and enterprising as the emergency required, might have terminated the uncertainty as to their movement in one hour. He with a blamable facility concluded, upon the statement of an utter stranger, that there were no fords above Buffington's, and by Dr. Darlington's letter, recently published by the Pennsylvania Historical Society, it appears he left a ford unguarded, over which a party of British passed, this ford being *above* Buffington's.

I cannot refrain from the speculation "what would have been the result had Washington's bold plan of crossing the Brandywine and attacking the British been executed." He would, I think, have beaten and driven Knyphausen before him, being numerically so much superior, and then all further good result would have depended upon his being able to restrain the pursuit of the flying Hessians in time to recross in good order and form on the best ground to receive the attack of Cornwallis. In any case, most likely, such was the superiority of the British in number, but much

* In his letter to John Hancock, October 6th, 1777.

more in discipline and equipment, that they would have won the battle, but the Americans would have retired suffering less loss and inflicting greater than they did suffer and inflict, and the success over Knyphausen would have been a set-off against Howe's victory.*

On the 13th of September, Wilmington, in the State of Delaware, was occupied by a detachment of the British army.† Dr. McKinley, the President of that State, made prisoner; and the chief magistracy, vacated by this untoward event, devolved, by virtue of article seven of the Constitution, upon Mr. Read. He was in his seat in the Continental Congress when he received intelligence of this event, which constrained him to enter upon a new sphere of duty, made arduous by the number of Tories and refugees in his little State, and the British armed ships in her waters. It was impracticable to pass from Philadelphia to Delaware on the western side of the river, because the British occupied the whole pass from thence into the peninsula. Mr. Read was therefore compelled to take his journey along the Jersey shore of the river Delaware, and brave the

* The Quakers I have mentioned, their curiosity still overpowering their prudence, after having viewed the contest afar off, as soon as it ceased, with strange temerity, ventured on the field of battle to gratify their morbid desire to see its horrors. They soon aided in carrying the wounded to Birmingham Meeting-House, a simple building, of a single story, with a steep roof, adjoining its burying-ground, the declining sun illuminating the green mounds of the dead, distinguished by no tombstones, then, as now, proscribed by the Friends as worldly vanities, especially out of place in grave-yards. The spectacle of suffering within this temporary hospital no doubt strengthened their faith in the tenet of their sect that all war is unlawful. They were especially attracted by the grim preparations for an amputation. The tourniquet was applied, and the surgeon grasped his knife, when he paused to ask for wine or brandy to administer to the patient, a British officer. "I need neither," exclaimed this brave man, "for my spirits are enough excited." At that moment one more prudent than the other Quakers warned them that the picket-guards were being set, and if they lingered longer their egress from the battle-ground would be cut off. I cannot but wish they had stayed till the amputation was performed and reported its result. I hope the brave Englishman survived to be gladdened by the sight of the white cliffs of Albion, and long shared the provision the wise policy of the British government, with no niggard hand, has made, whenever health or limb or life has been lost in her service.—*Townsend's Account of the Battle of Brandywine*, pp. 25-27.

† See Appendix C.

risk of crossing it. He left Philadelphia September 26th, as the British army entered it, and joined his family, then in New Jersey, and soon afterwards they commenced their homeward journey. While prosecuting it, he received the following letter from Colonel Bedford. This letter is without date, but must have been written in the beginning of October, as the election, which he mentions, must have been held (as provided by article twenty-seven of the Constitution) on the first day of that month:

“SALEM, Saturday evening.

“DEAR SIR,—On our arrival at this place, found a craft ready to receive goods, and convey them to Port Penn, which opportunity we made use of, and had our wagons unloaded at the wharf, and [the goods] put on board the vessel, [which] set off about four o'clock, and [I] expect by this time she is got over. Early to-morrow morning we shall set off, in a row-boat, from this place, if the weather permits. A Mr. Harris, ship-builder, from Wilmington, is the owner of both boats, and if you come here inquire for him.

“I have just heard, by George Parker, that Mr. McKean and Colonel Patterson have retired from our county on hearing that some attempts were preparing for making them prisoners.

“The election was opened, and held at Newark* by a very few people, and [I] have just seen a ticket which I inclose you.

“Two or three boats, at different times, have come over this day from the other side. There is no news from our army. I understand eight ships-of-war are at Billingsport. The Lizard frigate lays at New Castle, on board of which Thomas Clark, of New Castle, is a prisoner. He was taken out of his house about midnight and carried on board.

“I shall endeavor to let you hear from me as soon as I arrive on the other side the river, after making some inquiry of the situation [of affairs]. Mr. Bail, who takes this, promises to forward it to you. I leave my horse here.

* Instead of New Castle, as by law appointed, because the British men-of-war off that place, or near it, made it unsafe, if not impracticable, to hold this election there.

I have no opportunity of getting him over at this time. [I] expect in a day or two he will be sent. I am at Mr. Burrow's, and think, if you come here, it will be the most suitable house for you. Please remember us to all our friends.

"I am your affectionate brother,

"G. BEDFORD.

"To GEORGE READ, Esquire.

"At Mr. Howell's, near Roadstown."

On the 13th of October, 1777, Mr. Read arrived with his family at Salem, New Jersey, and procured a boat to convey them across the Delaware, there about five miles wide. At this time there were several British men-of-war lying at anchor off New Castle. The boat had almost reached the Delaware shore, when she was descried by the enemy, who immediately despatched an armed barge in pursuit of her. The tide being unfortunately low, the boat grounded so far from the beach that it was impossible for Mr. Read and his family to land before their pursuers were upon them. There was only time to efface every mark on the baggage which could excite any suspicion that Mr. Read was not, as he represented himself, a country gentleman, returning to his home. The officer who commanded the boat was of no higher rank than that of boatswain, and the presence of Mr. Read's mother, wife, and infant children, gave sufficient probability to his story to deceive sailors, who, guileless themselves, are not prone to suspect deception. The honest and kind-hearted tars assisted, with great glee, in landing the baggage, and carrying the ladies and children on shore.

Wherever there has existed government, unless despotic, there have been parties, owing sometimes to honest difference of opinion, sometimes to oppression, ambition, disappointment, or a factious spirit. It may, I think, be assumed that the parties in Delaware up to the time of the stamp-act were proprietary and anti-proprietary. In support of that act there was so insignificant a minority that the voice in favor of its repeal may with truth be called unanimous. This unanimity existed until the great measure of independence was proposed and adopted. The opponents to independence were slow, even after it was proclaimed, to

abandon all hope of accommodation with the mother-country, to which from habit they looked with affection, and which, from extravagant notions of her power and resources, they regarded as invincible by a power so feeble as that of Congress. Some of the opponents of independence, but they were comparatively few, openly or covertly sided with Great Britain, but the majority of them were only lukewarm in suggesting, adopting, and executing measures of defence or attack against the enemy. These were treated by the violent Whigs with the usual injustice of parties: they were branded, as if they were undoubted royalists, with the opprobrious epithet of *Tory*, when they assumed to be, and, I believe, truly were, *moderate Whigs*. They were sometimes subjected to violent and cruel treatment: for example, Clark, a member of Assembly for Kent, and afterwards Chief Justice of the Court of Common Pleas, was pilloried and egged for expressing in the Committee of Safety of that county, the opinion "that accommodation with Britain was possible." And subsequently on his way to New Castle was forcibly prevented by a militia company from taking his seat in the General Assembly. In April, 1777, John Hancock in a letter, a copy of which is among Mr. Read's papers, informs President McKinley "that the danger of an immediate insurrection in Sussex County, Delaware, from the inimical spirit manifested by a considerable portion of the inhabitants, has induced Congress to desire that those among them who have shown disaffection to America may be secured, in hopes that their wicked designs may be thereby defeated." Insurrection had not only been apprehended but had repeatedly occurred both in Kent and Sussex Counties, but especially in Sussex, where the disaffected to Congress were most numerous. With the British armed vessels in the Delaware Bay and River the royalists were in constant and close communication, and concealed and aided emissaries from these vessels, who deceived or corrupted ignorant persons, and instigated them to rebellion; while payment in hard money for cattle, grain, and vegetables was an almost irresistible temptation to illicit traffic in these articles. The ardent and active Whigs were exposed to a great peril. The State was infested with *spies*,* who fur-

* See Appendix D.

nished lists to the British of the most forward Whigs, and these, at least in the vicinity of the bay and river, were liable to be seized by armed parties from the English men-of-war, and carried from their beds to these floating prisons. Mr. Read's influence with the moderate Whigs was great, and was ever wielded by him wisely, desirous as he was to lessen party bitterness, to protect the weak from oppression and cruelty, and unite all his fellow-citizens in defence of their rights,—a difficult task, when, as was the case, obstinate men, of opposite opinions as to the expediency of laws, chose to obey such only as they thought proper, while others, delighting in the petulance of censure, shrunk from the exertions necessary to reform and amend.*

Such was the state of affairs in Delaware when Mr. Read was summoned from his seat in Congress to take the helm of government, and when he looked beyond his own department he found little to encourage him, for the aspect of things in general was gloomy. These were, indeed, in the classic language of the Revolution, the times that tried men's souls: the battle of Brandywine had been lost, Philadelphia occupied by the British, the attack at Germantown, though almost a victory, had failed, and the fathers of their country having fled before their triumphant enemy, were deliberating at York, in Pennsylvania, then a small and obscure village.

Mr. Read located his family in Cecil County, Maryland, not only because it was a place of security, but because it was the residence of his brother-in-law, the Reverend William Thompson, Rector of St. Stephen's parish, in that county.†

Thomas McKean, unquestionably patriotic and bold, but sometimes, perhaps, severe and intolerant, soon after the battle of Brandywine took upon him, as Speaker of the House of Assembly, agreeably to article seven of the Constitution, the presidency of Delaware, vacant by the capture of Dr. McKinley and the absence of Mr. Read. In his letter to Mr. Read, of the 26th September, 1777, he informs him

* See Appendix E.

† Two of the sons-in-law of the Reverend George Ross *had the same name*, the clergyman, above mentioned, and General William Thompson, though not kinsmen.

of this step, and the reasons for it, details his official acts, and resigns the office.

“SIR,—The captivity of the President, your absence at Philadelphia, and not hearing from you, the distressed situation of the Delaware State, being without a head or body (the militia being dispirited and dispersed), and the love I bore the virtuous part of the people, added to a sense of duty, induced me on Monday last to take the command-in-chief as President. With the approbation of the Privy Council I have ordered the whole of the militia to be in readiness to march at an hour’s warning, and one-half thereof to be called out into actual service to continue for seven days, the last of which to be relieved by the other half, and to be posted at such places as the colonels or commanding officers of each battalion should direct: and to continue this rotation until further orders from the commander-in-chief. When thus collected, being the easiest service, and the most inviting, and of course most likely to be complied with, I had it in view to reduce the number of posts, and to strengthen a few, so as to have a respectable body of men near the enemy, etc. I have with the like approbation issued a proclamation to insure the holding an election of Assemblymen, etc. for New Castle County. With a prospect of deriving advantage from it, we made a promotion in the militia, by making Mr. Rodney major-general, [and] Messrs. Dagworthy, Dickinson, and Patterson brigadiers, and passed a vote, from the necessity of the case, to borrow upon the credit of the State three thousand pounds from Congress, or any person or persons who may be willing to lend it. This is the sum of what has been done in Council. I have given general orders to the militia accordingly, wrote to General Rodney for the Dover Light Horse, or at least six of them, to join General Patterson, and by letter spirited up General Dagworthy. This, except riding through the county, and private letters written, is all I have been able to effect, except taking deserters, and a few Tories; the last either escaped or were discharged on giving caution.

“As you are now, I am told, coming into the State, I must beg leave to resign my command, nothing being more distressing to my private affairs, or to my mind, as Chief Justice of Pennsylvania, than to continue longer in it.

Wishing you all manner of success in saving our country in general, and the Delaware State in particular,

“I remain, dear sir, your most obedient, humble servant,
“THOMAS MCKEAN.

“Lunn’s Tavern, September 26th, 1777.

“The Honorable GEORGE READ, Esquire.”

I have found among Mr. Read’s papers the commission of John Dickinson, as brigadier-general of Delaware militia, with this indorsement in Mr. Read’s handwriting:

“Mr. Dickinson resigned this commission the 19th of December, 1777, not having acted under it.

“G. READ, V. P.”

The student of the history of the American Revolution is startled when he reads of offices, which appear to him incompatible, held by the same person, and of assumptions of power by public bodies which, accustomed as he is to the careful and accurate description and separation of powers and their depositories, seem to him to have been usurpations,—for example, Mr. Read was at the same time President of Council and delegate to the Continental Congress, and Mr. McKean Chief Justice of Pennsylvania and Speaker of the Delaware House of Assembly. The convention that framed the first constitution of Delaware, besides what they were appointed to do, did other things proper to the executive and judicial departments of government, and, in the language of a recent historian,* “the Congress of 1775 entered upon the exercise of a comprehensive authority, in which supreme executive, legislative, and in some cases judicial functions were united, authority without formal sanction or fixed limits except the ready obedience of a large majority in most of the colonies.” These anomalies may have been tolerated as necessities, and necessities they were; and the people, I think, were neither shocked nor surprised at assumptions of power by office-bearers, because they had no fears that these fiduciaries, the champions of their rights, would betray the confidence they had reposed in them.

I venture to insert the next letter, though I anticipate objection to it as altogether without interest or importance.

* Hildreth’s History of the United States, vol. iii. p. 77.

It is, to be sure, only an urgent request of a benevolent person for the interposition of Mr. Read's good offices in behalf of a good, useful, and inoffensive man, taken forcibly and without excuse (being a non-combatant) from his family and business, and who would be ruined if not immediately released. This case produces a more vivid feeling of the evils of war than general descriptions, however highly wrought, of the calamities of which it is the prolific parent, although deduced from many examples.

“SIR,—The Light Horse, as I understand, took, yesterday, Captain Nicholls, master of one of the packets, whose universal benevolence and charity have recommended [him] to all who knew him. He has long sailed in the employ of the post-office to Carolina, where he is well known to Mr. Gadsden, and most of the gentlemen there. His employ[ment] makes him neither a member of the army or navy; and as he has a large family his detention here (which can be of no service to the general cause) will be his utter ruin, as his place will be immediately filled with another. I do therefore earnestly beg and entreat you, if you have any friendship for me, that you will endeavor to effect his release, for which the enlargement of Mr. Patterson, then a member of the Legislature here, may serve as a precedent; but if this cannot be obtained, I hope you will permit such necessaries as he may want may be sent him. I would not urge this request did I not know the goodness of his heart, for good men only are the objects of my good wishes. Your heart, I am sure, will excuse this trouble from, sir, your sincere friend, and much obliged humble servant,

“THEO. MAURICE.

“November 5th, 1777.

“GEORGE READ, Esquire.”

On the back of this letter is written: “Letter from Theo. Maurice, Esquire, etc. Note. Captain Nicholls was sent to camp before this was delivered to me.

“G. R.”

Mr. Read's little State, lately traversed by a hostile army, her chief town occupied by the enemy, and her whole water-front incessantly annoyed by their armed

vessels, was now startled by intelligence that the British fleet had sailed, steering for the bay and river Delaware.

“SIR,—His Excellency General Washington informs me that a fleet of thirty-six sail has left Staten Island to join General Howe, and requests that I would endeavor to get the earliest information of their arrival in the river, and transmit it to his Excellency or to me. I am, with esteem, your most obedient servant,

“JAMES POTTER.*

“CAMP, November 10th, 1777.

“TO GEORGE READ, Esq., President of the Delaware State.”

This letter has indorsed upon it: “From General Potter. Answered forthwith.”

Many persons, I have no doubt, suffered the injurious treatment of which the writer of the next-inserted letter complains, and it is proof of the disturbed and unhappy state of society in the neighborhood of this unfortunate man. He does not state the charges against him, but they probably were correspondence with the enemies of his country, and supplying them with fresh provisions.

“SIR,—I am sorry to trouble you at this time, but the public good in this unsettled state of affairs, to which you have always paid the strictest attention, will be a sufficient reason for my communicating my grievances to you, requesting an opportunity of a hearing respecting crimes [which], I am told, [are] laid to my charge, that if guilty of any breach of the law I may be punished, if otherwise, my character may be cleared from any aspersions unjustly cast upon it. I have been told that some persons have threatened to take whatever they can get of mine as free plunder, and take me prisoner, [and] that they had orders [to do so], and that if I did not submit to their will and pleasure, or made any resistance, to hang me. This might seem like idle report to those who are strangers to our calamitous situation, but those who are in the least acquainted with transactions for some time past must be

* Of Pennsylvania. “A very active and vigilant militia officer.”—*Marshall's Life of Washington*, vol. iii. p. 362.

sensible there is but too much truth to be apprehended from it. I came home this day from Kent, in Maryland, where I had been providing places for cattle that were drove away some time ago, lest they might fall into the enemy's hands. [I] have taken the earliest opportunity to inform you that I will attend, at any time and place you will please to appoint me, to have a hearing before any disinterested and unprejudiced judges you may think fit. General Patterson, perhaps, may be acquainted with what I am charged with. Please to inform, by a line with the bearer, of the time and place you would have me attend.

“From your very humble servant,

“ALEXANDER PORTER.

“HAMBURG, November 21st, 1777.

“GEORGE READ, Esquire, Vice-President of the Delaware State.”

On the back of this letter it is noted that Porter came before George Evans, Esquire, who took his recognizance to appear at the next Court of Oyer and Terminer.

Mr. Read evinced great solicitude in relation to President McKinley, then in the hands of the enemy, and made every exertion practicable to ascertain his situation, provide for his wants, and procure his exchange, requested the interference of General Washington in his behalf, and addressed a communication to the British commodore, Griffith, for the purpose of learning his wants, and asking such indulgence and kind treatment as his character entitled him to expect. All which appears from the letters to be next presented to the reader. The letter to General Washington treats, however, of other matters besides this.

25th November, 1777.

“SIR,—Your friend, Mr. Latimer, has most readily offered to wait upon Commodore Griffith for permission to see and converse with you upon the subject of your present situation and wants, and to be informed if they be such as I or any of your friends may with propriety relieve, and whether you can propose any plan for the obtaining your liberty speedily upon honorable terms. My absence from the State at the time of your captivity and long after has prevented an application of this sort sooner, though true it is that such vague accounts as we have of your treatment are

favorable. I wish to be satisfied of this, and to know if I can, in any unexceptionable way, render your unfortunate situation more tolerable to you, and I am, with the greatest respect and esteem, your most obedient servant,

“GEORGE READ.

“PRESIDENT MCKINLEY.”

“NEW CASTLE COUNTY, 25th November, 1777.

“SIR,—The fortune of war having put his Excellency John McKinley, Esquire, the President of this State, into your hands, I take the liberty to send the bearer, George Latimer, Esquire, one of the Privy Council, with this, for your permission to deliver the inclosed letter to Mr. McKinley, wishing to know his present wants, and whether they be such as may be supplied with propriety. Be assured, sir, that your prisoner is a character that will merit every indulgence and kind treatment your humanity may induce you to afford him, though it too frequently happens in contests such as we are now engaged in that the parties exercise less of this moral duty towards each other than in foreign wars. I am induced to believe that such a conduct is not consistent with your sentiments; believe me that it does not correspond with mine. I fixed upon Mr. Latimer for this business as one well known to the President, and a man of probity and honor. If it shall be in my power I will return the favor, and am, with much respect, your obedient servant,

“GEORGE READ, *Vice-President of Delaware.*

“COMMODORE GRIFFITH.”

“SIR,—Your letter, with the inclosed, is come to my hands, and I am to inform you that your friend, upon the Solebay's sailing from this anchorage, was conveyed in one of the ships to Chester, where, I believe, he now is. While in the Solebay I will venture to say he was treated with every indulgence he wished and desired, and [in] his present situation I doubt not is equally so. Your letter to him I shall send to the Admiral, from whose example (as well as the native feelings of our own hearts) we imbibe the liberal sentiments of humanity you profess.

“I am, sir, your most obedient servant,

“W. A. GRIFFITH.

“NONSUCH, November 26th, 1777.

“GEORGE READ, Esquire.”

“NEW CASTLE, November 25th, 1777.

“SIR,—I was honored with yours of the 8th instant, delivered to me the 15th by Colonel Pope, by whom I immediately wrote to persons in authority in the counties of Kent and Sussex to give him every assistance in procuring clothing and blankets for the use of our battalion with you. I know not what may be the success, but have hopes that sufficient for their immediate use may be obtained. The State had made some provision in this way at the time of raising the battalion, in the beginning of the year, a part of which was then only expended; but upon the march of General Howe’s army through this county the greater part of what remained was sent by a person, in whose custody it was, with his own effects, in a vessel, into Manito Creek, in [the] Jerseys, near to Red Bank fort; whether it is at present safe I know not. I know it consisted of three hundred and fifty yards of cloth, of different kinds, in remnants, the gleanings of many shops. I have ordered an inquiry to be made respecting it. I luckily laid my hands upon one hundred and fifty yards of linen, of the public store, saved from the enemy’s searches, in Wilmington, which is made into shirts, ready for Colonel Pope on his return. 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 its inhabitants, depending principally on foreign goods purchased at Philadelphia. That part of the State which did most in this way 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 necessaries have arisen 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. They

make unfavorable impressions. I have the pleasure to inform you that we have greatly checked and put almost entire stop to the intercourse that was had with the enemy's ships since they came into our river. This requires all the militia we can procure, as we have a water-communication of more than one hundred and twenty miles in our front, and too many of our people disposed to supply themselves with salt, sugar, coffee, etc. at lower rates than [they] can be had within the State. We have been peculiarly unlucky in the captivity of our President [and capture of] our public papers, moneys, and records. [which] damped the spirits of our people. They have not got over the effects of it. While on this subject I must entreat your Excellency's attention to procuring our President's release, by exchange, as soon as it may be in your power. His usefulness was such that his loss is severely felt through the State, and particularly by myself, upon whom the business [of the executive department] devolves, as Speaker of the Legislative Council. I am truly inadequate to either station, but especially to that of Vice-President, and such is the provision in the Constitution of the State, [and] it cannot be altered without doing a worthy man, our President, injustice. Be assured that in procuring his speedy return here you will do a great favor to the State as well as to your Excellency's most obedient humble servant,

"GEORGE READ.

"His Excellency GENERAL WASHINGTON."

On the same day Mr. Read wrote as follows to the President of Congress:

"NEWARK, 25th November, 1777.

"SIR,—Yours of the 1st instant, inclosing the resolve of Congress of that day, recommending the 18th of December next to be set apart as a day of thanksgiving throughout the United States, was handed to me, as Vice-President of the Delaware State, and you may be assured that I will take such measures as are necessary to carry the same into effect.

"This State having been so unfortunate as to have the President thereof made a prisoner, with all the public papers under his care, I am at a loss to know what requisitions have been made by Congress upon this State, from

time to time, and what steps have been taken to carry the same into execution; therefore I must request the favor of your directing a review of the Minutes of Congress, and copies of any such resolves as may be expected to be acted upon in the Delaware State, and particularly I would ask to have the original or copies of the testimonies upon which a resolve of Congress for the imprisonment of a Thomas Lightfoot and Thomas Cockayne, of Sussex County, was founded, as the Chief Justice of the State tells me he has been applied to for a habeas corpus to relieve them from that confinement. The resolution probably passed some time in August last, as they were taken into custody about the 25th of that month.

“I am, etc. etc.,

“GEORGE READ.

“President of Congress.”

The letter which follows is the last of those addressed to Mr. Read in 1777, which I find among his papers, and is characteristic of its writer.

“SIR,—Having now an opportunity by the bearer, Mr. Holmes, none having offered before, I transmit you a resolve of Congress, which I received on Wednesday last, under cover from the Honorable Henry Laurens, President of Congress, in which he informs me ‘that it leads to an inquiry into the State of Delaware, and requires the delegates from that State to attend Congress, and requests of me the needful answer.’ Mr. President’s letter to me had visited General Washington’s head-quarters, thence took a tour to Newport, from whence Colonel Duff sent it inclosed to me. It has been directed to me, supposing that I still continued to act as president of your State. You will be pleased therefore, as commander-in-chief, to give the answer.

“It gives me great pleasure to find that the Congress are determined to support the Whigs in the Delaware State, and, of course, you will be happy in receiving such a proof of it.

“The warm attachment of the Honorable James Sykes, Esquire, to the virtuous and glorious cause in which his country is engaged, will no doubt induce him to give his immediate attendance in Congress, and the more especially

as he is at present engaged in no public business that can prevent it.

“I am, sir, your most obedient, humble servant,

“THOMAS MCKEAN.

“PAXTON, December 6th, 1777.

“HONORABLE GEORGE READ, Esquire.”

On Tuesday, 2d of December, “a representation from Captain William Peery, of Lewistown, Delaware, to the Board of War was laid before Congress and read, whereupon Congress came to the following resolution: *Whereas*, the situation of the enemy’s ships and forces and the arts and numbers of the malignants in the county of Sussex, in the State of Delaware, have rendered the operation of the civil authority utterly ineffectual, whereby it has become essential not only to the preservation of the independency of that State, but likewise to the general welfare of the United States that the most rigorous measures should be forthwith pursued for repressing the arts and violence of the open and secret enemies of these States; therefore *Resolved*, That the Board of War be authorized to pursue such measures for the support of the friends of America in the county of Sussex, in the State of Delaware, and for curbing the spirit and checking the evil designs of the disaffected, as they shall deem effectual.”*

From this resolution, to which the one mentioned by Judge McKean was preliminary, it appears there was no change for the better in the disheartening condition of Delaware, at least in Sussex County, at the close of 1777; but if there was little to encourage Mr. Read in his own State, there was, I think, upon a review of this eventful year, much to inspire confidence in the final success of the cause, which was truly “glorious” and “virtuous.” True, the battle of Brandywine was lost, and Philadelphia captured, and the brave defence of Fort Mifflin ineffectual, but Washington, judiciously occupying strong ground in the vicinity of Philadelphia, west of it, harassing the foraging-parties of the enemy, and, wherever he showed himself in force, presenting a bold front, had cooped up the British in that city, and made Sir William Howe’s success, on the preceding

* Journals of Congress, vol. iii. p. 432.

11th of September, a barren triumph, and to all the disasters of the American arms in 1777 the victory of Saratoga was a brilliant and sufficient set-off.

New Year's Day (1777) had dawned on our forefathers, gladdening them not with the prospect of peace. The attitude of the belligerents was unchanged, the Americans abating nothing of their stern resolve never to lay down their arms till they had conquered peace upon the basis of their independence, acknowledged by their haughty adversary, and Britain as resolved never to sheathe the sword till she had reduced her rebel colonists to unconditional submission. It seems as if Providence had inflicted upon this great people and their government, as a punishment for their injustice to their American brethren, blindness to their true interest, and to the impossibility of enslaving three millions of men, offshoots from their parent stock, loving liberty as passionately as they loved it, and in no wise inferior to these proud islanders in courage, intellect, and knowledge of their common constitution and laws. History has seldom recorded an infatuation greater than the persistence of Britain in her attempt to effect an impossibility, nor a severer punishment than that she incurred by her folly, even the loss of thirteen colonies, the noblest gems in her monarch's diadem.

Hostilities were suspended between the contending armies, retired to their winter quarters, the British well housed, and fed, and clothed, and the Americans at Valley Forge,* under the imperfect shelter of rude huts, pervious to winds, and rains, and snow, often on the verge of starvation, thousands of them barefooted, and the luxury of a blanket enjoyed by few. General Washington, after stating that the soap, vinegar, and other articles, ordered by Congress, had not been seen by his soldiers since the battle of Brandywine, sarcastically adds: "The first we do not need, for few of my men have a shirt, some merely a moiety of one, and some none at all." The hospitals were so destitute of medicines, and stores of every sort, that a large number of the sick soldiers entered them only to die.†

General Washington had ordered General Smallwood,

* See Appendix F.

† Marshall's Life of Washington, vol. v. pp. 344, 345.

with a detachment of Continental troops (Marylanders), to Wilmington, and made a requisition upon the State of Delaware for militia to reinforce him.

Mr. Read made known to the commander-in-chief of the American army the result of this requisition in the following letter. He had, as he informs him, just recovered from an attack of disease of three weeks' duration while on a visit to his family, his State was convulsed by party strife, the executive was not sustained, and all his efforts to induce the Legislature to take the measures essential to the public welfare had failed; but, instead of the language of despondency, we find him determined to renew his endeavors to bring this body to a sense of its duties, and to acts consonant with it:

"January 19th, 1778.

"SIR,—I am sorry to inform your Excellency that our Legislature has not made any provision for filling up the battalion allotted to this State. One of our three counties is yet unrepresented in the House of Assembly, owing to the interference of the military on the day of the election. This step occasioned such a division among the representatives of the other counties that it was impracticable to allay the ferment at two sittings, which have been had since. I have issued writs for calling them together a third time, [which] I would fain hope will be attended with better effects; but I cannot venture to promise for them, though you may be assured of every exertion on my part. Previous to your letter of the 19th ultimo, handed me by General Smallwood on the 25th, I pressed General Smallwood to order out three recruiting-parties, one for each county, as the whole corps of our battalion officers could not be necessary for the command of about two hundred privates. I had two things in view, the chance of picking up some recruits, and the means of convincing the Legislature that this mode of filling the battalion would be inadequate. Such parties were sent out the beginning of this week. I am well convinced that drafting is the most effectual mode, and the least burdensome to the State, but in times like unto the present the assent of very many [persons] is necessary to public measures.

"As to clothing,—I have heretofore stated to your Excellency that its manufacture within this State always was

and still is inconsiderable.* We lost many of our small stocks of sheep by the British plunderers, and the last year's crop of flax failed very generally. Fortune threw some cloths in our way lately, which will be sufficient for more than our battalion consists of at present, if you do not order otherwise. They were taken from a schooner, deserted by her crew, and after forced on our shore by the ice. Several of our people, as well as others from Jersey, were busily employed in gutting her, when a detachment of the Delaware battalion, upon the request of Brigadier Patterson, were sent to take into possession such [part] of the cargo as might be of use to the army. Cloths and spirits were the only two articles. A dispute arises between the State and those of its members who saved the goods from this wreck, as to the property, but in whomsoever it may be determined to be, I apprehend our battalion should have the preference as to such part of the clothing as suited their uniform, and, at the request of the field-officers, I wrote to General Smallwood, making claim to them. As he declined to allow the claim until he should receive your direction therein, I have sent you a copy of my letter to him, and his answer, lest, in the multiplicity of business, he should delay stating that claim to your Excellency. If decided by you in our favor the cloths may be immediately made up by a number of workmen whom Colonel Pope has collected at Dover. I do not mean by this step any distrust of General Smallwood, or wish for your determination but through him, yet I know how much his time is taken up with supplying the defect of duty in others, particularly the commissary of purchases department, of which, I believe, he has great reason to complain, as well as the inhabitants of New Castle and Chester Counties. The person I particularly allude to is a Mr. Higgins, whose credit among the graziers was very low long before General Smallwood came to Wilmington. His certificates, his mode of pay[ment], may be purchased at a considerable discount. This is such a discouragement that a great part of the sup-

* The population of Delaware in 1775 was estimated at thirty-seven thousand. As there was no general enumeration of the people of the United States till 1790, this estimate is conjectural, but may be accepted as at least approximating the truth.—*Compendium of the United States Census*, p. 39.

plies lately have been gotten by stealth or force, and it is the more so as a Mr. McGarmont, in the neighboring county of Kent, pays regularly for the like articles within his district. I expect the number of our graziers will be greatly diminished in the ensuing season, as well from the situation of many of our feeding-grounds on the shore of the river as the irregular conduct of the purchasing commissary, and his agents.

"I issued orders, immediately on the receipt of your letter of the 19th of December, for the march of General Patterson's brigade, consisting of thirty-one hundred of the militia of New Castle County, to join General Smallwood at Wilmington, agreeably to your requisition, but true it is that a very few obeyed, the penalty prescribed in the militia law being so small, and the mode of punishment for such refusal is so tedious, that we have little power to exercise over delinquents. I have repeated the orders as to this county, and included the county of Kent therein, and shall urge the Legislature, on their meeting (the 17th instant); to devise some more speedy and effectual way than the present to compel their immediate service.

"My situation is rather an unlucky one, in a government very deficient in its laws, and those greatly relaxed in their execution, and a Legislature as yet incomplete, and not disposed to unite and give aid to the executive authority. I should have informed your Excellency of the fate of my orders before, but I was taken unwell on a visit I made to my family, near to the Susquehanna, in Cecil County [Maryland], and confined there for three weeks, and on my return I was told by General Smallwood that he had written to you on the subject, which I hope you will accept as an apology for this late report of mine, and

"I am, with great respect, your most obedient servant,

"GEORGE READ.

"GENERAL WASHINGTON."

William Hooper, the writer of the letter next to be brought to the reader's notice, was a native of Massachusetts, and graduate of Harvard University, who removed to North Carolina, as a better field for the practice of the law, soon after the disputes between Great Britain and her North American colonies began, in which he took an active

part. He was a member of the Continental Congress from 1774 to 1778, in which he held a respectable rank, a signer of the Declaration of Independence, and universally respected for his integrity and generous sacrifice of private interest to public duty. Of good standing as a lawyer, his literary taste and acquirements were considerable, and he was fluent, graceful, and agreeable as a speaker and in conversation. He died in 1790, aged forty-eight years.* Mr. Read may have smiled when he read his friend's congratulations upon his *promotion* to the chief magistracy of Delaware, thrust on him by an event unhappy and unexpected, and in administering which he anticipated and encountered much difficulty and disappointment from the distracted condition of his State. It was not from want of ability and will to exert it to the uttermost that Mr. Read was not as successful as he wished in restoring harmony among his fellow-citizens, heated and alienated by party feuds, and uniting them in vigorous efforts for the great cause in which he was periling all he held most dear. He had too much equanimity to be much disturbed if censure, the due of others, fell upon himself.

“MY DEAR SIR,—I was favored with yours by Colonel Foster, and should have been happy to have rendered him essential services. From your friendly mention of him, as well as his own personal merits, he has pretensions to any civilities in my power. Your letter was doubly acceptable, as it gave me information that in the general bustle you had escaped uninjured, and from Colonel Foster I heard of your late promotion, upon which I beg leave to congratulate you. In that, and every station of life, public or private, no man more earnestly wishes you honor and happiness than does,

“My dear sir, your obedient, humble servant,

“WILLIAM HOOPER.

“CAPE FEAR, January 22d, 1778.

“His Excellency GEORGE READ.”

The President of Congress wrote to Mr. Read as follows from

* Biography of the Signers of the Declaration of Independence, vol. v. pp. 109-130.

“YORKTOWN, 30th January, 1778.

“SIR,—Upon receipt of your favor of the 18th, I transmitted by Captain Lewis twenty blank commissions for private ships of war together with instructions and bonds. The latter, when duly executed, you will be pleased to return to Congress. I have received no particular commands in reply to the letter above mentioned, nor to a former of the 25th of November.

“Your Honor will find, under cover of this, nine Acts of Congress, of the following dates, together with five extra copies of the two last mentioned: of the 31st July, 14th and 22d November, 3d, 19th, 29th, and 31st December, 1777; 8th and 21st January, 1778. These are the whole which have been sent to me from the secretary’s office, and I have waited much too long even for these. If there are any deficiencies I shall soon discover and supply them by the aid of Mr. McKean, whom I consider a valuable acquisition in Congress.

“The House has of late been so reduced it has shown on some days no more than barely nine States on the floor, represented by writs. This criminal delinquency in the States may very speedily work our disgrace, for whatever evils may betide our army at Valley Forge may fairly be imputed to want of sufficient numbers of able citizens in Congress. There have not been for some months past members equal in numbers to the common drudgery of committees. You would be as deeply affected, sir, as I am were I to give you a detail of consequent evils—the certain loss of millions of money is, in my estimation, far from being the most deplorable.

“You will also receive a letter, directed to your Honor, which I found, a few days ago, in the window of the court-house.

“I am, with great esteem and regard, honorable sir, your obedient and humble servant,

“HENRY LAURENS, *President of Congress.*

“The Honorable GEORGE READ, Vice-President of Delaware.”

Mr. Read, with little to encourage him in the state of public affairs, was separated from his family, and with no fixed dwelling-place, as appears by the letter next inserted :

“NEW CASTLE, January 31st, 1778.

“SIR,—This being the first direct conveyance I have had by which I could send you a line, since my landing on this shore, I embrace it to acknowledge the sense I have of your hospitality and kindness to me when in your neighborhood and under your roof. The extreme hurry attending the removal of my family from Mr. Shinn’s to Mr. Howell’s prevented Mrs. Read’s waiting on Mrs. Greenman agreeably to your kind invitation. Since that time Mrs. Read has discovered that they were acquainted with each other in the early part of their lives. In our passage over [the] Delaware we were visited by a boat’s-crew, belonging to one of the enemy’s tenders; but there being no officer with them no other questions were asked than whence we came and whither we were going. Immediately upon gaining this shore I removed my family westward, near to the river Susquehanna. I am obliged to separate myself from them and spend most of my time in this and the neighboring county of Kent. I have been but a short time in this place, and must leave it soon, as the river is clearing of ice and the enemy’s vessels of war daily expected up. We have a detachment of the Continental army at Wilmington, commanded by General Smallwood, who took post there about the middle of December, and will continue at least until the campaign opens, by which time I hope each State will fill up their respective regiments in the Continental army, so that a decisive blow may be given to the enemy at Philadelphia before they are reinforced; it is ground for reproach against the Middle States that so inconsiderable a force should have held that city so long. I am, very respectfully, yours,

“GEORGE READ.

“Reverend NEHEMIAH GREENMAN, Pitt’s Grove, New Jersey.

“I have sent the bearer for my carriage at your neighbor Newkerk’s, etc.”

The President of Congress wrote again to Mr. Read from

“YORKTOWN, 9th February, 1778.

“SIR,—I had the honor of addressing you the 30th ultimo. In that packet I omitted to inclose a letter which I had taken

up for you in the room where Congress meets, but I have now delivered it to the Honorable Mr. McKean.

"This is intended to convey you an Act of Congress of the 3d instant, and five copies of the same, for obliging persons who hold appointments under Congress to qualify themselves for acting in their several offices by taking certain oaths therein prescribed. You are requested, sir, to take the most effectual measures for publishing this act in the State of Delaware.

"I have the honor to be, with great regard, sir, your most obedient and most humble servant,

"HENRY LAURENS,* *President of Congress.*

"The Honorable GEORGE READ, Esquire, Vice-President of Delaware."

* Three prominent members of the Continental Congress, Hancock, Robert Morris, and Laurens, were merchants.

Henry Laurens, born A.D. 1724, was descended from Huguenots, who, when the edict of Nantes was revoked, sought and found in South Carolina the freedom of conscience denied them in France. By his ability, diligence, enlightened enterprise, and integrity he acquired an ample fortune, with the respect and esteem of his contemporaries. At the outset of the controversy between Great Britain and her North American colonies, being in London, for the education of his sons, he took a decided and active part with his countrymen. Upon his return home he was immediately appointed Chairman of the Committee of Safety, and was one of the most devoted, active, zealous, and trusted of the Whig leaders. In 1776 he was elected to the Continental Congress for two successive years, and was the President of that august assembly. In 1780 he was appointed envoy to Holland, on his passage to that country captured, with his papers, among them the plan of a treaty he was to propose, and carried to London. Committed to the Tower, his treatment was at first lenient, but he was soon after consigned to close imprisonment because he was accosted by the madman, Lord George Gordon, from whom he retired at once. This, the assigned reason for an act of cruelty, is so frivolous that it may justly be considered a mere pretext. Attempts were made, without success, to frighten or seduce him from his allegiance to his country. His constitution was broken and his life shortened by his confinement. Upon his release, by exchange, he signed, with Adams and Jay, the preliminary treaty between Great Britain and the United States. His appointment as one of the envoys on this occasion being a testimonial to the world of his eminent services to his country, and her gratitude for them, honorable to both, and if it was one drop more in the cup of humiliations Great Britain was then forced to drain to its dregs, it was a just retaliation for the indignities and wrongs he had endured at her hands. After this service he lived in retirement till 1790, when he died.

His body, as directed by his will, *was burned*,—from misapprehension

Mr. Greenman wrote to Mr. Read as follows from

“PITTSGROVE, February 9th, 1778.

“HONORED SIR,—Yesterday I received your good letter, dated February 2d, 1778. I sincerely acknowledge my unworthiness of your notice, and accept it as a token of unmerited favor. We are very apprehensive that the enemy design a visit to this and the neighboring counties; indeed, the Reverend Mr. Eakin informed me that the people at Haddonfield and Burlington were packing up last Friday; the storm of snow may retard their motions, but if good weather succeeds, their appetite will be keener for plunder. I am grieved for your unsettled state, which I expect will soon be mine and numbers more in this Western division. May the Lord who governs the world prevent us from falling into their hands! I fear the person you sent will meet with difficulty in getting your carriage over, as the snow is deep, and as yet there is no beaten road. Mrs. Greenman has found out by the person you sent who Mrs. Read was, and is much the more grieved that she had not one short interview with her while in this State, but submits to Providence. You, sir, kindly wished my health; I can inform you that

and misapplication of some texts of Scripture, and from fear of being buried alive, because one of his children, when apparently dead from small-pox, was revived when the air was admitted freely to the supposed corpse, having been excluded, during the illness of the child, in accordance with the wrong and irrational medical treatment of that loathsome and fatal disease, then universal. Such a disposition of the body, after death, may be justly condemned, because it is a departure from the usage of Christian communities in this matter which offends and disturbs them, and wants the solemnity, impressiveness, and consolation of their accustomed funeral rites. But it is not without its advantages. Cremation quickly dissolves the body, deserted by its immortal tenant, without the revolting circumstances of its decomposition in the grave; and had cremation been universal, there would have been escape from one source of pestilence and death in the hearts of great cities, and from the careless and sometimes shocking disinterments, which have been too frequent, when the greed of gain has appropriated church-yards or the necessities of the living have compelled encroachment upon the mansions of the dead. Cremation was never universal in any nation, being too expensive for the poor. It has been estimated that not less than three hundred pounds of wood were necessary to burn a corpse. The expense, too, increased as the country was denuded of wood, and cremation was gradually disused. Christians have always committed their dead to the earth, because this disposition of them seemed more accordant with the doctrine of the resurrection than burning them.

I am much better, and, through the tender mercy of my God, my family are in usual health. Mrs. Greenman desires to be affectionately remembered to Mrs. Read, and joins in the most cordial respects to yourself, with, honored sir, your grateful, much obliged, and most obedient humble servant,

“NEHEMIAH GREENMAN.”

I have not found among Mr. Read's papers the rough draft of his letter to which Mr. McKean replied as follows:

“SIR,—Your favor of the 29th of December did not reach me until the 24th of January, when, duly reflecting upon every circumstance, I thought it my duty to come here, though, I confess, I am almost tired of serving my country so much at my own expense. I left home on [the] 29th of last month, and went into Congress next morning, where I found only nine States represented, and, including myself, but eighteen members, though five, now at the camp, and some others are expected in a few days. I hope General Rodney and Major Van Dyke will come as soon as possible; but don't tell them that I lived in a little Dutch tavern, at an enormous expense, for ten days, before I could get other lodgings, and that I still am on sufferance.

“The situation of Delaware gives me constant anxiety. The choice of representatives in October, 1776, and *their* choice of officers, have occasioned all its misfortunes. Nothing but effectual laws, vigorously executed, can possibly save it, and there seems to me not the least prospect of the former, and when I learn that not a single step is taken towards collecting the fines under the present inadequate militia law, or to punish the most impudent traitors, or even the harboring of deserters, I despair of any law, tending to support the freedom, independence, and sovereignty of the State, being executed, especially in Kent and Sussex. The conduct of the General Assembly, having neither imposed a tax for reducing the paper bills of credit, nor passed the laws necessary even in times of profound peace, much less for completing their quota of troops, putting their militia on a respectable footing, etc. etc., is too conspicuous not to cause the disagreeable animadversions I am obliged continually to hear.

“I shall endeavor to procure the account against the State, from the Auditor-General, as soon as possible. The votes of Congress, since January, 1776, printed by Aitkén, are not yet come to hand, though they have been sent out of Philadelphia. I shall send you all that can be got, not knowing to what time they are printed up.

“Who can I propose in exchange for the President? Do inform me, if you can think of any one. None occurs to me but Governor Franklin, and hearing a gentleman say that he could do more mischief than the President could do good, and for other reasons, which will readily suggest themselves to you, I have little hope of success from that proposition. I was told the other day that he lodged at widow Jenkins’s, along with his *old friends* Robinson and Manlove, and seemed very *happy*; these observations, and many others, from different gentlemen, whenever I name him in private to any member, almost discourage me; however, after I hear from you, I shall attempt to have him released (though I could wish my colleagues to be present and assisting), lest it should be thought that I was indifferent about the event.

“Notwithstanding all the diffidence you so modestly express of yourself, the State of Delaware think themselves happier, and I am sure they are in wiser hands than those of your predecessor.

“In answer to your favor by your brother you will receive ten thousand dollars to be expended in recruiting only, as Congress have lately purchased clothing, to a very great amount, at Boston, etc., and the battalion will be furnished by the Clothier-General. If more should be wanted you will be pleased to write to me again, but I should advise that the recruiting officers should first render you an account of the expenditure of this sum. No letter from General Smallwood has yet appeared in Congress; when it does, I shall attend to it. The whole affair, in my opinion, respecting the schooner, rests with the Judge of Admiralty in the first place, and must be decided upon the resolves of Congress (there being none but what you have relating to this subject) and the laws of England. An appeal lies to Congress. The case is undoubtedly in favor of the State, and not the first possessor, whether a wreck or dereliction.

“I have no news but what Major Read can tell you, and,

therefore, shall conclude with my best compliments to Mrs. Read.

“Sir, your most obedient, humble servant,
“THOMAS MCKEAN.*

“YORK, February 12th, 1778.”

The Commander-in-Chief wrote as follows to Mr. Read from

“VALLEY FORGE, February 18th, 1778.

“SIR,—For reasons that will be obvious to you it is thought the publication of the inclosed ‘Address’ may answer valuable ends; and I beg leave to submit to you whether it may not serve to increase its effect if it were ushered into the papers, in your State, with a recommendatory line from yourself. If you should suppose there would be any impropriety in this, you will be pleased, notwithstanding, to commit the ‘Address’ itself to the printer.

“I have the honor to be, with great respect, sir, your most obedient servant,

“GEO. WASHINGTON.”

On the letter is written “Proclamation” received 28th Feb. 1778, per Col. Blane. Answered.

General Washington again addressed the letter to Mr. Read, next inserted, from

“HEAD-QUARTERS, 22d February, 1778.

“SIR,—Your favor of the 5th instant, inclosing a copy of a letter from you to General Smallwood, dated the 26th ultimo, and the substance of his answer, did not reach me till the day before yesterday.

“It gives me great concern to find that the Legislature of your State has not taken timely and effectual means for completing the battalion belonging to it. However desirable the mode of volunteer enlistment might be, if it offered any adequate prospect of success, our circumstances evidently demand measures of more prompt and certain execution. It is incumbent therefore upon your legislative body, as a duty which they owe both to their own State and the continent at large, to pursue with energy the method of drafting, which has been successfully practised in other

* For notice of Thomas McKean, see Appendix H.

States; indeed, I expect you will shortly be called upon by Congress for this purpose.

“The property of the clothing taken in the prize-sloop will, I presume, be determined by certain resolutions of Congress, copies of which were sent to General Smallwood, in order to settle a dispute of a similar nature; but however this matter be decided, you ought undoubtedly to secure a sufficient quantity of this necessary article to supply the wants of the Delaware battalion.

“I am totally ignorant of any interruption having been given by the military to the election of representatives in your State. It is much to be lamented that, at a season when our affairs demand the most harmony and greatest vigor in all public proceedings, there should be any languor occasioned by divisions. Your efforts cannot be better employed than in conciliating the discordant parties, and restoring union.

“The complaints against the commissaries of purchases, I fear, are too well founded. Such orders shall be given to the principal of the department for this district as will, I hope, in some degree remedy the evils complained of.

“I have the honor to be, with great respect, sir, your most obedient servant,

“GEO. WASHINGTON.

“The Hon. GEORGE READ, Esquire, Vice-President of the State of Delaware.”

The next letter from Mr. Read to the Commander-in-Chief was written from

“DOVER, March 2d, 1778.

“SIR,—Your favor of the 26th of February was handed to me by Captain Lee, who was mistaken in his representation that there was no law in the State to punish the harboring of deserters. Such a law was enacted in February, 1777, upon your recommendation, and the mode of recovering the penalties therein is both easy and expeditious. It may be said, and I think with justice, that these penalties are now too small, owing, in some degree, to the rapid depreciation of the currency of the States, and you may rely on my laying this before the General Assembly, who, undoubtedly, will remedy this defect. What may be the number of deserters among us, or the conduct of the people

generally towards them, I will not venture to say positively, but upon the best information I have as yet obtained, I suspect the representation made to you is exaggerated. So far as this may extend to Captain Lee, he is no otherwise chargeable than [for] relying on the information of some of the military that were here before him, who speak and act at random.

“Your favors of the 18th and 22d February were delivered to me by Colonel Blane. I have ordered copies of your inclosed ‘Address’ to be made, and circulated throughout the State, as we have no newspapers printed within it. At the first meeting of the General Assembly I laid before them your favor of the 19th of January, recommending the method of drafting as the only effectual one to complete their battalion, but they have not adopted it. Instead thereof they increased the bounty to the recruit by adding forty-five dollars, and gave a premium of thirty-five more to the officer who enlists him. In this I learn the members were very unanimous. Could this have been done in November last, it might have answered the end, but I think it inadequate now. The officers, since this vote, have enlisted about fifty persons. You had just cause to express your concern that the Legislature had not taken timely and effectual means for raising their quota of troops, as you knew it had been specially required by Congress in their resolutions of the 17th of October last, but neither those resolves nor any others, passed since the battle of Brandywine, were transmitted to us till the 10th of February last; all those transmitted before fell into the hands of the enemy, with our President, which I made known to Congress in November.

“As to clothing,—I have reason to believe we shall have a sufficiency for the beginning of the campaign, including that taken from the wrecked schooner I mentioned to you in my last letter, but my intelligence from Congress, of the 12th of February, is that they have lately purchased clothing to a very great amount at Boston, and the battalion will be furnished by the Clothier-General. I doubt the fact, and know well such accounts have fatal effects, lulling the people at large, who are inclined to credit everything of the sort, into inaction,—so it has frequently happened as to the numbers of your army.

“Your Excellency could not be supposed to know of the interruption given by the military to the election of representatives, mentioned in my last, as the corps which occasioned it have been raised, and continued under the immediate direction of Congress. Had it been otherwise, I should have explained the conduct to you. An election hath been ordered [by the Legislature] at their [late] meeting, and this is the day for the holding of it. I have hopes we shall do better.

“Believe me, sir, I feel for your situation: it is a delicate one, and I well know that you have not that support which it is our (I mean the Middle States) duty and interest to afford you; however, I shall use my best endeavors in this small department to further it, and I am, with great esteem and respect, your most obedient servant,

“GEORGE READ.

“GENERAL WASHINGTON.”

Mr. Read replied as follows to Mr. McKean's letter of the 12th of February, 1778, from

“DOVER, March 4th, 1778.

“SIR,—Your favor of the 12th ultimo was delivered to me by Major Read, with ten thousand dollars for the recruiting service, which I immediately put into the hands of General Rodney to distribute among the officers now out upon that business, who have orders to state their expenditures, and report them upon their next application for moneys. You have inclosed a copy of some resolutions of the General Assembly for the more speedy filling up of our battalion, by an addition of bounty, and a premium to the officers, in which I am authorized to apply to Congress for a loan of forty thousand dollars. Such is the state of our funds [as you well know] that this must be the mode of supply, therefore I request you to obtain that sum, and deliver it to the bearer, Lieutenant William Frazier, who I send for the purpose. A less sum will not do, as much will be expended in the subsistence [of the recruits], and the expense of these special expresses is great. By report, some of the officers have had considerable success already in recruiting—in the whole about fifty men. Yet I cannot believe the number wanted will be made up in this way; the General Assembly have thought otherwise, and would

not consent to the mode of drafting, though warmly recommended by General Washington, as the only probable and effectual way, and on this occasion I am told members were very unanimous. A bill for holding an election in Sussex, on the 2d instant, being passed, the Assembly adjourned over to this day. The situation of this State is much to be lamented, though I think you have heightened it in your coloring. I doubt all your intelligence respecting it is not well founded; bad we are, and too many affect to screen themselves by railing at what is and what is not done, without contributing to a remedy,—for instance, as to the militia law. Not the warmest Whig, or most violent complainer of the times (being an officer of the militia), has taken one step to carry any part thereof into execution, which will have this bad consequence, that much greater difficulties must attend the carrying any future law of the sort into execution, as well as a total loss of the fines, under the present law, however inadequate, which by this time would have made a useful fund. A great mistake among many of us has been to set at naught such acts of legislation as do not exactly tally with our own sentiments; this has a fatal tendency at all times, but particularly at the present, making each individual a judge of what he ought and of what he ought not to submit to. Not a single resolution of Congress was transmitted to me since I came into the Presidency till the 10th ultimo, but the two you sent relating to the trade carried on by the disaffected, a want of representation in Congress, and the appointment of a day of thanksgiving, though I wrote to the President of Congress, on the 25th November, for copies of such as this State ought, or was expected to act upon; every public paper transmitted to President McKinley being lost to us. Mr. President Laurens (to whom I beg you to present my compliments and thanks) did at last obtain some copies from the Secretary's office, which he inclosed with a line of the 30th January, delivered to me by Parson Montgomery on the 10th ultimo, as mentioned before; but he omitted a very essential one, *the Plan of Confederation*, though he sent a copy of the recommendatory resolve to invest the delegates with power to assent thereto. For my own part, I had not seen it till I accidentally laid my hands on a printed copy belonging to Cecil County, where my family are.

Mentioning this, leads me to ask what you think of some particular expressions therein, to wit: 'provided also that no State shall be deprived of territory for the benefit of the United States,'—in the last of the second section, article nine; and in the same article, section fourth, 'regulating the trade, and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State, within its own limits, be not infringed or violated.' In the 8th article, providing for a common treasury, in proportion to the value of all land within each State, granted, or surveyed by any person; query, What ought to be the extent or limits of the territory of Virginia or Massachusetts? if not the absurd claim to the South Sea, is it not necessary to be settled now? Query, Is it a practicable scheme to value the lands of the continent for taxation? If so, query, if the States who have known and very small limits ought to have every foot of their land rated for the protection of the ungranted lands in these boundless empires? Query, If such a fund may not be formed in the boundless States from the grants of lands as will tend to diminish the present inhabitants of the other States by migrations there, and discourage European settlers from fixing in the bounded States? Query, If they [the boundless States] may not prove dangerous to the liberties of America from their extent and internal strength? I will not add to this list; these are terrifying to me, and sufficiently account for the speedy approbation, as published, from those two States; and, besides, I, with a multitude of others, have been taught to expect that all lands not purchased from or ceded by the Indians to the king of Great Britain, as the proprietor of the colonies, were to be considered as belonging to the United States generally, and might procure for them a fund to pay our great debt with? I have my doubts as to the whole of the third section, article nine: will it not have a bad effect upon our State? But to return to the subject of the resolves of Congress, and particularly those relating to our quota of troops, and their clothing, they could not be acted upon till made known, and the same may be said of laying a tax, for sinking our proportion of five millions of dollars, in the present year; with this that the military in Sussex, established by Congress, independent of any authority in this State, prevented

a representation from a third of the taxables thereof, for the time past, and according to the American creed representation is necessary for taxation. Much more might be added to lessen the charges made against us; yet I am satisfied much must be done to wipe off such as are justly founded. I own the prospect is rather gloomy, but we are not to despair. No man is in a more difficult and unlucky situation than myself. Without any fixed habitation in the State, with little assistance or prospect of assistance, [and] in want of health and ability of body, I will not add of mind, though also true, lest I be suspected of seeking a compliment.

“I showed Generals Rodney and Patterson that part of your letter which related to President McKinley; neither of them or myself had heard of his lodging with —, and General Rodney thinks it cannot be, for he has been told by those who knew, and might be relied on, that — was at —, and — at one —’s, a shoemaker, and had lodged there from the time of his going into Philadelphia. General Rodney says the President now lodges at one —’s, opposite Christ Church. I cannot pretend to point out a person to exchange for the President, but submit it to you, on a review of the list of prisoners on the civil line under the immediate direction of Congress, which General Washington seems to refer to in a paragraph of his letter to me on that subject, an extract from which, I think, you have in mine of the 29th of December last. As to the presence of your colleagues on this or any other occasion, shortly, you are not to expect it. Mr. Rodney is very necessary here, and as to Mr. Van Dyke, the situation of his family will keep him for awhile. For my own part, I think it a piece of justice due to every captive to procure his release as soon as practicable, upon honorable terms; and as to the President and his unlucky captivity, I am convinced he meant to support the cause of America to the utmost of his power, and I therefore wish you success in the application.

“The bad weather we have had has delayed the express to this day (the 9th of March), which enables me to inclose you a list of the members for Sussex. The most of them came to town last evening, and only three members from New Castle County, so that we have not had a House since the 25th ultimo. Mr. Rodney says that he has nearly

paid the ten thousand dollars to the recruiting officers, one of whom, Lieutenant Brown, came in yesterday from Marshy Hope Bridge, where he had enlisted fourteen men on the Friday preceding, all volunteers, who came in for the purpose, so that our prospect is very flattering in this way at present. Fail not to obtain the loan, and give despatch to the messenger, a lieutenant in the troop of horse of this county, and you will oblige him, as well as your most obedient servant,

“GEORGE READ.

“Honorable THOMAS MCKEAN.”

Mr. McKean replied as follows to this letter, from

“YORKTOWN, April 3d, 1778.

“SIR,—When I attended the General Assembly of this State, in December last, they obtained a promise that I would give a little assistance in drafting some bills, at their adjournment in March, at which time I accordingly, in pursuance of a letter from the Speaker, went to Lancaster, and, having stayed there ten days, returned to York on the 19th. During the interval your favor of the 4th of March, by Lieutenant Frazier, arrived at York, and by the advice of the express, was opened by the President, and read in Congress. It was well there was nothing private in it, and I must confess you gave me more agreeable prospects of our little State, and more sincere pleasure, than anything relating to it had done for three years past. I congratulate you on the Whig election in Sussex. With such a General Assembly as the present, what could I have done, or rather, what could I not have do? Sure I am you will make a proper use of this most fortunate occurrence, in which there appears visibly the hand of Providence, which can alone save this deluded State. Though the resolve for completing the quota of troops by drafting in the several States passed against my consent, yet as Virginia, Maryland, Pennsylvania, the four New England States, etc. have agreed to it, I should have been glad even if the General Assembly had proceeded no further in this business; this would have showed a respect for the recommendation of Congress, encouraged the recruiting service by making it the interest of every individual in the State, and pre-

vented an opinion that I had wrote to the General Assembly against the measure, which I never did, nor, indeed, did I ever hint the matter to any person whatever.

“As to the proviso in the second section of article ninth of the Confederation, quoted by you, to wit, ‘provided that no State shall be deprived of *territory* for the benefit of the United States,’ my opinion is that it must be referred to the subject-matter of the preceding paragraph, and may, by a fair construction, mean that in a contest between two States respecting boundaries, the territory taken from the one shall be added to the other, and not adjudged for the benefit of the United States; and yet, I confess, I have apprehensions that it may hereafter be insisted to mean what you seem to fear. Some gentlemen with whom I have conversed on this affair say, if the intention of Congress was that Virginia, etc. should be deemed at present to extend to the South Sea, yet no injury could arise from thence to any of the United States, for that Delaware, for instance, has a right to apply for one or more townships for their troops, to be laid out equally with Virginia in that State, without paying any purchase-money, or any other expense, more than that of surveying, which Virginians themselves must pay; and that if that State increases its inhabitants it will have more to pay towards the support of the government of the United States, and in the same proportion lessen the burden of the other States; but if Virginia, etc. grow too large, the people themselves will insist upon a new State or States to be erected, even if Congress should be passive, and no good reason can be assigned for refusing such a requisition whenever it may be proper to grant it. The Stockbridge Indians in New Hampshire and Connecticut, the Oneidas in New York, etc., were, I suppose, the objects of the fourth section of the same article. The third section of the ninth article seems to have been calculated for the disputed lands of purchasers under Maryland and Delaware, and Maryland and Pennsylvania; but upon the whole, it may not be an improper method of adjusting such controversies. If Delaware had been represented in Congress at the time the finishing was given to the Confederation it would, I am persuaded, have been a public benefit as well as a particular one to that State; but matters are too far gone, I fear, to procure any alterations, so many

States have already empowered their delegates to ratify it; however, I will exert every nerve to accomplish any measure which shall be recommended by my constituents, who may think it advisable to direct their deputies to endeavor to procure any explanation of certain doubtful expressions in different articles, if they should not think it proper to do more.

“Nothing has been effected with regard to President McKinley; but as the cartel for the general exchange is now debating and settling between three commissioners on the part of General Washington and the like number on the part of General Howe, in Germantown, where they met on the last day of March, I hope in a few weeks something favorable for him may be done.

“If you can procure any clothing for the Delaware battalion it may be useful, but I am confident there is sufficient for the whole army already purchased by Congress for above a year, and yet I am told the most of the troops are naked. Peculation, neglect of duty, avarice, and insolence in most departments abound, but, with the favor of God, I shall contribute my part to drag forth and punish the culprits, though some of them are high in rank, and characters I did not suspect.

“You will also receive a little pamphlet of the Earl of Abington, which is worth your perusal. General Rodney is not yet arrived, nor could I procure a lodging for him in town when he comes; indeed, when I return I shall be at an equal loss for myself. This is discouraging, but we must not expect much comfort during this great and glorious struggle. It is reported Howe is recalled, and is to be succeeded by Lord Townshend. This will be an active and, I fear, a bloody campaign.

“I find you give up the command-in-chief to General Rodney, so that perhaps it may suit you to come to Congress.

“I am, sir, your most obedient servant,

“THOMAS MCKEAN.

“HON. GEORGE READ.”

As the persistence of the mother-country in her measures, short-sighted and mistaken, as they were selfish and unjust, widened the breach between her and her colonies, the Con-

tinental Congress, elected to obtain redress of intolerable grievances, was compelled to assume the powers of a confederacy of States, without waiting for the formal grant of them, to levy armies, issue and borrow money, appoint diplomatic agents, and generally to regulate the internal and foreign affairs of their country. This loose connection of thirteen independent communities sufficed only for a brief period, for its inadequacy for home government was soon apparent, and it was in no long time evident that foreign nations, whose aid was necessary to secure independence, would not treat with a confederacy existing only by force of circumstances or tacit understanding. A formal and written compact between these thirteen communities was therefore indispensable. "Articles of Confederation" were reported by a committee of Congress, 12th July, 1776. They were, after earnest and protracted debates, from time to time, adopted, 15th November, 1777, and transmitted by Congress to the Legislatures of the several States, with its earnest and eloquent recommendation that they should authorize the ratification of these articles. It was next to impossible that any plan of common government could be framed for thirteen independent States, who, though having so many things in common as to be one people,—Christians, Anglo-Saxons by race, inheritors of the British Constitution, common law, language, literature, and high civilization,—yet differed in climate, productions, customs, manners, religious tenets, and forms of worship. The wonder was not that there were points of difference, but that there were not more. There were several objections to the "Articles of Confederation," but the principal ones were—1st, to the mode of voting in Congress, some States holding that it should be by States, others according to population and wealth; 2d, to the rule for apportioning taxes among the States; and 3d, to the disposition of vacant and unpatented western lands. The phraseology of the charters, upon which were founded the extravagant claims of States to lands from the Atlantic to the Pacific, is obscure, indefinite, and contradictory;* but these claims were

The *western* boundary in several of the charters of the North American colonies is the *South Sea*, and the great extent of these grants was a matter of profound policy, the object being to appropriate as much

reduced within narrower limits by the treaty of Paris, of 1763, by convention between the colonies in regard to disputed boundaries and decisions of the home government.* It was contended that the title to these lands west of the then western frontier of the United States was never in any of the colonies, but had always been in the king, and so far as not alienated by him was the property in common of all the colonies through right of conquest effected by their common blood, money, and sacrifices. From fear of the disastrous consequences of disunion, interest, necessity, and from, no doubt, patriotic motives, the States objecting to the Articles of Confederation withdrew their opposition soon after July, 1778, and by their delegates signed the "Articles," except New Jersey, who ratified them in November of that year, Delaware, who ratified in February, 1779, and Maryland, that ratified in 1781. This bone of contention was removed, as many difficulties threatening great perils have since been, by compromise—the cession of these lands, upon conditions, to the United States for

of the North American continent as possible (a settlement on one part of a grant being held to give the possession of the whole), and so to strengthen the claim of England against France or any other nation.

Three things were required to render the title to lands perfect,—1st, a grant or charter from the king; 2d, a purchase of the soil from the Indians; 3d, possession.

"If all the colonies in North America," wrote Pratt, afterwards Lord Camden, "were to remain bounded, at this day, in point of right, as they are described in their charters, I do not believe there is one settlement there that has not been encroached upon or else has usurped upon its neighbors, so that if the grants themselves were the only rule between contending plantations, there would be no end to disputes, without unsettling large tracts of land, where the inhabitants have no better title to produce than possession or posterior grants, which would be, in point of law, superseded by charters." "Hence many other circumstances must be taken into consideration besides the *parchment boundary*, for that may at this day be extended or narrowed by possession, acquiescence, or agreement, and by the situation and condition of the territory at the time of the grant."—*Miner's History of Wyoming*, pp. 66, 67, 79, 80.

In the charter of the "Great Plymouth Council" and the charters of Massachusetts and Connecticut carved out of it, there is an express grant of the *land* (*Ibid.*, pp. 64, 66, 67) within their limits, and the South Sea is their western boundary; and so in the charters of several of the Southern colonies.

* In the case of Virginia, for example, to the lands bounded north by the Lakes and west by the Mississippi.

their common benefit, New York leading in this generous and truly patriotic measure.

The share of Mr. Read in the ratification by Delaware will hereafter appear.

Mr. Read was, as appears by Thomas McKean's letter of April 3d, 1777 (ante, p. 309), relieved from the Presidency of Delaware in that month or about that period, Cæsar Rodney having been elected to this office (which Mr. Read declined) and entered upon the discharge of its duties.

The following letter is characteristic of Mr. Read, who was not only of the strictest integrity, but scrupulously avoided everything which might bring into suspicion his dealings with public men :

“NEW CASTLE, August 25th, 1778.

“SIR,—I am now applied to by Mr. Davis, of Kent County, on your behalf, to attend the Court of Oyer and Terminer and General Jail Delivery, to be held the 7th of next month at Lewistown. He informs me that you left with him one hundred pounds, to be given, as part of a fee, for this service, and that you have authorized him to say that you will give me as much more as I shall think I ought to have. Mr. Davis also mentions that he has heard that Dorman Loffland expects to apply to me to defend him at the same court. The last part of your proposal is by no means satisfactory to me, as I do not wish upon this or any other occasion to be considered my own carver, or bringing persons into such a situation as that I may exact unreasonably from them. I choose to let you know my terms so long beforehand that if you do not approve of them you may have the opportunity of applying elsewhere. My terms are that I shall receive from you *five hundred pounds, certain*, for my attendance at the court, and for this sum I will, if necessary, defend you, as counsel, in any one or two indictments that may be exhibited to that court against you, though if more I shall expect some further allowance; but if you have only one charge to apprehend I would for this sum also engage to defend, as counsel, Mr. Loffland on any one indictment or charge against him, under the act of Assembly commonly styled the Treason-Act, and specially referred to in the Oblivion or Pardon-Act, in which he is excepted by name. I have included Mr. Loffland in this proposal that you may have it in your power to lessen the

expense with respect to yourself, if you shall think fit. I have been particular in confining my defence of him to charges under the Treason-Act, because I know there is a charge of another nature I will be at liberty to decline undertaking, if I shall choose so to do, upon a further and better information. The situation of my business and affairs at this place is such that it will be extremely inconvenient to me to go such a distance from them, and therefore I cannot engage my attendance upon more moderate terms, so that if you expect me I must know it some days before to be prepared for the occasion. This from yours, etc.,

“GEORGE READ.

“To Doctor RENCH, Sussex County.”

On this letter is indorsed, “Draft of a letter delivered to Mr. Davis, a representative in Assembly for Kent County, to be delivered by him to Dr. Rench.”

As the fee proposed in the above letter would be paid in depreciated bills of credit, which creditors could not refuse, if tendered,* it is much less than its nominal amount, and was not immoderate for defending two, and perhaps three or four, cases of the gravest character, and making a long journey to do so, with the inconvenience and loss by reason of absence from his home.

Dr. McKinley, who had been permitted to return to his home on parole, solicits, in the following letter, Mr. Read's good offices to effect his exchange :

“WILMINGTON, 29th August, 1778.

“DEAR SIR,—I am still of opinion that the application to Congress for my exchange had better be made by the Council, who are best acquainted with my conduct and pro-

* Congress resolved that whosoever should rate gold or silver coin higher than bills of credit ought to be deemed an enemy to the liberties of the United States and to forfeit the money of which this difference in value was made, and Congress recommended the States to pass laws to this effect, and to make bills of credit a legal tender in payment of debts, which should be forfeited by refusal to so receive them, which was done by the States.—*Marshall's Life of Washington*, vol. iii. pp. 43, 44. The depreciation of this paper-money was shown by the enormous prices of articles. See Mr. Read's letter to General Washington, ante, page 285.

ceedings, and therefore may express themselves with less reserve and caution than the President thought it necessary to use in the letter he intended for the President of Congress according to the copy he showed me; and considering the pains my *old friends* have taken to prejudice Congress against me, perhaps it might be proper to give a detail of my services. I was in hopes of being able to wait upon you to consult upon the mode of applying, and I am certain all the Council would be glad of your assistance, but my lameness prevents; in the mean time I have drawn a rough sketch of a resolution, for your amendment, or rather to furnish you with some hints to draw a better, which I am well assured you can easily do, especially as you may have some leisure to-morrow. Pray oblige me herein, as you have often done before on other occasions, but never in one wherein I was so much interested. If in my power I will go and see you on Monday morning, and then I may be able to express my meaning much better by word of mouth than in so short a letter, but in the mean time pray proceed.

“I am, with sincere esteem, yours affectionately,

“JOHN MCKINLEY.

“To the Honorable GEORGE READ, Esquire, New Castle, per favor of Colonel Bedford.”

Mr. Read, being relieved not only from the chief magistracy of Delaware, but from attendance upon the Continental Congress, had now respite from public engagements, to which he had been devoted from the beginning of the disputes between the colonies and parent-country. I find nothing more of his correspondence for the remaining portion of 1778, and conjecture that it was devoted mainly to professional and private business, though being still a member of the Council of Delaware he must have taken some part in public affairs.

APPENDICES TO CHAPTER IV.

A.

FAIRS.

WITHOUT the retail trade the richer class of a community could obtain necessary commodities at greatly enhanced prices, but the poor, not at all. In newly-settled territories the retail trade would be very limited, for two reasons,—the scarcity of capital, and its being attracted to the purchase of land, which, being cheap and virgin, would offer the best investment. But the wants of sparsely-inhabited regions have been supplied, in the absence of stores, by *pedlars* and *fairs*. In the very infancy of territories the pedlar was the only means of supply; in the defect of roads and bridges, he made his way into the very heart of these countries, threading the forests by bridle-paths, and crossing the streams on fallen trees, his stock in trade on his back, and his yardstick in his hand. At every farm-house he met a hearty welcome, for in every one there were wants to be supplied and superfluous articles to be sold or bartered, if not of too much bulk for him to carry away; for example,—mittens and stockings, into which the industry of wives and daughters had manufactured the fleeces of the few sheep upon each farm. The good wives of every farm-house replenished, as was needed, their stocks of pins and needles, threads and bobbins and buttons, and scissors and thimbles. Besides, there would be knives for the men, and perhaps pipes, and buckles for their shoes and stocks; with clumsy broaches, and gaudy calicoes and ribbons, to tempt the damsels. And when his sales were made, the pedlar, after sharing, with hearty welcome, the abundant and wholesome and maybe coarse meal of his rustic customers, ensconced in the capacious chimney-place, opened his fardel of news, and, with the latest gossip of the neighborhood, recounted occurrences in the colonies and events abroad, pregnant often with great results. But the main provision for the retail trade was the establishment of *fairs*. In Pennsylvania and Delaware, soon after their settlement, fairs were allowed (as is declared by the act of Assembly abolishing them in Kent and Sussex, by charters or letters-patent from their governors or proprietaries, or by acts of their assemblies, for lack of stores and markets for the produce of the country.* The sales at these fairs must have been by the importers, through their agents, or by men who bought the goods from the importers, and sold them on their own account. I have found among my grandfather's papers, an almanac for 1747, which appears to have be-

* Delaware Laws, vol. ii. pp. 818, 819.

longed to one Ezekiel Sykes, so small (it is four inches long by two broad) that it might have been felt for and not readily grasped in the capacious pockets of Ezekiel's day. This almanac has appended to it tables of the births of the royal family of England, of the times of holding courts in Pennsylvania, Jersey, Maryland, and New England, of Quaker meetings, of roads, weights of coins, and of *times of holding fairs*. They were held in Wilmington, Delaware, April 28th and October 24th; New Castle, 3d of May and 3d of November; Chester, 5th May and 5th October; and Philadelphia, 16th May and 16th October, etc. By almanacs of my grandfather's it appears there were changes in the days of holding these fairs.* In 1758, 1767, and 1769 they were held at Wilmington, May 9th and November 4th; New Castle, May 14th and November 14th; Chester, 16th May and 16th November; Philadelphia, 27th May and 27th November, and Dover, April 21st and 12th October, etc. To these fairs came the people for miles around the towns where they were held, the young generally on horseback, but the farmers and their dames, with the superfluous products of domestic industry, in their rude wagons, to supply the wants of the next six months, and all in their best attire to enjoy the holiday. There was a tempting display, in the booths built for the occasion, of the various articles from "home," suited to their wants and their tastes. There were puppet-shows and jugglers, no lack of penny-trumpets, drums, and wooden guns for the boys, and dolls for the girls. The young men were soon contending in athletic sports,—pitching bars, jerking bullets, running, boxing, and wrestling, with many hard blows and hard falls and rough jests, while their sweethearts, in their rustic finery, and with the coquetry natural to the sex, admiringly looked on. The merry tunes of many fiddles soon lured the young men and maidens to the dance; and, alas! there were booths where liquors were sold, with the usual consequence, drunkenness and brawls. While the elders bargained, the young ones courted. It was, indeed, a strange scene of business and frolic. With general fair dealing there was some over-reaching. These fairs long survived the necessity for them, for they were holidays dear to the people; at last the sense of their evils became strong enough to take the form of a law for their suppression, but it was not until the 4th of June, 1785, when an act, entitled "An act for the suppression of public fairs and marts in the counties of New Castle and Kent," was passed.† In the preamble to this act it is declared that the liberty granted by charters, letters-patent, and subsisting laws to hold fairs had been abused by setting up booths for the sale of strong liquors and other superfluities, by which many imprudent persons, especially young people and servants, have been tempted to purchase those liquors and use them to excess, and to lay out large sums in the purchase of articles of no real use or benefit; and quarrels

* There are, moreover, two pithy maxims which I extract for the benefit of my readers:

"Compute the pence of but one day's expense,
So many pounds, angels, groats, and pence
Are spent in a whole year's circumference."

"One week's expense in farthings makes appear
The shillings and pence expended in a year."

† Laws of Delaware, vol. ii. p. 819.

have been excited, and almost every species of vice and immorality practised, to the scandal of religion and the grief and annoyance of the virtuous part of the community. It is added that the numerous stores throughout the State, and ready markets for the sale of produce, made these fairs unnecessary, and that a respectable number of citizens had petitioned for their suppression. Why Sussex County was not included in this act I do not know, unless fairs had never been held there; that no places in that county are mentioned in the tables of fairs in the ancient almanacs I have cited gives some plausibility to this conjecture. To complete the history of fairs in Delaware, I add, that February 3d, 1802, an act was passed authorizing them to be held at Georgetown and Broad Creek in Sussex, Dover in Kent, and Middletown in New Castle County, for the sale of live stock, country produce, and manufactures, except spirituous liquors. But January 20th, 1802, an act of Assembly was passed repealing this act, which will be thought a model act by those who have been perplexed and worried by the prolixity of statutes; it is of marvellous brevity: "Whereas, the act aforesaid (of 3d February, 1802, for the holding of fairs in the several counties of this State) hath not been found to answer the purposes therein contemplated, be it enacted that the before-recited act, and every part thereof, be and is hereby repealed, made null and void."*

B.

LIST OF ABLE-BODIED ASSOCIATORS IN THE COMPANY UNDER MY COMMAND.

ANSWERS.

Slaytor Clay,	Will not march.
Richard Janvier,	Will not march.
John Powell,	Ready and willing to march.
David Morton,	Same.
George Read,	Ready and willing to march.
Thomas Cooch, Jr.,	Ready and willing to march.
Robert Wiley,	I'm damn'd if I march.
Edward Sweeney,	Family in distress.
James Wilson,	Hired one in his place.
Stephen Enos,	Absent.
James Limerick,	Ready and willing to march.
John Booth, Jr.,	Substitute in Continental army.
Samuel Janvier,	Ready and willing.
Joseph Tatlow,	Will not march.
Joseph Booth,	Substitute Continental army.
Sampson Smith,	Will not march.
Daniel Smith,	Son in his place,—drummer.

* Laws of Delaware, vol. iii. p. 281. See the last paragraph of Appendix C.

William Clarke,	Ready and willing.
James Faith,	Will not march.
James Boyd,	Family in distress.
Samuel Hanah,	Ready and willing.
Francis Janvier,	Will not march.
Robert McElcherin,	Same.
Thomas Clay,	Substitute in Continental army.
William Scott,	Willing to march,—made wag'r.
William Farren,	Will not march.
John Enos,	Absent.
William Hazlett,	I never will march.
Jos. M. Strand,	Absent.
Alexander Montgomery,	Sick.
George Booth,	Ready and willing to march.
William Kirk,	Ready and willing to march.
Adam Dyet,	Same.
Robert McGinnis,	Absent.
Daniel Lewis,	Willing to march.
William Aiken,	Same.
James McDonald,	Same.
Adam Sankey,	Will not march.
Patrick McCormack,	Same.
James Morton,	Same.
Thomas Booth,	Substitute in Continental army.
James Riddle,	Sick.
John Price,	Absent.
Andrew Morton,	Neglected.
Samuel Harris,	Will not march.
James Carter,	Family in distress.
John Vanleuveneigh,	Willing to march.
Benjamin Merritt,	Same.
Hugh McCann,	Same.
Alexander Langton,	Same,—fifer.
James Farnsworth,	Family in distress.
Niel McCann,	One in his place.
Robert Watson,	Ready to march.
James Wiley,	Absent.
Joriel Vanleuveneigh,	Ready to march.
William Owens,	Sick.
Christian Smith,	Excused by colonel.
Thomas Nodes,	I'm damn'd if I march.
Thomas Miller,	Ready to march.
Samuel Fisher,	Will not march.
Daniel Deveney,	Absent.
Hugh Martin,	Ready to march.
Insloe Anderson,	Will not march.
Philip Belveale,	Son in his place.

“TO SAMUEL PATTERSON, Colonel, D. B. M.

“I do hereby certify that the above list of ‘Associators’ is as they stand enrolled; that, on the refusal of so many of the first quota, I caused the whole company to be summoned, and those [whose] answers

[are] 'ready and willing to march,' are now at head-quarters, Wilmington.

"So answers

"JOHN CLARK, *Captain.*

"JUNE 24th, 1777."

From the original, in possession of Mr. Joseph Henry Rogers, which he found among the papers of his grandfather, James Booth, who brought it, with other papers belonging to the State of Delaware, from New York, where they had been carried by the British, who captured them soon after the battle of Brandywine.

W. T. R.

C.

I FOUND among my father's papers, No. 366, vol. iv. (Friday, July 22d, 1825), of the *American Watchman*, a newspaper published in Wilmington, Delaware, which contains the following account of occurrences in that town immediately after the 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 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 [the British] actually came into the borough, on 7th day (Saturday) morning, after the battle of the 11th of the 9th month (September, 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, saw three 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 Dr. 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 were with us, which was about six weeks, or until the last of the 10th month, October. After I got home, I found Joseph Summerl 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 and to 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 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 sixty hours, and then were removed across the street to the Presbyterian meeting-house.

John Ferris proposed to two others to go up and see our townmen and furnish them with some eatables, or inquire of them [of their condition], for it was said they had been hardly dealt with. As we approached the town, 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 walk clear of the wall and fence, so as to use it freely, 'for these,' said he, using harsh language, 'might attempt to escape.' J. F.— observed they were all respectable persons and would not attempt it. This irritated the officer, and he then turned his harsh language on us, and concluded in saying 'they had no friends in the country but the Quakers' (in which idea he was far wrong), 'and 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 Chad's Ford as possible, for the purpose of obtaining information, for 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 cross-roads, 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 people from going farther. A heavy piece of woodland prevented us from seeing anything in the direction of the contending armies. Here I was obliged to remain without seeing anything; but all the hills in view were covered with inhabitants who were as anxious as myself to know how the thing would 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 report of the discharges became more distinct. Here I remained till 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 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 at different] times.

"Attached to this part of the British army was an old acquaintance of my father,—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 [should be] subjected to royal authority, which soon [he said] 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 shipboard about Grubb's Landing, and on his way to the borough met a man near Tussey's or Shelpot Hill, and inquired his name. The man replied, 'Israel Israel.' From the name, Humphries was sure he was a rebel, but [he] did not disturb him, and [he] 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 outside of the borough; this major stopped me one day as I passed his quarters, the house now occupied by O. Horsey, Esquire, 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 loan-office paper money of this State, that they had obtained by surprise at New Castle or Wilmington.

"I was very intimate with this commissary of prisoners, and used to be often with him when he was writing. One afternoon three officers of the line came to see him, and were conversing freely on different subjects,—one was 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 III., his king. I loved Washington, and I thought he ought to love him also, as his companion had spoken so freely in his favor.

"An account of the number of 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. Bennett 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 Count de Nap [Donop], one of the Hessian commanders, fell. The 71st Regiment of Highlanders was one morning drawn up in open line, facing the southeast, in Pasture Street, on the northwest side of the rope-walk, and extended from Kennet road toward the furnace. As a person passed them in front, and 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 favorable, but on that day the wind was very strong from the northwest, and nothing was heard till the afternoon (I think). While I was sitting in Dr. Way's parlor, with himself and some other person, we were surprised to hear the bottles and other glassware in his shop rattling together. We could not tell the cause until information came of the event and of 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 noting some of the changes that have taken place with our agricultural neighbors up the Brandywine, fifteen or twenty 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 this period 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 behavior of the young men and women than to partake of their amusements. The young men, if the day was fine, came to the fair by hundreds (with a fine, buxom lassie alongside) in their shirt-sleeves, nicely plaited and cramped as high as the elbows, above which it was tied with a string of different colored tape or ribbon, called sleeve-strings. Their coats were tied behind the saddle; they had thinsoled shoes 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 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 six or seven 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 and peach pie and milk, *chèse-curd*s and new milk, sometimes cream, with home-made wine and sugar (which is a delicacy even now), bread and *chèse* 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, etc., with a second course consisting of puddings, pies, tarts, custards, etc.; milk, and other dishes of old times, being now too vulgar, except particularly inquired after.

"SEVENTY-SIX."

D.

THE following copy is taken from the original letter of a British spy, in possession of Mr. Joseph Henry Rogers, who found it among the papers of his grandfather, James Booth, by whom it was brought from New York, with papers belonging to the State of Delaware, captured by the British and carried there, after President McKinley was made prisoner, in 1777. On the original letter is written "Found among my papers brought from New York,—supposed to be written by John Malcolm."

"SIR,—Morton, at the Ferry, was yesterday with the rebel chiefs, viz.: Patterson, Bryan, Grantham. Bedford, I hear, is at Philadelphia. There are under these, John Clark, late sheriff, William Clark, his sub-sheriff, a Mr. Booth, a Philip January. I apprehend that the chiefs stay at nights either at Grantham's or Captain Porter's, a small distance below New Castle. Morton, when he returned last night, reported that Major Bryan had sworn, in his hearing, that he would burn the town of New Castle and all the damned Tories in it. I know of no person to be trusted so fit for a guide as old Joseph, and I have persuaded him to act as such. There is a certain William Haslett, near to Dr. Finney's house, in New Castle, who promised me to point out some inveterate rebels if an officer would call at his house; he is afraid to appear, as they have threatened him. At Newport is the habitation and the effects of one of McKinley's privy council, a vile rebel, well known by the name George Latimer,—his father a Judge of Common Pleas.

"Saturday morning."

E.

THE hatred of the ultra Whigs in Delaware, during the Revolutionary war, for the Tories, and the violent and occasionally cruel manifestations of it, are strikingly displayed by the "History of Cheny Clow," which I have abridged from the "Delaware Register,"* vol. i. pp. 220-226.

In a letter of 5th May, 1770,† Mr. Read mentions Clow as foreman of a grand jury in Sussex County, and calls him the "Wilkes of Sussex." He was a leader of the Tories in Kent and Sussex, and especially

* A magazine published in Dover, Delaware, in 1838 and 1839, by William Huffington, Esquire, to preserve facts relating to the early history of Delaware, advance agriculture, and diffuse information and amusement by articles on various subjects. It expired, on the completion of its second volume, for want of sufficient patronage. It is desirable that there should be always such a repository, and persons enough alive to the duty of arresting facts, historically valuable, passing to oblivion, to avail themselves of this means for their preservation.

† Life of George Read, chap. i.

the object of the hatred of the Whigs. He was accused of treason in 1782, and a warrant directed to John Clayton, Sheriff of Kent County, issued for his arrest. Clow resided in the forest, about twelve miles from Dover; Clayton, with a strong posse, well armed, proceeded to his house, the door of which he found closed and secured. The warrant was read, and Clow summoned to surrender, and he replied by firing several times upon the posse, but without effect; the fire was returned, and the door assailed with axes and the butts of muskets. During the fight a man of the posse, named Moore, was shot through the body and died at once, and another wounded by a ball which, striking the brass plate on his bayonet-belt, glanced to his neck, slightly injuring him. The door was at last forced open, and the sheriff with his party, thrusting aside or clambering over a barricade of furniture and other materials, seized Clow. They were astonished to find none within the house but Clow and his wife, who, it was believed, had been moulding bullets, as there was lead melting over a fire in the house, and from the steady and quick fire maintained upon their assailants, it was concluded that she loaded muskets while her husband discharged them, till bullets failed; she was wounded severely in the breast, but made no complaint. Clow requested leave to dress, which being granted, he arrayed himself in the full uniform of a British captain. He was then put on a horse, and the sheriff and his party set out for Dover with their prisoner. On the way to Dover a new peril threatened the unfortunate Clow, in the shape of a militia troop of horse, headed by their captain, who demanded his surrender to them that they might hang him on the next tree. The sheriff and his party, un-intimidated by threats of violence, greatly to their honor, asserted the supremacy of the civil authority over military power, and succeeded in conducting Clow uninjured to the prison in Dover. On the 10th day of December, 1782, at a Court of Oyer and Terminer called for his trial, consisting of Judges Killen and Finney, an indictment for high treason was found against him, upon which he was tried, and to which he pleaded not guilty, exhibiting his commission as captain in the British army, and claiming to be entitled to be treated as a prisoner of war. He was acquitted, but, as appears by the entry on the record of the court that tried him, immediately after that of his acquittal, he was ordered to enter into a recognizance in the sum of ten thousand pounds, with two sureties, in the sum of five thousand pounds each, for his good behavior till the end of the war with Great Britain, pay the cost of his trial for treason, and be committed till this judgment should be complied with. Being poor, as were his friends, and they but few, compliance was impossible, and the judgment was, in effect, a sentence to imprisonment for an indefinite time. The implacable enemies of this unhappy man soon charged him with the murder of Moore. He was indicted, and at a Court of Oyer and Terminer, held by Judges Killen and John Jones, Gunning Bedford, Attorney-General, prosecuting, convicted of the murder of Moore, on an indictment found 5th May, 1783: he was sentenced to be hanged by the neck till dead. The justice of the verdict in this case may well be questioned. Sheriff Clayton testified that he believed Moore was shot, not from Clow's house, but by one of his posse who was firing in the rear of it; his reason was, that the hole in Moore's back (the bullet having passed through his body)

was small and smooth, while that in front was much larger, ragged, and torn, so that the ball must have entered his back, and could not have been fired from the house, his face having been towards it when he fell. The sheriff's evidence was corroborated by such of his party as were examined. The only testimony of any weight against Clow was that of John Bullen,—that in jail he said to him, "If I killed Moore, it was by accident." Clow defended himself, urging it was not proved he killed Moore, and even if he did, the killing was accidental and without malice, and even if designed could not be murder, as he was a British officer, rightfully defending himself from capture by the citizens or soldiers of a hostile people. A troop of horse was paraded in front of the court-house during Clow's trials, it was, at the time, believed to intimidate the jury, while the people without clamored for his conviction; therefore, confidence in this verdict, as unbiased, is reasonably shaken, if not destroyed. The governor of Delaware was very much disposed to pardon Clow, for it has been stated he did not believe him guilty; he therefore respited him from time to time, but was too much influenced by the popular cry for his blood to do more. In honorable contrast to the course of the governor was that of Sheriff Clayton, who, being apprehensive that the infuriated people would attempt to take Clow forcibly from the prison and hang him, slept for many months in his apartment, armed, to prevent his abduction. A few persons petitioned for his pardon, but, as has seldom happened, petitions were signed by many for his execution. The Whigs had suffered much from the protraction of the war, which they, with reason, attributed to the Tories, by whom their property had been plundered, and their nearest and dearest relations and friends murdered or made prisoners; hence the ferocity with which they pursued this hapless prisoner. Clow, in hourly fear of death at the hands of an infuriated mob, could endure no longer his dreadful state of suspense, and therefore petitioned the governor to *at once* either pardon him or issue the warrant for his execution. Unhappily for the memory of this chief magistrate, the pleadings of mercy were silenced by the popular clamor for the blood of Clow, and he signed his death-warrant. Clow heard it read with calmness, and from that time uttered no complaints or reproaches; he walked to the gallows singing, with unflinching voice, a hymn he had committed to memory while imprisoned. His wife, who so heroically aided in defending his house, never forsook him,—her efforts for his pardon were unceasing till his execution, and she continued in Dover till he was cut down, when she received his body and departed with it to consign it to the grave, but where was never known. The patriotic Cæsar Rodney, on the day of Clow's execution, publicly wished he were governor only that he might pardon him. The revulsion of public feeling was immediate; even while around the gallows of their victim, the conviction of Clow's innocence forced itself upon those who had been foremost in clamoring for his death. The house, the scene of his brave defence, was never afterward occupied, and has disappeared. In Kent County, in Little Creek Hundred, in a dense and dark forest, far from the abodes of men, there is still shown a *heap of logs*, all that remains of Cheney Clow's *fort*, where, with his Tory bands, he defied the Whigs. This execution of Clow was a foul and cruel murder.

F.

VISIT TO VALLEY FORGE.

ABOUT sixteen miles up the Schuylkill from Philadelphia, a small stream leaves the rich and beautiful valley and winds its way through a deep ravine, between two mountains, and empties its clear water into the river. The mountains are filled with iron ore; and as the stream afforded water-power, the old inhabitants of the colony erected at its mouth a mill and forge, and around them a few houses: and the place was known as the "Valley Forge."

It was after the disastrous result of the battles of Brandywine and Germantown, in which the Americans lost two thousand soldiers, whom, in their already reduced state, they could so poorly spare, that Washington was forced to give up Philadelphia to the enemy, lead his drooping and discouraged army to this secluded spot, which the sufferings of that little band, while it lay and shivered there during the memorable winter of '77, has made immortal.

We approached the old encampment by a road leading down a narrow defile which forms the bed of the stream, and ascended to the summit, where the army lay, by a rugged pathway, which is still to be traced among the rocks; and were shown by our guide, as we passed, the different spots where the cannon had been planted to guard the entrance. When we reached the summit, we found it partially covered with trees and underwood: yet eighty years had not been able to destroy the efforts that feeble band had put forth for self-protection. There was still to be seen a ditch and embankment, which at present is about three feet high, extending more than two miles around the top of the mountain.

At the more open and unprotected points are still to be seen five different forts of different forms, more or less perfect. They were probably built principally of logs, but they have long since decayed, and their forms at present are to be traced only by piles of dirt, which had been thrown up to strengthen them. The most perfect one at present is still about ten feet high, and probably one hundred feet square, with a dividing ridge running diagonally from one corner to the other, forming two apartments of equal size, with but one narrow entrance. It all remains quite perfect, and the walls or banks are covered with trees. The tents of the soldiers were made of poles, which seem to have been twelve or fifteen feet long, built in the form of a pen, with dirt thrown up on the outside to keep out the storm. Their remains are still to be seen situated in little groups here and there over the inclosure. While down near the old Forge, we were shown an old stone house, about twenty by thirty feet, which served as head-quarters, in which Washington lived, surrounded by his staff, during the winter.

We entered the venerable building with feelings of the deepest emotion, and examined the room which served the illustrious chief as bed-chamber and audience-chamber. It is very plain, and the furniture much as he had left it. A small rough box, in a deep window-sill, was

pointed out as having contained his papers and writing materials. The house is occupied by a family who take pleasure in showing to visitors the different items of interest. The old cedar-shingled roof, which protected the "Father of our Country" eighty years ago, had still sheltered the old head-quarters until a year or two ago, when it was removed, and its place occupied by tin.

The graves of the soldiers are still to be seen in distinct clusters over the ground, but are most numerous in the northwest division, where the regiments from the South were quartered, death having rioted most fearfully among them, they being less able to endure the severities of a Northern winter.

It was during their encampment here that the tracks of the soldiers could be traced by their blood, as they gathered wood to warm their miserable huts. And it is here that Washington is said to have shed tears like a father while beholding their sufferings, when they gathered around him and pleaded for bread and clothing, and he had not the means to furnish them. Yet, although everything seemed so discouraging, it was near here that the "Friend" went home surprised, exclaiming, "The Americans will conquer yet! the Americans will conquer yet! for I heard a whisper in the woods, and I looked and saw their chief upon his knees, and he was asking God to help them."

It may be great to lead a powerful army on to victory, but surely it was greater to preserve the shattered remnants of a discouraged band together, when the enemy were trampling over them, when their Congress could do nothing for them, when starving families at home were weeping for their return, and when there seemed no prospect before them but miserable defeat.

Numerous graves have recently been opened, and the bodies of many of the officers have been removed by their friends to other burying-grounds in their native States; but the poor and obscure soldiers, who still remain, have monuments more beautiful than art can form erected over them, for nature has planted hundreds of cedars as a silent tribute to their memory, which have been watered by the pure and generous tears of night, and they are now forming living wreaths of evergreen above their graves.—*Ohio State Journal*.



COLONEL HASLET.

JOHN HASLET was born in Ireland. He was educated for the ministry of the Dissenters, and preached, but subsequently studied medicine with much success, and practised it in Kent County, Delaware, for many years, with profit and reputation; and was frequently elected to the General Assembly of this State, for his able and faithful services there deserving and receiving the applause of his fellow-citizens.—*Delaware Gazette*, No. 216, August 8th, 1789.

He was a man of generous and ardent feelings—tall and athletic. A leading Whig, he was appointed colonel of the justly celebrated Delaware regiment. He took an active part in raising it, and when assembled on the day appointed for its march, eight hundred strong, was addressed by him with stirring eloquence. Though imperfectly clothed, armed, and provisioned, these gallant men, with loud cheers, commenced their march from their homes, which, save a handful, they were to see nevermore. He was regarded as the father of his regiment, which he commanded till his glorious death, and led in the battles of White Plains, Trenton, and Princeton, where, in a gallant charge against the British, he fell by a wound in his head from a rifle-bullet, about sunrise, January 3d, 1777.

The State of Delaware has not been insensible to the services and merits of Colonel Haslet. In 1783 the Legislature of Delaware caused a marble slab to be placed over his grave, in the burying-ground of the First Presbyterian Church, in Philadelphia, where his remains were deposited, in 1777, and where they reposed undisturbed until 1841, when this grave-yard was sold and its tenants removed. The Legislature of Delaware appointed a committee, 22d February, 1841, to superintend the removal of Colonel Haslet's body to a vault, to be built by the committee, in the cemetery of the Presbyterian Church, Dover, Delaware, and authorized them to have a suitable monument, with appropriate inscriptions and devices, prepared and placed over this, it may be expected, his final resting-place. On the 1st of July, 1841, this committee* placed the disinterred remains of Colonel Haslet in the First Presbyterian Church, on Washington Square, Philadelphia. On the next day, at an early hour, the remains were conveyed to the steamer *Kent*, in charge of the committee, escorted by volunteer companies of the city of Philadelphia and the Hibernia Society, with a great body of citizens, several judges and other civil functionaries, and officers of the United States army and navy. There was solemn music, tolling of bells, firing of guns, and addresses from the president of the Hibernia Society and the chairman of the committee. The remains (the skeleton entire, or almost so)† arrived in Dover, Saturday night, July 2d, escorted by a

* One of this committee said to me, "When we arrived at Colonel Haslet's grave we found his remains disinterred, and with them bones from an adjoining grave or graves,—and we took all."

† So says a friend, who saw it.

great cavalcade of citizens of Delaware, Pennsylvania, and Maryland, and were deposited, under a guard of honor, in the State-House. On the succeeding morning of July 3d, after impressive religious services and an eloquent address from John M. Clayton, followed by a great assemblage of citizens, they were conveyed to the vault prepared for them. The monument over this vault is of marble, seven feet high, and its base of Brandywine granite. The slab placed over Haslet's grave in Philadelphia, in 1783, is preserved by having been made one of the sides of this tomb, and bears this inscription :

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 3d, 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.*

His son, distinguished as no other citizen of Delaware has ever been, by his election *twice* to the office of her governor, owed this honor mainly, I believe, to the public gratitude for Colonel Haslet's services, invested with lustre, which lapse of time has not dimmed, and with mournful interest by his death on the battle-field of Princeton, as victory was about to perch upon our banner.

A friend (who does not permit me to mention his name) informs me (August 26th, 1858) "that he had often seen the *Bible* (quarto) from which Colonel Haslet, according to tradition in his family, preached, at the house of his son Governor Haslet;" and about twenty-one years ago, travelling in a stage from Milford to New Castle, he met a gentleman whose name he could not recall, resident in Illinois, and husband of Jemima, a daughter of Colonel Haslet, who had in his hands Governor Haslet's certificate of membership of the Society of the Cincinnati, which my informant, having often seen before, recognized, and on his lap the Bible above mentioned, with a bundle, he said, of Colonel Haslet's sermons. He was returning from "Cedar Creek," Sussex County, Delaware, where Governor Haslet resided, having gone there to collect relics of Colonel Haslet. These relics had been bought by a man named Shockley, a friend and neighbor of Governor Haslet, at the

* Journal of the Senate of Delaware, A.D. 1843, pp. 153-160; Delaware Journal, July 6th and 9th, A.D. 1841.

sale of his effects, to preserve them for his family, none of whom were present at it.

There was during the American Revolution a classical school, kept by the Reverend Mr. or Dr. Huston, in Kent or Sussex County, Delaware. The boys of this seminary were one day engaged in their plays on the lawn in front of his house, when a man hastily rode up and announced "that the British had been defeated at Trenton and Princeton," and added that General Mercer and Colonel Haslet were killed. One of these boys was Governor Haslet! He was stunned by this intelligence; his companions cheered.

Colonel Haslet at the time of his death had in his pocket an order to return to Delaware, to recruit for his regiment. When he received it, expecting that a battle was nigh, he asked and obtained leave to defer his departure from the army.

The half-sister of my informant was the wife of Governor Haslet, with whom and his family he enjoyed intimate, affectionate, and long intercourse. "The Governor," he said, "was a well-looking man, of pleasing manners, generous, hospitable, and popular. His abilities were good, his education classical, and his occupation that of miller and farmer."

OFFICERS OF THE DELAWARE REGIMENT.

GRADE.	GRADE.		
Anderson, Thomas.....	Lieutenant.	Mitchell, Nathaniel.....	Major.
Bennett, Caleb P.....	do.	McLane, Allen.....	Captain.
Cox, Daniel Powell.....	Captain.	McKenna, William.....	do.
Campbell, James.....	Lieutenant.	Moore, James.....	do.
Cutting, John B.....	Apothecary.	McWilliam, Stephen.....	Lieutenant.
Driskell, Joseph.....	Lieutenant.	Patten, John.....	Major.
Gilder, Reuben.....	Surgeon.	Purvis, George.....	Captain.
Hall, David.....	Colonel.	Popham, William.....	do.
Hosman, Joseph.....	Lieutenant.	Platt, John.....	Lieutenant.
Hyatt, John Vance.....	do.	Roehe, Edward.....	do.
Jacquett, Peter.....	Captain.	Skillington, Elijah.....	do.
Kirkwood, Robert.....	do.	Tilton, James.....	Hos. Surg'n.
Kidd, Charles.....	Lieutenant.	Vaughn, Joseph.....	Lieutenant.
Learmouth, John.....	Captain.	Wilson, John.....	Captain.
Latimer, Henry.....	Surgeon.	Vaughn, Joseph.....	Lieut.-Col.

G 2.

EXTRACT FROM THE LAST WILL AND TESTAMENT OF
CÆSAR RODNEY.

THE last will of Cæsar Rodney is in the office of the Register of Wills, Kent County, Delaware. It commences thus:

"Cæsar Rodney, of the County of Kent, in the Delaware State, Esquire, Delegate in the Congress held in New York to solicit the repeal of the memorable Stamp-Act; Last Speaker of the General Assembly held under the old Government; Delegate in the Revolutionary

Congress held at Philadelphia; Signer of the Declaration of Independence; late President and Governor of the Delaware State aforesaid, and eldest son of Cæsar Rodney, deceased, who was youngest son of William Rodney, deceased, who came from the City of Bristol, in Great Britain, and was first of our name in these parts; and Speaker of the first General Assembly of Delaware, held under the old Government, after its separation from Pennsylvania, do make this, my Last Will and Testament, for the disposal of all my real and personal estate in manner and form following, that is to say."

Among other bequests are the following:

1st, to Cæsar Augustus Rodney, his gold watch; 2d, to the Wardens of Christ Church, Dover, Delaware, one hundred pounds to inclose with a brick wall the burying-ground of Christ Church therein; 3d, of a tract of land in Jones's Neck, Kent County, Delaware, commonly called "Byfield," to his nephew, Cæsar Augustus Rodney, for his natural life, without impeachment of waste, and after his death to his first son, and the heirs male of the body of such son; and he failing, to the third, fourth, fifth son, and all and every his sons, lawfully begotten, successively in remainder.

He directs his brother Thomas "To have his son, Cæsar A. Rodney, brought up in the form of religion commonly called the Church of England, and educated liberally in classical learning, Natural and Moral Philosophy, and every other branch of literature that has a tendency to improve the understanding and polish the manners, as may reasonably be in America."

Should Thomas die in the minority of Cæsar A. Rodney, this direction is to be performed by his brother, William Rodney, and if he also should so die, the testator earnestly requests his respectable friend, George Read, of New Castle, to see that this part of his will be judiciously executed.

He nominates Thomas Rodney his executor.

His will was executed 20th January, 1784, in presence of Charles Ridgely, William Wolleston, and Edward Tilghman.

A codicil devising fifty acres of after-purchased land was executed 27th March, 1784.

This will and codicil were proved before Thomas Collins, Esq., 3d July, 1784, by virtue of a commission from Governor Van Dyke, to him directed, to take proof of said will and codicil; and they were proved in this unusual manner because, I conjecture, Thomas Rodney was the Register of Wills and Judge of Probate in and for Kent County, Delaware.

"DOVER, July 4th, 1778.

"DEAR SIR,—Mr. Read, one of the counsel for the State in the claim against the schooner 'Fortune,' says it will be absolutely necessary you should attend the Court of Admiralty, in order to declare your knowledge concerning said vessel, cargo, etc., and that a summons has issued for that purpose. This being the case, I make no doubt you will cheerfully attend, if able, though the ride may be ever so disagreeable. I am extremely sorry to put you to this trouble, as I well know you are generally in a bad state of health; but as your not coming will occasion a delay in the determination, to the great disadvantage of those

to whom the prize may be hereafter adjudged, I hope I shall stand excused in earnestly requesting your attendance.

"I am, sir, with my compliments to Mrs. Dagworthy, your most obedient, humble servant,

" CÆSAR RODNEY.

" GENERAL DAGWORTHY.

"P.S.—I have inclosed you an evening paper in which is a letter from General Washington, giving an account of a general engagement.* You see we have gained the field; I had it also by express. It seems we have killed and taken more than three hundred of the enemy; our loss is considerable. Besides this, the last accounts are about three thousand of the enemy have deserted."

The foregoing letter was kindly communicated to the author by the Honorable George B. Rodney, who (July, 1859) copied it from the original in the possession of Mrs. Waples, a granddaughter of General Dagworthy, of Georgetown, Sussex County, Delaware.

John Adams thus graphically describes the exterior of Cæsar Rodney:

"Cæsar Rodney is the oddest-looking man in the world; he is tall, thin, and slender as a reed, [and] pale; his face is not bigger than a large apple, yet there is sense, and fire, spirit, wit, and humor in his countenance. He made himself very merry with Ruggles and his pretended timidities and scruples at the [Stamp-]act Congress."†

H.

NOTICE OF THOMAS MCKEAN.

THE parents of this eminent statesman and jurist, William McKean and Letitia Finney, were Irish, and resided in Chester County, Pennsylvania, where he was born March 19th, 1734. He was educated by Dr. Allison, as were other of his distinguished contemporaries. After he had been competently instructed in the Latin and Greek languages, practical mathematics, moral philosophy, logic and rhetoric, he studied law with his kinsman, David Finney, at New Castle, Delaware, and learned its practice and theory together by his employment as clerk to the Prothonotary of the Court of Common Pleas, having his office there. At the end of two years after his removal to New Castle, the diligence, ability, and probity he displayed were rewarded by his appointment to be deputy-prothonotary and register for the probate of wills. During the period of two years he held these offices, as his principal dwelt in Sussex County, nearly one hundred miles from New Castle, he executed them,—a youth not aged twenty years. Before he was of age he was admitted to all the courts of the three lower counties on Delaware, and his practice in a few months was considerable. In 1756 he was ad-

* Battle of Monmouth, June 28th, 1778.

† Writings of John Adams (Diary), vol. ii. p. 360.

mitted to practice in Chester County and Philadelphia, and in 1757 in the Supreme Court of Pennsylvania. If his rapid advance in professional knowledge and practice awakened envy in unworthy contemporaries, it stimulated his ardor and his diligence. Appointed in 1758 clerk to the House of Assembly of Pennsylvania, he was re-elected till he declined this office. In 1762, in conjunction with Cæsar Rodney, by legislative appointment, he revised and printed the laws enacted during the next preceding ten years, in a manner satisfactory to the public;* and in this year made his début in political life, having been elected a member of the Assembly of Delaware for New Castle County.† The parties of this period were called the Court and Country, and their names show their characters. He belonged to the Country party, and was soon one of its leaders. He was appointed a trustee of the Loan Office for New Castle County,—in 1764 for four years, and again in 1768 and 1772. In 1765 he entered on the wider field on which he was to play so prominent a part, being elected one of the delegates from the “three lower counties on Delaware” to the Stamp-act Congress. He took a leading part in the memorable proceedings of that illustrious body, having been one of the committees appointed to examine and revise its minutes for publication, and to prepare an “Address” to the House of Commons of England. Besides a declaration of rights and grievances and address to the king, the Stamp-act Congress prepared petitions to both houses of Parliament, but several of its timid members, among them its president, refused to sign them. With these recusants McKean expostulated with his characteristic ability and warmth, but in vain. One of them, Robert Ogden, of New Jersey, was burnt in effigy, while McKean and his colleague, Cæsar Rodney, were thanked for their faithful and able discharge of their duties by the Assembly of Delaware, upon reporting the proceedings of the Stamp-act Congress to that body. He was appointed in 1765 sole notary-public for New Castle County, and a justice of the peace and clerk of the Court of Common Pleas and Quarter Sessions and Orphans’ Court. He concurred with his brethren of those courts in the order to their officers to use in their proceedings *unstamped* paper, being the first of the courts in the colonies to do so. He was licensed to practice, in 1766, in all the New Jersey courts. In 1769 he was appointed to procure in New York copies of all papers concerning real property in Delaware, and these copies were declared of authority equal to their originals. In 1771 he was appointed Collector of New Castle and Speaker of the House of Representatives.‡

The stamp-act was repealed, but the right at the same time asserted that Parliament could in all cases pass laws binding the colonies. It was soon followed by the act imposing duties upon tea, paper, glass, etc.; and the evident intent to test the right thus claimed to tax the colonists without their consent arrayed them in opposition to this tyrannous attempt. Mr. McKean was chosen a member of the Congress which met at Philadelphia, September 5th, 1774, having taken a decided and active part in the measures preliminary to the election of that body.

* Biography of the Signers of the Declaration of Independence, vol. iv. pp. 1-3.

† “And re-elected for seventeen years, till he declined serving longer.”—*Biography*, vol. iv. p. 3.

‡ Biography of the Signers of the Declaration of Independence, vol. iv. pp. 3-10.

As was true of no other who belonged to the Continental Congress, he was a member of that august assembly, without intermission, until the preliminary treaty was signed acknowledging the independence of the United States. He removed to Philadelphia in 1774, and resided there till his death. Versed not only in the theory of politics, but in the details of public business, his services in Congress were most valuable, for he was ready and able in debate, and diligent in the business of committees, on many of the most important of which he served, particularly that committee appointed to report articles of confederation between the colonies, which he ratified on behalf of the State of Delaware, February 22d, 1779. When the vote of Congress in committee of the whole was taken on the Declaration of Independence, Mr. McKean voted for and Mr. Read against it; not that the latter was opposed to this great measure, but thought it premature, the people, and especially many of his own constituents, not being ripe for it. Mr. McKean, by despatching an express at his own expense to Cæsar Rodney, secured his attendance on the 4th of July, 1776, when the Declaration was reported from the committee of the whole, and so decided the vote of Delaware in favor of it. The omission of his name in the printed journals of Congress from among the signers to the Declaration of Independence, though there is no evidence extant that it was by designed injustice to him, but accidental, he with characteristic warmth took much to heart, as defrauding him of a well-deserved honor. He signed the Declaration, as did Mr. Read, who gave it as sincere and earnest support as his colleagues. He had previously been a member of a convention of Pennsylvania which (June, 1776) declared willingness to concur with Congress in declaring independence, and with Dr. Franklin made known to Congress their resolution to this effect. He was chosen, July 5th, 1776, Chairman of the Committee of Safety of Pennsylvania. At this time he was also colonel of a regiment of militia (called Associates) of Philadelphia, at the head of which he marched into New Jersey, to join the "flying camp" of ten thousand men in New Jersey. During his service, though not in battle,—for none occurred,—he was exposed to peril, particularly in an affair at Perth Amboy, July 25th, 1776, in which he showed commendable courage. He served a short time with the "flying camp," and returned to his more appropriate place in Congress. In the autumn of 1776 he was a member of the convention that framed the first constitution of Delaware, and of the committee which reported the draft of it,—adopted with some amendments. In 1777 Mr. McKean was appointed Chief Justice of Pennsylvania; and upon the capture of President McKinley, after the battle of Brandywine, being Speaker of the House of Delegates of Delaware, he assumed the vice-presidency of that State, while Mr. Read (the vice-president) was journeying thither, circuitously, from Philadelphia, the direct road from thence being occupied by the British. Mr. McKean had his full share of the anxieties, troubles, and sacrifices of the public men of his day. "I was hunted," wrote he to John Adams, "like a fox, and envied by those who ought to have been my friends. Five times in a few months I was compelled to remove my family, and at last fixed them in a little log-house on the Susquehanna; but safety was not to be found there, and incursions of the Indians soon obliged them again to remove." He was commissioned (July 28th, 1777) Chief

Justice of Pennsylvania, being at the same time member of the House of Assembly of Delaware and its Speaker, and one of its delegates in the Continental Congress. In a letter to the Legislature of Delaware, December 25th, 1780, he complained of the impairment of his health and fortune by his necessarily great and unremitted attention to public affairs, and begged they would appoint as his colleagues in Congress men who would attend there during his absence on his circuits, and relieve him occasionally at other times. A resignation of some one or more of offices manifestly, in some degree at least, incompatible, was his obvious remedy; but if he saw no impropriety in his tenure of such offices, neither did most of the distinguished of his contemporaries, nor the people generally, then, nor till long after. While delegate in Congress, he did not in any year of his service receive the amount of his expenses, and in some years nothing; love of lucre was not therefore his motive for retaining his membership of Congress.*

He was elevated (July 10th, 1781) to the presidency of Congress, and held that station till his resignation of it, which took effect in November of that year, with the thanks of that body for his able and faithful discharge of his duties.

No man of marked character, ability, and zeal, as was Mr. McKean, could embark in public affairs, fill high offices, and discharge their duties, without taking the wind out of the sails of competitors, crossing their paths, and jostling them aside,—deciding claims to the dissatisfaction generally of one of the contestants and exposing delinquents. Such men were his enemies, with others, deceived by misrepresentations, or misled by party violence. His acceptance of the office of President of Congress, while Chief Justice of Pennsylvania, afforded plausible ground to assail him, which was seized eagerly. He was attacked and defended in the newspapers. It was truly alleged that the constitutional provision of Pennsylvania, inhibiting the holding of these offices by one person at the same time, was of no force in Delaware,—the delegate of which State he was; and many precedents of members of Congress who had been and were then judges were triumphantly cited. He was certainly justified by the opinion and practice then almost universal. These offices, however, were clearly incompatible. The holding of incompatible office is now, I believe, prohibited by the constitutions of all the States, and, in the absence of constitutional prohibition, the latitude our forefathers indulged in this matter would not be tolerated.†

He was well qualified for the office of chief justice by his power to reason, discriminate, and combine, his great learning and ready use of it, his courage, firmness, and inflexibility—but little accessible to pleadings for mercy; and so much the slave of party (as appears by the authority cited in the sequel of this sketch) as to lend more than once his juridical power to punish its enemies, and, still worse, his own. He would, I believe, in the darkest periods of our Revolution have fearlessly charged a jury against a prisoner indicted for treason, defying the power of the British monarch, and was never frightened from his duty by popular clamor. These positions are sustained by his charge in Carlisle's and Roberts's cases (*Biography of the Signers*, vol. iv. p. 25), and

* *Biography of the Signers of the Declaration of Independence*, vol. iv. pp. 10-22.

† *Ibid.*, vol. iv. p. 22-29.

by the Habeas Corpus case (*ibid.*, vol. iv. pp. 26, 27) and Chapman's case (1st Dallas, p.). And he did not shrink from asserting the supremacy of the civil over the military power (Hooper's case, *ibid.*, vol. iv. pp. 28, 29). The necessity for hanging Carlisle and Roberts is, I think, doubtful. It is true the issue of our contest with Britain was still uncertain. Philadelphia, where their treason had been committed, while occupied by General Howe, was recently recovered, and communications from spies there would be invited and rewarded, and they were especially dangerous in a city the seat of the national government; but, on the other hand, it was true that the Americans were in peaceable possession of the town, and the disaffected had either fled with the British when they evacuated it, or were scared into submission and silence, and therefore there was little probability that they would venture to plot treason or give information to the enemy. With plausibility, then, at least, it may be urged that the poor carpenter, Carlisle, and the equally obscure Roberts, might have been treated with clemency by the Chief Justice and President of Pennsylvania, without imperiling the public. A judge of the Supreme Court of Pennsylvania said, "Chief Justice McKean was a great man, and his merit as a lawyer and judge has not been sufficiently appreciated. His legal learning was profound and accurate, the lucidity of his explications and perspicuity of his language were perfect, and his dignified manner in charging a jury or delivering an opinion on a law argument unequalled. His comprehension of mind in taking notes embracing substance, without omitting anything material, was inimitable."*

Oswald, editor of the "Independent Gazetteer," having a case depending in Pennsylvania wherein he was defendant, printed in this paper an address to the people, appearing to be intended to defeat the just decision of this suit, by exciting public prejudice against the party who had instituted and the court that must try it. McKean fired up at this assault, and fined and imprisoned Oswald to the amount of ten pounds and for the period of one month, from the 15th day of July to the 15th day of August,—these explanatory words having not been entered in the record of the case. At the end of the legal month (twenty-eight days) Oswald claimed his discharge, which the sheriff, having heard the sentence as pronounced, denied, as did McKean when the matter was first brought before him, but, as soon as he saw the record, granted. Oswald (September 5th, 1785) alleged, by petition to the House of Assembly of Pennsylvania, that his imprisonment had been unlawfully extended, and that he had been illegally sentenced, and prayed for the impeachment of McKean and his colleagues. Earnest and protracted debates ensued, Fitzsimmons, Clymer, and the eminent lawyer Lewis defending the assailed judges, and Findley, with others, vehemently maintaining that their sentence of Oswald for a constructive and implied contempt, not committed in the presence of the court, or against its officers or order, but for writing and publishing an improper and indecent article concerning them and a case in their court, was a violation of the constitution and a dangerous precedent. The result was a resolution that, after full investigation of the charges and evidence brought to sustain them, there was no just ground to impeach the accused judges. A

* Biography of the Signers of the Declaration of Independence, vol. iv. pp. 29, 30.

resolution also was defeated asking the next Legislature to define contempts and prescribe their punishment, on the ground that this legislation would be nugatory, because the Supreme Court derived its power to declare what was contempt and to punish it from an authority paramount to the Legislature—the Constitution. Thus was sanctioned the sound doctrine that courts can punish for contempt,—“essential, truly,” said McKean, “to the very existence of courts, and without which they would be contemptible, and so ancient that there is no period when it was not held.”*

McKean was elected to the convention of the State of Pennsylvania which met November 20th, 1787, to consider the constitution proposed for the United States, and took a prominent part in advocating the ratification it received by this body, emphatically declaring it “the best the world has yet seen.” He had carefully noted the proceedings of the illustrious assembly who framed the Constitution of the United States, and was ever hopeful that success would crown their labors; and, though then a citizen of Pennsylvania, advocated the equal vote claimed by the smaller States to protect them from their powerful sisters, as he had done, with much ability, in the congresses of 1765 and 1774.†

The framers of the Constitution of Pennsylvania, adopted in 1776, if judged by their work, were mere tyros in politics. It provided a single legislature, a plural executive, a judiciary with a seven years’ tenure of office, and the puerile device of a council of censors, to take cognizance of breaches of the Constitution by the Legislature, and with no more power than to recommend the repeal of unconstitutional laws. Reflecting men could not be blind to such blemishes as these, nor insensible to the duty of removing them. Unhappily party spirit, which had been in Pennsylvania, from the earliest period of her history, more violent than elsewhere in the North American colonies,‡ was unabated, and was soon manifested with increased virulence in the party who defended the Constitution and called themselves Constitutionalist, and their opponents, who assumed a more attractive name,—that of Republicans. Fierce was the strife between these parties, and Chief Justice McKean could not descend (as unhappily for his fame he did) from his judicial seat to lead in the onslaughts of one of them without spots on his ermine. The Constitution, it was urged, wanted checks and balances and a due distribution of power, and it was replied that none but aristocrats and federalists would see this imaginary defect in such a perfect exemplar of polity. To the council of censors, soon to meet, belonged, it was contended, the power to call a convention; but it was replied that the representation therein was unequal, the counties with different populations having each two members in this body, and a two-thirds vote necessary unlikely to be given, and its members (a puerile objection) under oath to maintain the government existing. The Legislature enacted that a convention should be called and an election held for its members, of whom the most prominent were McKean, Mifflin,

* Biography of the Signers of the Declaration of Independence, vol. iv. pp. 31–34.

† *Ibid.*, pp. 35–37.

‡ Probably from the difficulties in administering government, caused by the peculiar Quaker tenets and the selfish attempts of the proprietaries to exempt their lands from a fair show of taxation.

and Wilson, Constitutionalists, and Snyder, Findley, and Smiley, Republicans,—the former having a small majority. A new constitution was the result (A.D. 1790), better than the one it superseded, because it provided a senate, the life-tenure of judges in the superior courts, and discarded the executive council, a clog to an efficient executive, or a cloak to an incompetent or faithless chief magistrate, while it gave the governor a qualified veto.* McKean was chairman of "the committee of the whole" of the convention which considered the amendments proposed to the constitution, and therefore excluded from the prominent share he would otherwise have taken in the discussions they called forth. It should be remembered to his honor that he was author of the provision in the new constitution for the gratuitous education of the poor.†

The enthusiasm of the American people for France, at the commencement of her revolution, was natural, but it soon became so extravagant as to disturb the tranquillity of the United States and endanger the peace happily subsisting between them and other nations. In imitation of French Jacobins, societies, named democratic, were organized throughout the States, and hence the French party derived the name of "Democrats," who, defeated in their insane purpose of so committing their government to the support of the Jacobins as to involve it in war with England, by the wise policy of Washington were now fast arraying themselves in opposition to his administration. McKean saw they would be the dominant party in Pennsylvania, and with Governor Mifflin, they having more popularity and influence than any beside them, he determined, like the vicar of Bray, to be always with the winning side, declared himself a Democrat, and thus Mifflin's re-election as governor was gained.‡

McKean and Ross were appointed by Pennsylvania commissioners to attempt, in conjunction with those appointed by the United States, to pacify the counties disturbed by the whiskey insurrectionists, but they were unsuccessful. At Carlisle, as they returned, they required persons guilty of acts of sedition to enter recognizance to be of good behavior, and scarcely had turned their backs on this village, as it then was, when they were burned in effigy. Perhaps the Chief Justice was consoled under this outrage by the hope that it might be his province to try and sentence the perpetrators of this insult to his dignity,—if so, I am sure full justice would have been meted to them, perhaps untempered by mercy.§

I cannot better narrate McKean's history in the closing period of his chief-justiceship, and through some of the nine years he filled the office of governor, than by grouping from the volumes of a recent historian the following paragraphs:

"While the newly-appointed American envoys [to France, A.D. 1797] were preparing to depart, Monroe, the recalled minister [with implied censure], arrived in Philadelphia. The opposition received him with open arms, and he was entertained at a public dinner, at which

* Hildreth's History of the United States (2d Series), vol. i. pp. 231-237.

† Biography of the Signers of the Declaration of Independence, vol. iv. p. 40.

‡ Hildreth's History of the United States, vol. i. pp. 231-237. *Ibid.*, p. 425.

§ *Ibid.*, pp. 505, 511.

McKean presided, and Jefferson, the Vice-President, with a large number of both Houses of Congress, including Dayton, Speaker of the House of Representatives, were present. In the warmth of applause and approval McKean's speech of welcome to Monroe fell little short of the eulogies of Merliu and Barras, models he seemed desirous to imitate.*

"Yrujo, the Spanish minister, following in the wake of France, had warmly remonstrated against Jay's treaty, as unfair towards Spain and inconsistent with the treaty of the United States with her. Cobbett, in his gazette, inveighed against the subserviency of Spain to France,—to her king to the infidel despots of Paris, to his minister to French agents in the United States. Yrujo [he described as] half don, half sans-culotte. Talleyrand complained of the newspaper attacks on France, and Yrujo, of those on Spain, and the Attorney-General of the United States was directed to lay the matter before the Grand Jury of the Federal Court, and Cobbett was bound over by Judge Peters to appear at the next term [of this court]. Yrujo, however, preferred bringing this matter before the Pennsylvania courts, not only as a more speedy process, but because he relied more on the justice or favor of the State-bench. McKean, whose daughter Yrujo shortly after married, had not escaped Cobbett's shafts. Not willing to risk a civil suit for damages, or even an indictment, McKean resorted to a contrivance founded on some old English precedents, of doubtful legality, sustained by a decision of the Court of Appeals four years after, but nowhere else recognized by any court of law, and tacitly set aside by Chief Justice Tilghman five or six years afterwards. This was the contrivance: he issued his warrant, in which Cobbett was charged generally with libelling McKean, Mifflin, Dallas, Jefferson, Monroe, Gallatin, and others, on which Cobbett was not only bound over to appear at the next criminal court, but required to give security to keep the peace and be of good behavior in the mean time. He then commenced collecting everything published in Cobbett's gazette liable to be charged as libellous, with a view, because of the same, to have his recognizance declared forfeited,—which was done. He then took up Yrujo's case warmly, and issued a second warrant, charging Cobbett with having published infamous libels against the Spanish king, his minister, and the Spanish nation, tending to alienate their regard from the United States, to inspire hatred of her, and to excite to war. To the grand jury, soon after assembled, he gave a remarkable charge, almost exclusively devoted to the subject of libels; like all his judicial performances,—for as a lawyer he had few equals,—very able. Strange to say, to the licentiousness of the press he then so truly described and eloquently denounced till now he was insensible, although it had been vomiting forth libels for several years against Washington, Hamilton, and other eminent leaders, and the British nation and government; but then, when a paper had been established to retort these libels on the Democrats by publishing disagreeable and scandalous truths against their leaders, the Democratic chief justice, by an illegal stretch of power, was straining every nerve to induce the grand jury to indict Cobbett for libels,—not against McKean himself, charged with being engaged in constant brawls with his wife, to such extent that blows were given and returned, and with being so ha-

* Hildreth's History of the United States (2d Series), vol. ii. p. 97.

bitual drunkard* that, according to a memorial signed by most of the members of the Philadelphia bar, person and property were not safe in Pennsylvania after dinner,—not for a libel against Mifflin, charged with being an insolvent debtor and debauchee, nor for a libel against Dallas, Monroe, Barney, and other Democrats held up, in various ways, to contempt and ridicule, but for a libel against the Spanish king and his minister, Yrujo; but all these charges against McKean, Mifflin, and the other Democrats [mentioned] had too much foundation in fact, easily proved, to make prosecution expedient. It was remarkable that McKean should manifest such tenderness for the characters of Barras, Merlin, the Spanish king, and Yrujo, when he had been unmoved by the lavish abuse of Washington, Hamilton, and other eminent Federalists.†

“Mifflin’s administration was chiefly controlled by Dallas, his secretary, and Chief Justice McKean; and to continue their power, McKean was brought forward [A.D., 1799] as Republican candidate, and defeated Ross, who was nominated by the Federalists.‡

“Knowing how conservative McKean was in most of his opinions, the Federalists hoped that, being elected, he would abate somewhat of the vehemence he manifested as a candidate; but in his replies to the congratulatory addresses of his partisans he stigmatized all who had opposed him as enemies to the principles of the American Revolution, foreign emissaries, or Federal expectants of office, and as soon as he was inducted into office made a vigorous use of his power of removal and appointment. Mifflin had appointed chiefly officers his companions in the Revolutionary war: these were generally Federalists, and supported Ross, and were removed by McKean, who filled their places with his own partisans.”§

While I lament, I ought not to conceal or attempt to palliate the blot on McKean’s fame that he inaugurated in Pennsylvania the mean, mercenary, and corrupting principle, “*that to the victors belong the spoils,*” which has since too much governed in our party contests. His proscription of Federal office-holders was wide, ruthless, and unrelenting. Writing to Jefferson, 10th January, 1801, he regrets “only that he did not remove ten or eleven more, because it is imprudent to foster spies and put daggers in the hands of assassins.” Not content with this proscription, which had spread dismay and ruin through the ranks of the vanquished Federalists, he used, with apparent alacrity, his great influence with President Jefferson to extend it to Delaware. In a letter to him, 20th July, 1801, avowedly as the agent of Democrats in this State, he writes, “The anti-Republicans, even those in office, are as hostile as ever, though not so insolent. To overcome them they must be shaven, for in their offices (like Samson’s hair locks) their great strength lieth: their disposition for mischief will remain, but the power of doing it will be gone.” He wrote to John Dickinson, June 23d, 1800, “I have never had greater employment for body and mind than

* It is improbable that a habitual drunkard could have lived, as McKean did, to over his eighty-third year.

† Hildreth’s History of the United States (2d series), vol. ii. pp. 162–173.

‡ Hildreth’s History of the United States, vol. ii. pp. 313, 314, 360, 361.

§ Biography of the Signers, vol. iv. p. 45. Ibid., p. 42.

for the last six months. I have waded through a sea of troubles, and have surmounted my principal difficulties; I have been obliged, though no Hercules, to cleanse the Augean stable [such he deemed Pennsylvania as long as there were Federal office-holders within her boundaries] with little or no aid, for I have been my own minister and amanuensis. A governor of Pennsylvania has more duty to perform than the President of the United States, or any [other] governor in the Union." During his long public career he never turned his back to an enemy or shrunk from any labor. The writer of "McKean's Life," in volume iv. of the Biographies of the Signers of the Declaration, having (p. 42) well asserted his duty to expose the defects of his subject without being turned aside by respect for national or family feeling, further most truly remarks: "Patriotism could have had no part in loading with reproach and detruding from office upright and (according to their views) honest politicians of a particular party, as unworthy to share the honors or eat the bread of their country. When parties conquer, are the possessions of the vanquished power, however honestly acquired and honorably maintained, to be parcelled out, in the true spirit of the feudal system, among the champions of their leaders? No sophistry can justify acts by which helpless families are reduced to indigence and expelled from their homes, not because of the infidelity of their heads to their official trusts, but because they held not the political principles of the new party in power."—*Ibid.*, p. 43.*

In January, 1800, Governor McKean delivered his inaugural address to the Pennsylvania Legislature, to which this body responded, approving its opinions, but coupling with it what he considered a reprimand of the proscriptive style of his replies to congratulatory addresses upon his election and upon his system of removals from office. "Never patient of reproof, he made a long and caustic reply, marked by the usual ability of his writings, denying their right to intermeddle in the form of an address with these matters."† This occurrence, to those who knew the man, foreshadowed a stormy term of office as before him, and that he would be more disturbed by the disgust and disloyalty of the Democrats, provoked by his intractables, than by the hatred of the Federalists.

In 1803 Thomas McKean was re-elected Governor of Pennsylvania. The ascendancy of the Democrats was soon endangered by the schemes of ambitious and restless men, who pushed the theories of their party to extremes, destructive of good government, which he was too wise to approve, and, disapproving, too honest to further. Dictation was tried, to which he never submitted. Lawyers were especially obnoxious to

* It was plausibly urged, in defence of his proscription of his political enemies, that to have retained in office, at the commencement of his administration, men who, during the preceding contest, had been violent and intemperate in their opposition to him and his friends and their principles, would have made the easy and efficient working of the State government difficult to be accomplished, and have manifested disregard and contempt for the will of the people, clearly indicated that these incumbents should give place to persons who would co-operate in maintaining the true doctrines of the Democratic party. Further, it is stated that upon the subsidence of intense political excitement, he conferred offices, especially high judicial ones, without respect to party.

† Hildreth's History of the United States (2d Series), vol. ii. pp. 361, 362.

these ultra Democrats, "who thought if they could get rid of trials by jury they would also be rid of lawyers, and therefore passed an act substituting referees for jury trials, and prohibiting the employment of counsel in reference cases. This act McKean vetoed, and another, extending the jurisdiction of justices of the peace, which they passed over him. The quarrel soon rose to a great height, and he was violently assailed by his late ally, Duane, aided by Leib."* The breach between these quondam friends went on widening. "The fury of the 'Aurora' and ultra Democrats on the acquittal of several of the Pennsylvania judges, who had been impeached in 1805, knew no bounds. They started immediately the project of remodelling the Constitution. This was opposed by the more moderate Democrats, including the approvers of McKean's vetoes and the enemies of Duane and Leib. The moderate Democrats took the name of 'Constitutionalists,' and organized a 'Constitutional Society,' and the other section of the Democrats a club, called the 'Friends of the People.' The Federalists looked on and enjoyed the strife. The ultra Democrats nominated Snyder for governor, and the friends of the Constitution, McKean. He was stigmatized as a demagogue, ready to make display to obtain preferment, of the most Republican zeal, being all the while, by education, sentiment, and habit, an overbearing aristocrat, who, having obtained office first and re-election to it, had always treated the Democratic Legislature with sullenness and virulence and disrespect, and had finally attempted, with Federal aid, to set up a third party. He and his friends now felt the biting lash of the 'Aurora.' The Federalists generally supported McKean, and he was elected [for the third time] governor by five thousand majority, † and turned out of office the more vehement Democrats, as he had turned out the Federalists, and commenced a number of libel suits. The ultra Democrats, at the fall election in 1806, recovered their ascendancy, and proposed to impeach McKean, but referred decisive action to the next Assembly."

Early in 1807 petitions from the city and county of Philadelphia were sent to the Legislature, praying an inquiry into the conduct of Governor McKean. They were referred to a committee, who reported that he had avoided a late election of sheriff in Philadelphia; had usurped judicial authority by issuing a warrant for the arrest of one Joseph Cabrera, and interfered illegally and unconstitutionally in favor of a convicted forger; that illegally he appointed Dr. Buchanan physician to the Lazaretto, and superseded Reynolds, a member of the Board of Health, and unconstitutionally suffered his name to be stamped on blank patents; and did offer and authorize to be made overtures to discontinue two actions of the State against William Duane, for the forfeiture of two recognizances of one thousand dollars each, on condition that he would discontinue civil suits against his son, Joseph B. McKean, and others, for a homicidal assault by them upon Duane. After dilating upon these accusations, as showing tyranny and corruption dangerous to the people, in terms so embittered as to point to disappointed politicians as having prompted them, this committee recommend that

* Hildreth's History of the United States, vol. ii. pp. 514, 515.

† Ibid., pp. 564, 666.

Thomas McKean, Governor of the Commonwealth, be impeached of high crimes and misdemeanors. The friends of McKean pressed the consideration of this resolution, and on the 27th of January, 1808, it was taken up and indefinitely postponed, though only by three votes. On the 28th of this month he sent, by his secretary, his reply to the charges made against him, which he was obliged to do, inasmuch as the House having with justice and independence, of which he was sensible, refused to impeach him, he could not defend himself before a competent tribunal. "He reviewed the charges with his usual ability, admitting the sixth, but denying the inference of any corrupt partiality or any misbehavior under any of the proposed articles of impeachment. He began with the solemn declaration that no act of his public or private life had been prompted by malice, love of power, or desire of wealth, whatever might have been his errors of judgment; and no doubt he was honest in this assertion, such is the power of self-deception with men of his temperament."* This replication contains a masterly disquisition upon many of the powers and duties of the executive, which has borne scrutiny, and is a useful guide on the questions and others similar to those of which it treats.†

In 1808 Thomas McKean completed the third term of his service in the office of Governor of Pennsylvania, and retired from public life. Three years after he wrote to John Adams: "I have shaken hands with the world, and we have said farewell to each other. The toys and rattles of childhood would, in a few years more, be as suitable to me as offices, honors, or wealth; but (thank God) my faculties of mind are yet little, if any, impaired, and my affections and friendships remain unshaken. Since my exemption from official and professional duties I have enjoyed a tranquillity never (during a long-protracted life) heretofore experienced, and my health and comforts are sufficient for a moderate man." But he left the retirement, his happiness in which was the well-deserved reward of his services to his country, to give his last manifestation of his undying love for her. The menaced attack upon Washington, in 1814, aroused the people of Philadelphia to a proper sense of the necessity of defence against the enemy, who might soon assail her. There was a great assemblage of the citizens of Philadelphia, August 26th, in the State-House square, to determine upon the measures necessary for the protection of their altars and their hearths. McKean was requested to be present, and when he entered that square, where the Declaration of Independence he had so eloquently and boldly advocated and sustained with such unwavering zeal was proclaimed, he was received not with acclamation, but with respect and reverence too heartfelt for such expression of them. He was called unanimously to the chair, and in a brief speech, with all the dignity, and somewhat, at least, of the eloquence with which he stirred the hearts of the men of Seventy-six, the venerable man set forth the peril which was so imminent, and urged the prompt adoption of measures to meet it. In the report of the proceedings of this meeting there is this graphic account of them: "There was no parade of devotion to the country, and no long speeches, for Governor McKean said 'this was not a time for

* Hildreth's History of the United States, vol. iii. pp. 676, 678.

† Biography of the Signers of the Declaration of Independence, vol. iv. p. 53.

speaking but acting;’ no declarations of oblivion of the past, for Governor McKean said ‘we have nothing to do with the past, we must only think of the present;’ and there was no recommendation to suppress party contentions, for Governor McKean said ‘there were but two parties—our country and its invaders.’”*

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 On the 17th day of June, 1817, he died in the eighty-fourth year of his age. His grave is in the cemetery of the First Presbyterian Church of Philadelphia, to which he belonged. He was tall, erect, and dignified, and his face expressive of ability, courage, and fortitude, which were his characteristics. His first wife was a daughter of Joseph Borden, of New Jersey, and his second Miss Armitage, of New Castle, in the State of Delaware. By the first wife he had six, and by the second eleven, children. *eleven in all,* *five*

* Biography of the Signers of the Declaration of Independence, vol. iv. pp. 56-58.

CHAPTER V.

Gloomy state of affairs (1779)—British make the Southern States the seat of war—Report of committee of Delaware General Assembly on the Articles of Confederation—Mr. Read author of it and of act authorizing Delaware delegates to ratify these articles—Resigns his seat in the General Assembly of Delaware—Letter of James Read—Policy of France and Spain—Mr. Read member of Delaware Legislative Council, 1780—Summary of events, 1780-81—Letters of Messrs. Read, Dickinson, and Bassett—Gift of State constitutions from J. Dickinson to Mr. Read—Letters of Mr. S. Wharton and Mrs. Thomas Read to Mr. Read—Letter of Mr. Dickinson—Mr. Read appointed Judge of Court of Appeals in admiralty cases—Letter of Mr. Boudinot, and his reply on this occasion—Subserviency to Pennsylvania in the appointment of Delaware delegates to Congress falsely charged in 1782—State of public affairs—Letter of Gunning Bedford announcing treaty of peace—Letters of Mr. Read and Mr. Dickinson—"Letter of credit" to Nathan Thomas—Act of Delaware Legislature for "calling in, paying, and destroying certain bills of credit," and protest of Messrs. Bassett and Read against a provision thereof—Death of the Rev. William Thomson—Inconvenience from the "letter of credit" to N. Thomas; which continued—Mr. Read re-elected to the Legislative Council of Delaware—Sends his youngest son to Princeton College—His letter to President Witherspoon—Oppressed with business—Letter to J. Dickinson—State of public affairs (1786)—Letters of C. Thomson and Mr. Read—His letter to President Van Dyke, and his reply and comments on it—Letter of Mr. Read to C. Thomson, and of J. Dickinson to Mr. Read—Remarks on state of public affairs—Mr. Read elected Commissioner to Commercial Convention proposed to meet at Annapolis—Resolves of Congress as to Court of Appeals, and letter of C. Thomson in relation to them—Letter of J. Dickinson as to journey to Annapolis; remarks thereon—Letters of Cyrus Griffin and James Read—Commissioners meet at Annapolis; result—Mr. Read's letter to C. Thomson as to conflict of his duties to attend "Court of Appeals" and General Assembly of Delaware, both meeting in November, 1786—Letters of Messrs. Read and Dickinson—Appendix "A," authority to Delaware delegates to ratify the Articles of Confederation—Appendix "B," account of "Court of Appeals in admiralty cases"—Appendix "C," state of polls at election in New Castle County, 1786—Appendix "D," commission of Delaware delegates to convention at Annapolis—Appendix "E," notice of Thomas Collins—Appendix "F"—notice of Dr. Witherspoon.

EARLY in 1779 General Washington wrote to one of his friends, "I have seen without despondency, even for a moment, the hours which America has styled her gloomy ones, but I have beheld no day since the commencement of hostilities when I have thought her liberties in such imminent danger as at present." For this apprehension there was too much ground. The treaty of alliance with France, received with exultation, as securing independence, it now seemed, was to make all past toils and sacrifices for this great end unavailing by one of its results,—the general persuasion that it rendered further exertions of America in the war

with Great Britain unnecessary. In consequence of this mistaken opinion, universal apathy prevailed. In vain individuals and States were urged to the sacrifices and efforts essential to success,—the empty treasury of the Confederacy was not replenished, and, when the season of active operations in the field had almost commenced, the States, called upon months before by Congress for their quotas of troops, had yet to adopt measures for raising them. Thirst for office and greed of gain, impelling men to reckless and ruinous speculation, prevailed to a great extent, and Congress, torn by dissensions originated by mutual criminations of some of her diplomatic agents, had ceased to command universal reverence and confidence, as in happier antecedent periods, and it did not deserve them, the ablest and most patriotic of its members having withdrawn from its halls to the service of the State or to private life. The depreciated bills of the States and of Congress were hourly becoming more depreciated, and this was a mighty evil. That the enemy, lately ready to abandon the contest as hopeless, should, under the circumstances, be emboldened to persevere in it, was to be expected. It was determined by the British ministry to make the Southern States the seat of war; disaffection prevailed in parts of them to such an extent as to awaken the hope that they could be subjugated, and, if conquered, should Britain be compelled to acknowledge the independence of the middle and northern colonies, she might still retain the richer southern ones, or at any rate obtain better terms by surrendering them for equivalents. Retaining the city of New York and the adjacent isles, with Rhode Island,—his troops being in number sixteen or seventeen thousand,—Sir Henry Clinton sent forth detachments from his army to ravage vulnerable parts of Virginia and Connecticut, while General Washington, with an inferior force, could only protect the country east and west of the Hudson from spoliation, and especially the passes of the Highlands from being seized by the British, wisely preserving his army, in positions impregnable, for co-operation with the troops of his Most Christian Majesty, soon to be welcomed to their shores.

Mr. Read was among the able and patriotic men whose absence from the Continental Congress Washington deplored, but still he was a member of the Council of Delaware.

On the 2d of February, 1779, Thomas McKean laid before Congress sundry resolutions relative to the Articles of Confederation and Perpetual Union adopted by the Council of Delaware, in the preceding month of January, and concurred in by the House of Assembly previously to the passage of a law empowering their delegates in Congress to sign and ratify them.* Mr. Read, one of the committee appointed to take these articles into consideration, wrote these resolutions and the report of this committee, which I offer to my readers as a specimen of his style, and the able opinion of a sound lawyer upon a subject of great interest.

“The committee to whom were referred the Articles of Confederation proposed by Congress for a Union of the States of America, do report thereupon as follows:

“That, having duly considered the said articles, they generally approve of the same, but that there are particular parts of the eighth and ninth articles liable to just and strong objections, and, should they continue unaltered, will, in the opinion of your committee, prove prejudicial in their effects, not only to this State, but to the general confederacy.

“That part of the eighth article objected to, and disapproved by your committee, is the manner prescribed for the supply of a common treasury by the several States, to wit: ‘in proportion to the value of land within each State *granted to or surveyed* for any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States, in congress assembled, shall from time to time direct and appoint.’ Such valuation, in any mode we can suppose to produce equality, appears to your committee an impracticable thing; but if not, it will be attended with so great expense of money and time, and that to be frequently repeated, from the sudden alterations in the value of such property, that your committee think the establishing the proportion of each State by the number of its inhabitants, of every age, sex, and quality, would prove a more equal and less expensive mode of ascertaining such proportion.

* Congress (February 23d, 1779) ordered these resolutions to be filed, with the protest that they should not by so ordering be understood as admitting the claims therein set up.—*Journal of Congress*, vol. v. pp. 49, 50.

“Your committee also consider the confining such valuation to the granted or surveyed lands as inequitable, as they conceive the lands not yet granted have a value, and, if so, they ought to contribute *pro rata* towards the discharge of the great debt created by the States, under their past united efforts in the protection of that species of property, in common with others, unless all the ungranted land shall be considered as jointly belonging to the United States, as conquered at the common expense of blood and treasure, and which your committee consider they ought to be, on every principle of justice and sound policy, and that joint right expressed in the articles in as clear and precise terms as that ‘the bills of credit emitted, money borrowed, and debts contracted, by or under the authority of Congress, shall be deemed and considered as a charge against the United States.’ But this joint right, your committee apprehend, may hereafter be said to be resigned to each State wherein such lands lie, by certain parts of and expressions in the ninth article, disapproved of by your committee, to wit: by the words ‘provided, also, that no State shall be deprived of territory for the benefit of the United States,’ at the latter end of the second section; and those words in the fourth section, which prescribe the powers of Congress, viz.: ‘regulating the trade and managing all the affairs with the Indians not members of any of the States, provided that the legislative right of any State, *within its own limits*, shall not be infringed or violated.’

“From the vague and extravagant descriptions of some of the States, in the first grants or charters for government, their claims for western limits have been to the Southern Ocean, including countries partially possessed by the kings of France and Spain. The provisional expressions in the article above mentioned, your committee apprehend, may and will be insisted to mean an admission of the extent of their respective limits westward to the said sea, and that all the ungranted land within those limits is *State territory*, and solely in the disposition of the States claiming those limits, though heretofore considered as belonging to the crown of Great Britain, and occasionally granted, with reservation of rents, to a great amount. Such admission, your committee apprehend, ought not to be, for that it will appropriate that to individual States which hath been or

may be acquired by the arms of the States general, and will furnish such individual State with a fund of wealth and strength which may prompt them to subdue their neighbors, and eventually destroy the fabric we are now raising. To prevent which consequences, your committee are of opinion that not only the joint right in the ungranted land should be expressed, as before mentioned, but that a moderate extent of limits beyond the present settlements in each of these States should be provided for in the said articles.

“Your committee also object to and disapprove of the whole of the second section of the ninth article aforesaid, as destroying and taking away the legal jurisdiction of the courts of law established within this State for determining controversies concerning private rights to lands within the same, without fixing, with precision, another jurisdiction for the purpose.”

Mr. Read also drafted the act of Assembly which authorized the delegates of Delaware to ratify the Articles of Confederation.*

C. Clay, a merchant, writes to Mr. Read as follows from

“PHILADELPHIA, March 24th, 1779.

“SIR,—Agreeable to your request, I have inquired the rate of exchange between this city and London, which I believe is from fourteen to fifteen hundred per cent., though I am not sufficiently informed to fix it precisely. Bills on France can be had at nine hundred; indeed, exchange is generally governed by the price of specie, which, I am told, has been sold at eleven or twelve for one.

“Your very obedient servant,

“C. CLAY.”

In a letter from Philadelphia (26th May, 1779) to Mr. Read from his brother James, he states: “We have been in a great bustle here yesterday at what they call a *Town Meeting*, for the declared purpose of lowering the prices of goods. It was exceedingly disorderly; many people were taken to jail and remain there. How this will end I cannot say.” And June 19th, 1779, he informs Mr. Read

* See Appendix A.

“that the town meetings and committees, who told us they would lower the price of goods and raise the credit of money, have made bad worse, and are ashamed of having exposed their weakness; and that, by a newspaper publication, the wise men of Wilmington have undertaken the same business.”

James Read (23d March, 1779) informs Mr. Read that “Vattel’s Law of Nations” would readily bring four hundred dollars, and one volume of “Gibbon” forty dollars. July 13th, 1779, acknowledges the receipt of one thousand dollars for a mare; and 21st of October of that year informs him that at a prize sale he bid as high as fifty-five pounds for a ream of indifferent writing paper, but did not get it, because it went up to seventy-five pounds. Mr. Read (11th March, 1780) sends his brother James twelve hundred dollars, to make ordinary purchases for his family, and is informed that cassimere is three hundred, and jean and habit cloth sixty, dollars per yard. How could this be? The dollars were paper dollars, and depreciation of currency, one of the greatest of national calamities, had fallen like a blight upon our forefathers,—part of the price they paid for independence.

Mr. Read no doubt read with sorrow the letter below from his brother James, of the 7th of August, 1779. It shows that at this time Philadelphia was brought to a state bordering upon anarchy by the parties who disturbed and disgraced it by their insane violence :

“DEAR BROTHER,—I had your favor of the 5th inst., by Mr. Tatlow, for which I thank you, and have only to observe that though I may be considered as moving in the very centre of politics, yet I am quite ignorant of the present system. I cannot help remarking that we have no government, and, I was [almost] going to say, no laws, for every man who takes a club in his hand to town meetings (which, by-the-by, have been very frequent of late) undertakes to be governor: and our executive powers submit very patiently to their new masters. Where it will end I know not, but must say that, great as my dislike to the Constitution* may be, it is much greater to the present mob

* Of Pennsylvania, then recently established.

government. I am led to these reflections by the late transactions in this city, where everything has been riot for some time past; but these are our *little politics*, which I quit to congratulate you on the important news from the West Indies, which has doubtless reached you, and I think may be relied on, that the British fleet are totally disabled, and that the French ride triumphant in the West Indian seas, which I think must have great consequences in our favor; and as peace is our great object, I flatter myself we shall have it shortly, upon such terms as will insure liberty and independence to our country. I must refer you to our brother Thomas for the news of the day. All send love to you and family and all friends.

“I remain your affectionate brother,

“JAMES READ.”

On the 18th of August, 1779, Mr. Read was compelled by ill health to decline serving longer in the Legislature of Delaware. In his address on this occasion to the freeholders of New Castle County, he observed “that he had served them in their General Assembly for the twelve preceding years without any solicitation on his part,” and that “he was in earnest in declining, and did not wish to be courted to continue in their service, having no sinister ends to answer by this step, which had been suspected to have been the case of some who had given notice of the like kind heretofore.”

Spain, jealous of the maritime superiority of England, anxious to recover territories she had been forced to yield to her, to avenge what, not without reason, she deemed piratical attacks upon her colonies and commerce, neither forgotten nor forgiven, though long submitted to, and especially to expel heretic foreigners from that celebrated fortress on her own soil which they had so long held, to her shame and humiliation,—rejoiced at the disputes between her hated rival and her North American colonies, and was ready to foment them, but not without misgivings and fears of effects that might endanger her dominion over her own dependencies. Hence her first effort was to effect by her mediation between the belligerents, which she offered, the independence of the North American colonies, without a formal acknowledgment of it, restricted to the

Alleghany as their western limit, and excluded from the fisheries,* and thus dwarfed not formidable. She proposed to England (France having accepted her offered mediation) a truce of three years and a congress of ambassadors of the belligerents (those of the United States, as an independent nation, included) at Madrid, to agree upon the conditions of a treaty of peace between them; but her attempts to persuade the American Congress to yield to the hard terms she proposed, as the condition of her aid, and instruct their ministers to this proposed congress accordingly, failed. There were protracted negotiations upon this proposition, England evading an explicit reply to it, and covertly endeavoring, as Spain complained, to treat separately with France and the United States. The cabinet of St. James was at last compelled to an explicit answer: the offered mediation was rejected, and it was declared the United States would under no circumstances be acknowledged by England as independent. Spain at once ended this diplomatic farce (as this negotiation became before its close) by a declaration that she would seek redress of her wrongs by arms, and England issued letters of marque against Spanish ships and subjects. The people and government of Spain, I believe, never sympathized with the Americans, nor did his Most Christian Majesty nor his cabinet, while their cause was heartily espoused by all classes of men in Paris and the chief towns of France, by many of the nobility, and the officers of her navy and army, especially the younger of them, eager, as was to be expected from the chivalric spirit of their nation, to draw their swords for a noble people perilling all they held valuable to defend their liberty. If a prophet had whispered to the cabinets of Versailles and Madrid, "With your aid the Anglo-Americans will triumph, but in no long time after they take place among the nations, stimulated by their success, Frenchmen, rising in might irresistible, will bury in one common ruin their monarchy, their aristocracy, and their church, and the South American subjects of Spain throw off her iron yoke," not a livre nor a real would have been loaned or given, a ship equipped, nor

* We cannot but smile at the fatuity of their statesmen, who hoped to avert evils to France and Spain they saw to be probable, but not in their magnitude, by a few strokes of the pens of their diplomatists.

a soldier embarked to aid the "thirteen colonies;" and if, this aid withheld, their subjugation had followed, still their independence and the revolutions of France and the colonies of Spain would have only been delayed: misgovernment would have continued to sow, as it had done for centuries, the seeds of revolution in France, and each year, as it passed over decrepit Spain, would have left her more imbecile than before, while commerce would more and more break through the restrictions she imposed upon trade and intercourse with foreigners, which, by occluding knowledge and improvement, maintained her despotic rule over regions the fairest and most fertile of the earth; and the "thirteen colonies" would have retained their knowledge, their courage, their energy, their enterprise, and their unconquerable love of liberty, with a vast field for expansion.

Notable events in 1779 were the unsuccessful attack of D'Estaing and Lincoln upon Savannah, Sullivan's successful inroad upon the territory of the Six Nations of Indians, and the brilliant surprises of Stony Point and Powles Hook.* At the close of this year Washington withdrew his army from the field, establishing their winter quarters near Morristown, in New Jersey, disheartened indeed by the gloomy prospects in the Southern States, but still confident that success would at last reward the toils and sacrifices of his countrymen for independence.

No part of Mr. Read's correspondence and papers of the years 1780 and 1781 has come into my hands of importance, except a writ summoning him to attend the Legislature of Delaware, in 1780 (from which it appears he was a member of this body in that year), and the following letter of General Dickinson:

"PHILADELPHIA, 27th April, 1781.

"DEAR SIR,—I am much obliged to you for your friendly information.

"Will not the recommendation of Congress be complied with by your Legislature? Unless it is there will be an end to all confidence between man and man, and justice totally excluded from this western world. Why did your *wise Legislature* discriminate between former contracts made in

* Diary of the American Revolution, vol. ii. p. 209.

specie and those made in their *current money* of equal value? I detest your retrospective laws,—they are full of injustice and oppression.

“Pray endeavor, at your next sessions, to rectify your past errors,—compel debtors, at least, to pay their interest annually in *specie*, or the value thereof, and secure debts, according to their real value, when contracted. This you may do since the late recommendation of Congress, and it is your duty.

“Mr. Morris, I make no doubt, will accept the Superintendence of Finance, as Congress have made *advances*.

“It is believed the enemy intend a movement in your bay. If a French fleet is actually expected, which the knowing ones say is the case, I think they will not venture; General Washington is of opinion they will. Accounts from Europe [are] favorable: England cannot form alliances, Russia continues firm, and Holland is acting with spirit.

“The town, at present, is totally engaged with Mr. M——’s trial,—when it will end God knows.

“My compliments to Mrs. Read. And believe me, dear sir,

“Yours, very sincerely,

“PHILÉMON DICKINSON.

“GEORGE READ, Esquire.”

The winter of 1780 was intensely cold, and the American army was subjected to the greatest privations, which were borne with admirable patience: they were half clothed, ill fed, and, at times, on the verge of famine, the commissaries being without money and credit. With his army in this condition, Washington could not avail himself of the favorable opportunity afforded, by the rivers and inlets of the ocean being bridged with ice, to attack New York. Charleston surrendered to Sir Henry Clinton, 12th May, 1780. The defence of this city was ill judged, and the consequence of its loss the apparent submission of South Carolina to the royal authority; but it was only apparent. The British commander-in-chief soon by proclamation required her inhabitants to take the oath of allegiance to their king, and render all service, military and civil, of good subjects. Then the South Carolinians, who had flattered themselves

with the hope that neutrality would have been permitted to them, learned that they must array themselves under the flag of their country or the banner of England; and it was soon evident which would be their choice. In March the Maryland and Delaware lines were ordered to South Carolina, under the command of De Kalb, and two hundred South Carolinians, who had retired to North Carolina and Virginia, were emboldened by the prospect of this succor, and of aid from Virginia, to return, under Colonel Sumpter, and carry on a guerilla warfare, and their example was followed in other parts of the State. De Kalb was encamped, 12th July, with about thirteen hundred soldiers, at Buffalo Ford, on Deep River, North Carolina, where he was joined by General Gates, appointed to command the Southern army, with the belief that "the conqueror of Burgoyne would be the savior of the Southern States." From this point, by a road through a barren country, injudiciously preferred to one through a region that would have afforded supplies, though longer, he marched his troops, who suffered much, to Clermont, in South Carolina, having been joined by the North Carolina troops, under Caswell, and the Virginia militia, under Stevens. Lord Cornwallis was posted at Camden, his effective force being about two thousand men; Gates determined to advance to a favorable position, about seven miles from that town, and on his march, soon after two A.M., was encountered by Cornwallis, who, by a strange coincidence, at the hour Gates moved from Clermont had marched to attack him there. The battle which ensued terminated disastrously to the Americans, who were totally defeated, with great loss. Among the wounded and prisoners was the gallant De Kalb, who, though kindly treated, died soon after his capture,—having received eleven wounds,—expressing, with his dying breath, his gratitude to his Continental soldiers for keeping their ground, even when deserted by the militia, and his admiration of their courage, particularly that of the Delaware regiment. Gloom again enveloped the Southern States, where all seemed lost.

General Washington still remained with the American army at Morristown, struggling against difficulties to which ordinary patriotism would have succumbed. The sufferings of the soldiers were now so great there was reason for

fear they no longer could bear them.* The radical defect in the administration of affairs was the substitution of the State for the national system. Before soldiers could be raised for a campaign, or provisions provided to feed, or money to pay them, requisition must be made upon thirteen legislatures, independent of each other, and they pass the necessary laws to meet them, and it was vain to expect from thirteen heads the unity, promptitude, and vigor of one. Congress should have been clothed with power to raise an adequate army for the war, and funds necessary for its prosecution, in gold and silver, by taxation. This body met the evils, which menaced ruin, by resolves that the army should no longer be supplied by purchases of commissaries, but the States should furnish provisions, forage, and spirituous liquors, upon requisitions of Congress, specifying the articles to be supplied at places convenient; accounts to be opened with the several States and kept; the articles furnished to be estimated in specie, and final settlements and payments of balances due, in Spanish dollars, promised. As soon as this new scheme was broached, Washington saw and forcibly presented its defects. Of the States, part might comply, others partially, and others not at all; and there was the further provision that the States consenting to furnish their quotas might prohibit all purchases by Continental officers, of provisions and forage, within their jurisdictions,—it followed, if they did so, and failed to send forward their promised quotas, the army might be starving and Congress without power to relieve it. In 1779 Congress resolved that the issue of Continental bills should not exceed two hundred millions of dollars. This amount was reached, and some new financial measure must be devised; it was this: the States were required to raise fifteen millions of dollars by taxation, and, in payment of this tax, Continental bills were made receivable at the rate of forty paper dollars for one of silver, and in lieu of these bills, which were to be destroyed, and new ones were to be issued at the rate of one for every twenty of them.

* Not long before officers had applied to Washington for the coarse clothing of the common soldiers to replace their worn-out garments, and he could not furnish it; and the pay of a major-general—so much were Continental bills depreciated—was less than the wages of an express rider, and the subaltern's pay would not buy him his shoes.

While these measures, which were experiments, were debated by thirteen legislatures, and their laws to give them effect were tardily passed, months elapsed, the military chest remained empty, and the commander-in-chief looked in vain for the promised recruits. The discontent of the army attained a fearful height, and at last broke out, in two regiments of the Connecticut line, in open mutiny, which was, by strenuous efforts of their officers, quelled. Previously the rations, never more than six days in advance, failed entirely, and the commissaries reported that they had neither money nor credit. Nothing remained to Washington, unless he left his soldiers to starve, or disperse in quest of food, but to procure it himself by impressment. Before this last resort, he called upon the magistrates of New Jersey to furnish him the needed supplies, and, to the honor of this State, exhausted by having been so often the seat of war, his appeal to her patriotism was not in vain. Supplies were promptly furnished by her citizens. British emissaries had reported to General Knyphausen disaffection in the American army and discontent in New Jersey so extensive that he flattered himself if he marched his army there promptly, her citizens would promptly acknowledge the royal government and the soldiers of Washington desert their country's banner; and accordingly, June 6th, he landed at Elizabethtown Point with five thousand men, and moved towards Springfield. Never was man more deceived than the German commander. The New Jersey militia turned out, upon the order of their governor, without delay, and, with parties of Continental troops, advanced for that purpose, annoyed the British, behaving with great courage. General Washington had posted his army advantageously in the rear of Springfield, and there awaited the enemy's attack; who, disappointed in their expectations, after tarnishing the honor of their country by laying waste the beautiful and highly-cultivated Connecticut farms, withdrew to Elizabethtown Point, and there awaited Sir Henry Clinton, who reinforced them, June 18th, with his troops from South Carolina, and took the command. His object was the destruction of the stores at Morristown, and of the American army, which he hoped might risk a battle to protect them. Having command of the water, he could choose his point of attack and move with great celerity to

it, while Washington could meet his attack, wherever made, by occupying such a position as to be able to advance in time to the point assailed. His doubt whether Morristown or West Point was Clinton's object was removed by his marching, June 23d, upon the former. He was encountered, with great gallantry, by advanced parties of the Continentals, under Green, detached with two thousand men to cover Springfield, the militia acting with them with alacrity and courage, while Green occupied a strong position near Springfield, to cover it. The British, by very great superiority of numbers, forced the American detachments, who disputed the ground with them as they advanced, to fall back upon Green, and he, being so numerically inferior, could not quit the heights he held; they therefore took possession of Springfield, and, adding another to their atrocious acts in Jersey, burnt it, and then retreated and passed to Staten Island, their commander having received intelligence of the promised succors from France, and unwilling, it was supposed, on that account, to risk the weakening of his army by the losses probable upon further operations. Lafayette, so deservedly admired and loved by every American, had, in 1779, on leave of absence from Congress, revisited France. There his reception was enthusiastic, for our cause was warmly espoused by his countrymen of all ranks, and the chivalrous character of his services in America had awakened the admiration of the generous, martial, and high-spirited Frenchmen. He was indefatigable in advocating our cause with the French government; and such was his success that he returned in the spring of 1780 to the United States with the assurance that he would be speedily followed by a powerful French army and fleet. The effect was electrical upon the drowsy, divided, and hesitating Congress and State legislatures; it was felt that the moment was come, and must be improved, to terminate successfully the war for independence, and measures were adopted by both suited to that end. In July, the French fleet, commanded by De Ternay, with the first division of the promised army, under Rochambeau, arrived at Newport, Rhode Island. General Washington soon met the French general and admiral at Hartford, Connecticut, to arrange a joint attack of the French and American forces upon the city of New York, which he had resolved on, upon the

arrival of the second division of the French fleet and army. But while anxious eyes were strained to catch the first glimpse of this second division, whose advent was to give that naval superiority upon which future operations depended, the nation was astonished by the announcement of the treason of one of the bravest, most trusted, and popular of their generals. Such were the occurrences which defeated Arnold's dark plot, when almost consummated, that they were ascribed to Providence, even by men little disposed to admit divine interposition in human affairs. With the facts of this notable event all are familiar. Indignation and scorn are still our emotions when the traitor's name meets our eyes, with sorrow for the fate of the young, the brave, the accomplished, and amiable André, and we still entertain with deep interest the question was he justly sentenced and executed or not, because it involves the fame of Washington.

Impartial men, even in England, have long ago, I believe, admitted, while they deplored, the justice of this sentence and the necessity for its execution. Washington's equanimity was not disturbed by the bad logic and poor verses of British writers, who denounced him as unjust in confirming André's sentence, and as cruel in refusing him a soldier's death. Could his contemporaries have viewed André's case as dispassionately as men now view it, a monument would not, I think, have been decreed him in that august temple where the most illustrious men of England sleep the sleep that knows no waking.

The expected French fleet and troops (the second division) failed to arrive, and the contemplated attack upon New York was in consequence abandoned, and the campaign in the northern part of the United States terminated without further active operations. The armed neutrality and the declaration of war by England against Holland were remarkable events of 1780 abroad, which increased the hopes of the Americans that their cause would triumph: while Congress at last adopted two resolutions, long and vainly recommended by General Washington with overwhelming force of argument—the one for the enlistment of the army for the war, and the other promising half pay to those officers who should serve till its termination. Bitter experience had opened the eyes of Congress to the evils of that system upon which the war was hitherto conducted, and to which they clung with marvellous obstinacy.

The British ministry and nation commenced the year 1781 with the expectation that it was to be a year of brilliant triumphs of their armies in America, to be crowned by the restoration of the royal government,—at least in the Southern colonies. There had been ignorance of the true state of affairs in America. Successes had been overmagnified, and the results of defeats underrated; but from the capture of Charleston and submission of South Carolina the conclusion was not rash nor unreasonable that the rebellion was almost extinguished in that colony and the territories adjacent to it. Hope, almost extinct, was revived in the disheartened Whigs by the defeat of the Loyalists in October, 1780, at King's Mountain, and was increased when Gates, before the year closed, was superseded by Green in the command of the Southern army. Manifesting at the outset of our Revolutionary war great military talent and fondness for the vocation of the soldier, under circumstances that could not have produced or fostered them, Green, like the great painter West, is one of many examples of natural aptitude for one profession or pursuit above all others. The subsequent campaign, in which he displayed so much genius, was a winter one, in a country sparsely inhabited, devastated by civil war, intersected by numerous rivers and streams, broad and deep, and sometimes rapid, over roads always bad, and sometimes impassable, his supplies—never abundant—obtained with difficulty, his regulars a handful, his militia brave, but with all the defects of that class of troops, and opposed to him a general of ability, vigor, and enterprise. The reader of the history of this campaign is surprised at the smallness of the contending armies. The English army was small because the delusive expectation was still entertained that the royalists were the majority, and that America would be conquered by Americans. The Whigs were elated by the brilliant success of Morgan at the Cowpens over Tarleton, whose cruelty was, unhappily for his fame, as conspicuous as his ability and bravery. Then succeeded those marches and manœuvres of the contending generals, in which they showed themselves worthy to command. Green endeavored to cover the theatre of operations as far as possible from the enemy, to rouse and encourage his countrymen, and to avoid fighting at disadvantage. But in March (the 15th day), emboldened by the increase of his

force, and aware that the militia—the chief part of it—could not be long retained, having been called out for short periods, Green sought the enemy and gave him battle at Guilford, and was defeated, the British, inferior in numbers, having been indebted for their success to the superiority of their disciplined over Green's undisciplined soldiers, the major portion of his army. The British behaved with great bravery, and the Continental soldiers emulated and equalled them. Cornwallis kept the field, but his victory was barren of advantage, while his loss of men was great and could not be repaired. So far from being able to follow up his success, he was unable to maintain his position, and forced to retreat to Wilmington, in North Carolina. Against that post, where the British vessels of war and army could co-operate, Green could not operate with any hope of success, and sagaciously and boldly he changed the seat of war to South Carolina. If Cornwallis followed him, he must abandon North Carolina to the Whigs; and if he did not, South Carolina and Georgia would be recovered by the American arms. Cornwallis determined to march into Virginia and unite his troops with the British army, which had landed in that State, under the traitor Arnold, and was commanded by General Phillips. Then succeeded the campaign in Virginia, in which, notwithstanding the skill and enterprise of Cornwallis, the "boy" Lafayette outmanœuvred and eluded him. Washington, convinced that he would not be sufficiently reinforced in season to execute his long-formed and cherished plan of attacking New York, determined to close the war, as he hoped, by the combined movement of the American and French armies against Lord Cornwallis. Having succeeded in deceiving Clinton into the belief that New York was his object, until it was too late for him to reinforce Cornwallis, Washington invested York by sea and land, in September, and it was surrendered, 19th day of October, 1781. General Green had in the mean time been carrying on operations in South Carolina against the British army, which was under the command of Lord Rawdon, until he was compelled by ill health to relinquish it to Lieutenant-Colonel Stewart. The extent of country occupied by the British exposed them to attacks at many points, and Green kept them in alarm by his activity. He lost the battle of Hobkirk Hill, was forced to raise the siege

of "Ninety-Six," and gained the victory of Eutaw; and very soon afterwards the British confined themselves to the sea-coast, as if in despair of conquering the interior country. General Green's conduct of the campaign in the Southern States was above all praise, for the seat of war when he entered it was a conquered territory, its inhabitants, as Whigs and Tories, almost equally divided, and his Continental troops, never over two thousand in number, were many of them raw and undisciplined; yet such was his judgment, courage, and enterprise that he recovered the Southern States.

With the surrender of the British army at Yorktown the contest by arms was terminated, though the war nominally continued. The year I am entering upon was one of negotiation, but not without peril to America, from the selfish intrigues of France and Spain to limit the concessions England was willing to make, both as to the boundaries and fisheries. Mr. Read was again resident with his family in New Castle, with a large and increasing practice as a lawyer, to which he did not, however, give his undivided attention, for he was still a member of the General Assembly of Delaware.

He wrote to his friend Mr. Dickinson as follows from

"NEW CASTLE, March 10th, 1782.

"SIR,—I was truly sorry to be informed of your late indisposition, by your favor of the 1st inst. I did not see Colonel Pope on his return from you, but shall use every opportunity to press a collection of the taxes, to enable him to comply with the contract for the armed vessel. What may be expected I will not venture to conjecture. If a few of the leading characters in our several counties were endued with but a moderate share of public spirit, they might aid government much, but a listlessness of conduct prevails too much among them. Time and example may amend the defect.

"You hint the want of a secretary, whom you ought and must have constantly attendant upon you. The time has now come when it is in your power to fix this appointment as you think fit. For my own part, I have it not in idea but that a person filling an office merely ministerial should so arrange that he may be ready at all seasonable times to

perform the duties thereof. President McKinley, when he appointed the present secretary, did add the collector's office to the appointment, the perquisites of which were not, and are not, by any means sufficient alone to induce any one fit or worthy of the trust to perform the duties of it. The Legislature have never taken up this business as they ought to have done, though heretofore privately complained of by President Rodney; but it ought to be done the first opportunity, and probably would upon your representation and a vacancy of the appointment. Your secretary delivered your 'address' to the members of Assembly of this county, respecting the militia, to every of whom I transmitted a copy, and I have shown the original to such officers as I have since seen.

"Mr. Sykes, the bearer of this, says he waits upon you in expectation of a reappointment to the offices he has held in Kent, and has more than once heretofore wished me to further his pretensions. My answer has been that it was a point of delicacy, and that each man's recommendation ought to be his fitness and ability, and that with respect to him, from your long knowledge you were a competent judge of both; and having said thus much as to a business which at all times past I have carefully avoided interfering in, I must beg your excuse. I suppose my early acquaintance with him, and some share of intimacy in consequence thereof, has induced him to press this upon me. I believe it is true that the offices for the past term have produced little or no profit, from the circumstances of times.

"I shall have a pleasure in knowing that you are perfectly restored to your health. I hope you will have it in your power, with convenience to Mrs. Dickinson and Miss Sally, to bring them on the intended tour to this place in the course of this month: our supreme courts begin on the second Tuesday in the next. Mrs. Read and our two Misses present their compliments, and I am, with much respect and esteem,

"Your obedient servant,

"GEORGE READ.

"His Excellency JOHN DICKINSON."

Mr. Dickinson thus wrote :

“ May 15th, 1782.

“ DEAR SIR,—I should be glad to know on what day you intend to set off from New Castle for the General Assembly. I expect to be timely enough if I call upon you on the last day of this month, or even the 2d of the next. Mrs. Dickinson and Sally present their affectionate compliments to you, Mrs. Read, and the family. Please to present mine too.

“ I am, dear sir, your very affectionate

“ JOHN DICKINSON.

“ GEORGE READ, Esquire.”

The letter next inserted is unimportant, but brings Mr. Read before the reader, as he was at this time in the extensive practice of the law, and exhibits fairness, frankness, and comity, which no doubt Mr. Read reciprocated, and which then characterized, and I am happy to believe still characterize, gentlemen of the legal profession. Mr. Bassett, the writer of this letter, was a member of the United States Senate, as were his son-in-law, James A. Bayard, and two of the sons of that eminent statesman and lawyer, and now (1870) his grandson, the Hon. T. F. Bayard. I am not aware that any other family has furnished so many members of this body.

“ SIR,—I have had neither time nor opportunity since I received yours of the 27th of April to give you an answer, but hope the delay will occasion you no uneasiness or trouble. With respect to the cause of Campbell and Edwards, in your court, I must acknowledge your past indulgence and favor. At the time I engaged in that cause I then expected to have attended your court regularly, otherwise should not have been concerned; but time and circumstances have determined otherwise. My client still contends for the equitable circumstances heretofore mentioned to you; therefore, as it is out of my power to attend your court at this term (being obliged to attend Caroline Court, adjourned for the purpose of clearing their docket), should be glad your client would agree to a reference of the cause. I have no objection that Mr. George Ward, who is witness in the cause on the part of the plaintiff, should be one of the referees; and if the circumstances turn out as mentioned

in your letter, no doubt the report must be in favor of your client. It would seem to me your client, if he means fairly, cannot object to this proposal. It is not my wish or desire to delay this business, but if Mr. Campbell will not consent to the above proposal, and you can consistently agree that upon the general issue, with leave being entered on the docket, I may inquire into the consideration of the bond, please to have it so entered when you go over your docket, and you may rely on it, if life and health permit, you shall have a hearing at August, or judgment; otherwise, in order to do my client justice, from his own story, I shall be under the necessity of filing a bill in chancery, as heretofore observed, which I most sincerely wish to avoid. Having thus said, I must leave the matter with you, to do or not do as to you shall seem meet and right. We have had no court of common pleas here to do business, on account of the small-pox in Dover. My client, Mr. Pearce, was up yesterday. I informed him of your state[ment] of the case. He says your client has misinformed you, which he is able to make out by indubitable testimony. I proposed to him a reference; to which he answered he would be perfectly satisfied to leave it to any gentlemen in or near the Cross-Roads that were disinterested. Therefore, sir, if you please, if any opportunity offers, give your client this information shortly, and if he is willing, let him so inform me, and I will get Mr. Pearce to come up again and put an end to this business at once. I informed Mr. Tilghman, agreeably to your letter, respecting the cause of Allix's Lessee *vs.* Haines and Foreman, and should have removed it if the court had set to do business. The court stands adjourned to the 22d of July next, at which time, unless your orders are countermanded, I shall not fail to remove it. My compliments to Mrs. Read and family.

"I am, sir, your humble servant,

"RICHARD BASSETT.

"May 16th, 1782."

Mr. Read considered it expedient that his son George*

* An eminent member of the Delaware bar and first U. S. Attorney of the District of Delaware, appointed by Washington, and which office he held till the Presidency of James Monroe, when he resigned it and was succeeded by his son, distinguished as a lawyer and speaker.

should study the law in Philadelphia, and desired to place him in the family and office of James Wilson, a signer of the Declaration of Independence and Judge of the Supreme Court of the United States, and requested that he might be so received. Mr. Wilson communicated his decision upon Mr. Read's request as follows :

“DEAR SIR,—I have been favored with your letter by your son. Mrs. Wilson and I feel a strong inclination to gratify you by receiving him as one of the family; but we have been so often obliged to refuse pressing instances of this kind that we cannot, with any degree of propriety, comply with your request. If your son can find it convenient to lodge in any other place, I will with pleasure receive him into my office, though I have lately declined some applications of the same nature. The fee is one hundred guineas.

“Mrs. Wilson has been so much indisposed since your son came to town that she has not had the pleasure of seeing him. She begs her best compliments to Mrs. Read. Please to add mine.

“I am, with much esteem, dear sir, your obedient, humble servant,

“JAMES WILSON.

“PHILADELPHIA, 7th May, 1782.”

President Dickinson wrote again to Mr. Read as follows, upon the subject, principally, of the meeting of the Legislature of Delaware, about which he was anxious :

“DEAR SIR,—I have written to the Secretary to make out commissions to Mr. Kollock for the two offices he now holds.

“I am informed that there is some apprehension that the General Assembly will not meet, on account of the small-pox being in Dover. I shall be very sorry if this happens to be the case, and therefore I send a letter by Mr. Kollock to the Speaker of the House of Assembly, desiring them to meet, if it is only to adjourn to some more convenient place, as the present situation of public affairs absolutely requires a session. I shall be obliged to you if you will please to favor me with your opinion respecting my power to convene the Legislature after the time to which they stand ad-

journed, and at a place different from that to which they stood last adjourned, if there should be a failure of meeting at such time and place. Please to inform me, too, if any law of the State has touched upon this subject. I should suppose, in the case stated, and the public welfare requiring a meeting, it might be proper, at least on an application from a majority of each House, to call the Legislature together.

“I am exceedingly happy to inform you that the news by which we have been lately distressed, of the French fleet being defeated by the British, is so directly and authentically contradicted that the first intelligence is utterly discredited here. I believe you may depend upon it that our enemies were as much hurt as our friends, and that the latter are proceeding in their enterprise against Jamaica, which will probably fall into their hands.

“We have advices, which are thought credible, that the island of Providence has submitted,—the fortifications and houses destroyed, and all the inhabitants removed.

“There is some reason to think that a squadron of six line-of-battle ships and some frigates of our good ally will soon be on our coast.

“Mrs. Dickinson and Sally present their affectionate compliments to your family. Be pleased to add mine.

“I am, sir, your sincere friend and very humble servant.
“JOHN DICKINSON.

“May 24th, 1782.

“Captain Barry is arrived in the Alliance, at New London. The Marquis de Lafayette is coming in a vessel that will protect him from the whole force in our bay.

“GEORGE READ, Esquire.”

The report of the defeat of De Grasse, mentioned by Mr. Dickinson in his foregoing letter, was premature, and the indecisive battle of which authentic intelligence had arrived, was that of April 9th. De Grasse, however, before the date of Mr. Dickinson’s letter, had been defeated totally by Rodney, April 12th, and it seems, as has often happened, the coming disaster cast its shadow before.

Mr. Dickinson again wrote to Mr. Read upon the chief subject of his last letter:

“May 31st, 1782.

“DEAR SIR,—I am much obliged to you for your letter by Mr. Carman. I entreat you to use all your influence to procure a meeting as soon as possible, at Dover, if the members only come together for five minutes, for making an adjournment to some other place. A session is more necessary than I can express.

“I am engaged here in business of importance to the State, and shall wait till I receive intelligence, which I beg you to assist in conveying to me, that the Houses are met or will certainly meet at a particular day.

“I am, sir, your most affectionate, humble servant,

“JOHN DICKINSON.

“GEORGE READ, Esquire.”

The delinquencies of the sheriffs of New Castle County, mentioned in the following letter of Mr. Read, may have been produced by the embarrassed condition of business, from the depreciated currency and other causes :

“NEW CASTLE, 17th September, 1782.

“SIR,—I received yours, inclosing two bonds of Mr. Norris’s upon which execution had been issued,—that of Duff’s to John Thompson, then sheriff, to whom I delivered a state[ment] of principal and interest, with a request of a speedy settlement thereof,—this being at our last court,—I got no answer since. The other, of See’s, had issued to John Clark, since dead, and for the settlement of this business there is none other than his administrators, a widow and brother, very incapable thereof. I applied to the undersheriff who was then in office, who, upon inquiry, since says that See had sold his effects and was moving off; but, meeting some of the purchasers who had not paid him, he gave them notice of the late sheriff’s claim on the goods; he knows not what it may produce. I have a number of executions yet unsettled with Sheriff’s Duff, who went out of office in 1772; Thompson, in 1775; Clark, in 1779; and the present Smith, whose time ends at the ensuing election; and I have found it hitherto impracticable to get anything done. I will do what I can on the part of Mr. Norris, but I suspect it will not be speedily accomplished.

“I think you told me once that you could procure me a

‘Collection of the Several Systems or Forms of Government adopted by the American States’ I believe Congress had them printed and bound. (I take the liberty of reminding you of this.)*

“Miss Jones and my daughter beg their compliments to your lady and Miss Sally. Mrs. Read will present her own in the course of this week, as she sets out from hence this day, with Parson Thompson, of Maryland, for Philadelphia. And I am, with much esteem and respect, your most obedient servant,

“GEORGE READ.

“His Excellency JOHN DICKINSON,
“President of the Delaware State.”

The cloud which rested, for a time, on the able vindicator of American rights in the celebrated “Farmers’ Letters,” was now lifted, to the surprise and mortification of his enemies, and the joy of his friends. Mr. Wharton, in communicating, and Mr. Read, in receiving, by the following letter, intelligence of John Dickinson’s election to the supreme magistracy of Pennsylvania, shared this joy, and probably felt it more than others, because their friendship for him, and of each of them all for the others, through their youth, manhood, and old age was unusually strong and warm, as is shown by their correspondence.

“PHILADELPHIA, November 10th, 1782.

“DEAR SIR,—By Mr. Grantham I send you a bundle of newspapers, besides what is contained in this letter. By those of the later date you will perceive the alarm sounded, through these vehicles of abuse, against our old friend. But, to the keen mortification of the opposing party, he was elected President and General Ewing Vice-President,—a worthy and intimate friend of Mr. Dickinson,—versus General Potter.

* I have in my possession a small volume of 226 pages, entitled “The Constitutions of the Several Independent States of America, the Declaration of Independence, the Articles of Confederation between the said States, and the Treaties between his Most Christian Majesty and the United States of America. Published by order of Congress. Philadelphia: printed by Francis Bailey, in Market Street. 1781.” On the title-page of this volume is written, “John Dickinson to his friend George Read, Esquire.”

I never have known so general a joy diffused among all ranks of the people as was exhibited on this choice of our early associate. The procession from the State [House] to the Court-house was very numerous and respectable, and there the people manifested their felicity by affectionate and repeated acclamations. The gentlemen who opposed Mr. Dickinson are low-spirited, and are afraid something effectual will be done to establish his reputation and that of the present Assembly. Your former neighbor was deep in the politics [of this opposition], but has a certain versatility about him that accommodates [him] to the powers in being. He asked your other old friend to accompany him, after the procession was over, to Mr. D——'s, for the purpose of congratulating him [on his election], etc.; and crowds of other citizens are daily doing the same. What will be done by the State of Delaware in respect of their President I am ignorant of, but he tells me we shall see in the next newspapers what he said to the Assembly here in relation to this matter.*

“Congress has ordered Captain Asgill to be liberated.† This was done in consequence of letters from General Washington, by which it was obvious this was his wish, and from a letter he received from Count de Vergennes, expressing an earnest desire from the king and queen of France, who had been prevailed upon to intercede in behalf of Captain Asgill.

“The mother of this gentleman wrote to the Count de Vergennes one of the most pathetic letters I ever read. Although Congress has freed Asgill from his confinement, yet they have instructed the commander-in-chief to inform Sir Guy Carlton, in the most pointed terms, that they rely upon his promise of making strict inquisition after the *murderer* of Captain Huddy; and, in order to prevent all further applications to them from any persons, they have resolved that, in case the enemy shall commit any actions contrary to the law of nations, the commander-in-chief, or the general who may command in the Southern department, after retribution has been demanded by them or either of them,

* He was President of Delaware when elected to the Presidency of Pennsylvania.

† Writings of Washington, vol. viii. pp. 303-305, 361, 362.

and justice refused or delayed beyond the time limited in their requisition, shall have authority to execute retaliation. This will make the enemy very cautious in their future proceedings, and there will not be reliance, as heretofore, upon the various opinions of a large deliberative body.

“No news from Europe, since I wrote you last, except what you will find in the within papers, under the New York head, upon which we place no dependence. The siege of Gibraltar, and the expected conflict between the British and combined fleets, engrosses all our attention; if the event should be favorable to the two branches of the House of Bourbon, or the English should be much worsted in the East Indies, a general pacification will most probably take place next spring or summer. Count Rochambeau’s army (I mention this in confidence,—not to be repeated) will, we have reason to think, embark for the West Indies. As to South Carolina we can say nothing, as Congress has received no late letters from thence; but it is alleged that part of the garrison of Charleston has embarked, etc.—see the last newspaper. I have not yet received the law you wrote for; President Boudinot has again written to the printer for it. I wait for the index of 1779, which is not yet finished, otherwise I would send you a complete set of the Journals of Congress. Will you wait for the index, or shall I despatch the Journals without it? You can exchange the volume of 1779 for one, when it is printed, with the index. Mrs. Wharton is getting better; she and my children join me in affectionate regards to Mrs. Read, yourself, and children. Adieu.

“Yours, very sincerely,

“S. WHARTON.

“HONORABLE GEORGE READ, New Castle, Delaware.”

The writer of the graceful and sprightly letter which follows next was the wife of Captain Thomas Read, and widow of Mr. Field, of New Jersey; her daughter by him was the wife of the eminent lawyer and United States Senator from New Jersey, Richard Stockton. When a youth, at Princeton College, I received a good deal of notice from her, confined as she was, by the infirmities of age, to

her chamber in Mr. Stockton's house, where she resided. She was a lady of great intelligence, and an intimate friend of President Samuel Stanhope Smith.

"MY DEAR SIR,—After having been honored with your several favors, and distinguished by your friendly politeness, I blush at the idea of having so long neglected assuming my pen to acknowledge the receipt of them. I am fearful I have subjected myself, in your opinion, to the censure of insensibility and ingratitude, of which, I grant, you had too much reason to suspect me, though I hope they are both strangers to my heart. An habitual negligence, which I have indulged for some time past, and which has gained such an ascendancy over me as to be almost constitutional, is the poor excuse I have to offer for having till this day deferred assuring my dear Mr. Read that I feel myself impressed with sentiments of the highest respect and esteem for him, and that, great as my disappointment is in not seeing him and Mrs. Read in Philadelphia, I find my concern increased by the cause—your attachment to New Castle—as I am apprehensive this fondness will increase with your years, and destroy all hope of our seeing you here; but, be it as it may, you may depend my best wishes, however inefficacious they may be, will ever attend you. With my love to Mrs. Read, and your fireside, believe me to be, dear sir,

"Yours, with affection,
"M. READ.

"PHILADELPHIA, November 10th, 1782.

"GEORGE READ, Esquire."

Mr. Dickinson, resident in Philadelphia, though President of Delaware, commends to Mr. Read's good offices the French officer, bearer of his letter written from that city.

"November 22d, 1782.

"SIR,—This letter will be delivered to you by a gentleman who is called, I think, Mr. Colls. His post in the French army resembles that of quartermaster-general in our service. His business in the Delaware State is to make proper arrangements for the reception of the Duke de la Lauzune's Legion at Wilmington, where they are to winter.

“I beg leave to recommend the gentleman and the affair to you, sir, in the strongest sense, and hope he will receive from every person that assistance which, from every consideration, there must be pleasure in rendering.

“I am, with great esteem, sir, your most obedient and humble servant,

“JOHN DICKINSON.

“Honorable GEORGE READ, Esquire.”

The style of Mr. Dickinson's letters is felicitous,—always easy, elegant, and unstudied,—it is often graceful and sprightly. Judging him by his letters, he was earnest, very affectionate, and generous, but of nice sensibility, over-anxious, and sometimes timid.

Mr. S. Wharton wrote to Mr. Read as follows, from

“PHILADELPHIA, 17th November, 1782.

“DEAR SIR,—I wrote you a few days ago, but, as the Chief Justice is going to New Castle, it affords me an opportunity of conveying the latest public papers.

“News we have little that can be relied upon, except a person is come from General Green's camp, and says that the 10th of November was publicly fixed for the total evacuation of Charleston. Part of the stores, and some part of the garrison, and some of the inhabitants are sailed for St. Augustine. All the British, he asserts, are to go to New York, and the Hessians to Nova Scotia.

“It is said a vessel, arrived after a short passage from Jamaica, came to anchor at Sandy Hook, and the captain proceeded to New York. Immediately Sir Guy Carleton and Admiral Digby called a council of war, which lasted nine hours, and then the captain of the vessel returned to it, and she immediately sailed. Some say that she went to the British fleet cruising near Gardner's Island, with orders for it to proceed immediately to Jamaica, as the governor of that island was very apprehensive of an immediate attack from a large force of French and Spaniards. This, I apprehend, is all conjecture, for I think the French and Spaniards would not diminish their European fleet until the fate of Gibraltar was decided. Indeed, it is alleged, but, I believe, without any the least probability, that it had surrendered to the besiegers. It is also asserted, upon better

foundation, that Lord Howe had not departed from England, the 27th of September; if so, it affords some grounds to suppose that the garrison of Gibraltar could not long resist the very powerful attack of the French and Spanish army by sea and land.

“The settlers to the westward of the Alleghany Mountain have declared that the country within that space is independent of Pennsylvania, and they are fast settling the lands westward of the river Ohio. This important circumstance was communicated to Congress and the Government of Pennsylvania on Friday last, and the Council and Assembly of this State, and [they will] have a conference upon this intelligence to-morrow. Many, of both bodies, are of opinion that this State would be large enough if it was confined to the Alleghany Mountain, and it would be wisdom to acquiesce in the proposition of an independent State, if it was founded upon the admission of the rights of such as have just claim. Congress could now decide the measures of the new government; but, if the affair is neglected for any length of time, it will be as unmanageable as that of Vermont, which has been and will be fruitful of much vexation to the National Council.

“Our friend, the President of this State, is extremely desirous of having an interview with you, and therefore has desired me to write to you and know whether you would be so obliging as to give him a meeting at Chester, some day, in about a fortnight or a few days later, as he wishes much to talk to you upon some important matters. He proposes to stay only one night at Chester, and the next day to return, in order that you may not be detained longer than one night from your family. I must desire you to do me the favor of giving me an answer, by Mr. McKean, to this request, and that you would fix the day of meeting, and place, if any should be more agreeable to you than Chester,—somewhere not far from it,—in this State.

“My wife and children desire to be affectionately remembered to Mrs. Read, and your children.

“I am, most sincerely, your faithful friend,

“SAMUEL WHARTON.

“HONORABLE GEORGE READ, Esquire.”

In the midst of the engagements of his laborious profession, Mr. Read was startled, by the communication to him

in the letter below, of the wish of his friends in the Continental Congress to nominate him for a high judicial office, then vacant, and to be immediately filled by that body.

“PHILADELPHIA, 27th November, 1782.

“DEAR BROTHER, — Mr. Thomas Fitsimmons, who is in Congress from this State, informed me last evening that two judges in the Court of Appeals in admiralty cases are shortly to be appointed, and that, in conversations at which he had been present, you were mentioned by several members as one of the persons they would wish to have in that office; but as no gentleman could take the liberty of proposing you publicly without knowing that it would have your approbation, he desired I would acquaint you of the matter, and request that I might be authorized to deliver your sentiments respecting it. He said it seemed to be generally agreed that the Eastern States should furnish one of the judges, and the Middle States the other; and he had every reason to believe you would be adopted for the latter, if agreeable to you. He also bid me assure you that your name would not be committed without a moral certainty of being accepted. The salary is six hundred pounds per annum. and he said it would not require above six or eight weeks at most in the year to perform all the duties. There are three stated sessions annually,—viz., one at Hartford, Connecticut, and at this place, and one in Virginia; but it is very seldom there is business to occasion all these meetings. He said many members had expressed a strong desire that it might meet your approbation. I must confess I wish it, from motives that regard your health, which I believe would be much benefited by the exercise [holding this office] would occasion.

“I know of no news here at present. Mrs. Read is very anxious about our brother Thomas. We can have nothing concerning him on which any dependence ought to be placed since the account of his capture. My apprehensions are that he was taken by a frigate, bound either to the West Indies or Europe; in either of which cases it may be a considerable time before we hear from him.

“I remain your truly affectionate brother,

“JAMES READ.

“To GEORGE READ, Esquire.”

To this letter Mr. Read replied promptly, yet after the careful consideration of the question it presented, which the importance of its right decision to himself and his family demanded, and with his characteristic caution.

“NEW CASTLE, 28th November, 1782.

“DEAR JAMES,—I received yours of yesterday, mentioning Mr. T. Fitsimmons’s conversation with you on the vacancy in the Court of Appeals in admiralty cases, and his wish to know whether I approved of the proposition of him and some other members of Congress to put me in nomination to fill a vacancy there. I consider myself much obliged to that gentleman and those members of Congress for their favorable opinion of my integrity and abilities, so far as to suppose them equal to this discharge of such a trust, being conscious myself of a want in that species of law knowledge, presently, which might be immediately necessary to be exercised in case the proposed nomination should succeed: I have doubts whether I might not disgrace their choice. However, previous to any assent on my part, it would be necessary for me to know what changes in my situation and present business must necessarily follow the appointment, if made, as I take it for granted that Congress would expect that their Judge of Appeals would not prosecute the business of an attorney in any one of the States, and perhaps not that of a counsel in the common-law courts. If these are both to be laid aside, I am apprehensive that the salary of six hundred pounds per annum would not do for me, whose property has been amazingly diminished since the commencement of the American troubles. The necessary travelling expenses would sink a third of this sum annually, for if fixed for the Middle Department, it would fall to my lot to attend at each stated session in the Eastern, Middle, and Southern Department; as, for instance, the Eastern judge would readily find an excuse for not serving in Virginia, and so the Southern judge in Connecticut; and their attendance in the Middle district might be settled by them in turns: this supposing their residence where Congress sits is not required, which is also material for me to know. Was my fortune such as would admit of my providing for my family in a very moderate manner, without further addition thereto, I should not make a question of this sort; but it is

clearly otherwise; and therefore, as I have sacrificed much time and money for seven years past, my duty to my family requires that I should give some attention to their interest; and I am persuaded that those gentlemen who have been pleased to think of me for one of the vacancies in the Court of Appeals would not censure this attention. My views and expectations are small and confined. I can with safety say that neither avarice nor ambition have taken much root in my breast, but those whom I have been the occasion of [their] coming into the world I must provide for. These things I have thrown out rather suddenly, as a favorable opportunity now offers to send this which might not happen for many days to come. Therefore I must beg the favor of you to make every inquiry relative to this office I suggest herein, and, if practicable, send me an account thereof before you give my final answer and resolution to Mr. Fitzsimmons: [1st] Where my residence must or may be. [2d] The present judge [in the Southern Department], his name and public character. [3d] Who is thought of for the Eastern Department, and his character as to integrity and abilities—with such only would I wish to act. [4th] Out of what fund is the annual salary payable, and the competency of this fund. [5th] If travelling charges are allowed. [6th] Whether the office is considered as incompatible with other offices or business except that of member of Congress. [7th] Whether the establishment of this court does or not end with the war; if it does, this will be an unanswerable objection to acceptance.

“I am, affectionately yours,

“GEORGE READ.”

To this letter he received the following reply:

“PHILADELPHIA, 3d September, 1782.

“DEAR BROTHER,—I received your letter inclosing one for Governor Dickinson, which I immediately delivered, and waited on him the next morning with that written to me. I saw him this morning, when he told me that after consulting some friends on the subject of the letters, they had determined you should be put in nomination, and that he would see you on Saturday next. After I parted from the governor I met Mr. S. Wharton, who told me the nomina-

tion was made yesterday, in consequence of some conversation had with Mr. Dickinson, who showed them your letters; that your friends have no doubt but you will be chosen (with himself it amounts to a certainty); and the choice is to be made on Thursday. He intends to see you on Saturday with the governor. These gentlemen will be able to inform you of the event; therefore I must refer you to them for further particulars.

"I am told the judges are paid as part of the civil list; all which, I am told, receive pretty regular quarterly payments. You will have heard that our brother Thomas has got home, having called at our mother's on his way. We are all well at present, and send our love to you and yours.

"I remain, yours very affectionately,

"JAMES READ.

"TO GEORGE READ, Esquire."

In accordance with the expectation of his friends, Mr. Read was chosen by the Continental Congress one of the judges of the Court of Appeals in admiralty cases, established by Congress, under the ninth article of the Confederation, on the 5th day of December. This appointment was announced in the most gratifying manner by Mr. Boudinot, the then President of the Continental Congress, in his letter dated

"PHILADELPHIA, 6th December, 1782.

"SIR,—It gives me very particular satisfaction to have the honor of presenting you the commission of the United States, in Congress assembled, whereby you are constituted one of the Judges of the Court of Appeals in all cases of capture on the water, etc.

"Your established character as a gentleman, a lawyer, and man of integrity, leaves me no room to doubt but this appointment will do honor to Congress, produce the happiest consequences to the good citizens of these States, and, I hope, real satisfaction to yourself, from the consciousness of serving your country with fidelity.

"I have the honor to be, with every sentiment of esteem and respect, sir,

"Your most obedient and humble servant,

"ELIAS BOUDINOT.

"The Honorable GEORGE READ, Esquire, New Castle, Delaware."

Mr. Read's acceptance of this appointment was communicated to Mr. Boudinot in the following letter:

“NEW CASTLE, 10th December, 1782.

“SIR,—I had the honor to receive your Excellency's letter of the 6th instant, inclosing, under its cover, a commission to me from the United States of America, in Congress assembled, for a judge's place in their Court of Appeals. This unlooked-for mark of confidence from that very honorable body impresses me with the strongest sense of gratitude, and I can only say that, under this impression, I accept of this appointment with the fullest intention to discharge the duties thereof to the best of my poor abilities, and, I hope, with an integrity that may become the station. I am persuaded that in doing so I shall make the best return in my power for the honor conferred, and the trust reposed in me by the Great Council of America.

“I beg leave to return your Excellency my particular thanks for the very flattering and polite manner in which you have been pleased to communicate to me this appointment.

“I have the honor to be, with great respect, your Excellency's most obedient and very humble servant,

“GEORGE READ.*

“His Excellency ELIAS BOUDINOT, Esquire, President of Congress.”

The delegates from Delaware in 1782 were Thomas McKean, Philémon Dickinson, Cæsar Rodney, and Samuel Wharton, and all, except Mr. Rodney, being citizens of Pennsylvania, their appointment was stigmatized as subserviency to that State; but as I find this charge in a factious and libellous pamphlet, in which Mr. Read and the party with which its writer identifies him, is acrimoniously assailed, I reject it as unworthy of credence.†

* See Appendix B.

† Mr. Madison alleged another cause for this and like appointments.

“He reminded the Convention of another consequence of leaving upon a small State the burden of maintaining a representation in Congress. During a considerable period of the war, one of the representatives of Delaware (in whom alone, before the signing of the Confederation, was the entire vote of that State, and after that event one-half of its vote frequently) was a citizen and resident of Pennsylvania

The vote in the British House of Commons against the further prosecution of the war in America, and "Address" to the crown in conformity with it, and the state of the American army, from the financial embarrassment of the country, relieved it from active military operations, but not without fear that they might be renewed, as the repugnance of the British sovereign to the dismemberment of his empire was undiminished, and the great victory of Rodney might embolden the ministry to renew the war. The plenipotentiaries of the United States concluded, 30th November, 1782, a treaty with England, which, with the recognition of their independence, secured, as to the fisheries and boundaries,—defeating the selfish intrigues of France and Spain,—enough to satisfy their just and reasonable expectations. Though this treaty was not to take effect till peace was declared between England, France, and Spain, yet none could doubt, at the close of 1782, that independence was achieved,—the noble object for which so much blood, and money, and toil had been expended, and so much wisdom, self-sacrifice, courage, and patience manifested, though it ought not to be denied that there were dark periods when patriotism quailed under the drafts that were made upon it; ambition, self-seeking, and faction were rampant, and the wisest and best citizens were no longer found within the hall of that once august body,—the Continental Congress.

In 1783 Mr. Read not only recovered the clients he had lost, by his attendance upon Congress, but added to them; and he was still a member of the Delaware Legislature.

The following letter communicated the joyful news of the general peace :

"PHILADELPHIA, March 24th, 1783.

"DEAR SIR,—I do myself the honor to inclose you a hand-bill, containing the most agreeable intelligence of the signature of the general preliminaries of peace.

who held an office in his own State incompatible with an appointment from it to Congress. During another period the same State was represented by three delegates, two of whom were citizens of Pennsylvania and the third a citizen of New Jersey. These expedients must have been intended to avoid the burden of supporting delegates from their own State."—*Debates in the Federal Convention.*—*Madison Papers*, vol. ii. p. 901.

“We have to thank the Marquis Lafayette for the early information, who obtained leave that the sloop of war called the *Triumph* should touch here, though but the secondary purpose of her voyage.

“I most sincerely congratulate you upon the happy prospect of public liberty and independence.

“The Superintendent of Marine is directed to call in all our cruisers, and despatches are sent to New York, informing Sir Guy* and Digby of the news, that they may take the necessary steps on their side.

“I am, with great regard, your obedient and very humble servant,

“GUNNING BEDFORD, JUNIOR.”†

Mr. Read, unless for cogent reasons, could not, I think, have resisted the kind urgency of his friend John Dickinson's request, made in his next letter :

“DEAR SIR,—Mr. McKean tells me this evening that you intend to be in town to-morrow or Wednesday week. I beg that you will bring up Mrs. Read with you, if she can stay but a short time, and make my house your home. We have a room at your service, and *I am authorized* to say you will make Mrs. Dickinson and me very happy [by coming to us]. The journey will be of benefit to Mrs. Read, and I beg that good lady to consider that there is real difference between things impossible and things difficult. I know a multitude of objections may be made,—the boys may grow quite wild in the absence of both of you, or the servants may turn the house out at the windows, or the garden become a desert, or the cows be neglected, or a plurality of inconveniences may be apprehended. But confide in your fortune; engage the friendly assistance of your worthy brother and neighbor, and give particular directions to my good friend Juba, and I'll be bound affairs will run on very cleverly.

“Mrs. Dickinson and Sally present their most respectful compliments to you, Mrs. Read, and the family, and I desire that mine also may be accepted.

* Carleton.

† The delegates in Congress, A.D. 1783, were Cæsar Rodney, James Tilton, Eleazer McComb, and Gunning Bedford, Junior.

"I am, dear sir, ever affectionately your very humble servant,

"JOHN DICKINSON.

"April 5th, 1783.

"GEORGE READ, Esquire."

Called to Dover by a session of the Legislature, Mr. Read wrote to his wife from that place.

"June 11th, 1783.

"MY DEAR G——, This public business of ours goes on so slowly that I have my apprehensions of being detained here part of the next week, unless much of what is under consideration should be left unfinished. I could wish to have a few weeks of entire relaxation from business, being persuaded that I shall not recover that depression of the spirits which has attended my habit since my sickness in Philadelphia, for though I have been free from any pains, yet I continue in a very relaxed state. Having the mind perfectly freed from regular thinking, and some seasonable exercise, I am persuaded would afford the relief I want, but this cannot be for more than a fortnight to come. The Court of Oyer and Terminer is fixed for Monday week at New Castle, said the Chief Justice last evening, and the business thereof will take up that week. The elder David Hall is dead, and his offices of prothonotary and clerk of the peace are solicited for by his son, the doctor, and Harry Neil. I have not heard of any other appliers as yet. There will be no determination of the person till the President's return, as his Privy Council have a voice therein. I do not recollect anything else that hath occurred worth mentioning.

"Remember me to our children and friends, and believe me yours most affectionately,

"GEORGE READ.

"Mrs. G. READ, New Castle, per JOHN VINING, Esquire."

Mr. Read, being in Philadelphia in the month of August, had, for what reason does not appear, not gone to his friend Mr. Dickinson's house to lodge, as was expected, and Mr. Dickinson wrote, in consequence, the following letter of affectionate expostulation :

“DEAR SIR,—I wrote to you some days ago, insisting upon your lodging with me, having heard accidentally that you were to be in town. I sent the letter by Mr. Curtis Clay.

“I now hear with surprise that you are at Mrs. House’s. You must not treat me so unkindly. Remove to my house to-morrow, with bag and baggage, or I will take it as most unfriendly behavior. What can you mean? I know that I may always take leave to shun New Castle, which I will religiously do, unless you treat me in the character I have a pleasure in endeavoring to preserve, of being your friend.

“JOHN DICKINSON.

“Wednesday, August —, 1783.”

In September Mr. Read was again called to Philadelphia, to attend the Court of Appeals in admiralty cases, and again urged by his friend Mr. Dickinson to be his guest:

“DEAR SIR,—I understand that the Court of Appeals sits this month. I therefore insist upon your taking your former lodgings here. Please to give Mrs. Dickinson’s compliments to Mrs. Read, and tell her, if she really desires to oblige us, she will visit Philadelphia with you.

“I am, sir, your truly affectionate

“JOHN DICKINSON.

“PHILADELPHIA, September 1st, 1783.

“GEORGE READ, Esquire.”

Between his public duties and professional engagements, Mr. Read’s life was one of incessant occupation. It appears by the following letter that in November he was in Dover, as member of Council, the Legislature being in session :

“MY DEAR G——, I sit down to write at eight o’clock this Friday evening, after a tedious sitting to hear the long relation given by witnesses under examination as to the irregularities complained of in the Sussex election. From the slow progress in this work, which was begun yesterday, I cannot give you any just information as to the time of my return, but presently suppose it will not be till the latter part of the next week. The Council have gone through the examination of the Kent election, but no determination

is yet had thereon. I have just got a note from Mr. B. Chew, mentioning his having seen you yesterday, at half-past one o'clock, and all well. I have the pleasure of informing you that I am presently in the like situation, but I know of nothing particular here worth mentioning. Dr. Gilden, who is to carry this, has let me know that he intends setting out from hence early to-morrow morning; therefore accept of this as an apology for a hasty scrawl. My love to our friends, and believe me yours, most affectionately,

“GEORGE READ.

“DOVER, 7th November, 1783.

“Mrs. G. READ, New Castle.”

On the 17th November Mr. Dickinson wrote to Mr. Read, “I shall be exceedingly obliged to you if you could, without too much trouble, send me a copy of your militia law. We think here that we have very great reason to complain of two of your young gentlemen who have been in town and never called to see us, except one of them, in going up to Bordentown.”

Judge Killen facetiously announces his second marriage in the following letter:

“DOVER, December 10th, 1783.

“DEAR SIR,—Since I saw you last I have got married,—God help me! The mighty advantageous character you gave me of the woman I am now obliged to acknowledge for a wife had no small influence in bringing about our present union, which I am fearful will ruin me; that is, bring me into disgrace with all my friends and acquaintance, but more especially with hers. Had I married a termigant, I believe I should have made a tolerably peaceful husband, and submitted quietly to a petticoat despotism; but this good woman—my wife, I mean—pays such an extreme attention to me and my children,—shows such a desire to please,—that I am afraid she will utterly spoil me, and, instead of the henpecked husband, will transform me into the legal tyrant. This you know would be a great misfortune to me, as it would inevitably change the favorable sentiments you and others of my friends may have entertained of me heretofore into resentment and detestation, as none of you who knew Mrs. Killen before her connection

with me, in case any discontent or uneasiness should arise between her and me, will charge her with being the cause, —all the blame will be attributed to me. From this state of my case you will naturally conclude that, by entering into the matrimonial contract, I entered into *recognizance* for my future good behavior. If, therefore, I have any regard to my own credit, it will be incumbent on me not to forfeit this recognizance; for in that case, should you be employed to bring an action thereon, I know you will prosecute me with the utmost rigor. For this reason I will, under all my infirmities, strive, by my peaceable behavior, to avoid this danger. But, to be a little serious. Mrs. Killen seems much pleased with her new place of residence, and the kind and polite reception she has met with here from many of my friends and acquaintances, of both sexes, but, perhaps, as much owing to the amiable character she sustained before her marriage as to their friendship for me. Be that as it may, you can, if you please, when you come to attend the next meeting of the General Assembly at this place, be better informed of things interesting to her than I can relate. In the mean time she joins me in our respectful compliments to you and Mrs. Read.

“I am, dear sir, your most obedient, humble servant,
 “WILLIAM KILLEN.
 “The Honorable GEORGE READ, Esquire.”

In December, 1783, Mr. Livingston, Secretary of Foreign Affairs, resigned. General Schuyler, Mr. Read, and Mr. Clymer were nominated to succeed him, but unwillingness was manifested by several States to vote for any of these gentlemen; and it having been hinted that Mr. Livingston might be prevailed on to serve till the spring, a committee was appointed (December 20th) to confer with him, who reported (December 21st) that he had consented to do so; and this report was agreed to without opposition.—*Elliott's Debates*, vol. v. pp. 9, 16.

The year 1783 closed upon Mr. Read in the bosom of his family, sharing the joy of his countrymen at the successful termination of their contest with Great Britain; and he could not but share in the anxiety and gloom of 1784, and several succeeding years, when the States (united little more than in name), exhausted by eight years of war, without

credit, almost, at home and abroad, and without an efficient national government, seemed to be drifting, helpless and hopeless, to confusion and anarchy.

Of Mr. Read's correspondence in 1784 I have found but two letters. Of these, the first is from Mr. Dickinson; the other from himself to merchants of Philadelphia.

“DEAR SIR,—Last night I returned from Carlisle—a jaunt that I hope will be of some service to my health. To-day I met your son in the street, and he was so obliging as to call this afternoon. He can spare but a few minutes, as he proposes to leave town to-morrow morning. I cannot miss the opportunity of returning you my thanks for making the inquiries mentioned in a former letter, and have only further to trouble you by requesting you to know of Mr. Duff to whom he paid the money that was recovered by McCool. Mrs. Dickinson and Sally join with me in presenting our best compliments to you, Mrs. Read, and the young gentlemen.

“I am, sir, your very affectionate and humble servant,

“JOHN DICKINSON.

“PHILADELPHIA, April 14th, 1784.

“GEORGE READ, Esquire.”

“NEW CASTLE, 9th September, 1784.

“GENTLEMEN,—This will be presented to you by a Mr. Nathan Thomas, of this county [New Castle], whose inclination leads him to perfect his studies (begun here) in the physical line at Edinburgh; and to enable him to continue there the necessary time for that purpose, he wishes to have a letter of credit to your house, as connected in commerce with that city, and has applied to me for such letter, saying that you were pleased to inform him that such a letter from me would be satisfactory to you, and that you would honor his drafts to the amount thereof. Though this young gentleman is but little known to me, I well knew his father, who, at his death, left a valuable estate among his children; and I learn that this son inherits parts thereof, to the value of one thousand pounds currency or more. Therefore, willing to encourage him in his laudable pursuit after knowledge, I do hereby engage myself to be answerable to you for his occasional drafts for money from time to

time, so as the same shall not in the whole exceed the sum of one hundred pounds sterling money of Great Britain, expecting that you will give me a reasonable notice previous to your expected times for payment of them, that I may be punctual therein and you not disappointed. I am obliged by your confidence, though not personally known [to you]; and I am, with much esteem, your most obedient servant,

“GEORGE READ.

“Messrs. STEWART & BARR, Merchants in Philadelphia.”

By this generous act Mr. Read suffered some inconvenience, as will appear.

In conformity with a resolution of Congress of 10th December, 1784, the agents of New York and Massachusetts (December 24th, 1784) appointed Mr. Read, with eight others, commissioners to constitute a court to determine a controversy as to territory claimed by both, by virtue of article ninth of the Confederation.—*Journals of Congress*, vol. xi. pp. 14, 24, 25.

The Legislature of Delaware enacted a law (February 5th, 1785) for calling in, paying, and destroying such of the bills of credit, issued by the then existing or any preceding government of this State, as were outstanding.* The following “Protest” of Messrs. Bassett and Read shows in a very luminous manner the reasons of their dissent from the provision for the payment of these bills at the rate of one pound for every seventy-five pounds thereby secured to be paid :

“Richard Bassett, upon the yeas and nays being entered on the question aforesaid [shall the section of the bill containing the above provision pass], demanded leave to enter reasons of dissent thereto; which, being granted, he delivered a paper, subscribed by him and George Read, containing as follows. [They] dissent :

“Because by an act of the Assembly of this State, passed the 11th of February, 1781, for stating the accounts of the several loan officers, etc. in the respective counties of this State, commissioners were appointed for the express purpose of settling and stating all the accounts of the said loan

* Laws of Delaware, vol. ii. p. 801.

officers, from the 1st of June, 1774, to the 1st of June, 1781, therein forming an accurate list of all mortgages outstanding,—principal and interest due and to become due to the 1st of June last aforesaid,—with the sums of money in the hands of any of the trustees in each year during the said period, whether the same, or any or what part thereof was gold, silver, government, State, or Continental money, and when and how the same had been applied or disposed of, and also giving in such statement *all such other information respecting the premises as might best enable the General Assembly to determine concerning the said funds* and the transactions relating to the said office. That the said commissioners have reported no more than two statements of the said loan office transactions,—to wit, for the counties of Kent and Sussex; and these are wanting in some part of the information specially pointed out, and have not yet been acted upon by the General Assembly. That the delays in making these statements must have been considered unavoidable, otherwise it is to be presumed other commissioners would have been appointed to that duty.

“That we who dissent to the first enacting clause of the bill, so far as it fixes the redeeming value of these bills of credit at the rate of seventy-five pounds of their nominal sums as only equal to one pound of the present lawful money of the State, are of opinion that the General Assembly, at this time, have not that information respecting the said loan office funds as was directed to be furnished under the act of Assembly before mentioned, and which we conceive to be indispensably necessary to fix the redeeming value of these bills upon the principles of justice and preservation of the public faith, pledged by the legislative authority of the State, at the time of emitting and sending forth the said bills of credit as a temporary currency for the benefit and advantage of the State and its wanting inhabitants; and that we may be understood in the assertion that the public faith, as aforesaid, hath been pledged, we refer to the several acts of Assembly for emitting different sums, in bills of credit, on loan, and providing funds for payment of public debt; by which it appears that these paper bills were devised to supply the place of a deficient quantity of gold and silver, necessary for the common uses of money in the society, and, at the same time, to furnish government with a

supply for the support thereof to be derived from the interest reserved, and to be paid by those who had the loaned use of the paper bills for a limited time; that these borrowers, to secure the return or repayment of those bills after that limited time, mortgaged their real property to trustees appointed for the purpose, and bound themselves, in their mortgages, to pay the nominal sums of the bills of credit loaned to them, either in like bills, or in other current money of America, which might furnish the trustees with other money to exchange for the remaining part of the bills of credit that had issued from the said loan offices, and not repaid in kind by the borrowers; so that all the bills of credit which were so sent forth for temporary circulation, in lieu of gold and silver, might gain a credit or opinion, among the holders thereof, equal to that of gold and silver, from the nature and value of the property pledged to the public, by the borrowers or mortgagers, for the repayment or redemption of such bills of credit. That this security, and it alone, could and did support the value of those bills as equal to gold and silver,—it being of that nature as best to insure the return of those bills to the public's trustees or agents, who, by those laws of emission, were directed to receive, exchange for, and afterwards burn and destroy all those bills, after a circulation, for the purposes above mentioned, for the periods of twelve or, at most, sixteen years,—the longest time proposed, in any of those laws, for their existence. In this manner, we say, the public faith of the State hath been pledged by the legislative authority thereof. Now the question arises shall that be wantonly or unnecessarily broken by directing that the principal moneys due on the outstanding mortgages, when paid in, shall be applied but in part to the calling in and redeeming the paper bills of credit emitted, under the circumstances aforesaid, at one-fourth of the value at which government first parted with them? and that the residue of those principal moneys should be taken for the use of the State, as well as the interest moneys, which properly belonged to it, as reserved and so declared in the original laws to be the sole benefit that was to accrue to government therefrom, for, *that* principal being paper in its emission, a return of that paper was to be procured, and then [it was to be] burned at limited periods, so that if the faith or promise made in those acts

of Assembly was kept and observed as it ought [to be], as well on principles of policy as of justice, all those paper bills ought to be called in at the value they issued [at], if the funds provided for so doing were equal thereto; but if lessened by unavoidable accidents or measures, then so much of the funds as remained unhurt, that is so much of the *principal* moneys yet due, and which can be received on the outstanding mortgages, should be applied for this purpose, and for this only; and each present holder of these paper bills should receive only the sum per pound which the fund of principal moneys, when collected in, would enable the trustees to give in lieu of the whole sums of paper bills emitted as aforesaid. Therefore, until it can be known how much of principal moneys the outstanding mortgages will produce or bring into the loan office chest, the General Assembly cannot, in justice, and consistent[ly] with the public faith, pledged as before mentioned, fix the value of those bills of credit, demanded by the clause of the bill herein objected to, at perhaps one-third or two-thirds less value than the productive funds, arising from the mortgages aforesaid, may or shall produce. This will be a laying hold of moneys they have not the least color or shadow of right to, or pretence for,—to wit, the *principal* moneys outstanding and due on all the loan office mortgages. As to the interest due, we do not apprehend any just or legal claim can be made thereon by the holders of those paper bills to be called in, because that was declared, in the first instance, to be for use of government. The funds for securing the principal were all that was declared or offered for securing the redemption of those paper bills, so the holders were to run the risk of their being reduced by unavoidable accidents or measures that might happen. Therefore we, the dissentients, say that fixing the payment of the certificates, directed to be given up by the respective trustees appointed in the bill, to seventy-five for one,* is improper and unnecessary, because premature, and now is apparently unjust and unwarrantable from anything appearing to this House.

“RICHARD BASSETT.

“GEORGE READ.”

* Delaware Laws, vol. ii. p. 803.

Mr. Read received, in August, the distressing intelligence of the death of his brother-in-law, the Reverend William Thompson, Rector of St. Stephen's Church, Cecil County, Maryland.

“DEAR SIR,—It is with feelings of the most tender nature that I sit down to inform you of the death of your esteemed friend, the Reverend William Thompson, who took his flight to a better world about half-past three this afternoon. He unfortunately got a small scratch upon his leg, last week, and on Friday evening the indications of a mortification showed themselves. It presently pervaded the whole system, and would not give the least way to any means used by Doctors Clayton, Matthews, and Veazey.

“Poor Mrs. Thompson,* who, as you may imagine, is inconsolable, cannot be prevailed upon to have the corpse interred before the service can be performed, and the putrid state of it will not permit it to be kept longer than till tomorrow afternoon, if so long. A messenger is therefore hurried off to you under a hope that you, and any other of his friends who can, will attend, and with a request that you will prevail on the Reverend Mr. Wharton to accompany you and preach his funeral sermon. I can on this melancholy occasion only lament with you the loss that both the community at large and his near connections must sustain by his death.

“I am so agitated, I hardly know what I write you.

“Dear sir, your most obedient, humble servant,

“MICHAEL EARL.

“CECIL, half-past four o'clock P. M., Tuesday, August 16th, 1785.”

Mr. Read was now inconvenienced and annoyed by a draft on him, without the reasonable, stipulated notice, of the young man, Nathan Thomas, to whom he had given a credit with a mercantile firm in Philadelphia, to enable him to pursue the study of medicine in Edinburgh, where was the most celebrated school of physic of that day.

* Daughter of the Reverend George Ross.

“NEW CASTLE, 23d September, 1785.

“GENTLEMEN,—A bill drawn by Nathan Thomas, at Edinburgh, in favor of Alexander Mowbray, for thirty pounds sterling, payable at five days’ sight, directed to me, hath been exhibited on your behalf, as indorsers of that bill, for acceptance and payment,—this being the first notice I have had of such an intended draft, and which was most incautiously made, by this Nathan Thomas, at so short a sight. I have been obliged to inform your friend, Mr. Thompson, that I could not accept it for payment within the time limited therein, having paid, and being under obligations to pay, in the course of the next week, so much of the moneys that I had on hand, that I could not advance even this sum within the limit of this bill. When you resort to my letter of the 9th of September, 1784, giving Nathan Thomas a credit with you for occasional drafts, not exceeding one hundred pounds sterling, it was [you will see] on the terms of a reasonable notice previous to the expected time of payment, and I can submit to you whether this five days can be considered as such. To be in this situation of postponing payment of what I may be called upon for, is very displeasing and rather uncommon with me, and you may be assured that if I could so immediately pay this sum, as demanded, I would do so, rather than give myself the trouble of writing this, or you that of reading it. Nathan Thomas has not acted prudently in this business, nor agreeably to his engagements with me, which were that his brother, his agent here, should collect his outstanding moneys and place them, or so much of them as he should want, in your hands, previous to his drawing, and that no draft should ever be made till one or more letters of advice were sent previously, giving notice thereof. I have never received a line from him, nor seen the brother but once, to my knowledge, since I wrote to you, and I think he then called to tell me that Nathan had arrived in Great Britain; and, in truth, the idea of being drawn upon had slipped my memory, so that I have not from time to time made the necessary prudent inquiries as to the steps taken to get moneys to answer Nathan’s wants,—for, you may be assured, I neither have nor ever had a shilling of his in my possession. However, agreeably to my engagement to you, I will pay you, or your order, at New Castle,

the amount of this bill, in thirty days (the most common usance in exchange) from this date, and, should I be enabled sooner so to do, will give you or Mr. Thompson notice thereof. I shall take it as a favor that you write to your correspondent to decline taking any drafts of this youngster, made at less usances than sixty days, so that no unnecessary disappointments may arise as to the receiver or payer, and I am your most obedient servant,

“GEORGE READ.

“To Messrs. STEWART & BARR, Merchants, Philadelphia.

“After writing the above, Captain Robinson gave me an order on Mr. Hu: Thompson, Wilmington, for the sum of fifty-three pounds, nine shillings, and eight pence, currency, the amount of the before-mentioned bill, which Mr. Thompson accepted and gave me a receipt for on the bill, for that sum, and I gave Captain Robinson my note therefor, payable in twenty days, and I requested immediate payment from James Thomas.”

Mr. Read added to this memorandum, “Paid this note, 25th October, 1785, and received the whole amount from James Thomas.”

Mr. Read did not, as a less benevolent man might have done, withdraw the credit he had given young Thomas, as appears from a copy (on the back of the above letter) of his draft on him for seventy pounds, from Greenock, 27th of May, 1786, presented for acceptance, 5th of August, 1786, towards payment of which he notes, on the same letter, the receipt of forty pounds from James Thomas.

Mr. Read was re-elected to the “Council,” at the general election held in October, 1785, for three years. The whole number of votes cast was 1503, of which he received 1062.*

Mr. Read introduced, in the following letter, two youths, seeking admission into Nassau Hall, to the distinguished president of that college, who found, it may be hoped, in the discharge of the duties of that office, occupation more desirable and pleasing to him, as it certainly was more akin to his sacred profession, than the deliberations and debates of the Continental Congress, of which he was a prominent member. Who could have even conjectured the career in

* See Appendix C.

America of this minister of the kirk of Scotland? When he turned his back upon the weavers of Paisley, his friends anticipated that he would win high repute as a governor and teacher of young men, and probably be the rival, as an author, of Edwards, the subtle defender of the dark and cruel fatalism of Calvin,—but not that he would be the bold and active and able advocate, as he was, of colonial rights, in the hall of Congress and without it, and have the high honor of setting his name to that immortal instrument, the Declaration of independence.*

“NEW CASTLE, 17th October, 1785.

“REVEREND SIR,—This will be handed to you by two young men,—one my son, the other a youth, son of a deceased friend,—who wish to pursue a particular line of study at your college for the ensuing twelve months, if the same may be consistent with your rules and regulations. They have gone through all the common classical Latin authors, except Cicero’s Orations, at the grammar school in this town, but have read only some small parts of the Greek Testament, as nothing more of that language was intended for them. I had expected ere this that they would have gone through Cicero’s Orations; however, I have been disappointed. Both of the young men express the desire to begin the study of the law, after employing twelve months in some branches of learning that may be useful and necessary,—viz., logic, moral philosophy, and the most useful parts of mathematics. They wait of you to be informed if they can have a chance of pursuing such a line of education in the college of Princeton. I have the satisfaction to say that their morals and conduct here have been as unexceptionable as those of any youth within my knowledge; and I have reason to hope a continuance of the like, more especially if they shall be placed in the college, under your direction. They now attend you to be informed if they can be thus instructed, and if so, will engage their lodgings, and return again to Princeton by the beginning or middle of next month.

“I am, etc.,

“GEORGE READ.

“TO DR. WITHERSPOON, at Princeton, New Jersey.”

* See Appendix G.

The year 1785 closed upon Mr. Read with his business so increased as to reduce him to what he calls, in the following letter to his friend John Dickinson, now removed to Wilmington, a *state of slavery*.

“NEW CASTLE, 20th December, 1785.

“DEAR SIR,—I should have done myself the pleasure of waiting upon you yesterday, with my daughter. that she might have paid her respects to your lady and Miss Sally, but I was unexpectedly prevented by an accidental interference of business, and through which I am reduced to a greater state of slavery than my man Juba. The day was fine and tempting, and such another may not happen shortly. The air of this morning is raw and disagreeable, —rather too much so to pass the ‘Ferry;’ however, on the first favorable change I shall embrace it and see you. Mrs. Read has been much distressed with a severe cold for more than ten days past, and must probably confine herself for the winter. This morning she complains of much pain in the breast, and the cough has been violent. My brother, Captain Read, has been waiting for eight days to have about twelve hours of my time devoted to some business of his, and this is the first day I could give him an expectation of appropriating to his service. I had yours by Mr. Lake, delivered after a messenger came from the court requiring my attendance there, and while I was putting on my shoes, so that I had no opportunity of even treating him with a show of civility, which I would have done by reason of your introduction of him. The old lady, Almond, performed the business you sent her in for. Mrs. Read and Miss Polly desire compliments to Mrs. Dickinson, Miss Sally, and Miss Maria, to whom you will present mine; and I am, with much esteem,

“Your most obedient, humble servant,

“GEORGE READ.

“Honorable JOHN DICKINSON, Wilmington, Delaware.”

Mr. Read’s anxiety for his son John, lately admitted into the junior class, Nassau Hall, and having recently, for the first time, left his paternal wing, to trust in his own judgment and prudence to guide him in a new scene with novel companionship, was relieved by satisfactory intelligence, as appears by the following letter :

“NEW CASTLE, December 10th, 1785.

“MY DEAR SON,—In yours of the 29th ulto., brought by your uncle, John Read, you mention a letter from you to me as sent per post. It never came to hand, which is the reason you have had no answer thereto; and I am not informed by your last what might have been therein requiring a special answer. Your uncle tells me you received one from me by that conveyance, which is all I have yet wrote. One of yours of the 12th of November, directed within to your mamma, with a superscription to me, wherein you mention being examined, and your then seeming intention not to enter the junior class but only as a resident student, and to diet at Dr. Smith’s until you heard from me. My letter, sent per post, left you at liberty to act for yourself, relying on your prudence for the choice of measures and conduct. But I understand from your uncle that you have entered the junior class, which, upon the whole, I am best satisfied with; and as to the place of your board, you are at liberty to choose for yourself, as you have the means in your own power to pay for it by drawing upon your Uncle James in Philadelphia, or writing to him to send you occasionally what you want by some safe hand, which he can readily meet with, you taking care to notify him of your wants in time.

“I am informed that young Mr. Read, of South Carolina, is in the same room with you. He is a little known to me; I met with him as a fellow-lodger at Mrs. House’s, in Philadelphia. Make my compliments to him. I think you will have reason to be pleased with him. His father was a native of New Castle, born in the house T. Pusey now lives in, next to us.

“When you come to be better acquainted with the customs of the college, and the families about you, you will find all things more agreeable; and if any matters are wanting in the provision way, you have the means of purchase in your power, which, I doubt not, you would use prudently. Your uncle tells me that Cantwell and you express your entire satisfaction of the diet at Dr. Smith’s; if so, by all means, continue there. I do expect that you will write me with the utmost freedom on every occasion when time shall admit of your doing so. I am anxiously desirous of having your mind at ease, for the sake of its

improvement in knowledge, and I hope that you will not permit those occurrences which necessarily happen in the attainment of knowledge to disturb you. What I particularly allude to is early rising, which is indispensably necessary, though it was shamefully dispensed with at New Castle. When you see Captain Little, inform him that I have his letter per your uncle, and will comply with the directions therein as time and opportunity offer. We have an adjourned court, to begin on Monday and continue each day through the week. I am concerned in thirty-two of the causes set down for trial, so that I can attend to nothing else during that time.

“When you went to Princeton I did not recollect that Colonel George Morgan lived there, or I should have given you an introductory letter to him. He has been long known to me, and is a very worthy man, and I wish you to be known to him and his family. My first leisure will furnish you with such a letter. I have not yet answered Dr. Witherspoon’s letter, waiting to hear particularly from you. I gave you the purport of his to me. Look over it, and if you would wish me to mention anything relative to your situation, inform me in your next.

“Be attentive to your health, taking prudent exercise when the weather admits. I have written to your brother Will on the subject, and desired him to transcribe what I mentioned to him to attend to; if he should delay complying with my request, remind him of it. By accustoming yourself to letter-writing, it will become familiar and easy. Be attentive to your spelling, as mistakes of that sort are rather culpable in a classical scholar of rank, and it only requires a little attention to the words when forming them with the pen. Remember the family to Cantwell Jones. George will probably pay you a visit ere long, but the time cannot be fixed yet.

“I am, with affectionate regard, yours.

“GEORGE READ.

“In your superscription of letters you are not to put Mr. and Esqr. at the same time,—one of them only is proper. Your last, I discover, had the Mr. erased.

“Master JOHN READ, Princeton.”

In 1786 the mortifying fact was ascertained that the financial plan proposed by Congress in 1783 had failed. This scheme vested in Congress power to lay and collect imposts on certain enumerated articles of merchandise during the period of twenty-five years, and so provided, in part, a fund for the expenses of the Confederacy; but it could not take effect without the consent of *all* the States, and New York refused her assent. The state of affairs was gloomy,—the war-debt of the Revolution, of forty-two millions of dollars, must be paid or secured, and its annual interest provided for, and the country was exhausted by that war. Congress had but the shadow of power, its requisitions being disobeyed and its recommendations unnoticed. It availed nothing that this body could contract debts and make treaties, since it could not raise money to pay the one, nor could it enforce the other. There was a mischievous party that fomented in the States jealousy of the general government, and defeated, too often, endeavors to make it efficient. Enterprise drooped, patriotism seemed dead, and the future was dark and unpromising. The people were looking on, inert, helpless, and stupid, while the opportunity offered to reap the fruit of their late success was passing from them. They were like the sick man at the critical point of his malady, when he either dies or recovers.

Secretary Thomson's letter, the first in my possession of Mr. Read's correspondence in the year 1786, exhibits the official delinquencies in Delaware,—a sample of those in other States :

“ OFFICE OF SECRETARY OF CONGRESS, March 1st, 1786.

“ SIR,—Having occasion to write to you for the purpose of forwarding a resolution of Congress expressing their sense of the ability, fidelity, and attention of the judges of the Court of Appeals, I cannot omit the opportunity of requesting your assistance in a matter that concerns the honor of your State and the welfare of the Union. Since the beginning of November last your State has been unrepresented in Congress. I have frequently written to the President [of Delaware]; but whether my letters have failed to reach him, or from his living out of the way of the post his answers have miscarried, or from some other cause I know not, I have never received an answer to any of my letters.

“The present situation of public affairs requires a full representation in Congress of all the States; I must therefore request that you would exert your influence in urging the attendance of your delegates as speedily as possible.

“I have further to observe that Congress, by an act of 27th May last, required ‘the Legislatures of the several States to cause the services of the agents appointed for the purpose of receiving and distributing the certificates of the Paymaster-General, in a final settlement of the balances due the officers and soldiers of their respective lines, to be examined, and make them such allowance as they may think them entitled to, and charge the same to the United States.’

“On the 7th of June, 1785, they passed an act recommending to the several States to make provision for officers, soldiers, or seamen who have been disabled in the service of the United States, in a manner pointed out in the act. And by an act of the 27th July, 1785, they directed the Secretary of Congress to apply to ‘the executives of the several States for thirteen copies of the legislative acts thereof since the 1st September, 1784, one copy of which to be retained, for the use of Congress, and one set to be delivered to the delegates of each State (except the State whose acts are delivered), for the use of the Legislature thereof;’ and at the same time they directed the Secretary to procure and distribute, in the same way, the acts which might thereafter be passed, to the end that every State, being thus informed, may have the fullest confidence in the other States, and derive the advantages which may result from the joint wisdom of the whole.

“On the 27th November, 1785, they made a requisition on the States for the payment of the interest of the foreign and domestic debt and for the services of that year. On the 30th September they passed an act regulating the office of the Commissioners of the Continental Loan Offices in the several States, making it part of their duty to receive the moneys arising from Continental taxes in their respective States, and to pay the interest due from the United States in the said States respectively; and in the said act recommended to the Legislatures of the several States to direct their treasurers to transmit to the Board of Treasury a monthly abstract of all moneys paid on account of the re-

spective States to the Commissioners of the Continental Loan Offices, distinguishing the dates and the amounts of payments, and the sums paid in actual money from these in interest certificates.

“And on the 12th October, 1785, they passed a resolution earnestly calling on the States to complete, without delay, the whole of their quotas of the requisitions of 4th September, 1782, and 27th and 28th of August, 1784, and requiring such of the States as were deficient in paying their respective quotas of the interest of the domestic debt, pursuant to the said requisitions, to collect and pay into the public treasury the amount of such deficiencies, either in certificates, to be issued pursuant to the requisition of the 27th of September, for payment of the said interest, or in specie, to be applied to the redemption of such certificates; providing, nevertheless, that the sum to be paid into the treasury in interest certificates, as part of the requisition of April, 1784, shall not at any time exceed the proportion of facilities to be paid, agreeably to that requisition.

“These several acts I transmitted to the President, but have received no answer; I have therefore to request the favor of you to use your endeavors that I may have an answer to the several transmissions. The best answer will be the acts of the Legislature complying with the recommendations, acts, and requisitions.

“It is my earnest wish therefore that you would exert your interest and abilities—both which I know are great—in prevailing with the Legislature to pass laws as speedily as possible, in compliance and conformity with those several acts, if they have not already done it, and then to use your interest in having them forwarded, that I may make report thereof to Congress.

“I shall be still further obliged if, with these laws, you can have the thirteen copies sent on which are mentioned in the act of the 27th July, 1785.

“I should not be thus troublesome were I not convinced of your zeal in the cause of liberty, and your ardent desire to preserve the honor and promote the happiness of this infant Commonwealth. This, I hope, will be my apology.

“I am, with sincere respect, sir, your most obedient and most humble servant,

“CHARLES THOMSON.

“HONORABLE GEORGE READ.”

That the confidence of the Secretary of Congress in Mr. Read's patriotism was not misplaced appears by his letter to President Van Dyke, as follows :

“NEW CASTLE, 25th March, 1786.

“SIR,—The Secretary of Congress having occasion to transmit to me a resolution of that body relative to the judges of the Court of Appeals, addressed me also on the total want of a representation from this State in the Congress of the United States, from the beginning of last November, stating that the public affairs presently required a full representation there of all the States. The Secretary's letter to me is dated the 1st inst. I received it on the evening of the 7th, and the person who brought it from the post-office in Wilmington to me told me he had letters directed to your Excellency from the same place, which he should immediately deliver to Mr. Secretary Booth. As I apprehended one of them was from the Secretary of Congress, I have delayed writing to you on the subject of our delegates' attendance, supposing that ere this your Excellency would have prevailed on some two of the five members of that delegation to have gone forward to New York ; but, on inquiring, I am told it is not so. As I am clearly of opinion that your Excellency, as the head of the Executive Department in the State, hath a superintendency over all the subordinate departments therein, I would submit to your Excellency's consideration whether an authoritative call upon those presently in the delegation of this State to perform that duty or resign their appointment ought not to be made by you, with an intimation that if your requisition should not be attended to, that you must officially state their delay or refusal to the General Assembly at their next sitting. All this done might have a proper effect, and if not, your duty therein would be performed.

“The complaint of the last year, as contained in your Excellency's message of the 23d of May, does not seem to be remedied by an increase of members in the delegation to Congress, for near five months of the twelve have passed over without any attendance there, and it will not be bettered till local politics in such nomination shall be laid aside, and a State policy adopted in stead thereof.

“Secretary Thomson's letter also mentions some acts of

Congress as transmitted to your Excellency, but as he has received no answer, he doubts a miscarriage of either yours or his letters. The first is an act of Congress of the 27th of May last, requesting a legislative provision to be made in favor of the agent for receiving and distributing final settlement certificates of balances due to the officers and soldiers; the second, an act of the 7th June, 1785, to make provision for disabled officers, soldiers, and seamen. The first seems to have been provided for and finally acted upon the 19th January, 1785, as per votes of Assembly then, pp. 27, 28. The second, I suppose, was considered as fully provided for in the act of the 5th February, 1785, printed by Adams, p. 17. A third act of Congress, of the 27th July last, provides for thirteen copies of the legislative acts of this State since the 1st of September, 1774, being transmitted thereto; this, I apprehend, cannot be fully complied with until a new edition of our laws shall be printed, which may be in the course of the year. A fourth Congress act of requisition [is that] of the 27th of September last, to enable that body to make payment of interest on the foreign debt. This business lies before the Legislative Council, in a bill, framed for the purpose by the House of Assembly at their last sitting, and postponed for want of necessary information as to the quantum of the sum sufficient for that requisition; and the one of the 4th of September, 1782, the accounts in the auditor's office of the State being so imperfect and incomplete that it could not be known if any surplus there was of former taxes, to be applied to the last, which it is hoped may be known at the proposed session in May. This postponement could not affect the raising of moneys to comply with the last requisition, of the 27th September, 1785, as the House had in their bill fixed the payment of the first quota of the taxes to be levied thereby to the month of October next. A fifth act of Congress, of 12th October last, earnestly calls on the States to complete, without delay, the whole of their quotas of the requisitions of the 4th of September, 1782, and 27th and 28th April, 1784. As to the first of these, I know of no provision made therefor, but I believe it to have been the intention of the Council to have added it to the last tax bill before them, mentioned in the preceding page of this [letter], when they could obtain the information there alluded to. As to that act of Congress

of April, 1784, it was completely provided for by a draft of the General Assembly for two thousand pounds, or thirty-two thousand dollars, so long since as January or February, 1783, as appears by the printed votes of the House of Assembly then; and, secondly, by the act of Assembly of the 26th of June, 1784, pages 4 and 10, in which last page it is declared that the State Treasurer shall not, on any pretence whatsoever, apply any part of the moneys directed by that act to be paid into his hands until the remaining sum of that quota—viz., twenty-four thousand and forty-two dollars and five-tenths—should be paid to the use of the United States. Now it appears that considerably more than this last sum has been paid into the Delaware State Treasury by the county collectors of New Castle and Kent only. By the Delaware tax act of the 21st of June, 1783, provision therein was also made for the twenty-eight thousand dollars requested by Congress in the requisition of 16th October, 1782; so that it appears eighty-four thousand dollars and upwards thus has long since been provided for by this State. It appeared by the United States Treasury account, laid before the Assembly at their last sitting by your Excellency, that this State's credit thereon, on the 30th October last, was less than twenty-three thousand dollars, but where the delinquency was could not be certainly known, from the imperfect state of the accounts in the auditor's office about the end of the session of January last.

“Thus I have gone through the general matters in Secretary Thomson's letter, with observations thereon, as I stand informed, and I hope I shall be excused by your Excellency for troubling you on this occasion. The business has been pressed upon me, and few men have less time to devote to matters of this kind [than I have], and very few less inclination. But I consider Congress in a most delicate situation at present. Much of it appears from their committee's address in the House of Assembly in New Jersey. Energy is, apparently, wanting through most departments in all the States, but the want of it is more conspicuous in some than others. The money business of our own State is much deranged, and it really appears as if it must be so. All the provisions and resolutions respecting it seem to be of little use. Few mind or obey them; and unless the Ex-

ecutive exerts itself towards their execution, it will be needless to make any more.

“I have the honor to be, with great respect, yours,

“GEORGE READ.

“President VAN DYKE.”

To this letter President Van Dyke replied as follows :

“SIR,—Your letter of the 25th of last month was delivered to me on yesterday, and I am extremely obliged to you for the trouble you have taken in furnishing me with the communications therein contained, [and] also for the pamphlet which accompanied the letter.

“I feel myself happy in having an opportunity of making you acquainted with the part I have acted in the business of the representation of the State in Congress. You are not ignorant that Congress some time past directed their Secretary to make monthly returns to the States of the representation in Congress. I have regularly received such, and as regularly furnished the same to the General Assembly on the receipt thereof. In the recess of the two Houses I have regularly made the delegates acquainted with the call of Congress, and urged their attendance by arguments which appeared to me most likely to have effect; and in so doing I considered that I had performed my duty, and exercised all the power of which I was possessed in this business. Had I undertaken to call on them in the manner you mention, they doubtless would have considered me officious and desirous of exercising a power to which I had no pretensions. This must have been the case on consideration that they receive their appointment from the General Assembly, are removable by that body, and are consequently accountable to them only; and the information on this subject, regularly laid before the General Assembly, removes every color of necessity that the President should table a complaint in the case.

“As to the other officers of government, they are (with a very few exceptions) appointed in a similar manner, and under the same control, holding their offices during good behavior, or for a certain time, fixed, and removable only on conviction of malconduct in office, which in most cases must take place in a court of law. I consider them, for the

reasons aforesaid, totally unaccountable to the Executive. From this view of the subject, the President who might be imprudent enough to interfere further, or so desirous of exercising a power (which must be only a constructive or implied power), very soon would find that no good could result to the State, and that disgust and much trouble would certainly be his reward.

“In the same manner I consider those persons handling public money, and for similar reasons. The executive branch in this State have naught to do with money matters, unless expressly empowered by the acts or resolutions of the General Assembly. In these instances I have ever paid an early attention to the business thus assigned me.

“Previous to the late sessions of Assembly, and since, I have received sundry letters and acts of Congress from their Secretary, and I am inclined to think they have been all regularly received which were forwarded by the Secretary. The first are now with the Legislature, and the others will be presented at their next meeting. The reason I did not write that gentleman before the last sessions was the desire to procure copies of sundry acts, in order to transmit them, and to have it in my power to forward some information on the business of the requisition for '85. My sickness at and after my return home from Dover has been the cause of delay until some time in the last month. An expectation of being enabled to write more fully from New Castle, in the course of next week, has caused delay.

“Thirteen copies of the laws of the State cannot be procured until the new edition comes out. Great complaints are daily made of the delay in this business.

“I fully agree with you that a State policy in appointments would be very beneficial; but, sir, you must consider that the effecting this, as also the proposed regular conducting money matters, is a work of time. Young States may be compared to young men, who generally are ignorant in the business of managing their property advantageously, at least for some years after they become masters of it. As no individual becomes wise at once, neither did any State or government ever arrive to a considerable degree of perfection in jurisprudence or internal policy in a short time.

“The hands of Congress are too weak, and their situation

is and frequently has been very difficult. Time and experience will remedy these Federal embarrassments. It is not to be admired at that these States proceed with cautious steps in delegating power. This has been carried to an extreme by some States, but this will be got over; and the sooner Congress, by their conduct, give evidence of economy and wisdom, the sooner will they be intrusted with all necessary power, and be better furnished with money, ways, and means to support the credit of the Federal government.

"I am, sir, with esteem, your very obedient servant,
"NICHOLAS VAN DYKE.*"

"7th April, 1786.

"Honorable GEORGE READ."

It seems to me Mr. Read recommended to President Van Dyke no assumption of power proper to another department of government; but only that he should exert more vigorously the undoubted executive duty of superintendency, which he had, according to his own letter, already exercised in a less degree and in vain over these delinquent public servants.

I am free, however, to admit that Mr. Read was of the class of statesmen formed in the school of the Revolution, accustomed to brave, without waiting to calculate the effect upon self, the responsibility of exercising with promptitude and energy even a power which might be questioned, when necessary to save the Commonwealth from danger or discredit, while statesmen less daring and unselfish would pause upon the confines of different departments of govern-

* "Died at his farm, in St. George's Hundred, on the 19th instant, after a short illness, in the fifty-first year of his age, Nicholas Van Dyke, Esquire, late President of the Delaware State, leaving a wife and numerous family to lament their irreparable loss. The virtues of candor, prudence, and benevolence were highly conspicuous in his character, in the public and honorable offices with which he was invested by his fellow-citizens as well as in the duties of domestic retirement. In his conduct he showed such a regard to civil and religious society as in a high degree attracted general respect and esteem. In him the State has lost a steady patriot, his acquaintance a faithful friend, his family a most indulgent husband, a fond father, and a humane master. To the friends of virtue and religion who knew him his memory will be long precious."—*Delaware Gazette*, published at Wilmington, Delaware, Saturday, February 28th, 1789, No. 194.

ment, which, in the most nicely adjusted systems of polity, like the colors of the rainbow, so run into each other as to make it difficult to determine where one ends and the other begins.

Mr. Read, deeply sensible of the manifold evils of the imbecile Federal government, could not have been much consoled by the barren generalities, and a parallel partaking more of fancy than of fact, of the President's letter. Time, from which he hoped so much, can do nothing for us, though in it we must do all we have to do and in it must happen all that is to befall us. The President had a vague and dreamy expectation of something, he could not tell what, that was to turn up, he could not tell when, and set all right in a community in which he could not deny there was much that was wrong.*

Mr. Read replied to Secretary Thomson's letter of March 1st, 1786, as follows :

"NEW CASTLE, 8th April, 1786.

"SIR,—From the length of time since I received your address of the first of March last, you may very reasonably suspect that inattention and neglect pervade all the citizens of this State; however, certain circumstances, which might be too trifling, or at least too unentertaining to set down here, were the cause of this delay of answer; with your own declaration, 'that the acts of the Legislature, complying with the several recommendations, acts, and requisitions of Congress, would be the best answer.'

"Immediately on receiving your address, above [mentioned], I wrote to President Van Dyke, affording him every information in my power, to enable him to give you some satisfactory account of what had been done by the Legislature of the State on the several acts of Congress, mentioned in yours to have been transmitted to him; and as I

* "The continent was divided into two great political parties, the one of which contemplated America as a nation and labored incessantly to invest the Federal head with powers competent to the preservation of the Union; the other attached itself to the State authorities, viewed all the powers of Congress with jealousy, and assented reluctantly to measures which would enable the head to act in any respect independently of its members."—*Marshall's Life of Washington*, vol. v. p. 33. To the last mentioned of these parties, I conclude, from President Van Dyke's letter, he belonged.

had his answer, some time after, I am to presume that you have heard fully from him long ere now. But as it may have happened, as heretofore, that the acts of our Legislature, relative to the immediate demands of Congress, may not have been transmitted to you before, I send you the inclosed printed copy. The first act of Assembly, making provision for this State's quota of the eight millions of dollars of 1781, and of two millions of dollars of 1782, hath a provision therein, to wit: in its twenty-first section, which I think requisite to explain, for a reason that will appear hereafter. You may recollect that Congress in their requisition of the 28th of April, 1784, for a moiety of the eight millions aforesaid, said that the several States might so model the collection of the sums called for that the three-fourths being paid in actual money, the other fourth might be discharged by procuring discounts of interest with the domestic creditors of the United States; and for that end the loan officer of the State should issue certificates for the amount of interest due, as well on loan office certificates as on certificates of other liquidated debts of the United States, to the end of the year 1782, and that the same should be receivable, first from the bearer within the State, and after, from the State into the public treasury, in the proportion aforesaid. In pursuance of this requisition the Legislature of this State, in their act of Assembly of the 26th June, 1784, making provision by taxation for a compliance therewith, enacted: 'That for the ease and convenience of paying the aforesaid tax, such citizens of the State as had obtained certificates from the Continental loan office thereof, for moneys lent to Congress, and every citizen of the State who had any liquidated debts against the United States, might produce their certificates to the Continental loan officer of the State, and obtain from him a certificate of the interest due to the last of the year 1782, which certificates the loan officer was thereby required to give, conformable to such instructions as he should receive from the Superintendent [of Finance], the which last-mentioned certificates should be receivable by the collectors of each county of the State, on account of the sums of money to be raised by the said act, and that the collectors should pay the same, in lieu of so much lawful money,' as per the seventeenth section of the printed act, which the treasury

office hath by my transmission to the superintendent soon after the passing, if not in your office presently. After the passage of this act the then Continental loan officer, General Patterson, declined, for a time, to perform this duty, on pretext that the State had made him no special allowance therefor, and no such interest-certificates were issued by him until the latter end of November, 1784, following; however, being then pressed on the business, he proceeded therein, rather backwardly, at times. After a tedious illness General Patterson died, in or about the month of May, 1785, leaving part of this business of issuing interest-certificates undone,—with this that divers of the taxables of the State, particularly of New Castle County, had not got their claims finally ascertained by Colonel Winder, the Continental commissioner, or his certificates therefor until after Patterson's death, upon divers of which one, two, or perhaps more, years of interest were due at the end of the year 1782. Some time intervened until the Congress appointment of Dr. James Tilton as their loan officer of the State, and he uniformly refusing to issue any such interest-certificates in favor of those taxables who had not obtained theirs in Patterson's time, alleging that he was not instructed, or instructed not so to do, by the Board of Treasury; complaints of such refusal, therefore, gave rise to the said twenty-first section in our act of the 24th of June, 1786, aforesaid. And as I have an application, lately made to me, from the collector of New Castle County, alleging that Dr. Tilton yet refuses to issue interest-certificates to the end of the year 1782 in favor of those taxables,—many, if not all of them, the original creditors of the United States; and that he, the collector, cannot, in justice to such taxables, compel a total payment by them in cash,—he wished me to make some representation where this might finally be determined upon; and not thinking myself warranted to address the Board of Treasury hereon, I have taken the liberty of stating the matter to you, as you seemed to afford me an opening by your address on the public business of the State. The question, therefore, is shortly this: 'Are the taxables of this State holders either of loan office certificates, or of liquidated debts of the United States, whereof any interest was due on the last day of the year 1782, or are they not entitled to demand and have certificates for

such their interest due at that time, as well under the faith of the aforesaid act of Congress of the 28th of April, 1784, as under the State act of Assembly, made in conformity thereto in the June following, from the present loan officer, Dr. Tilton, as they might from the late loan officer, General Patterson, was he living? This is simply the question, and I apprehend it a necessary one to be solved by the Board of Treasury, as I am informed by the New Castle County collector aforesaid that there are near two thousand dollars due for such interest to his wanting taxables, under the act of 1784, and that the present commissioner of the loan office yet refuses to issue other certificates than those directed under the Congress act of September, 1785, which are only receivable in taxes agreeably to that particular requisition, and so will not answer the end of paying their parts of the tax under the requisition of 1784, which the taxables aforesaid conceive in good faith they are entitled unto; and I do apprehend this act of refusal may produce difficulties when the Legislature of this State shall take up the business of providing for the Congress requisition of 1786. This State's proportion of facilities, under the act of 1784, was fourteen thousand dollars; no more than ten thousand and eleven dollars—sixty-nine-ninetieths—have been received, so that there are near four thousand dollars short of the admissible sum, of which there may be about two thousand dollars due to persons circumstanced as before stated; so that the State or its taxables will not have the amount of facilities allowed them to offer, and of course pay the rest in actual money. I have heard the reason from the loan officer, Dr. Tilton,—that he thought he ought not to issue any [interest-certificates aforesaid], for that the money already paid into the Continental treasury did not equal the proportion of indents or facilities received,—to which this answer was given: That although this was a reason why he, as the Continental receiver of the State, might refuse to accept of any more facilities from the treasurer of the State until there should be an excess of money payments, yet it was not a reason for him, as the loan officer of the State, to refuse the issuing such certificates for interest, as that issuing could not increase the proportion allowed by Congress, as he was neither obliged nor bound in duty to receive beyond that proportion; whereas a refusal to issue was a breach of

the faith of Congress, held up in their requisition, and in defiance of the act of the State, founded on that requisition. Moreover, that those wanting taxables were thus hardly treated by the neglect of right application of the moneys actually received by the commissioner of the loan office, and who then happened to be the treasurer of the State, to other purposes than the one expressly declared in that law of 1784, in the twelfth section thereof, to wit: that of paying to Congress their proportion of the moneys directed to be levied thereby, in the first instance, in preference to all other drafts or orders whatsoever.

“This business, and question thereon, I recommend to your notice, that it may be discussed and acted upon before the next session of Assembly, in the latter end of October, that no unnecessary obstacles may be thrown in the way of obtaining a provision for the Congress requisition of 1786.

“As to the delegation from this State, truly my feelings are much hurt. I have no personal interest with those in the appointment, which I have been made fully satisfied of, for, although I have both publicly and privately remonstrated with such of them as I have had an opportunity of seeing since March last, and pressed it warmly on the President to give them an official call to that service, with a threat to state their refusal to the General Assembly in a formal way, by special message for the purpose, no more than a three weeks’ attendance hath been procured, and I cannot say you are to expect more in this year.

“You will receive with this my acknowledgment of yours of the 9th of February; it was actually wrote at its date, and was kept to have been sent with the answer intended then to be shortly made to yours of the first of March afore-said; but the more I thought upon its contents and my situation, to wit, merely that of a private man within the State, other than having a seat in one of the branches of its Legislature, thus, as it were, necessarily addressed upon the delinquency of public men, the more I doubted of the manner of my answer. Our wants, sir, are many, and among others, that of efficient men, and that of free and truly public sentiment, detached from local and personal prejudices, to exist among the popular leaders in the society, and more energy in all the parts and persons of

government; but, as the Deity may at some time supply these, contentus sum, I ought now to beg your excuse for this long and tedious address, and which I sincerely do, and am, with much esteem and respect, yours,

“GEORGE READ.

“Honorable CHARLES THOMSON.”

The “plan of education” mentioned in the letter of John Dickinson, which follows, has not been preserved, and I regret that I can give no account of it. The letter is interesting, because it contains the opinion of this eminent man upon the question, “Ought governments to provide or not for the instruction of their citizens or subjects in the doctrines and duties of the Christian religion?” and his solution of the problem, “How the right can be exercised, and the duty performed, without infringing liberty of conscience.”

“DEAR SIR,—I am much obliged to you for your favor by Mr. Shultz, and for the pieces inclosed. The ‘plan of education’ is, I believe, very well digested, though I should rather approve of a greater number of Latin authors being read by the classes. The letter to Mr. Mason pleases me much, but does not appear to be sufficiently explicit or guarded on a point of such immense importance. It carries with it the idea of levying contributions *for the maintenance of ministers of the gospel* upon all persons but such as shall disclaim the general religion of the country. But there are great numbers of Christians who regard the levying of such contributions as utterly unjust and oppressive. Let not that question be hastily, perhaps erroneously, decided. On the other hand, it is the duty of government, with the utmost attention and caution, to promote and enforce the sublime and beneficial morality, as well as theology, of Christianity; and, considering them as connected with government, how can this be done better than by employing men of wisdom, piety, and learning to teach it,—and how can they be so employed unless they are properly supported,—and how can they be supported but by the government that employs them? Let impositions be laid for this purpose. If any man conscientiously scruples their lawfulness, let him be permitted to appropriate his share to the use of the poor, or any other public service. Thus

government would strenuously carry on the grand work of teaching virtue and religion, without offering the least violence to the conscience of any individual,—a neglect and contempt of which last sacred right has been the disgrace and curse, and will infallibly be the destruction, of every human institution, however cunningly devised, on this momentous subject.

“Mrs. Dickinson and Sallie present their compliments to you, Mrs., and Miss Read. They will be very happy to see you next week. You do not mention your daughter’s coming, but I hope she will, as Mrs. Dickinson says she will have a room for her. I am sorry I cannot have the pleasure of seeing you, being under an indispensable necessity of setting off for Kent on Monday.

“I am, my dear sir, your ever affectionate

“JOHN DICKINSON.

“WILMINGTON, April 28th, 1786.”

The state of public affairs was such as to excite great alarm in all reflecting and patriotic men,—worse for being indefinite. Calamity seemed ready to overwhelm the country, but its precise form none could predict. If there be a condition perilous to the honor of communities and of individuals, it is that of debt. The close of the war of the Revolution left *all* in this unhappy situation,—the Confederacy, the States, their citizens,—with a currency so depreciated as to be almost worthless, and their resources exhausted by seven years of hostilities. Foreign merchants, on the opening of the American ports after the peace of 1783, eagerly sought the market they offered to them. Goods, in great quantities, adapted to the tastes and wants of the day, were imported and sold, not for cash, but on credit, and so there was an increase of debt. Land became almost unsalable, personal property sold for a song, and the embarrassed became desperate and reckless, and at last regarded creditors as common enemies, enforcing claims which only iron-hearted and merciless men would enforce, under the circumstances of the times. Indulgence, the debtors might have fairly claimed, but too many of them improved the occasion to defraud their honest creditors. The embarrassed men, being in the majority, shielded themselves, in many of the States, by legislation, from the forced payment of their

debts. The miserable shifts of an issue of paper money, or a suspension of all taxes, were in some States resorted to; personal property, at an appraised value, might be tendered, in others, in payment of debts, or the recovery of them was prevented by closing the courts. Two great parties divided the American people; the one held the inviolability of contracts to be the dictate no less of policy than of justice, and that by their stern enforcement men would be taught to look for relief from distress, not to empirical legislation, but to labor and economy, and be restrained from imprudent engagements which would be recklessly entered into if there might be escape from their obligations. Men of this party paid their debts, and thought others should pay theirs, and the courts be always open to compel them, if they neglected or refused to do so. They thought also that States should be as true to their plighted faith as their citizens, and should be provided with means to promptly pay all demands upon their treasuries, by annual taxation, justly apportioned and punctually collected. The other party had no pity but for *debtors*, in their eyes the most oppressed of men. As the collection of debts was, in their opinion, cruel, in the then condition of the country, they looked with favor upon stay-laws, the closing of courts, and suspension of taxation, and, being so indulgent to others, it may be reasonably concluded were equally so to themselves, and their standard of morality be insensibly lowered. The first party desired a *national* government, so wisely framed and so strong as to protect all classes and interests, and confer the inestimable boon of general and abiding harmony, while it compelled justice and respect from foreign governments. They thought Congress a safe depository of power, because its members were elected, for short terms, by the people, and must suffer equally, from bad legislation, with themselves, and because they had the strongest motives to desire and to cultivate popular favor. The other party were unreasonably jealous of Congress, and opposed obstinately all attempts to vest this body with the power it wanted and which experience had shown to be indispensable to an efficient national government, preferring to it (and such delusion we can scarcely believe) the attempt to govern the whole people by thirteen independent Legislatures, who had so often brought their

country to the brink of ruin by failing to adopt measures the most necessary, in season, or at all. Foreign governments declined negotiating commercial treaties with a Confederacy which could make compacts but not enforce them, and restraints and burdens and exclusions were laid upon our commerce with impunity, for Congress wanted power to defeat them by countervailing measures. Massachusetts was in open rebellion. Everywhere, though squalid poverty was rare, thousands were suffering the slowly-wasting misery of straitened circumstances; dishonesty, with brazen front, was abroad, and fear of the future paled the cheek. But there were still men* who believed that the state of their country was not hopeless, for they were convinced that God, who holds the helm of universal rule, would never have led their countrymen to independence by events so remarkable as to appear to some persons miraculous, only to demonstrate the impracticability of democratic government. It was a noble confidence, and was soon rewarded. From a measure promising no important and extended result, for it was local and in itself insignificant, came the relief so anxiously desired, and generally so faintly expected. This was a commission of citizens of Virginia and Maryland to regulate the navigation of the Potomac and Pokomoke Rivers, and part of the Chesapeake Bay, the trade regulations of these States having been inconvenient and injurious to the citizens of both. From it resulted the appointment by the Legislature of Virginia of commissioners "to meet such as might be appointed by other States, at a time and place to be agreed upon, to consider the trade of the United States, to examine the relative situation of the trade of the said States, to consider how far a uniform system in their commercial relations may be necessary to their common interest and permanent harmony, and to report to the several States such an act, relative to this great object, as, when unanimously ratified by them; will enable the United States, in Congress assembled, to provide for the same." From this proposition grew the convention that framed the Constitution of the United States.

Mr. Read, together with Jacob Broom, John Dickinson, Richard Bassett, and Gunning Bedford, was appointed by

* One of them was John Jay.

the Legislature of Delaware, in June, 1786, to meet with the commissioners that had been or should be appointed to consider the commercial relations of the several States and devise and report to Congress a system for the regulation of their trade.*

Congress resolved, in February, 1786, that, as the war with Great Britain had ceased, and there was little business in the Court of Appeals in admiralty cases, the salaries of its judges should cease, expressing their sense of the ability, faithfulness, and care with which these officers had discharged their trust. Mr. Griffin, one of Mr. Read's colleagues in this court, in his letter on this subject, intimated that "a little party business predominated in the passing of this resolution." Congress retained this court, admitted there was some business remaining before it, and yet made no provision for paying the judges for disposing of it, which they must have expected them to do. Secretary Thomson makes known to Mr. Read a subsequent resolve of Congress in this matter in the letter which follows :

"OFFICE OF SECRETARY OF CONGRESS, June 29th, 1786.

"SIR,—In my letter of the 5th July last I informed you that the committee to whom was referred the letter of 23d December, 1784, from Messrs. Griffin and Lowell, two of the judges of the Court of Appeals, reported as their opinion 'that the present judges of the Court of Appeals were still in commission, and that it would be necessary that the Court of Appeals should remain upon its establishment, except with respect to the salaries of its judges, which should cease from a day to be fixed by Congress, and that in lieu thereof they should be allowed a certain number of dollars per day during the time they should attend the sittings of the courts, and including the time necessarily employed in travelling to and from the court;' that Congress not coming to a determination at that time, the report was recommitted, and the resolution of the 1st of July was passed, of which I transmitted you a copy, whereby the salaries of the judges were stopped, their commissions still remaining in force.

"I have now the honor to inform you that in consequence

* See Appendix D.

of sundry memorials and petitions from persons claiming vessels in the Courts of Admiralty in some of the States praying for hearings and rehearings before the Court of Appeals, the United States in Congress assembled have been pleased to pass the resolution herewith inclosed, authorizing and directing the Judges of the Court of Appeals to sustain appeals, and grant rehearings or new trials wherever justice and right may in their opinion require it, establishing the allowance to be made to the judges, and directing the court to assemble at the city of New York on the first Monday of November next.

“It being given me in charge to take order for the publishing of these resolutions for the information of all persons concerned, I have ordered copies of them to be inserted in the newspapers of this city, with a request to the printers of the several States to republish them in their papers; but lest any of them should fail, I have transmitted copies of them to the Supreme Executive of the several States, and have requested that they would be pleased to cause them to be published for the information of their respective citizens. I shall esteem it as a favor if you will take such further steps as you shall judge necessary, that all persons concerned may have due information.

“With great respect, I have the honor to be your most obedient and most humble servant,

“CHARLES THOMSON.

“The Honorable GEORGE READ, Judge of the Court of Appeals.”

The Secretary of Congress again wrote to Mr. Read :

“August 25th, 1786.

“SIR,—I received by the last post, and had the honor of communicating to the United States, in Congress [assembled], your two letters of April 9th and August 19th. The latter is referred to the Board of Treasury to report, so that I am in hopes the grounds of complaint mentioned will speedily be removed.

“With great respect, I am your most obedient, humble servant,

“CHARLES THOMSON.”

The rough drafts of these letters of Mr. Read have not been preserved.*

The journey which it appears from the following letter Mr. Read and his friend John Dickinson were at this time about to make was, I have no doubt, to Annapolis, to meet the commissioners, who were to assemble there to frame a commercial system for the States.

“DEAR SIR,—Upon reconsidering the plan of our journey to Maryland, I am convinced that it will be impracticable, or at least inconvenient and disagreeable, to travel from New Castle to Chestertown in one day. It seems to be much more advisable that on the evening of the 3d of next month we should lodge at Cantwell’s Bridge or Middletown. The next day we may reach Chestertown—perhaps Rock-hall. Notice can be given to Mr. Bassett of this alteration, and our baggage may go by stage, as before proposed. A line to Mr. Kitchen will secure good beds. Please to favor me with an early answer.

“Your friend,

“JOHN DICKINSON.

“WILMINGTON, August 27th, 1786.

“GEORGE READ, Esquire.”

The reader will, I suppose, be amused, in these days of fast travelling, at Mr. Dickinson’s notion of the impracticability, or inconvenience and disagreeableness, at least, of making the journey from New Castle to Chestertown in *one day*. The distance between these towns is about fifty miles, and I have more than once travelled it in one day, without distressing my horse or inconveniencing myself.

Mr. Griffin, one of Mr. Read’s colleagues in the Court of Appeals, wrote to him as follows from

“RICHMOND, August 29th, 1786.

“MY DEAR SIR,—I do myself the pleasure to ask if you intend to [be] at New York, in November, upon the business of appeals?

* Unless the letter of April 9th be that of April 8th, which is probable; Secretary Thomson writing by mistake 9th instead of 8th of this month. The reference of one of Mr. Read’s letters to the Treasury Board strengthens, I think, this conjecture.

"I am afraid no money will be had to defray our expenses. It would be proper to make some inquiries.

"How inconsistently Congress have acted in ordering the salary of the judges to cease, and are now again obliged to call them together! Have you not heard that a little party business predominated in that affair?"

"It is very extraordinary that Congress never received the joint letter we wrote them upon the subject of the Court when they sat at Annapolis. Mr. Lowell and myself were compelled to repeat it at Trenton, without even having an opportunity to consult you.

"An answer, directed immediately to me, or through the Virginia delegates, will be received with much satisfaction.

"I hope Mrs. Read and yourself are in the best health.

"I am, my dear sir, with great esteem and regard, your obedient friend and humble servant,

"C. GRIFFIN.*

"Honorable GEORGE READ, New Castle, Delaware."

The next letter in order of dates, received as he was about setting off for Annapolis, was no doubt disheartening.

"PHILADELPHIA, 3d September, 1786.

"DEAR BROTHER,—Yours of the 1st inst. came to hand about eight o'clock last evening, and I immediately set out to procure the information you desired; but, unluckily, every one of the gentlemen [you mentioned] were out of town, and not expected home till late.

* Cyrus Griffin was born in England, but anterior to the American Revolution was a member of the bar in Virginia and of her Legislature, and twice, if not oftener, chosen one of her representatives in the Continental Congress. While a member of that body (February 28th, 1780) he was appointed a judge of the "Court of Appeals in admiralty cases." Mr. Madison, in a letter to Edmund Randolph (New York, January 17, 1788), thus announces the election of Mr. Griffin to the presidency of the Continental Congress:

"DEAR SIR,—A Congress was made for the first time on Monday last, and our friend C. Griffin placed in the chair. There was no competition in the case, which you will wonder at, as Virginia has so lately supplied a president. New Jersey did not like it, I believe, very well, but acquiesced." Mr. Griffin died at Yorktown, in 1810, aged sixty-two years, holding the office of Judge of the United States District Court of Virginia, and having been the first judge appointed to that court.—*Appleton's Cyclopædia of Biography*, p. 345; *Madison Papers*, vol. ii. p. 667.

“All that I have been able to learn respecting their movements was from Mrs. Fitsimmons, who told me that neither her husband nor Mr. Morris were going to Annapolis; [but] that she understood Mr. Clymer, Mr. Cox, and General Armstrong (Secretary of the Commonwealth) were to go on that business, but did not know when they were to set out.

“I heard a person say in the coffee-house that there were two gentlemen in town from Jersey, on their way to meet the convention at Annapolis. I inquired if he knew their names, but was answered ‘he did not,’ nor did he know if there were any coming from farther eastward.

“I shall write to you at Annapolis if I can learn anything worth communicating. My family enjoy tolerable good health at present, and join in love to yours and all our other friends. Wishing you an agreeable jaunt and a happy issue to the deliberations you are going to engage in,

“I remain, your ever affectionate

“JAMES READ.

“Sunday morning, six o’clock.

“GEORGE READ, Esquire.”

Delegates from Virginia, Delaware, Pennsylvania, New Jersey, and New York met at Annapolis, and organized by choosing John Dickinson for their president; but the number of the States represented being thus small, and it becoming evident upon the discussions which ensued that the whole system of the Federal government required revision and amendment, and the commissions of the delegates not empowering them to undertake a work so grave and so extensive as this, they determined, instead of adopting a commercial system for the States, to recommend that they should choose delegates, to meet in Philadelphia on the second Monday in May, 1787, to revise the “Articles of Confederation,” and recommend such alterations therein as would fit them for the exigencies of government and the preservation of union.

Mr. Read, being the only one of the delegates from his State to the late convention at Annapolis who had a seat in the Legislature of Delaware, was anxious to be present at the session of that body, about to be held, that he might report the result of the convention, give all necessary in-

formation in regard to it, and especially that he might exert his influence in support of its recommendation; but, unfortunately, the time appointed for holding the Court of Appeals would fall within the period of this session of the Delaware Legislature. In this case of conflicting duties, which must yield? The letter which follows will show Mr. Read proposed to reconcile them.

“NEW CASTLE, October 7th, 1786.

“SIR,—I had your letter of the 29th of June last, with its inclosure, the resolves of the United States in Congress assembled, authorizing and directing the judges of the Court of Appeals to sustain appeals and grant rehearings or new trials in the cases which have been or may be brought before them, where justice and right might require it, and for the assembling of the said court on the first Monday in November next, in a reasonable time after it was transmitted from your office; but the Legislature of this State, previous thereto, having adopted the proposition, originally made by the Legislature of Virginia, for a convention of commissioners, of the nomination of the respective States of America, to meet at Annapolis, for the purpose of forming a system of commercial regulations, calculated for the union, and having named me as one of their commissioners for that meeting, I apprehended any answer I could make to your address and information would much depend upon the result of such convention of commissioners; for although true it is that the honorable Congress had a right to a preference of attendance, yet I did conceive the great importance of the business held out for the proposed convention might, in the opinion of that honorable body, be a proper subject of excuse for the non-attendance of an individual member of their Court of Appeals, in case the proceedings to be had at the convention should render his attendance necessary elsewhere than at New York at the time prefixed. And as that meeting of commissioners was but a partial one, and they recommended to their respective States a further appointment, with enlarged powers, I have thought that it might be useful and necessary for me, as the sole attending commissioner that had a seat in the Legislative Council of this State, to be [present] at the next session of the General Assembly thereof, in the latter end of this month, as well for

laying the result of the meeting at Annapolis before them, as personally to state and urge the reasons that induced that unanimous opinion, expressed in their report, in favor of a future appointment of commissioners, with enlarged powers, and now more especially as a majority of the returned members in the several counties of the State for the House of Assembly are new ones; and therefore it is that now, through you, I have to request of the honorable the United States, in Congress [assembled], an indulgence of time for my attendance in the Court of Appeals, at New York, until the latter end of the month of November, or beginning of December, by which time I do expect that the ensuing session of the General Assembly of this State will certainly end. I should have made this application sooner after my return from Annapolis, but that I have been daily expecting to hear from my colleague, Mr. C. Griffin, to whom I had written, informing him of my situation as to attendance at the proposed Court of Appeals, and wishing to know if he could be there at the time fixed therefor. I have not yet been favored with an answer, but on my return from Annapolis I met Mr. Griffin's brother in Baltimore, who told me Mr. C. Griffin had said he should go to New York after the rising of the Virginia Assembly, that would sit in November, of which he (Mr. C. Griffin) was a member. Therefore, under such circumstances of other public duty to be performed by the judges of appeals, I must beg it of you to have it submitted to the honorable the States in Congress [assembled], whether a postponement of the meeting of the Court of Appeals to the first Monday in December would be attended with any improper consequences as to the expected business in that court, as by that day, if no unforeseen accident should happen, I could, without interference with other public duty, attend at New York; and from what I have mentioned above, it is highly probable Mr. C. Griffin will be there then, and Mr. Lowell, being so informed, may not be disappointed by coming forward at too early a day. My situation, as herein stated, must, sir, be my apology for giving you this trouble of application.*

* It does not appear that this application was made, nor, if made, with what result.

“With much respect, I am your most obedient, humble servant,

“GEORGE READ.

“CHARLES THOMSON, Esquire.”

The next letters are the last of Mr. Read's correspondence for 1786 which I find among his papers. They contain some information worth preserving, and show further how intimate was the friendship between him and John Dickinson.

“DEAR SIR,—This day Mr. Delaplain, the collector for this county, called upon me, and surprised me by saying my rate for Christiana Hundred, in which I reside, is, for the present year, fifty pounds. As I am taxed for the several parts of my estate in the places in which they lie, my taxes in Kent County alone for this year amounting to two hundred and seven pounds ten shillings, and as I have no property whatever in this hundred but my household goods,—a coach, a sulky, three horses, and a cow,—I cannot but consider the rate I have mentioned as unequal and unjust. Gentlemen of very considerable estate—to mention only Mr. James and Mr. John Lea—are rated, each, only at thirty pounds. It cannot be with the least reason pretended that my property in this hundred is equal to the tenth part of either of theirs. Mr. Delaplain says it is a shameful inequality, and says that at the utmost I ought not to be rated above ten pounds; but he adds that it is too late now to appeal for redress this year. He informs me—and it is the first information of any kind I have received respecting any of my taxes in this county—that the day after Christmas is the day of appeal for the next year. I beg leave therefore to rely upon your friendship to excuse me for giving you a little trouble on this subject. My request is that you be so good as to deliver the inclosed letter to the gentlemen of the Court of Appeals when they meet, and say to them what in your judgment may be thought proper on this occasion.

“I have left this letter unsealed, that you may read it.

“I am, dear sir, your sincere friend,

“JOHN DICKINSON.”

To this letter Mr. Read at once replied, as follows :

“NEW CASTLE, 17th December, 1786.

“DEAR SIR,—I have yours of yesterday’s date, inclosing an address to the Court of Appeals, which I shall deliver, but it is a place I seldom grace with my presence, as it may properly be styled a court at Dover, in England, I suppose, where they are all talkers and no hearers.

“I am told my son George, who came of age in August last, and whose profits by his practice have not enabled him to pay for his clothing, and without a shilling of other ostensible property, is rated at forty pounds. What will be the fate of either rate is difficult to say.

“There is a bill pending in the General Assembly of the State, proposing a list and valuation of taxable property and new modelling the Court of Appeals. Whether such a provision will take place the ensuing session I cannot say. Some alteration in the present form of rating hath long been thought necessary.

“The compliments of my family await yours, and I am, with much respect and esteem,

“Yours, most sincerely,

“GEORGE READ.

“The Honorable JOHN DICKINSON.”

The year 1786 closed upon Mr. Read preparing to attend the approaching session of the General Assembly of Delaware, and hoping by the exertion of his influence to induce the election by this body of delegates to the convention proposed to meet at Philadelphia in May, 1787.

APPENDICES TO CHAPTER V.

A.

TUESDAY, February 16th, 1779, Mr. McKean laid before Congress the following instrument, empowering the delegates from the State of Delaware to ratify and sign the Articles of Confederation:

“His Excellency Cæsar Rodney, President, Captain-General, and Commander-in-Chief of the Delaware State, to all to whom these presents shall come, greeting:

“Know ye, That among the records remaining in the rolls-office of the Delaware State there is a certain instrument of writing purporting to be an Act of the General Assembly of the said State, which said Act is contained in the words and tenor here following, to wit:

“Anno milesimo septingentesimo septuagesimo nono.

“An Act to authorize and empower the Delegates of the Delaware State to subscribe and ratify the Articles of Confederation and Perpetual Union between the several States.

“*Whereas*, the Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts-Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, signed, in the General Congress of the said States, by Honorable Henry Laurens, their then President, have been laid before the General Assembly of Delaware, to be ratified by the same, if approved; *And Whereas*, notwithstanding the terms of the Articles of Confederation and Perpetual Union are considered, in divers respects, as unequal and disadvantageous to this State, and the objections stated by this State are viewed as just and reasonable, and of great moment to the welfare and happiness of the good people thereof, yet, under the full conviction of the present necessity of acceding to the confederacy proposed, and that the interest of particular States ought to be postponed to the general good of union, and moreover, in full reliance that the candor and justice of several States will in due time remove, as far as possible, the objectionable parts thereof,

“Be it enacted by the General Assembly of Delaware, and it is hereby enacted by the authority of the same, That John Dickinson, Nicholas Van Dyke, and Thomas McKean, Delegates elected to represent this State in Congress, or any one or more of them, be and they are hereby authorized, empowered, and directed, on behalf of this State, to subscribe and ratify the said Articles of Confederation and Perpetual Union between the several States aforesaid. And be it further enacted by the authority aforesaid, [That] the said Articles of Confederation

and Perpetual Union, so as aforesaid subscribed and ratified, shall thenceforth become obligatory upon this State.

“NICHOLAS VAN DYKE,
“*Speaker* [of Council].

“THOMAS COLLINS,*
“*Speaker* [of House].

“Signed by order of the Council.

“Passed at DOVER, February 1st, 1779.

“All which, by the tenor of these presents, I have caused to be exemplified. In testimony whereof, the great seal of the Delaware State is hereto affixed, at Dover, the 6th day of February, 1779, and in the third year of the independence of the United States.

“CÆSAR RODNEY.

“By his Excellency’s command,

[SEAL.]

“JAMES BOOTH, *Secretary*.”

B.

COURT OF APPEALS IN ADMIRALTY CASES.

CONGRESS established, by resolution, 15th January, 1780, a court for the trial of all appeals from the Courts of Admiralty in the United States, in case of capture, to consist of three judges, appointed and commissioned by Congress, either two of whom, in the absence of the other, to hold a court for the dispatch of business,—the said court to appoint their own registrar. The trial in this court to be according to the usage of nations, and not by jury. The first session of the court to be as soon as might be, at Philadelphia, and its future sessions at such times and places as the judges shall consider most conducive to the public good, but never farther eastward than Hartford, Connecticut, or southward than Williamsburg, Virginia. The salaries of these judges were fixed, but not till September 15th, 1780, at twenty-two hundred and fifty dollars each per annum. On the 22d of January, 1780, Congress elected, by ballot, Messrs. Wythe, Paca, and Hosmer, judges of this court. On the 8th of February Mr. Paca accepted, and Mr. Hosmer, April 12th, and Mr. Wythe declined the appointment thus conferred, and on the 28th of April Mr. Cyrus Griffin, of Virginia, was elected, in his room, who accepted, provided his constituents (he being a delegate to Congress) should approve of his so doing. On the 17th November, 1782, Mr. Paca, “having been promoted to the government of Maryland,” resigned his Admiralty judgeship, and in the same month Congress was informed of the death of Mr. Hosmer, and on the 5th of December, according to their previous order, elected John Lowell and George Read, in their room, the former having been nominated by Mr. Osgood and the latter by Mr. Fitzsimmons.—*Journals of Congress*, published at Philadelphia, by authority of Congress, A. D. 1800, vol. vi. pp. 10, 12, 18; *ibid.*, vol. viii. p. 21. Congress, 9th February, 1786, “fully im-

* See Appendix E.

pressed with a sense of the ability, fidelity, and attention of the judges of the Court of Appeals, in the discharge of the duties of their office, resolved that, as the war was at an end, and the business of the court in a great measure done away, their salaries should cease."—*Journal of Congress*, vol. xi. p. 25. But claimants of vessels, in the Court of Admiralty, having petitioned Congress for hearings and rehearings, or new trials, this body, 27th June, 1786, resolved "that the Court of Appeals should grant rehearings or new trials in all cases where justice should require it, provided the order for the same shall not suspend the execution of the first sentence in such case, unless the party in whose favor it is gives security for payment of such costs and damages as the court, on a rehearing, may award." It was further resolved "that the judges of said court should be entitled to ten dollars for every day of their attendance on the same, and while travelling to and from the place of its session, and should meet for dispatch of business at New York, the first Monday of November, 1786."—*Journal of Congress*, vol. xi. pp. 87, 88. This court must have expired with the Confederacy, as there was no repeal of the resolution which established it, I believe, having failed to discover any resolve, repealing it, in the Journal of the Continental Congress.

C 1.

STATE OF THE POLLS FOR NEW CASTLE COUNTY,
GENERAL ELECTION, 1st OCTOBER, 1785.

COUNCILLOR.

*George Read	1062	Joshua Clayton	4
John Clark	299	Isaac Grantham	1
Alexander Porter	72	David Finney	1
Thomas May	50	John Crawford	1
Peter Hyatt	12	Joseph Stedham	1

ASSEMBLYMEN.

*Gunning Bedford	1282	John Lea	76
*Jacob Broom	1118	Alexander Reynolds	27
*Thomas Duff	1067	William McClay	24
*John Garrett	1013	Daniel Charles Heath	15
*Peter Hyatt	1004	John Hyatt	13
*Joshua Clayton	793	John Vining	10
*William Clark	735	Isaac Alexander	6
Alexander Porter	734	Isaac Lewis	6
John Crawford	684	John Clark	4
John James	636	James Black	4
Thomas May	516	Moses McKnight	2
Isaac Grantham	303	Christian Van Degrift	2
James Gibbons	217	William Robeson	2
Henry Latimer	198	Thomas Watson	1

* Elected.

SHERIFF.

*Thomas Kean (<i>Commiss'd</i>) 579	William McKennan . . . 518
Samuel Smith 521	James Dunn 129

CORONER.

*John Stockton (<i>Commiss'd</i>) 681	Robert Montgomery . . . 152
John Enos 435	John Fitsimmons . . . 135
Samuel P. Moore 427	William Bracken 55
Thomas Glenn 198	William Elliott 46
Isaac Devou 166	John Herdman 4

C 2.

NOTICE OF JOHN READ.

JOHN READ, fourth son of George Read, a signer of the Declaration of Independence, was born in New Castle, in the State of Delaware, July 7th, 1769. He graduated at Nassau Hall, New Jersey, in 1787,—the celebrated Dr. Witherspoon being president. He was, after the usual time of study of law, admitted to the bar, and removing to the city of Philadelphia, practised there for many years, winning universal confidence and respect by unwavering integrity in all the relations of life, by his devotion to business, and urbane manners.

He married, in 1796, Martha, oldest daughter of Samuel Meredith, brother-in-law of George Clymer, a signer of the Declaration of Independence. These gentlemen were prominent merchants for many years in Philadelphia, and ardent and active Whigs during the Revolutionary war. Clymer was also a member of the convention that framed the Constitution of the United States, and Meredith first treasurer of the Federal government. Mrs. Read's mother was a daughter of Colonel Thomas Cadwallader, and sister of General John Cadwallader; and her brother-in-law, General Philémon Dickinson, commanded the militia of New Jersey at the battle of Monmouth, and John Dickinson was her cousin.

In 1797 President Adams conferred on Mr. Read the office of Agent-General of the United States for British Debts, which he filled ably and faithfully through Jefferson's administration (John Dickinson having urged his being retained in this post), and until it terminated.

Mr. Read served for some time in the Councils of Philadelphia. In 1815 and 1816 he was elected a member of the Pennsylvania House of Representatives, and appointed a member of the Committee on Roads and Inland Navigation, and during the session of that body, in 1816, was attacked by an illness almost fatal. His wife hastened to his bedside, and, while assiduously nursing him, fell also sick, and soon after died. He did not again marry. He was elected to the Senate of Pennsylvania in 1816,—while serving in the House of Representatives, soon after he recovered from the sickness which so blighted his domestic

* Elected.

happiness,—to fill the vacancy caused by Nicholas Biddle's resignation, and soon after appointed a State director in Philadelphia Bank.

In 1817 Mr. Read received the appointment of Solicitor of the city of Philadelphia, and in 1819 that of President of the Philadelphia Bank, which he held, with characteristic ability and fidelity, till he resigned it in 1841.

Mr. Read removed in 1841 to Trenton, New Jersey, where he resided in retirement from secular business, but (in connection with St. Michael's Parish), as before, an active, wise, and liberal churchman, adorning by a consistent life his Christian profession. In July, 1854 (13th), he departed this life, having attained the patriarchal age of eighty-five years.

His only surviving daughter died 13th March, 1854, and, beside the decease of several of his children in their infancy, he was bereaved by death of his second son, Henry Meredith, who, having graduated in the University of Pennsylvania and studied medicine, died, after a short illness, soon after he began to practice, with very flattering prospects of success.

Mr. Read, at an early period of his life a communicant of the Protestant Episcopal Church, was, for many years, a vestryman and warden of Christ, and then of St. James's, Church, Philadelphia, having taken an active part in building it, and generally in the affairs of the church. He was of middle size and well made, and his features regular; he was modest, and remarkably discreet and prudent, singularly temperate in eating and drinking, and seldom failed daily to take much exercise in the open air.

The writer of this "sketch," returning from the General Convention of the Protestant Episcopal Church, held at Cincinnati in 1850, was introduced to the Bishop of Western New York, who asked, "Are you related to Mr. John Read, of Philadelphia?" Upon replying "yes," the bishop added, "Give me your hand, sir: Mr. Read was one of my dearest friends." Dr. Delaney, previously to his elevation to the episcopate, was assistant minister of Christ, St. Peter's, and St. James's Churches, Philadelphia, and rector, after the union of these churches was dissolved, of St. Peter's.

The only surviving child of Mr. Read is the Honorable John Meredith Read, for many years one of the eminent members of the Philadelphia bar, and elected, by the great majority of twenty-six thousand nine hundred and eighty-five votes, one of the judges of the Supreme Court of Pennsylvania, and his son, General John M. Read, Jr., is United States Consul-General at Paris.

D.

STATE OF DELAWARE.

IN THE HOUSE OF ASSEMBLY, JUNE 15, 1786.

Whereas, Official information has been received that the States of Massachusetts, Pennsylvania, Maryland, and Virginia have passed resolutions appointing certain persons therein named as commissioners on the part of those States to meet such commissioners as may be appointed by the other States in the Union for the purpose of taking into consideration the trade of the United States, and to report such an act relative thereto as will best promote the interest of the United States; and this State being willing to co-operate with them in so laudable and useful a measure,

Resolved, That the Honorable George Read, Esqr., Jacob Broom, Esqr., John Dickinson, Esqr., Richard Bassett, Esqr., and the Honorable Gunning Bedford, Esqr. be, and they are hereby, appointed commissioners on the part of this State, who or any three of them may act, to meet such other commissioners as may have been or shall be appointed by the other States, at Annapolis, on the first Monday in September next, for the purpose of considering the trade of the United States, to examine the relative situations and trade of the said States, to consider how far an uniform system in their commercial regulations may be necessary to their common interest and permanent harmony, and to report to the United States in Congress assembled such an act relative to this great object as, when agreed to by them and confirmed by the Legislature of every State, will enable the United States in Congress assembled effectually to provide for the same.

Resolved, That his Excellency the President be requested to give notice to the Supreme Executives of the several States in the Union of the concurrence of this State in the measures proposed by the States of Massachusetts, Pennsylvania, Maryland, and Virginia for the purposes aforesaid.

Resolved, That each of the commissioners aforesaid shall receive the same allowances for their time and services in the discharge of the duties aforesaid as are made by this State to their delegates in Congress by the resolution of the fifth day of November last, and the same shall be drawn for and paid in like manner.

Sent for concurrence. In the Council, June 23d, 1786. Read, considered, and agreed to.

THO. McDONOUGH, *Speaker*.

Extract from the Minutes.

JAMES BOOTH, *Clerk of Assembly*.

E.

THOMAS COLLINS.

“On Sunday, March 29th, 1789, at his seat at Belmont, near the village of Duck Creek Cross-Roads, in the county of Kent, departed this life Thomas Collins, Esquire, President, Captain-General, Governor, and Commander-in-Chief of the State of Delaware, aged fifty-seven years; and on Tuesday, the 31st, his remains were respectfully inhumed in an ancient place of sepulture belonging to his family, the pall being borne by our Representative in Congress, the Privy Council, and the Judges of the Court of Common Pleas, followed by a very numerous concourse of his afflicted and sympathizing fellow-citizens, where a discourse highly adapted to this melancholy occasion was delivered by the Rev. Mr. Roe, pastor of the united parishes of Christ Church and St. Peter's.

“Mr. Collins descended from English ancestors, who settled early in this country, and bestowed upon him all the learning that was to be acquired in those times; and though he never enjoyed the benefits of a liberal or collegiate education, yet a thirst after knowledge, joined to a strong natural and masculine understanding, assisted by an intense application to business, sufficiently atoned for that want, and counterbalanced that fortuitous desideratum. The easy affability of his temper, added to a benevolence of soul, soon endeared him to his countrymen, and secured the affections of the majority of his fellow-citizens, by whose suffrages he was elected to the office of High Sheriff of Kent County, a post at that early period of considerable honor and advantage, in the execution of which, for the term of nearly four years, he acquitted himself with zeal, reputation, and integrity, to the entire satisfaction of his constituents. After the expiration of that term, he was successively delegated to the important trust of a legislator until the late memorable Revolution.

“Upon the general dissolution of the old government in 1776, he was appointed one of the Council of Safety for the Delaware State, the only executive power then in being, and afterwards was chosen a member of the convention for the purpose of framing a new constitution, under the authority and auspices of Congress. His next appointments were to the chief command of one of the first regiments of militia and military treasurer for the State. On the promotion of the late Governor Rodney to the rank of a major-general, Mr. Collins succeeded to the command of the county brigade. In the beginning of the year 1777 General Collins headed his native militia to the camp and head-quarters at Morristown, New Jersey, and endured, in common with his fellow-soldiers, all the fatigue and hardship of that memorable campaign. During the same year, when the troops under the conduct of General Sir William Howe passed through the upper part of New Castle County, he commanded a small army of observation and picket on the lines of the Maryland and Delaware States, and was opposed as a covering corps against the Germans, under Lieutenant-General the Baron Knyphausen, and so hung upon

their flank and rear that he effectually secured the country below from the ravages of these mercenary marauders; all these military services being performed at his own private cost, without any charge or expense to the government.

“He was successively elected to the House of General Assembly and the Legislative Council, of which last he was chosen Speaker, and continued as such until removed to the office of Chief Justice of the Court of Common Pleas; and from thence, as a full and complete remuneration for his many past faithful services, he was finally, and by the unanimous voice of both Houses of Assembly, exalted to the presidency and supreme command of the State of Delaware. In this last eminent situation on this pinnacle of civil preferment he lived without pride, governed with ability, abstracted from oppression, and died with composure and resignation, beloved, regretted, and lamented by all honest men. The urbanity of his soul was manifested in the whole tenor of his actions,—not only benevolent in theory, but abundantly beneficent in practice,—his private bounties keeping pace with his public donations. As a member of the Protestant Episcopal Church, he evidenced the sincerity of his attachment to that denomination of Christians in [the] building St. Peter’s Church, at Duck Creek, towards which he was the chief and principal contributor. Yet notwithstanding his predilection to the Church of England and its professors, the catholicism of his sentiments embraced all mankind in the affectionate circle of charity and fraternal regard. Though his salary as commander-in-chief was not considerable, yet he resigned the emoluments arising from marriage and tavern licenses (being part of that salary), equal to the yearly interest of nine or ten thousand pounds, to the use of the State, to be applied to such public and benevolent purposes as the Legislature should think proper. This generous abdication of lucre is unprecedented among our American governors, and was never surpassed but in the conduct of our late worthy general and commander-in-chief—the most illustrious President of the United States.

“Rest, then, in the bosom of everlasting peace, thou upright governor, disinterested patriot and statesman,—thou kind husband, thou most affectionate, indulgent father and gentle master; and while thy loss is lamented, in all the bitterness of human anguish, by a youthful son and three amiable daughters, let them wipe off the tear of filial regard and dry the torrent of unutterable sorrow, and in consolation remember that the beloved parent, who now sleeps in the dust, and whose kind indulgences they shall never again experience, has by a series of industrious pursuits, governed by the strictest rules of honor and probity, left them in possession of a patrimony superior to their wants and beyond the reach of adversity.”—From the *Delaware Gazette*, a paper published at Wilmington, Delaware, vol. iv. No. 202, Saturday, May 2d, 1789.

F.

NOTICE OF DR. WITHERSPOON.

DR. ALEXANDER CARLISLE, minister of Inveresk, in his interesting Autobiography, pp. 25, 26, 55, thus notices him :

"I was sent to the college of Edinburgh, November 1st, 1735. I was in a boarding-house where was very good company. John Witherspoon, the celebrated doctor, was also in the house. His future life and public character are well known. At the time I speak of he was a good scholar, far advanced for his age, very sensible and shrewd, but of a disagreeable temper, which was irritated by a flat voice and awkward manner, which prevented his making the impression on his companions, of either sex, which was at all adequate to his abilities. This defect when he was a lad stuck to him when he grew up to manhood, and so much roused his envy and jealousy as made him take a road to distinction very different from that of his more successful companions."

Carlisle further writes that he used to accompany Witherspoon in visits to his father, a clergyman residing at Gifford Hall, when they were wont to pass the day in fishing, to be out of the way of the father, who was very sulky and tyrannical, but much given to gluttony, and in bed always at nine, and fat as a porpoise : was not to be awakened, so that they had three or four hours every night to amuse themselves with the daughters of the house and their cousins. This John loved of all things, and far more when he returned Carlisle's visits, and had more companions of the fair sex and no restraint from an austere father ; so that Carlisle always considered the austerity of manner and aversion to society which he assumed afterwards as the arts of hypocrisy and ambition, for he had a strong and enlightened understanding, far above enthusiasm, and a temper that did not seem liable to it.

It was believed by some persons that Dr. Nesbit, President of Dickinson College, Carlisle, Pennsylvania, was the son (*filius nothus*) of Witherspoon, to whom he bore a striking resemblance in features, but was unlike him in person and temper. Any likeness between their sentiments and public appearances might be accounted for by the great admiration for Witherspoon of Nesbit, who was bred up in his parish, under his eye. Nesbit was a man of some learning and ability, which he displayed with little judgment in the Assembly. He was in point of learning well qualified for the presidency of Dickinson College, but became miserable, because he could not return to Scotland,—a striking case of *nostalgia*.

A lady, to whom Dr. Witherspoon was showing his garden, said, "You have an excellent garden, *but no flowers*." "No, madam," said he, "neither in my garden nor in my discourse."—*Biography of the Signers of the Declaration of Independence*, vol. ii. p. 257.

CHAPTER VI.

State of public affairs, feelings, and opinions at the beginning of 1787, as to powers proper to be delegated the general government; how it could be amended; ungranted lands; and votes of the States in the National Legislature—Madison's letters from New York—Western posts, and navigation of the Mississippi—Monarchy advocated—Mr Read's letters to Mr Dickinson; approaching session of Delaware Legislature; his opinion that the Delaware delegates should be inhibited from giving up her equal vote—Delegates appointed, Mr. Read one of them, with the advised restriction; wisdom of it afterwards apparent—Compromise of the claims of the States as to their votes in the National Legislature—Anecdotes of Gouverneur Morris—Letter of Jacob Broom—Slow arrival of delegates to the Convention at Philadelphia—Want of facilities of travel—Letter from Mr Read, in Philadelphia, to Mr Dickinson—His account of a proposed plan of a national government—Suspicious of intentions of large States towards the smaller ones dangerous to them—Convention organizes; Washington elected President, and Jackson secretary—Proceeds at once to business—Randolph's plan of a new Constitution; debates in Committee of the Whole on this plan—Great warmth on the question, "What should be the rule of suffrage in the Federal Legislature?"—Decisions against the smaller States in the Committee of the Whole—The Jersey plan; its inferiority to the Virginia one; why preferred by the smaller States—Hamilton opposes both plans, and prefers monarchy, but that being impracticable, advocates a strong central government—Virginia plan reported to the House, considered there, and *proportional* representation of the State retained—Dissatisfaction and danger of dissolution—Committee of Conference; result—Compromise of proportional vote in the House and equal in the Senate—Questions as to rule of apportionment of representatives, whether slaves were property or not, etc., raised and settled; proposition agreed to in Committee of the Whole, referred to Committee of Detail; their report—Warm debates as to proposed power to pass navigation laws, prohibit taxes on exports and the slave-trade: questions thus raised, settled by compromise—Mr. Read's speeches in the Convention—Hamilton's plan—Madison's testimony to the purity of the Convention and devotion to their duty—Signature of the Constitution—Note of Mr. Dickinson—Constitution laid before Congress and submitted to the States; violent opposition to it—Constitution first ratified by Delaware—Death of Colonel Cantwell; Mr Read's opinion as to the removal of his remains, interring families together, and on private cemeteries, and comment on it—State of public affairs and opinions at the beginning of 1788—In most of the States proposed Constitution of the United States under consideration; objections to it fallacious—Character of the Constitutional and anti-Constitutional parties—Constitution ratified—Vining elected to House of Representatives from Delaware, and Bedford, Mitchell, and Banning electors of President and Vice-President, who vote for Washington and Adams—Messrs. Read and Bassett chosen United States Senators for Delaware—letter of Mr. Dickinson—Question as to location of the seat of the Federal government; attendance of Delaware delegates in Congress important on account of it—Letter of Major Jackson to Mr. Read—Candidates for secretaryship of the Senate—C. Griffin's letter in favor of J. Livingston—Assault on Mr. Read by "Timoleon;" its character; failed in its object—Letter of Mr. Dickinson; recommends Colonel Pierce for collectorship of Savannah—Letter of Edmund Randolph recommending Colonel Heth for office—Letter of Samuel Wharton—Organization of United States government delayed by want of quorums in both Houses of Congress—Letter of J. Langdon and others, urging Mr. Read's presence at New York—Win. Bingham recommends Major Jackson for secretary-

ship of United States Senate—Letter of C. Thomson urging Mr. Read's attendance in United States Senate—Letter of John Vining—Death of Governor Collins—Competitors for governorship of Delaware—Notice of James Booth, and his letter to Mr. Read—Quorum of both Houses of Congress obtained—Election of President and Vice-President declared—Washington's election announced to him; sets out for New York; his reception there and on his journey; his inauguration—Notice of J. McHenry; his letter in favor of Commodore Barney—Mr. Read's allotment to class of senators whose seats would be vacated in two years—Mr. Read asks opinions of Messrs. Dickinson and Vining on the bill to establish United States courts—Their letters—Common law; how much of it adopted with the United States Constitution—Letter of John Penn; confides his affairs in Delaware to Mr. Read—Notice of John Penn—Competition for United States offices—District Judgeship of Pennsylvania, candidates for—Notices of Edward Shippen—Letters of Moses Levy and Edward Tilghman recommending him—Peters appointed—Letter of Mr. Dickinson, pressed for a debt assumed for Delaware—Mr. Read's service on Senate committees—Senate adjourns—A day of thanksgiving recommended—Principal bills passed by Congress—Interval between adjournment and next session devoted by Mr. Read to his family and profession—Appendix A, act of Assembly appointing Mr. Read and others delegates to the Convention that framed the Constitution of the United States—Appendix B, notice of Nicholas Van Dyke—Appendix C, notice of Edmund Randolph—Appendix C 2, notice of C. Thomson—Appendix D, notice of John Vining—Appendix E, notice of Commodore Barney—Appendix F, classification of United States Senate—Appendix G, notice of Gunning Bedford—Appendix H, notice of Richard Peters and Edward Tilghman.

NONE of my countrymen, unless utterly thoughtless, exchanged greetings on New Year's Day, 1787, without anxiety. Evils of most grave character were upon them, and fears for the future predominated over their hopes of more prosperous times. The disease under which the body politic was suffering had reached its crisis. Mr. Madison's letters* in the winter and spring of 1787 enable me, in some degree at least, to feel as that patriot felt and to think as he thought, as he noted fluctuations of opinion and events as they occurred, favorable or unfavorable to the success of the contemplated convention of that year. His position, that of member of Congress, sitting in New York, was at a point where streams of intelligence converged from all the States. Diverse were the opinions upon the great measure everywhere the subject of thought and discussion. Some believed that unless recommended by Congress it must fail, while others were persuaded that this sanction would defeat it, so rampant was State jealousy of Federal power. Some were for amending the Articles of Confederation; others for substituting a new system of government. The wisest citizens, profiting by bitter experience of the want of a central power to regulate matters of general concernment,

* Madison Papers, vol. ii. pp. 615, 682, *passim*.

foreign relations, commerce, internal and foreign revenue, and posts, for example, had even struck out the great features of the Constitution of the United States. To whom belongs the merit of the first conception of the outlines of this Constitution is doubtful.* Wherever there has been a great want the remedy for it has often suggested itself, with more or less clearness, simultaneously to several men, distant from each other, and without interchange of thoughts on the subject. Hence controversies have not been infrequent in regard to claims to the merit of originating innovations in government or improvements in arts that have augmented the comfort and wealth and with them the intelligence and virtue of nations. The States were reluctant to relinquish power, and distrustful of the depositories of it should it be delegated. The small States felt that their existence would be endangered if they yielded the equality of vote in the national government, which they claimed, and which the larger States denounced as so unjust and unreasonable that they could never admit it. Opinions were various as to the powers which ought to be delegated to the general government. Some favored consolidation; others such a retention of power by the States as was incompatible with a vigorous or indeed any national government. The States that were importers for contiguous States selfishly wished to retain the advantage they enjoyed of raising revenue on merchandise, which their neighbors, wanting ports, were compelled to receive through their merchants. New Jersey, between Pennsylvania and New York, and North Carolina, between Virginia and South Carolina, were felicitously compared to "a hogshead tapped at both ends," or "a patient bleeding at both arms." There was another source of strife in the question to whom belonged the ungranted or crown lands, claimed by the States within whose boundaries they were situated, and for this reason and as pertinaciously by other States as the common property, because wrested from the British sovereign by the blood, and money, and sacrifices of all. No one looked with the least respect to Congress, or faintest hope of relief from its measures. Its requisitions were treated with silent

* Curtis's History of the Constitution of the United States, vol. i.; Madison Papers, vol. ii. pp. 632, 633.

contempt. No provision could be made for the sacred debt of the war just gloriously terminated, while honest and generous men hung their heads in shame when they witnessed the penury, with all its woes, of the victims of such flagrant ingratitude. The Western posts were retained by the British, and treaty stipulations for the payment of debts due English merchants were disregarded. Our commerce was in peril of annihilation by foreign governments, and there was no power in Congress to counteract their encroachments. The South and the Western settlers were disgusted and alarmed, and the latter threatened separation because of the selfish designs of the Eastern States to purchase advantages for their trade by ceding to Spain, for a term of years at least, the right claimed by their countrymen to navigate the Mississippi. Some men, at least in the Eastern States, advocated openly and boldly monarchical government as the only remedy for existing evils, and, to pave the way for it, favored the establishment of two or more confederacies. Lawyers argued that the "Articles of Confederation" could only be amended in the mode they provided, but it was well replied that it was absurd to interpose these articles, powerless for good, as a barrier to the proposed attempt to relieve the people from the evils under which they were suffering, which, however irregular, was the only practicable one, and must be tried then or not at all. The hope of reconciling these conflicting opinions was almost gone, when the Shay insurrection, overruled by Providence for this great good, forced upon those who opposed or hesitated to approve the proposed convention the conviction that this measure could alone avert civil war, which was at the door of every State, and State after State elected deputies to revise their Federal Constitution, and so to amend as to make it adequate to the exigencies of government and the preservation of the union of the States, until, before the spring of 1787, all had chosen them except Rhode Island.

The session of the Delaware Legislature was about to commence. The question of the election of deputies to the proposed convention was to be decided at this session. Mr. Read, at this juncture, asked, in the following letter to his friend John Dickinson, his consideration of the views therein submitted to him upon a point of the utmost in-

terest, because of vital importance to the small States of the American Confederacy.

“NEW CASTLE, January 17th, 1787.

“DEAR SIR,—Finding that Virginia hath again taken the lead in the proposed convention at Philadelphia in May, as recommended in our report when at Annapolis, as by an act of their Assembly, passed the 22d of November last, and inserted in Dunlap’s paper of the 15th of last month [appears], it occurred to me, as a prudent measure on the part of our State, that its Legislature should, in the act of appointment, so far restrain the powers of the commissioners, whom they shall name on this service, as that they may not extend to any alteration in that part of the fifth article of the present Confederation, which gives each State *one vote* in determining questions in Congress, and the latter part of the thirteenth article, as to future alterations,—that is, that such clause shall be preserved or inserted, for the like purpose, in any revision that shall be made and agreed to in the proposed convention. I conceive our existence as a State will depend upon our preserving such rights, for I consider the acts of Congress hitherto, as to the ungranted lands in most of the larger States, as sacrificing the just claims of the smaller and bounded States to a proportional share therein, for the purpose of discharging the national debt incurred during the war; and such is my jealousy of most of the larger States, that I would trust nothing to their candor, generosity, or ideas of public justice in behalf of this State, from what has heretofore happened, and which, I presume, hath not escaped your notice. But as I am generally distrustful of my own judgment, and particularly in public matters of consequence, I wish your consideration of the prudence or propriety of the Legislature’s adopting such a measure, and more particularly for that I do suppose you will be one of its commissioners. Persuaded I am, from what I have seen occasionally in the public prints and heard in private conversations, that the voice of the States will be one of the subjects of revision, and in a meeting where there will be so great an interested majority, I suspect the argument or oratory of the smaller State commissioners will avail little. In such circumstances I conceive it will relieve the commissioners of the State from disagreeable argumentation, as well as prevent the downfall of the State,

which [without an equal vote] would at once become a cypher in the union, and have no chance of an accession of district, or even citizens; for, as we presently stand, our quota is increased upon us, in the requisition of this year, more than thirteen-eightieths since 1775, without any other reason that I can suggest than a promptness in the Legislature of this State to comply with all the Congress requisitions from time to time. This increase alone, without addition, would in the course of a few years banish many of its citizens and impoverish the remainder; therefore, clear I am that every guard that can be devised for this State's protection against future encroachment should be preserved or made. I wish your opinion on the subject as soon as convenient.

“I am pressed from divers quarters to give an early attendance at the ensuing session of Assembly, and did say to two gentlemen, the other evening, that I would set [out] with them early on next Monday, if they would procure a stage-wagon for the taking us down.

“My many absences from home, and the variety of businesses I have to attend to, give me little opportunity to digest my thoughts well on any of them. My condition is that of a common hack, for the use of every one that thinks fit to call for it, subjected to much hard treatment and ill fed.

“I had yours by Mr. Lake, who did not think fit to adopt a proposition I suggested to him for the speedy determination of the dispute between him and James Huston, as mentioned by you, which was the submitting the question of law upon the words of the will of a testator, whom he admitted they both claimed under, to some gentleman of the law, as from what I knew of the respective claims it ought and could be the only legal question. As to submitting equitable circumstances to those sort of judges [he proposed], I could not consistently with my own opinion and duty advise the measure. I suspect you were only applied to on [account of] the supposed influence you might have over me. Respect either to you or me influences no further than immediate interest leads to—certum est.

“In answer to your questions as to the intestate acts of 1742 and 1750, there was no intermediate act altering the succession to lands of intestates; and by a manuscript ab-

stract I have of the act of 1742 (16th George II.), (my printed one being loaned in Kent), where there were no children, or legal representatives of such, the moiety of the lands were to the widow, for life, and the residue to be equally divided to every the next of kin of the intestate, in equal degree, and to those who legally represented them. No representatives among collaterals, *after* brothers and sisters' children. This clause is preceded by the following, which is properly a part of the one directing the lineal distribution,—viz., 'and if any of the children happen to die before age, or before marriage, then their portion to be divided among the brothers and sisters, or their representatives.'

"If you should happen [to have] the Pennsylvania acts of the 21st March and 20th September, 1783, respecting the payment of interest on unalienated certificates, but particularly the first, I shall be obliged to you to send them. If no opportunity offers here, send them to Mr. Broom, to bring them to Dover to me.

"I am, with much esteem, yours most sincerely,

"GEORGE READ.

"The Honorable JOHN DICKINSON."

The General Assembly of Delaware appointed, by an act passed 3d February, 1787, George Read, Gunning Bedford, John Dickinson, Richard Bassett, and Jacob Broom deputies of Delaware to the convention proposed to be held at Philadelphia to revise the Federal Constitution, with the restriction upon the power conferred on them suggested by Mr. Read in his foregoing letter to John Dickinson.*

The wisdom of this restraint was afterwards apparent. On the 30th May, 1787, the question, "What ought to be the right of suffrage in the national government?" came up in convention, Mr. Madison having moved "that the rule of suffrage established by the Articles of Confederation ought not to be the rule in the national legislature. Mr. Read moved "that the whole clause relating to the point of representation be postponed, reminding the committee that the deputies from Delaware were restrained by their commission from assenting to any change in the rule of suffrage, and

* Appendix A.

in case of such change it might become their duty to retire from the convention." Mr. Gouverneur Morris* replied "that the valuable assistance of these members could not be lost without real concern, and that so early a proof of discord in the convention as the secession of a State would add much to the regret; that the change proposed, however, was so fundamental an article in the national government that it could not be dispensed with." It was finally agreed that the subject should be postponed, with the understanding that the proposed change would certainly be agreed to; which was not the case, the opposing claims of the States, equally divided upon this question, having been settled by a compromise establishing in the Constitution of the United States the principles of proportional representation of the people in the House of Representatives and of equal representation in the Senate of the States, the just rule in a

* "The self-possession of Gouverneur Morris was so complete that he is said to have declared he never knew the sensation of fear, inferiority, or embarrassment in his intercourse with man."—*Curtis's History of the Constitution of the United States*, vol. i. p. 145.

But it appears by the following anecdote, communicated to me by Mrs. Susan Eckard, of Philadelphia, daughter of Colonel James Read, that Mr. Morris was once frightened, embarrassed, and sensible of inferiority in the presence of a fellow-mortal:

"Gouverneur Morris, a very handsome, bold, and—I have heard the ladies say—very impudent man. His talents and services are part of American history. He wore a wooden leg. He was not related to the great financier, who was said to be a natural child. The office of Mr. [Robert] Morris was only divided from papa's by a small entry, and was constantly visited by Mr. Gouverneur Morris, and papa's also. One day the latter entered, and papa was so struck by his crest-fallen appearance that he asked, 'Are you not well?' He replied, 'I am not,—the devil got possession of me last night.' 'I have often cautioned you against him,' said papa, playfully; 'but what has happened to disturb you?' 'I was at the President's last night; several members of the Cabinet were there. The then absorbing question' ('I forget,' Mrs. E. writes, 'what it was') 'was brought up. The President was standing with his arms behind him,—his usual position,—his back to the fire, listening. Hamilton made a speech I did not like. I started up and spoke, stamping, as I walked up and down, with my wooden leg; and, as I was certain I had the best of the argument, as I finished I stalked up to the President, slapped him on the back, and said, "Ain't I right, general?" The President did not speak, but the majesty of the American people was before me. Oh, his look! How I wished the floor would open and I could descend to the cellar! You know me,' continued Mr. Morris, 'and you know my eye would never quail before any other mortal.'"

government national and federal. The restriction upon the powers of the Delaware members had some influence in producing this happy result, and the reference to it by Mr. Read was the first indication on the floor of the convention that extreme pretensions could not prevail.*

It appears by the following letter from one of Mr. Read's colleagues, that, before the day appointed for the meeting of the convention, he had taken lodgings in Philadelphia, and was there.

Saturday evening, eight o'clock, CHESTER, May 12th, 1787.

SIR,—I just now alighted at Mrs. Withy's, and sit down to inform you that, previous to my leaving Philadelphia, I understood that my youngest child (who I left under inoculation) was very ill,—perhaps it is no more so than is to be expected in such cases. If there should be no appearance of danger, I intend seeing you on Monday; otherwise, perhaps not until Tuesday, when the worst of the disorder will in all probability be over. A sailor is now here from Reedy Island, who says that Captain Strong is arrived thither, and that Governor Rutledge, together with several other gentlemen, is passenger with him,—perhaps some of our gentlemen. By the middle of the week, and not before, I expect a sufficient number to proceed to business will be assembled. I am, sir, with the greatest respect and esteem, your most obedient, humble servant,

“JACOB BROOM.

“P.S.—General Washington lodges this night at Wilmington.

“The Honorable GEORGE READ, Esquire, at Mrs. House's, Market Street, Philadelphia.”

The delegates arrived slowly at Philadelphia. Journeying was tedious,—by packet-boats and stage-wagons; there were no turnpikes, and few bridges, and little competition on the lines of travel to accelerate it. Let us not, however, forget the price for fast travelling,—hecatombs, who annually perish by appalling disasters on steamboats and railroads. Mr. Read wrote the following letter to his friend, John Dickinson, from

* Madison Papers, vol. ii. pp. 751, 752, 753, 1107, 1113.

“PHILADELPHIA, May 21st, 1787.

“DEAR SIR,—I have just seen Master Hicks, who says he is to return in about an hour. It was rather unlucky that you had not given me a hint of your wish to be in a lodging-house at an earlier day. Mrs. House’s, where I am, is very crowded, and the room I am presently in so small as not to admit of a second bed. That which I had heretofore, on my return from New York, was asked for Governor Randolph, it being then expected he would have brought his lady with him, which he did not, but she is expected to follow some time hence.

“I have not seen Mr. Bassett, being from my lodgings when he called last evening. He stopt at the Indian Queen, where Mr. Mason, of Virginia, stays, the last of their seven deputies who came in. We have now a quorum from six States, to wit: South and North Carolina, Virginia, Delaware, Pennsylvania, and New York, and single deputies from three others,—Georgia, New Jersey, and Massachusetts,—whose additional ones are hourly expected, and also the Connecticut deputies, who have been appointed, within the last ten days, by the Legislature there. We have no particular accounts from New Hampshire, other than that the delegates to Congress were appointed deputies to this convention. Maryland you may probably have heard more certain accounts of than we who are here. Rhode Island hath made no appointment as yet.

“The gentlemen who came here early, particularly [those from] Virginia, that had a quorum on the first day, express much uneasiness at the backwardness of individuals in giving attendance. It is meant to organize the body as soon as seven States’ quorums attend. I wish you were here.

“I am in possession of a copied draft of a Federal system intended to be proposed, if something nearly similar shall not precede it. Some of its principal features are taken from the New York system of government. A house of delegates and senate for a general legislature, as to the great business of the Union. The first of them to be chosen by the Legislature of each State, in proportion to its number of white inhabitants, and three-fifths of all others, fixing a number for sending each representative. The second, to wit, the senate, to be elected by the dele-

gates so returned, either from themselves or the people at large, in four great districts, into which the United States are to be divided for the purpose of forming this senate from, which, when so formed, is to be divided into four classes for the purpose of an annual rotation of a fourth of the members. A president having only executive powers for seven years. By this plan our State may have a representation in the House of Delegates of one member in eighty. I suspect it to be of importance to the small States that their deputies should keep a strict watch upon the movements and propositions from the larger States, who will probably combine to swallow up the smaller ones by addition, division, or impoverishment; and, if you have any wish to assist in guarding against such attempts, you will be speedy in your attendance.*

"Master Hicks is waiting while I write, and I cannot proceed to further particulars.

"I beg my compliments may be presented to Mrs. Dickinson, Miss Sallie, and Mrs. Thompson, who, I am told, is with you, and I am, with much esteem,

"Yours sincerely,

"GEORGE READ.

"Honorable JOHN DICKINSON."

On the 25th day of May, 1787, a quorum of States being present by their deputies, the convention was organized by the unanimous choice of George Washington for president,

* There were three parties in the convention. The first desired the abolishment of the State governments, and to establish a general government, monarchical in its nature, but restricted. The second was opposed to the annihilation of the State governments, and to a monarchical general government, but favored such a one as would give, as they maintained, their rightful power to the large States. But, as the smaller held undue weight, the third party held that the delegates were restrained by their elections and commissions from recommending anything beyond such alterations and additions as would make the "Articles of Confederation" adequate to the emergencies of government and the preservation of the federal union between the States. The first party joined the second. Sic scripsit Luther Martin.—*Taylor's New Views of the Constitution of the United States*, p. 42.

Delegates of the small States, though preferring a national to a federal government, sometimes acted and voted with this third party to defeat the second in their scheme of representation according to population, in the proposed national legislature.

and the election of Major Jackson as secretary. The delegates to the convention were eminent for ability, virtue, and experience in public affairs. Many of them had been members of the Stamp-act, or Continental, Congress, and some of them of both, and had filled the highest State offices.* They proceeded at once to business. Mr. Randolph opened the great business of the convention. After stating the difficulties and dangers of the crisis, the defects of the "Articles of Confederation," and the provisions of a new constitution, which would remedy them, he submitted, as its basis, fifteen propositions, which for a fortnight were debated in committee of the whole, and amended and reported to the house, and provided for a house of delegates to be chosen by the people for three years, and a senate to be elected by the State Legislatures for seven years, the members of both to be apportioned according to the whole number of free citizens and three-fifths of all other persons; to be invested with all the powers of the Congress of the Confederacy, and additionally to legislate in all cases where the States were incompetent or their legislation would impair the harmony of the Union,—each to have power to originate acts, with a negative on all State laws contrary to its own, and treaties of the general government; the members of the Legislature of the Union to be paid out of its treasury, and incapable of holding offices created during their membership and a year after it ceased; the national executive to be a single person, chosen by the national legislature, for seven years, ineligible a second time, to appoint to all offices not otherwise provided for, and to have a veto on all laws of Congress he returned to it with his objections, unless again passed by a three-fourths vote of both houses; the national judiciary to consist of a supreme court (the judges of which to be appointed by the senate and hold office during good behavior) and of such inferior tribunals as from time to time might be constituted by the Legislature, and their jurisdiction to extend to all cases respecting the collection of the national revenue, impeachment of national officers, and the national harmony; provision to be made for the admission of new States into the

* Mr. Dickinson attended May 29th.—*Madison Papers*, vol. ii. p. 727.

Union, and for the amendment of the national constitution, and republican government guaranteed to each State by the United States. The right of suffrage, in both houses of the national legislature, not according to the rule established in the Articles of Confederation, but in proportion to the whole number of white and other free citizens and inhabitants, including those bound to servitude for a term of years, and three-fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes. In the debates in the committee of the whole upon Mr. Randolph's plan, or the Virginia plan, there had been great difference of opinion in regard to the mode of constituting the supreme legislative judiciary and executive departments of the proposed new government, the weight of the States in them, and the powers to be confided to them. The debates upon these important subjects elicited great ability and political knowledge, and were marked by singular moderation, until the question what should be the rule of suffrage in both houses of the national legislature came up. The greater States claimed a proportionate, and the smaller ones an equal, vote in both. With the former it was a contest *for power*, but with the latter *for existence*. The decision in the committee of the whole was against the smaller States, but the votes nearly equal. On the 14th of June Mr. Patterson offered the Jersey plan, as it was called. It was, as stated by Mr. Madison (Madison Papers, vol. ii. pp. 862-3, note), "concocted by the deputies of New York, New Jersey, Delaware, and, perhaps, Mr. Martin, of Maryland, who made with them common cause, though on different principles. Connecticut and New York were against a departure from the principle of the confederation, wishing rather to add a few new powers to Congress than to substitute a national government. New Jersey and Delaware were opposed to a national government, because its patrons considered a proportionate representation of the States to be the basis of it."

The New Jersey plan proposed the amendment of the Articles of Confederation by conferring on the Federal Legislature new powers,—to regulate commerce with the States and foreign nations, to raise revenue by imposts, and collect by its own authority requisitions of Congress when

not met by the States. This plan proposed a Federal Executive, to be plural, and a Federal Judiciary; that acts of Congress and treaties made and ratified by the United States should be the supreme law, and that if infringed by any State or body of men in a State, the Federal Executive may employ the power of the Confederate States to compel obedience to them. On the 15th of June the New Jersey plan was referred to the committee of the whole, and the Virginia plan was committed, that they might be considered together; and thus the question whether a national government should be established or not was opened anew. Mr. Randolph's plan was opposed because it destroyed the sovereignty of the States; but chiefly because the convention, it was asserted, had not power to consider and propose it. The two plans were ably contrasted. In the first, two Houses of Congress,—in the second, one; representation of the people at large the basis of one, the other resting on the State Legislatures; the Executive single in one, plural in the other; in the one, a majority of the people of the United States must prevail,—in the other a minority might; in the one, the national legislature were to make all necessary laws,—in the other, a few additional powers were given to Congress; in the one, there was a negative on unconstitutional State laws,—in the other, coercion; the National Executive could be removed in one by impeachment, if convicted,—by the other, by a majority of State Executives; revision of laws and inferior tribunals in one, not in other; jurisdiction in one plan extended to all cases affecting the national harmony, in the other to a few cases; and the Virginia plan was to be ratified by the people, the Jersey by the State Legislatures.* It was truly urged that as the convention concluded nothing, it might propose anything, and that any defect of power in the convention would be cured by the ratification by the people. The superiority of the Virginia plan over the New Jersey project is so evident that I have no doubt it was true, as tauntingly charged, that the smaller States supported it merely because of the equality of vote it secured them. New York was, it is very probable, antifederal. Hamilton opposed both plans, and preferred monarchy. Admitting the im-

* Madison Papers, vol. ii. p. 872.

practicability of making the British form of government our model, on account of the manners, laws, and way of thinking of his countrymen, equality of property, absence of entails, primogeniture, and a nobility, he thought a national government could be formed strong enough to reduce the State governments within the limits necessary to its answering its ends and its permanency. On the 15th of June it was resolved in the committee of the whole that the Virginia plan was the preferable one, and should be reported to the House,—in other words, the Jersey plan was rejected (Madison Papers, vol. ii. p. 904). Each article was reconsidered, many alterations proposed, and some of them adopted; but, after an animated debate, the proportional representation in the House of Representatives was retained. The States Rights Party then exerted all their ability to secure an equal vote in the Senate; a motion to this effect was lost, and they were so disgusted and so hopeless that they were on the verge of withdrawing from the convention. To prevent this disastrous step a committee of conference of one from each State was appointed, to meet in three days. In this committee Franklin successfully offered the amendment that in the lower House there should be representation in proportion to population, and that money bills should there originate, and the States have in the Senate *an equal vote*. This committee reported July 5th. The smaller States hailed this report as a triumph, but the larger ones assailed it, because fatal to the predominancy they could only secure by carrying their darling measure of proportionate vote in both Houses of the National Legislature; but the report was adopted July 7th.* To

* "Mr. Dickinson said to Mr. Madison: 'See the result of pushing things too far. Some of the members from the smaller States wish for two branches of the National Legislature, and are friends to a good National government; but we would sooner submit to a foreign power than submit to be deprived of an equal vote in both branches and thereby brought under the dominion of the larger States.'"—*Madison Papers*, vol. ii. p. 863.

"Franklin's suggestion, it has been said [I think truly], prevented the dissolution of the convention without framing a constitution, and to it we owe the wonderful fact that no ill feeling has ever existed in a State growing out of the fact of its superiority or inferiority of population and importance. Rhode Island and Delaware, Pennsylvania and New York, were thus made equal members of the same confederacy,

this question, so wisely and happily settled by compromise, immediately succeeded others, as important, exciting, and difficult of settlement to the satisfaction of all the States. What should be the number of representatives in the lower House, and should it be invariable? Should new States be admitted into the Union on the same footing as the old? Should wealth be represented or people? The rule of apportionment—wealth and numbers—was questioned as vague. Negroes, it was asserted, were merely property, and so treated at the South, where citizens had no additional votes for their slaves; and if not represented in the slave States, why should they be in the National Legislature? Wealth, it was answered, was increased by the labor of slaves, who ought to be represented in a government established chiefly to protect property. Upon what ground, it was asked, were three-fifths of the slaves to be represented? If as citizens, why not *all*? if as property, why not *other* property? It was urged the commercial States could not justly expect the advantages they anticipated from the Union, unless they gave the South equivalents. When a strong disposition was manifested to allow no representation for slaves, Mr. Davie declared the Southern States would not confederate unless at least three-fifths of them should be represented. Then the proposition was made to count the blacks equally with the whites and lost, and then the three-fifths ratio finally adopted. The interests not only of slaveholders and non-slaveholders came in conflict, but those of the Western and Atlantic States, and of planters and merchants. The qualification of the age of Congressmen and their term of service were fixed, and the proposed veto of Congress on unconstitutional State laws wisely rejected, because impracticable. The propositions as to the ineligibility of the Executive for a second term, period of service, and mode of choosing him were much discussed and elicited differing opinions, and were at last brought to the provisions of the Constitution on these points.*

without peril to the smaller and without injustice to the larger. Of all political expedients this was perhaps the happiest ever devised. Its success has been perfect,—so much so that scarcely any one has remarked it, unconscious of its working, as a healthy man is of digestion.” —*Parton's Life of Franklin*, vol. ii. pp. 575, 576.

* Madison's Papers, ii. p. 1187.

The report of the committee of the whole, thus amended by the House and adopted, was referred to a committee of detail, to prepare and report a constitution in conformity thereto, July 24th. This committee in ten days made a report, so nearly approximating the Constitution of the United States that I need not note the points of their discrepancy. But there were some new provisions reported, which, when debated, had deeply stirred the convention. These were that Congress should not pass navigation laws,* without the assent of two-thirds of the members present in each session, or laws for the prohibition of taxes on exports and the abolishment of the slave-trade. But happily extreme views were harmonized by *compromise*. No restriction was imposed on the power to regulate commerce, and taxes on exports were prohibited, as required by the Southern and Middle States, while it was conceded to the South that the slave-trade should not be abolished for twenty years; and to reconcile the anti-slaveholding party to this concession, it was provided that a tax might be laid on each slave imported, not, however, to exceed ten dollars. The three compromises, to which we owe the Constitution of the United States,—were, first, the equal representation of the States in the Senate,—a concession to the smaller States; second, the counting three-fifths of the slaves in determining the ratio of representation† (the consideration for which was the relinquishment of the restriction of the power to pass navigation laws); and, third, the continuing, for twenty years, the slave-trade: and the wisdom and patriotism which prompted them deserve the full amount of praise they have received. By the 10th of September all the provisions reported to the convention were debated and passed upon, and the Constitution of the United States adopted. Referred to a committee to settle its arrangement and style, it came from their hands to be the just object of admiration as a model in both these particulars; and the

* The slave States were hostile to navigation laws, because they feared New England, excluding, by large tonnage duties, foreign vessels from their ports, would secure the monopoly of their carrying trade.

† For which concession to the South the provision that direct taxes should be apportioned according to representation was the consideration, but more apparent than real, because the national revenue would generally be derived from imposts.

convention, having completed the great work confided to them, adjourned, finally, September 17th, 1787.

To the foregoing summary of the proceedings of the convention, which Mr. Read's membership of this body, it appeared to me, made necessary, I think it proper to add his speeches, as preserved in Mr. Madison's Report of the Debates of the Convention, my object being to present to my readers his opinions expressed in that assembly. "But views," says Mr. Madison, "were often presented with a latent reference to compromise on some middle ground" (Madison Papers, ii. p. 717); and says Hamilton (Letter to Colonel Pickering, Pitkin's History of the United States, vol. ii. p. 259, note), "Neither propositions thrown out for debate, nor even those voted in the earlier stages of the proceedings of the convention, were considered evidence of a definitive opinion in the proposer or voter."

"Mr. Read. Too much attachment is discovered to the State governments. We must look beyond their continuance. A national government must soon, of necessity, swallow them up. They will soon be reduced to the mere office of electing the national senate. He was against patching up the old Federal system. It would be like putting new cloth upon an old garment. The Confederation was founded on temporary principles. It cannot last—it cannot be amended. If we do not establish a new government on good principles, we must either go to ruin, or have the work to do over again. The people at large are wrongfully suspected of being averse to a general government. The aversion lies among interested men who possess their confidence."—*Madison Papers*, vol. ii. p. 807.

"On the question of extending the negative of the national Legislature to all laws of the States they should judge improper, Mr. Read and Mr. Dickinson aye, Messrs. Bassett and Bedford no."—*Ibid.*, p. 828.

"Mr. Read favors Mr. Gerry's proposition to restrain the Senate from issuing money-bills, but would not extend the restraint to amendments."—*Ibid.*, p. 857.

"Mr. Read moves that the senators should hold their seats during good behavior. Mr. R. Morris seconds him."—*Ibid.*, p. 960.

"Mr. Read moves that the term of senators be nine years. This would admit of a very convenient rotation, one-third

going out triennially. He would still prefer 'good behavior,' but being little supported in this idea, he was willing to take the longest term that could be obtained."—*Ibid.*, p. 962.

"Mr. Read wished it to be considered by the small States that it was our interest to become one people as much as possible; that State attachments should be extinguished as much as possible; that the Senate should be so constituted as to have the feelings of citizens of whole."—*Ibid.*, p. 965.

"Mr. Madison. The true policy of the small States, therefore, lies in promoting those principles and that form of government which will most approximate the States to the condition of counties."—*Ibid.*, vol. ii. p. 982.

"Mr. Read was in favor of the motion [to double the number] of representatives proposed for each State in the House of Representatives. Two of the States, Delaware and Rhode Island, would have but a single member if the aggregate number should remain sixty-five, and in case of an accident either of these States would have no representative present to give explanations or information of its interest or wishes. The people would not place confidence in so small a number. He hoped the objects of the general government would be much more numerous than seemed to be expected by some gentlemen, and that they would become more and more so. As to the new States, the highest number in the whole might be limited, and all danger of excess thereby prevented."—*Ibid.*, p. 1062.

"Mr. Read would have no objection to the system if it was truly national, but it has too much of a Federal mixture in it. The little States, he thought, had not much to fear. He suspected the larger States felt their want of energy, and wished for a general government to supply the defect. Massachusetts was evidently laboring under her weakness, and he believed Delaware would not be in much danger in her neighborhood. Delaware had enjoyed tranquillity, and he flattered himself would continue to do so.* He was not, however, so selfish as not to wish for a good

* Mr. Gorham, of Massachusetts, said: "What would be the situation of Delaware—(for these things I find must be spoken out, and it might as well be done first as last)—what would be the situation of Delaware in case of a separation of the States? would she not be at the mercy of Pennsylvania?"—*Madison Papers*, vol. ii. p. 988.

general government; in order to obtain one, the whole States must be incorporated. If the States remain, the representatives of the larger ones will stick together and carry everything before them. The executive also will be chosen under the influence of this partiality, and will betray it in his administration. These jealousies were inseparable from leaving the States in existence; they must be done away. The ungranted lands which have been assumed by particular States must be given up. He repeated his approbation of the plan of Mr. Hamilton,* and wished

* Colonel Hamilton's plan, *Text D* from a copy of it in Mr. Read's handwriting:

“1. The supreme legislative power to be in an Assembly and Senate,—laws passed by them subject to the after-mentioned negative.

“2. Senate,—to serve during good behavior,—to be chosen by electors elected by the people in election districts, into which the States will be divided. In case of death of a senator, the vacancy to be filled out of the district whence he came.

“3. The supreme executive to be a governor elected, during good behavior, by electors chosen by the people in the election districts; his functions,—to have a negative on all laws about to be passed, and the execution of all passed; the direction of war, when declared; to make, with the advice and approbation of the Senate, all treaties; to have the sole appointments of the heads of the departments of finance and foreign affairs, and the nomination of all other officers (ambassadors included), subject to the approbation or rejection by the Senate; and the sole power of pardon, except in case of treason, in which he shall exercise it, subject to the approval of the Senate. In case of the death, removal, or resignation of the governor, his authority to be exercised by the President of the Senate till his successor is appointed.

“4. The Senate shall have the sole power to declare war; the power of advising and approving treaties, and the power of approving or rejecting all appointments of officers except the chiefs of the departments of finance and foreign affairs.

“5. The supreme judicial authority to be in judges, to hold office during good behavior, with adequate and permanent salaries; to have original jurisdiction in all cases of capture, and appellate jurisdiction in all cases concerning the revenues of the general government, or the citizens of foreign nations.

“6. The United States Legislature to have power to institute courts in each State for the determination of all matters of general concern.

“7. All officers of the United States to be liable to impeachment for malconduct, and, on conviction, to removal from office, and to be disqualified for holding any place of trust or profit. Impeachments to be tried by a court to consist of the chief or judges of the superior court of law of each State, provided he hold his place, during good behavior, and have an adequate salary.

“8. All laws of particular States, contrary to the Constitution and

it to be substituted for Mr. Randolph's."—*Ibid.*, vol. ii. pp. 989, 990.

"Mr. Read could not approve of the motion [of Mr. Gerry, that from and after the first meeting of Congress, till a census should be taken, taxes should be assessed upon the States respectively, according to the number of their representatives in the first branch]. He had observed a backwardness in the committee of some members from the large States to take their full proportion of representation. He did not then see their motive; he now suspects it was to avoid their due share of taxation. He had no objection to a just and accurate adjustment of representation and taxation to each other."—*Ibid.*, vol. ii. p. 1088.

"Mr. Read moved to insert after the word 'senate,' the words 'subject to the negative to be hereafter provided.' His object was to give an absolute negative to the executive. He considered this so essential to the Constitution [for] the preservation of liberty and the public welfare, that his duty compelled him to make this motion."—*Ibid.*, vol. iii. pp. 1248, 1249.

"Mr. Read did not consider the section as to money-bills [*i.e.* originating them] of any advantage to the larger States, and had voted for striking it out. If it was considered by them of any value, and as a condition of the equality of votes in the senate, he had no objection to its being reinstated."—*Ibid.*, vol. iii. p. 1270.

"Mr. Read reminded him [Mr. Rutledge] that we were now forming a national government, and such a regulation [requiring seven years' residence in a State where a member should be elected] would correspond little with the idea that we were one people."—*Ibid.*, vol. iii. p. 1258.

"Mr. Read thought the words ['and to emit bills on the credit of the United States'], if not struck out, would

laws of the United States, to be utterly void; and the better to prevent the passing of such laws the governor or president of each State shall be appointed by the general government, and shall have a negative upon the laws about to be passed in the State, of which he is governor or president.

"9. No State to have any land or naval force; and the militia of all the States to be under the sole and exclusive direction of the United States, who shall appoint and commission all the officers thereof."

be as alarming as the mark of the beast in Revelation.”—*Ibid.*, vol. iii. p. 1346.

“Mr. Read moved to strike out the clause [to appoint a treasurer by ballot], leaving the appointment of the treasurer, as of other officers, to the executive. The Legislature was an improper body for appointments; those of the State Legislatures were proofs of it. The executive being responsible would make a good choice.”—*Ibid.*, p. 1347.

“Mr. Read doubted the propriety of leaving the appointment of the militia officers to the States. In some States they are elected by the Legislatures,—in others, appointed by the people themselves. He thought at least an appointment by the State Executive ought to be insisted on.”—*Ibid.*, vol. iii. p. 1364.

“General Pinckney moved to commit the clause [that slaves might be made liable to an equal tax with other imports]. Mr. Read was for the commitment, provided the clause concerning taxes on imports should be also committed.”—*Ibid.*, p. 1396.

“Mr. Read moved that in case the numbers for the two highest in vote for President in the United States Legislature (by which body, as the third clause of the tenth article of the proposed constitution as it then stood, he was to be elected) should be equal, then the president of the Senate should have an additional casting vote. This motion was disagreed to by a general negative.”—*Ibid.*, p. 1490.

Article eleventh being taken up, Dr. Johnson suggested “that the judicial power ought to extend to equity as well as law, and moved to insert the words ‘both in law and equity’ in the first line of the first section. Mr. Read objected to vesting both these powers in the same court, and Dr. Johnson’s motion was agreed to. Ayes 6, noes 2,—Delaware and Maryland; three absent.”—*Ibid.*, p. 1345.

Mr. Gerry moved “that in the election of President by the House of Representatives no State shall vote by less than three members, and when that number shall not be allotted to a State it shall be made up by its senators.” Mr. Read observed “that the States having but one member in the House of Representatives would be in danger of having no vote at all in the election; the sickness or absence of the representative, or either of the senators, would have that effect.” Mr. Madison replied, “If one member of the House

of Representatives be left capable of voting for a State, it would still be subject to that danger."—*Ibid.*, p. 1515.

Article first, section nine, "No capitation tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken," being under consideration, "Mr. Read moved to insert after '*capitation*' the words '*or other direct tax.*' He was afraid that some liberty might otherwise be taken to saddle the States with a readjustment, by this rule, of past requisitions of Congress, and that his amendment, by giving another cast to the meaning, would take away this pretext. Agreed to."—*Ibid.*, vol. iii. p. 1579.

Mr. Madison bears this emphatic testimony to the purity of the members of the convention and their devotion to the great task of framing a new constitution for their countrymen, which they patriotically assumed, when convinced that the "Articles of Confederation" could not be so amended as to cure the evils of which they were the source and which could no longer be endured, and to prevent their recurrence. "I feel it my duty to express my profound and solemn conviction, derived from my intimate opportunity of observing and appreciating the views of the convention, collectively and individually, that there never was an assemblage of men, charged with a great and arduous trust, who were more pure in their motives, or more exclusively and anxiously devoted to the object committed to them, than were the members of the Federal Convention of 1787."—*Ibid.*, vol. ii. p. 719.

The Constitution was signed by thirty-five of the fifty-five members who were in attendance in the convention. Three only of them—Randolph, Mason, and Gerry—refused to sign,* and of the residue, some who approved it were compelled to leave Philadelphia before it was prepared for signature.† Of this number was John Dickinson, who, in the following note, empowered his friend Mr. Read to sign it for him :

"Mr. Dickinson presents his compliments to Mr. Read, and requests that if the constitution, formed by the con-

* Hildreth's History of the United States, vol. iii. p. 526.

† Pitkin's History of the United States, vol. ii. p. 262.

vention, is to be signed by the members of that body, Mr. Read will be so good as to subscribe Mr. Dickinson's name—his indisposition and some particular circumstances requiring him to return home.

“September 15th, 1787.”

The Constitution was submitted by the convention to Congress, and under a resolution of that body, passed 28th September, 1787, transmitted to the Legislatures of the several States, to be laid before conventions to be elected by the people; and it was recommended that as soon as nine States should ratify, and so (as provided by the convention) establish it between these States, Congress should provide by the necessary law for organizing the new government.

The Constitution encountered immediately violent opposition, being discussed by all everywhere and in every mode. It was alleged by its opponents that it created a great consolidated government, which must swallow up the States and endanger the liberties of their citizens, not secured by sufficient provisions in the Constitution itself, or in a bill of rights prefixed to it. This anti-constitutional party consisted of men in debt, advocates of stay and tender laws and paper money, puny politicians, who feared their importance would be lessened or lost by the surrender of State powers; but with them were men who honestly doubted whether the Constitution proposed would form a perfect union, establish justice, insure tranquillity, provide for the common defence and welfare, and secure to a great people and their posterity the blessings of liberty: and these men gave this party weight. But the Constitution had advocates, and most able ones, who believed it would secure the inestimable benefits which were its declared objects; and they were merchants, creditors, the owners of property, the educated, the moral and religious, throughout the Union, who constitute the conservative portion of communities at all times. They could not be gainsayed when they pointed out provisions of the Constitution which showed that it established neither a merely consolidated nor federal government, but in truth a compound of both, and that the fear of its swallowing up the States was a chimera, because the powers granted the general government were few and defined, while those reserved were many and undefined;

because the general government depended upon the agency of the States for its existence, while they would exist independently of it; because the United States officers were few, comparatively, and those of the States many; because the States would have the first place in the affections of their citizens, legislating for all their rights and relations, with few exceptions, the general government only having to do with things external to them, and the States having executives, legislatures, and militia to oppose encroachments upon their rights.

The Constitution was ratified by the State of Delaware, 7th December, 1787, she having the honor of being the first of the ratifying States. I am not aware that there was serious opposition to the Constitution in Delaware. Her deputies were entitled to gratitude and applause for the ability, zeal, and fearlessness with which they advocated her claim to an equal rank with the larger States in the general government, and their wisdom in yielding somewhat of her pretensions, on this and other points, under the influence of the generous disposition to mutual deference and concession which characterized this illustrious assembly, and without which its wisdom, its knowledge, its ability, and its purity would have availed nothing for the attainment of the great object it was elected to accomplish. It appears by a subsequent letter of Mr. Read that he was present at the session of the Delaware Legislature, in October, 1787, when the law was passed which called the convention of her citizens that ratified the proposed Constitution of the United States.

The gentleman whose death was announced by the following letter was not only the friend but connection of Mr. Read, Colonel Cantwell's father and the Reverend George Ross having married daughters of Mr. Williams, of Rhode Island.

“PRINCETON, September 27th, 1787.

“DEAR SIR,—I take the liberty of writing to you on the melancholy occasion of the death of Colonel Cantwell, which happened this evening. It was sudden and unexpected. He sent for me yesterday, and I have attended him to-day, but had no apprehension of danger till an hour or two before his death. I refer you to your son's letter for particulars, and shall only mention that I wish you to take

the most prudent manner to communicate this melancholy event to his family. I shall take the direction of his funeral, which will be attended to-morrow at four o'clock in the evening. I shall endeavor to have it conducted with proper decency and respect, by the advice of your son and his nephew. I have sent off this express, and leave the further proceedings with respect to informing his friends entirely to you. I am, dear sir, with great respect,

“Your humble servant,

“JOHN BAYARD.*

“Honorable GEORGE READ, New Castle, Del., per express.”

The following letter of Dr. Witherspoon was, no doubt, very gratifying to Mr. Read :

“PRINCETON, October 2d, 1787.

“SIR,—As your son† leaves us to-morrow, I take the opportunity of signifying to you that he and his companion, Mr. Jones, have given great satisfaction to us by their behavior, and I hope will be an honor to us by their improvement. Indeed, we are happy in the students that have come to us from your State. If you have any opportunity of seeing Mr. Van Dyke, please assure him that his son‡ is, I think, without doubt, the first in his class. I have conversed a little with your son as to his future studies, and, if he cannot return here, shall willingly write him my opinion upon that subject. It requires a very extensive knowledge of books to make a learned man, but careful reading of books, well chosen, will do much to make a truly intelligent man.

“I have the honor to be, sir, your most obedient, humble servant,

“JOHN WITHERSPOON.”

Mr. Read wrote to the widow of Colonel Cantwell as follows :

“NEW CASTLE, December 18th, 1787.

“DEAR MADAM,—I am told that a Captain Litle, a gentleman resident at Princeton, known to Colonel Cantwell,

* Colonel Cantwell went to Princeton to attend the commencement of the college.

† John, who, with Cantwell Jones, had just graduated.

‡ Nicholas. See Appendix B.

is now at Philadelphia, and has expressed a desire to be informed whether it is your intention to remove the corpse of Colonel Cantwell from its present burying-place or not, that if not he may direct the covering up of the grave in a necessary and proper manner before any severe frost may come on. With respect to this removal, I can only repeat the opinion I entertain of it, and expressed to you when I saw you last, to wit, that if it was [the case of] my dearest connection I should not make the removal unless such had been the request of the dying person. I consider the present place of Colonel Cantwell's burial a respectable one, and far preferable to any private burial-place on a farm, which passeth too suddenly out of the family whose remains have been placed there. Two striking instances of this occur presently to my memory, to wit, that of B. Chew, whose family burying-place is on a farm, where his family lived, near Dover, which has been sold some years to a person in no ways connected with this family, though true it is that the burial-place is well inclosed with a brick wall; but this must decay, and when the present generation is passed away there may be no trace of this inclosure. The other instance is that of the gentleman I studied the law with. He had his family burying-place in his garden, on a farm he owned, within three miles of Philadelphia, and where he, after his death, was interred; and in the course of twenty-five years since the owners of this farm have been changed two or three times; so that I most certainly approve of church-yards in preference to any private burial-place; and as to families lying together, it hath received a sanction from early custom, but, when seriously reflected upon, it cannot be considered as momentous. There can be no difficulty, I apprehend, in meeting with or discovering one another in the other world, and as to the decaying matter of which our bodies are formed, it soon mixes with the earth. So that I am clearly of opinion the decaying remains of my friend should be permitted to rest where they are presently. It was the will of Providence that he should part with life at Princeton, and there they should lie undisturbed. You must pardon the freedom I have taken in expressing my opinion on this subject, as it is not binding or conclusive upon you. I am still confined to my chamber, and cannot say when I can be with you. This

cold weather, with its increase, which must shortly be expected, will confine me to the house for a time, supposing I was rid of my disorder, which is not the case with me, though I hope I shall shortly, as I find myself rather better each day, and acquire some more strength. My son Jacky has an intermittent [fever], principally owing to his affectionate attendance on me for some nights following each other, which prevents him from visiting you as he intended at this time. All my family join in their compliments to you, Miss Sally, and Cantwell, and I am yours, very sincerely,

“GEORGE READ.

“Colonel Bedford waits upon you for the purpose of granting letters of administration on Colonel Cantwell’s estate.

“MRS. SARAH CANTWELL.”

None but a cursory reader of Mr. Read’s letter to Mrs. Cantwell can conclude that he thought and felt with those who have considered it a matter of indifference whether our lifeless bodies should be buried or burned, cast forth a feast to carrion birds or left to fester in corruption on the surface of the earth. That any one should so conclude I would much regret, because those thus thinking and feeling have been almost without exception of that miserable school, foes of men as well as of God, who have held death to be an eternal sleep, or at least of the thoughtless if not vicious throng who have lived and died without testing the claims of Divine revelation to be believed, or even entertaining the question of its truth or falsehood. But it is evident that Mr. Read considered as proper and desirable both the decent burial of the dead and the preservation of their remains inviolate, from his rendering cordial thanks to Colonel Bayard for the very proper interment of his friend, and his preference of the public to the private burying-ground, which otherwise would have been to him matters of no moment.

Wherever man has dwelt on our globe he has left evidence not to be mistaken of his reverential regard to the remains of the dead; in the pyramid, the mummy, the catacomb, the mound, and the carefully-inclosed cemetery, which are expressions of a universal belief in the immor-

tality of the soul and the resurrection of the body. For if the body be not raised and reunited to the spirit, why such care to preserve it? This evidence of these doctrines was of great value to those who had not our clear revelation of these truths.*

I cannot concur in the opinion of Mr. Read that the interring of families together is a matter of no moment; for to me, and I believe to men generally, in the view of separation from dear friends, the hope is consoling that, united in life by the closest ties, even in death the mortal parts shall not be divided. The dying command of Jacob was not only "bury me in Canaan," but "with my fathers." Though it could be almost demonstrated that particles of the bodies grouped in the family burying-place have, by mysterious processes of nature, escaped from their cold, and dark, and narrow prison-houses, we should still cling to the belief that the graves of our friends, faithful to their trusts, ever hold the precious deposit of their remains,—at least till science should show that they do not retain the germs of the incorruptible and immortal bodies in which the departed shall stand on the earth with their Redeemer, in the latter day, glorious.

Mr. Read replied to the foregoing letter of Colonel Bayard :

" December 18th, 1787.

"DEAR SIR,—I had yours of the 27th of September last, respecting the death of Colonel Cantwell, at Princeton, and your intended care and direction of his funeral; and on the evening following the day I received it I prevailed on Mrs. Read to wait on Mrs. Cantwell and Miss Jones, her niece, in order to disclose to them the unhappy tidings in a proper manner. I happened, luckily, to have a client with me of Colonel Cantwell's neighborhood at the receipt of your letter, who undertook to deliver a letter from me to Mrs. Cantwell, mentioning his being dangerously ill at Princeton, and that it might be necessary, perhaps, that some of

* "The great care of funerals, and decently interring the dead, Cicero induces as a consequence of the belief in the soul's immortality."—*In Lælion: Cicero, De Republica*.—Quoted in Barrow's Sermons, vol. v. p. 197.

his family should prepare themselves to attend him; but that I should have a more satisfactory account to transmit of his situation, perhaps, by the evening of the next day. This was delivered by my messenger, according to his engagement, and the bare appearance of Mrs. Read in the afternoon confirmed the supposition of Colonel C.'s death. Mrs. Cantwell was then confined to her room, and her niece very unwell by a close attendance on her aunt, so that if the funeral could have been delayed a day or two, neither could have attended. Upon Cantwell Jones coming down, he exhibited to me the respective bills and receipts for moneys you had been kind enough to pay out of the money Colonel Cantwell happened to have with him. I had not an opportunity to see Mrs. Cantwell until the 22d of October, on my way to Dover to attend a session of our General Assembly. I came from thence very unwell, and was soon after confined to my room, where I still am, with a remitting fever which has proved obstinate and tedious, and this is my apology for the delay of answer to your kind and friendly letter. Wishing, in the first instance, to inform you of the sense Mrs. Cantwell had of your friendly and humane conduct in the illness of her husband, and afterwards in the very decent interment of his remains, when I had this in my power by her personal acknowledgment, my subsequent sickness has delayed my transmitting to you the very grateful sense Mrs. Cantwell, her niece, and nephew have of your conduct and management of this business. I now offer to you their and my most cordial thanks for your trouble and attention to the funeral of Colonel Cantwell and during his illness. Whether the corpse is to be removed to the family burying-place on his farm or not I believe is undetermined. When I saw Mrs. Cantwell she then expressed such intention, and asked my opinion; in her then situation I avoided being very explicit, though I then expressed my opinion against the removal; however, I have this day wrote her my sentiments freely and fully on the subject of removal, disapproving the measure. My son John, whom you saw at Princeton, wishes me, through you, to present his compliments to your son Samuel; and, as I have heard of your late matrimonial connection, I sincerely wish you and your good lady to experience all the happiness which attends

that state. And I am, with much esteem and respect, your most obedient servant,

“GEORGE READ.

“Colonel JOHN BAYARD, Philadelphia.”

The year 1787 closed and 1788 opened upon the people of thirteen States greatly excited and agitated. The proposed Constitution was before them, to be tried by its merits, and they were soon arrayed in two great parties,—the Federalists, who approved, and the Anti-Federalists, who rejected it; designations so infelicitously applied as each to be expressive of opinions the opposite of those of the party it distinguished. The pen, the tongue, and the press were, through the length and breadth of the land, unceasingly, for months, employed in discussing the new system of government. It would have been little honorable to the people had their interest in the great question submitted to them been less; and if we regret the intemperance, and even violence, which sometimes occurred, we wonder they were so infrequent, when we consider the momentous interests involved, and the amount of ignorance, prejudice, and selfishness the advocates of the Constitution encountered. Delaware, having the honor of *first* ratifying the Constitution of the United States (and it was unanimously and without amendment), December 7th, 1787, was followed by nine of her sister States—two of them, Pennsylvania and New Jersey, ratifying it in that month, and the last, Virginia, in June, 1789. The opposition in some of the State conventions had been so strong, and the majorities for ratifying the new plan of government so small, as to make it doubtful whether or not a majority of the whole people of the United States had approved and adopted it, and some uncertainty, therefore, darkened the future of the Constitution. The opposition was led in Virginia and New York by men of great ability and long prominent, having filled the highest offices of these States and rendered great services. In Virginia, Henry, one of their leaders, if he electrified his convention by displays of the wonderful oratorical power of his early career, discovered little of the sagacity and foresight of the statesman. His forebodings were most gloomy. “Should this system,” exclaimed he, “go into operation, nothing will be left to the States but to take care of the

poor, repair and make highways and bridges, and *so on* and *so on*." But it soon appeared that these dark forebodings were merely the offspring of a distempered fancy. So far from being reduced to insignificance, Virginia could point with honorable pride to four of her citizens elevated to the chief magistracy of the Union, who administered its affairs for more than the fourth of a century with signal ability, wisdom, and patriotism during the most difficult and critical periods of its history; and through them and others of her citizens, eminent in the halls of Congress, in statesmanship, in diplomacy, and jurisprudence, exercised a great if not controlling influence in national affairs. The opposition of New York was, I regret to believe, deeply tinctured by the sordid desire to retain the power she enjoyed of filling her treasury by imposts on commodities her neighbors must receive through her city, already an important town, and soon to be one of the great marts of the world, from her location on the magnificent estuary of the Hudson, whose waters, flowing from sources far inland, mingled at a short distance from her safe and capacious harbor with the ocean.* "The little States," said Mr. Grayson in the Virginia convention, "*have carried their point*"—he meant the equal vote secured them in the United States Senate. If they carried this point, it was by the ability, zeal, and determination they manifested in contending for it, and, wanting it, they would have been without safeguard against the ambition or the avarice of the larger States, and to have believed that they would always rise above these passions must have manifested not magnanimity but folly. The great objection to the Constitution—to wit, that it created a consolidated government—was fallacious; and its defect, it appears to me, was principally the want of provisions such as are embraced in bills of rights, declaring the inviolability of the liberty of the press, the trial by jury, freedom of conscience, and the like, which defect was supplied by subsequent amendments.

The Constitution having been ratified by the number of States necessary to its going into operation, the States that had ratified it took the steps preliminary to the election of the officers who must administer it. The State of Delaware,

* Hildreth's History of the United States, vol. i. p. 38.

by an act of Assembly passed in 1788,* directed the time, place, and manner of holding an election for representative in Congress and electors of President and Vice-President; and the Governor of Delaware, by his proclamation of the 24th of January, 1789,† declared that at an election held on the first Wednesday of that month, John Vining was elected representative to Congress, and Gunning Bedford (the elder), John Banning, and George Mitchell, electors of President and Vice-President of the United States. These electors met at Dover, February 4th, 1789, and cast three votes for George Washington as President and John Jay as Vice-President.‡ George Read and Richard Bassett were previously chosen by the Legislature of Delaware United States Senators.

Of Mr. Read's correspondence in the year 1788 only three letters have been preserved.

The cities of New York and Philadelphia were competitors for the honor and advantage of being the place where the new government should be inaugurated; and as this question would be decided by the Continental Congress, and other important business would be before it, Mr. Dickinson urged Mr. Read to exert his influence to induce a full representation of the State of Delaware in that body, in the following letter :

“WILMINGTON, July 5th, 1788.

“MY DEAR FRIEND,—Yesterday and to-day I have received letters,—one from Tench Coxe, the other from Charles Thomson,—by which I learn that Congress is very soon to fix upon a place for commencing the operations of the Federal government, and that Philadelphia will unquestionably be chosen, if Delaware shall be represented.

“There are, besides, many important determinations to be made, that render it in the highest degree necessary that this State should be immediately represented. The absence of *one man* has frequently confused our public affairs. I expect it will be so again, but I am discharging what I esteem a duty, and earnestly request that every measure

* Laws of Delaware, vol. ii. p. 931.

† Delaware Gazette, January 31st, 1789.

‡ Ibid., No. 192, 14th February, 1789.

which shall appear proper may be taken to give this State a vote in the business that is coming on.

“I am thy sincere friend,

“JOHN DICKINSON.

“GEORGE READ, Esquire.”

The writer of the graceful letter which is next presented to the reader had filled the office of secretary to the convention which framed the Constitution of the United States, and was now a candidate (but unsuccessfully) for the secretaryship of the United States Senate.

“PHILADELPHIA, December 10th, 1788.

“DEAR SIR,—I will not wrong my belief of your goodness by offering an apology for the freedom I am about to use, nor will I presume to bespeak your regard by making any pretensions to public favor. The one and the other will be more properly referred to the graciousness of your disposition towards me, and the knowledge which observation may have afforded you of my character and conduct. A predilection for public life has determined me to wish for such a situation under the Federal government as may lead to the acquirement of political knowledge, in an honorable walk, and the advice of particular friends has pointed to the secretaryship of the Senate as the most eligible station on which I may presume to place a hope of success. Persuaded of the weight your recommendation will carry with it to the gentlemen who may be appointed Senators, I beg leave to commit my wishes to your patronage, should you regard my request as consistent with your governing principle,—the public good. I am aware of the competition which will arise in the pursuit of this object, but my hopes are greatly strengthened when I flatter myself that a friend as influential and generously inclined as Mr. Read may find himself at liberty to countenance my wish.

“With the most respectful attachment, I am, dear sir, your obliged and obedient servant,

“W. JACKSON.*

“HONORABLE GEORGE READ, New Castle, Delaware.”

* Samuel Allyne Otis was the first Secretary of the United States Senate, and held this office for five-and-twenty years, and until his death, in 1814.

“Mr. Otis was a most pleasant companion at home and abroad.

Mr. Read's old friend and associate in the United States Admiralty Court wrote, at this time, in favor of another candidate for the secretaryship of the United States Senate, from

"NEW YORK, December, 1788.

"MY DEAR SIR,—I am solicited by Mr. John Livingston and his friends to ask your interest for him as clerk of the Senate, under the new constitution. He has acted as my secretary, while President of Congress, is sensible, and writes a good hand. I flatter myself with the pleasure of seeing you in New York, before I quit it,—I hope some time in March.

"I have the honor to be, with real friendship and regard, your affectionate, humble servant,

"C. GRIFFIN.

"The Honorable GEORGE READ, New Castle, Delaware."

In 1788 Mr. Read was assailed in a pamphlet,* by a writer under the signature of "Timoleon." The writer was "Dr. Tilton," who had filled the office of "surgeon-general" of the American army, and had been a member of the Continental Congress. He charged Mr. Read, under the cognomen of "Dionysius, the Tyrant of Delaware," with having been, through the whole of the recent Revolutionary contest, at heart a Tory, imputing interest and ambition as the motives of his political course, but bringing not one proof to support his charge, which therefore rests on his *unsupported assertions*. Dr. Tilton had been loan officer and State treasurer at the same time, and Mr. Read, believing these offices to be incompatible, after a long contest before the Council of Delaware, carried an amendment to a tax-

When at Philadelphia, I lived in constant habits of intimacy with the family, and was witness of the cheerfulness and urbanity of his manners, which in public life secured him against the shafts of malice. He was always moderate, and never imposed his own opinions upon those who dissented from him on political questions,—firm in his own, he left others the same liberty. For twenty-five years he retained the love and esteem of the Senate of the United States: He adorned the doctrines of Christianity, which he professed, having been liberal, candid, and charitable. His uniform temperance promised a longer life than was his, but few of the infirmities of old age were discoverable in him."—*Letters of Mrs. Adams, Wife of John Adams*, pp. 417, 418.

* The dedication of this pamphlet bears date August 20th, 1788.

bill of the Assembly of Delaware, declaring them to be so, which caused Dr. Tilton's resignation of the office of treasurer; and another amendment to the same bill, censuring him for having illegally declined to issue certificates of interest on certain debts of the United States, which certificates, by an act of the United States Congress, were receivable for one-fourth of the requisition of that body, A.D. 1782,* on the States; and further, Mr. Read moved resolutions, which were adopted, setting forth the misstatements of facts in the protest of Dr. Tilton against these proceedings. All of which is prominently stated in his pamphlet, with evident bias and bad temper. I will not assert that malice prompted this pamphlet, but I state these facts, from which vindictive feeling in its writer towards the man he attacked may (with probability) be inferred. Mr. Read never deigned a reply to this assault. Had he felt the necessity of defending himself against it, he might have appealed to his public services and the uninterrupted confidence of his fellow-citizens in his integrity, manifested undeniably by his election to office through a long period, and to a long life of honorable labor in his profession, upon which the lynx-eye of his enemy could find no stain; and I may appeal to the letters, in the preceding chapters of this biography, of the most prominent Whigs in Delaware, as evidence that they esteemed and respected him as devoted, not less sincerely than themselves, to the cause of their country. That this pamphlet in no degree diminished the public confidence in Mr. Read's integrity, may be truly inferred from his election, immediately after it appeared, to the United States Senate, and to his being solicited, while holding that honorable office, by Governor Clayton, to accept the chief justiceship of Delaware. It is with some hesitation that I have disinterred this long-forgotten pamphlet, but, professing to write the life of my grandfather, it seemed to me disingenuous to pass it without notice. In the "Delaware Gazette," at the close of 1788 and beginning of 1789, are several articles in defence of the party assailed with "Dionysius" as Tories by "Timoleon," but no allusions to the imputations against him. Timoleon was evidently an ultra and rabid Whig, and as to the *animus* of his

* See Chapter V.

pamphlet, whatever can be fairly ascribed to the narrowness, injustice, prejudice, and distorted and jaundiced views of a political partisan, may be deducted from the malice which, the candid reader may conclude, incited its author to defame his fellow-citizens. "Of Mr. Read," wrote Timoleon, page 96 of his pamphlet, "it was predicted by an Adams, with great sagacity, long ago, that, 'if ever he got his foot upon the threshold, he would make his way into the cabinet of any government.'"

The year 1789 is memorable in the annals of the United States for the inauguration of the Constitution, under which, in general wisely administered, but not without grave errors, they have enjoyed extraordinary prosperity.

There were already aspirants to office under the new government, and Mr. Read was beset with solicitations for his influence and good offices for some of them. None in the wide circle of his friends and acquaintance would be more regarded than John Dickinson, who wrote to him in favor of Major Jackson, from

"WILMINGTON, January 27th, 1789.

"MY DEAR FRIEND,—Major Jackson has requested me to use my influence to assist him in attaining the secretaryship of the Senate. His merit is so considerable and well known that I cannot believe that anything I can say can be of use. If the present Secretary of Congress does not desire the place, I shall wish the major to succeed, and I beg thee to speak to thy colleague on the subject. Colonel Pierce of Savannah, who sat with us in the convention, applies to me for my assistance in procuring him the appointment to the collectorship of that port. I shall be very glad if he shall be approved by the Senators of this State.

"I am thy sincere friend,

"JOHN DICKINSON."

Colonel Heth deserved, no doubt, the high character given him in the following letter:

"RICHMOND, February 12th, 1789.

"DEAR SIR,—Among the arrangements of office which will most likely take place in the United States, some will

probably be peculiar to the different States. As I am confident that a knowledge of characters here would assist those in whose hands this business rests, I shall not scruple to request your particular attention to my friend Colonel William Heth. He was an officer of distinguished merit in the Virginia line, and is now a member of our Executive Council, where I can testify to his services having been, during my connection with that board, independent and judicious. In the department of accounts, I can pledge myself for his accuracy and assiduity, and I am persuaded that I might risk my reputation on whatsoever he shall undertake. I should add an apology for troubling you on this occasion, were it not that I have the happiness to believe that my recommendation will not be unacceptable to you, and I feel an assurance that I am presenting to the acceptance of the United States a gentleman in whom you cannot be deceived.

“ I am, dear sir, with great respect and esteem, your most obedient servant,

“ EDMUND RANDOLPH.*

“ Honorable GEORGE READ, Esquire.”

The importunity of the letter next inserted ought to find excuse in the frank confession by the writer, of the unhappy circumstances to which—once a prosperous merchant—he was reduced.

“ PHILADELPHIA, March 4th, 1789.

“ DEAR SIR,—I promised myself the pleasure of seeing you before you went to New York, agreeably to my earnest request contained in my letter of the 23d ultimo, sent you by post; but as I am disappointed, I will tell you what I particularly wanted to see you for. I have applied to Mr. Morris, before he set off for New York, and requested his assistance to procure me some office under Congress,—which he kindly assured me he would willingly do. The Senate, I think, has the power of recommending to the President for appointments to offices belonging to the collection of duties and excise. I would be glad to be appointed, either by myself or with a colleague, to the excise, etc., or to the office which Dr. Greene formerly held, and

* See Appendix C.

[which] is now held by Mr. Phyle, or to a commissionership of bankrupts (Mr. Shippen was formerly in that office), or even—if Congress should remove hither—to some judiciary station. In short, I must, my dear old friend, tell you plainly that I shall starve unless some appointment is gotten for me. My brothers, Isaac and Charles, will give any security that may be necessary for me. I have plainly told you my case, and I hope you will speak to Mr. Morris about it, as soon as you receive this letter, and do what you can for me, and you will greatly oblige

“Your affectionate friend,

“SAMUEL WHARTON.

“Pray present my kind regards to Mr. Morris. I shall write to Mr. Clymer and Mr. Fitsimmons. Please speak to Colonel Grayson about me. He, I am persuaded, will cheerfully do what he can for me.

“Honorable GEORGE READ, Esquire.”

On the 4th of March, the day for the inauguration of the new constitution, there was not a quorum of either house of Congress in New York. In part it may have been from the little facility enjoyed for quick travelling, but chiefly, I am afraid, from the procrastination and indifference to public duty, into which official persons had too generally fallen during the decrepitude of the Confederacy. The Senators in New York, impatient at the laches of their colleagues, addressed them the following circular:

“NEW YORK, March 11th, 1789.

“SIR,—Agreeably to the Constitution of the United States, eight members of the Senate and eighteen of the House of Representatives have attended here since the 4th of March. It being of the utmost importance that a quorum sufficient to proceed to business should assemble as soon as possible, it is the opinion of the gentlemen of both houses that information of their situation be immediately communicated to the absent members. We apprehend that no arguments are necessary to evince to you the indispensable necessity of putting the government into immediate operation, and therefore request that you will be so obliging as to attend as soon as possible.

“We have the honor to be, sir, your obedient, humble servants,

“JOHN LANGDON, PAINE WINGATE, CALEB STRONG, WILLIAM MACLAY, WILLIAM SAMUEL JACKSON, OLIVER ELLSWORTH, ROBERT MORRIS, W. FEW.

“The Honorable GEORGE READ, Esquire, New Castle, Delaware State.”

The writer of the following letter was an eminent merchant of Philadelphia and a millionaire, and afterwards a member of the United States Senate.

“PHILADELPHIA, March 15th, 1789.

“DEAR SIR,—I will make no apology for soliciting your suffrage in favor of Major Jackson, who is a candidate for the secretaryship of the Senate, who, by a discharge of such duties [as of this post] when in a similar situation under the convention, must have made a due impression on you, with respect to his qualifications. From a personal intimacy I know him [to be] possessed of every quality that can insure your esteem and support. I shall regard myself as under an obligation to you for every effort made by you in his favor.

“I am, with respect, sir, your obedient, humble servant,
“WILLIAM BINGHAM.

“GEORGE READ, Esquire.”

Nearly three weeks had elapsed since the 4th of March, and still there was no quorum of the houses of Congress in New York. Mr. Read did not, I believe, from his general character as a public man, deserve the reproach of neglect of duty, to which his protracted absence from his seat in the United States Senate exposed him. Unfortunately I have no letter of his accounting for it, but as he states in his letter (p. 481) to Mr. Dickinson that he came sick to New York, it is highly probable that sickness prevented his early attendance in Congress.* The plain language and earnest

* Monday, April 13th, 1789.—Honorable Ralph Izard, of South Carolina, Charles Carroll, from Maryland, and the Honorable George Read, from Delaware, severally produced their credentials and took their seats in the Senate.—*Journal of the Senate of the United States*, vol. i. pp. 10, 11.

expostulation of Charles Thomson in the following letter evinced his patriotism and friendship for Mr. Read :

“PHILADELPHIA, March 21st, 1789.

“DEAR SIR,—I have received the favor of your letter of the 14th by Mr. Bassett, and shall be very happy to show him all the civilities in my power; but I am extremely mortified that you did not come with him. Those who feel for the honor and are solicitous for the happiness of this country are pained to the heart at the dilatory attendance of the members appointed to form the two houses, while those who are averse to the new constitution, and those who are unfriendly to the liberty, and, consequently, to the happiness and prosperity of this country, exult at our languor and inattention to the public concerns, and flatter themselves that we shall continue, as we have been for some time past, the scoff of our enemies. It is now almost three weeks since the day appointed for the meeting of the two houses and for commencing the operations under the new constitution, and there are not enough arrived to form either house and to count the ballots, to see who is elected President or Vice-President. What must the world think of us? But what in particular mortifies me in respect to you is that there is every reason to believe your absence will alone, on Monday next, prevent the Senators from forming a house, and at the same time there is reason to believe there will be a sufficient number to form the House of Representatives, so that the eyes of the continent will be turned on you, and all the great and important business of the Union be at a stand because you are not here. I must therefore, as a friend, intreat you to lay aside all lesser concerns and private business, and come on immediately. When the house is full, as your distance from home will not be great, and as the conveyance by the stage is easy, safe, and rapid when the roads are good, you may, I doubt not, obtain leave to return and settle any business you may leave unfinished. Be pleased to present my compliments to your lady. I write in the confidence of friendship, being, with sincere regard, your old friend and humble servant,

“CHARLES THOMSON.*

“Honorable GEORGE READ, New Castle, Delaware.”

* See Appendix C 2.

It seems from the letter of the representative in Congress from Delaware, John Vining, which follows, that State attachment and interest so much predominated at this period as to interfere with the discharge of higher duties to the Union :

“ April 1st, 1789.

“ DEAR SIR,—You have doubtless before this heard of the death of our late worthy president, Mr. Collins, which melancholy circumstance took place, somewhat unexpectedly, on Sunday last. In consequence of this event, we are informed that the Assembly will be convened on the 20th of the present month for the purpose of filling the vacancy. Our politicians seem a good deal perplexed in their ideas about a successor. Messrs. McKinley, Clayton, Bassett and McDonough have all their partisans in this part of the State.* I had forgot to mention his Honor Mr. Sykes, who, if I may judge from his appearance, would very much like the office. You will very much oblige me by communicating the latest information which you may have received from New York, as my movements must, circumstanced as I am, very much depend upon the necessity of the case. If it could possibly be reconciled to anything like propriety, both my private convenience and public wishes would unite in keeping me here until the Assembly rise, which, I presume, will be very shortly after they meet. Your ideas upon this subject, as well as on any other in which you may think proper to advise me, will ever be in friendly acceptance to your very respectful and obedient, humble servant,

“ JOHN VINING.†

“The bearer of this has promised to call on you as he returns from Wilmington.

“HONORABLE GEORGE READ.”

This letter is indorsed, “Received 3d April, and answered same day.”

James Booth, the writer of the letter next laid before the

* The President of Delaware (article seven, Constitution of 1776) was eligible by joint ballot of both the houses of the Legislature, and Joshua Clayton was chosen (30th May, 1789) to fill the vacancy by the death of Mr. Collins.

† See Appendix D.

reader, had been for several years Clerk of the General Assembly of Delaware, was secretary to the convention which framed the Constitution of 1776, held several offices in New Castle County connected with the courts, and finally that of Chief Justice of the Court of Common Pleas, being the immediate successor of Richard Bassett for more than thirty years. He was a man of sound judgment, unspotted integrity, and, though not trained to the bar, of sufficient legal knowledge. His stature, features, and figure were good, and his dress and address those of an old-school gentleman. He was an influential Federalist, and was indebted for his high social position, not to his birth or family, wealth or influence, but to his exertion, perseverance, tact, and good conduct. He died 3d February, 1828, in the seventy-fifth year of his age,* lamented by his family, his friends, and the community in which he had lived from his childhood.

“NEW CASTLE, April 24th, 1789.

“SIR,—As I suppose a system of commercial regulation and impost will be soon adopted by the United States, and that the State appointments in that department will of course cease, I beg leave to solicit you for a continuance in the Naval Office of this county, which I now hold. I was appointed to that office early in 1777, have been continued by subsequent appointments, and I flatter myself that during the time I have exercised the duties of it neither want of attention nor want of fidelity will be imputed to me. Under these circumstances I should feel great regret at being deprived of this office by that government which I so anxiously wish to see permanently established. I hope, too, that no objections will arise to my appointment from my holding other offices,—they may diminish. The clerkship of the Assembly I shall be obliged to resign, from the inadequacy of the late allowance [for this office]. But if I am fortunate enough to succeed in my application, permit me to assure you that my conduct shall be marked by an unremitted attendance to the duties of the office, and that I shall retain the most grateful impression of the favor. Many applications have, I understand, been made by persons residing in Wilmington, grounding their pretensions principally upon

* Born 6th February, 1753.

the position that the officer should reside in the place where the business is to be transacted. The inhabitants of Wilmington never have, to my knowledge, complained of inconvenience heretofore; it has been prevented by the business having been transacted there under my direction, and many of the trading-people have expressed to me their entire satisfaction. It must be confessed that almost all the foreign commerce carried on by the citizens of this State is from the borough [of Wilmington]; but I can allege, with as great truth, that as great and perhaps a greater number of vessels enter, during the summer and fall seasons, at New Castle,—generally those in the Irish trade and those bound to Philadelphia, where parts of their cargoes belong to Baltimore, stop at New Castle; these, taken together, are at least equal to the number of vessels trading from Wilmington. The reasoning upon which these applications are grounded would not, I conceive, avail them in exclusion of others; it would only go, if proper, to show that there ought to be an officer in every part of a district where importations can be made. When I speak of the applications from Wilmington, it is from information only. I am unable to ascertain whether they are for the Naval Office or others that are expected to be instituted under the revenue system of the United States.

“I have no news to communicate worthy your attention. Our Supreme Court is over in this county,—two trials only were had during its sittings.

“Mrs. Read and your family are very well.

“I am, with every sentiment of respectful regard, sir, your most obedient, humble servant,

“JAMES BOOTH.

“Honorable GEORGE READ, Esquire.”

A quorum of the House of Representatives having been obtained on the 1st, and of the Senate on the 6th, of April, the votes for President and Vice-President were counted by the Senate, and the election of Washington and Adams ascertained and declared. Charles Thomson bore to General Washington the official announcement that his fellow-citizens had unanimously called him to the chief magistracy of the general government just established. He obeyed the call with diffidence unaffected, and the purpose to tread

the difficult path of duty it opened before him without deflecting to the right or left from favor to any man, or fear of any, and with the resolve to devote to the service of his country all the ability God had endowed him with, and all the fruit of his long experience in public affairs. An entertainment and address from his immediate neighbors, especially gratifying to him, awaited him at Alexandria, on the commencement of his journey to New York. He was escorted by troops of cavalry, and attended by committees, and addressed by municipal authorities, and greeted by thousands of his fellow-citizens with shouts of welcome, and ringing of bells, and salutes of artillery, and brilliant illuminations, as he passed, from Virginia, through Maryland, Delaware, Pennsylvania, and Jersey. His receptions were most remarkable. At the Schuylkill, where, as he passed beneath a triumphal arch, a civic crown of laurel descended upon his head; and at Trenton, where, on the bridge crossing the little stream running through it (the Assanpink), was a triumphal arch (emblematical, I suppose, of the Union), supported by thirteen pillars, representing the thirteen States, wreathed with evergreens and flowers. As the Father of his Country passed beneath it, he was saluted by a band of ladies, each leading her daughter by the hand, clad in white, bearing a basket of beautiful and fragrant flowers, which they scattered before him, chanting an ode in his praise, which has been preserved, not for its merit, but the occasion for which it was written. There was not a spectator of this beautiful pageant who did not revert to the night of January, 1777, when the watch-fires of Washington's army mingled their gleams with those of the British, only separated from it by the Assanpink, the wailing night-winds, as they swept by, chilling the half-clothed American soldiers, who, by the brilliant generalship of their commander,—not slain, or prisoners, or fugitives, as Cornwallis expected,—when the sun of the next morn rose brightly upon them, entered Princeton to hold it as conquerors. At Elizabethtown-point, in Jersey, the President-elect was received by a committee of Congress, and conveyed, in a splendid barge, rowed by thirteen pilots in white dresses, and escorted by many boats and barges filled with rejoicing citizens. Landing under salutes from the Battery in New York and the vessels in her harbor, he was

escorted to the house of Governor Clinton, where he was sumptuously entertained, and, as soon as night shrouded the city, it was lighted up by brilliant fireworks. On the 30th of April, 1789, General Washington, on a balcony fronting the Senate-chamber, took his oath of office, in presence of thousands of his countrymen, who responded with loud and joyous shouts to the Chancellor of the State of New York, who, as the lips of the beloved and revered chief magistrate touched the sacred volume, splendidly bound in crimson and gold, exclaimed, "Long live George Washington, President of the United States!" The President then returned to the Senate-chamber, and delivered his inaugural speech, and then, with both houses of Congress, repaired to St. Paul's Church, where divine service was performed by Bishop Provost of the Protestant Episcopal Church in the United States. These patriots thus crowned this day, worthy to be held in perpetual remembrance, with a solemn religious service, for they held the great truth, declared in most eloquent words by Franklin, in the convention that framed the constitution they had just inaugurated, "That God governs in the affairs of men, and, if a sparrow cannot fall without his notice, an empire cannot rise without his aid and blessing."

James McHenry, the writer of the following letter, was appointed Secretary of War, by Washington, January 20th, 1796. He was born in Maryland, educated as a physician, inherited a fortune, and had served, in the war just terminated, as an aid to Lafayette. The principal defence of Baltimore, a fort on the Patapsco, still bears his name.*

"BALTIMORE, 12th May, 1789.

"SIR,—The bearer, Captain Barney,† of this place, whose distinguished conduct in the naval line is well known, wishes to devote his whole life to the service of his country, for which purpose he is desirous to obtain some appointment, under the United States, congenial with his profession, where he may remain till he can be more usefully employed. As it is likely cruisers will be put in commission to protect the trade, and to prevent frauds in the

* Hildreth's History of the United States, vol. i. p. 571.

† For a notice of Commodore Barney, see Appendix E.

revenue, permit me to recommend him to your good offices, as a person in every respect qualified for a commander of one of them. He is brave and prudent, an old Continental sea-captain, a skilful sailor, and of the strictest honor. Suffer me to request you to introduce him to your colleague, and to assure you of my most profound respect and esteem. I have the honor to be, sir, your most obedient servant,

“JAMES MCHENRY.

“HONORABLE GEORGE READ.”

While the House of Representatives was engaged upon the bill providing revenue by duties upon imports, the Senate was considering the bill to establish the courts of the United States.* A copy of this bill was communicated by Messrs. Read and Bassett to John Dickinson and Gunning Bedford, requesting them to examine, and return it to them with such suggestions, in regard to its provisions, as they might think proper to make.

“NEW YORK, June 16th, 1789.

“DEAR SIR,—As the bill to establish the judicial courts of the United States is for the consideration of the Senate, Mr. Bassett and myself have thought it our duty to transmit the inclosed copy of the same to you for your perusal and comments upon its respective provisions, hoping that we may obtain them in time before the Senate shall have entered upon the third reading—the second reading being appointed for Monday next, as in a committee of the whole; after which it is to be gone over on such its second reading in the Senate, as a house. Mr. Bassett and myself hope that we shall be favored in time with a return of the copy, with your observations thereon in its margin. And we must beg the favor of you to give the attorney-general, Mr. Bedford, an opportunity to peruse and consider this copy, expecting his observations also. We are so restricted in

* The Senate, on the 15th May, 1789, carried into effect the provision in the second clause, third section, article first of the Constitution of the United States, and Mr. Read was allotted to the class No. 1, whose seats would be vacated at the expiration of the second year from the time of their election, but was re-elected, and presented his credentials at the session of the Senate specially convened for the transaction of executive business, March 4th, 1791.—*Journal of the Senate of the United States*, pp. 25, 26, 324. See Appendix F.

our number of copies that we could not afford one to each of them.

“The establishment intended by this bill is so important and general in its concern that the representation of the Delaware State in Congress wish to have the aid of all that information you, sir, and other law characters can or may please to afford them on this occasion.

“The same committee who reported this bill are preparing another, for prescribing and regulating the process of those respective courts. Another committee are employed on a bill declaring crimes and offences against the United States and their punishments.

“The impost bill has taken up much time in both houses. It is now on its return to the Senate, with a disagreement to many of the amendments made there, which will probably produce a conference. The bill for regulating the collection of the impost is yet in the House of Representatives, in an incomplete State.

“The minutes of the Senate, which are ordered to be printed monthly for publication, are now at the press, and the public papers will disperse them shortly.

“I came to this place in ill health, and continued so for some time. I am now tolerably well recovered, and shall be glad to hear of you and your family’s good health, to all of whom please to give my most respectful compliments; and I am, with much esteem, your most obedient and affectionate, humble servant,

“GEORGE READ.

“The Honorable JOHN DICKINSON.”

Mr. Dickinson replied to this letter from

“WILMINGTON, June 24th, 1789.

“MY DEAR FRIEND,—Thy favor of the 16th inst. I received on the 22d, in the evening, and am much obliged for that and the inclosure.

“I have given the bill such imperfect attention as the shortness of time, weakness of health, frequency of interruptions, and the novelty of its provisions would permit, and have made some notes in the margin, as you requested. I then sent it to the attorney-general, informing him that his observations were expected. It is now returned.

“There can be no doubt but that all the parts are very intelligible to gentlemen who have been present at their frequent discussion, know the intricacies of their mutual dependence and of their relation to the Constitution, but to me it appears the most difficult to be understood of any legislative bill I have ever read.

“Is it possible or agreeable to the Constitution to establish an appeal from the decisions of the Supreme Court in cases where that court has original, exclusive jurisdiction? or is it right and best that the single determination of that court in such instances should be irreversible?”

“I sincerely rejoice to hear of the re-establishment of thy health. Polly and Sally desire to be most respectfully presented, and I am, as ever, thy truly affectionate friend,

“JOHN DICKINSON.

“GEORGE READ, Esquire, Senator, New York.”

The Attorney-General of Delaware, it appears from his following letter to Mr. Read, entertained an opinion more favorable to the proposed bill for establishing the courts of the United States than that expressed of it by Mr. Dickinson :

“WILMINGTON, June 24th, 1789.

“DEAR SIR,—Your letter of the 16th only came to my hands this morning, and Mr. Dickinson last evening sent me a copy of the proposed law, with a request that I would make my observations on it and return it to him this morning, to be sent back to New York by this day’s post.

“I should ill requite the honor done me by the communication, and but abuse the confidence reposed in me, were I to attempt any remarks on a subject of so much importance, so entirely new to me, with so little time for reading or reflection. To those who have thoroughly digested the whole system, and who have considered this as the foundation upon which the most grand and elegant superstructure of jurisprudence is to be built, crude and hasty thoughts can give no information. The objects are too extensive and complicated for me so immediately to understand that I might make a just criticism on this proposed bill. It appears to me a noble work, and must do the framers of it, as well as our government, great credit. I flatter myself our State governments will have wisdom enough to follow the example in new modelling their legal systems.

“It will be very difficult accurately to define the jurisdiction of the Federal courts, so as to prevent controversies with the State courts. Indefinite expressions, unavoidably made use of, will create difficulties. Common law and statute law are referred to in the act. Have the States the same accurate and fixed idea of both or either as applied to themselves individually or to the States generally? Do we refer to the common law and statute law of England? This is derogatory. What, then, is the common and statute law of the United States? It is difficult to answer. Yet the dignity of America requires that it be ascertained, and that where we refer to laws they should be laws of our own country. If the principles of the laws of any country are good and worthy of adoption, incorporate them into your own. I think we ought not to refer, at this day, to the law of any nation as the rule of our conduct. This is the moment for legal emancipation; as the foundation is laid so must the superstructure be built. Pardon these observations, sir, I am transgressing my own bounds. Your good sense would rather censure than approve (under my circumstances) any further remarks.

“You will be pleased to present my respects to Mr. Bassett, and my acquaintance in Congress.

“I am, with much respect and consideration, your most obedient humble servant,

“GUNNING BEDFORD, Junior.*”

“GEORGE READ, Esquire.”

The “common and statute law” referred to in the proposed act for establishing the courts of the United States were those of England, which were, more or less, those of her North American colonists, who brought with them to their new abodes all the rights and privileges of Englishmen and their laws potentially, but actually when there were subjects for them to act upon; but these laws were variously modified and altered in the several colonies. The common law, amended and ameliorated by statutes, is the general basis of the jurisprudence of all the States, Louisiana excepted, where the civil law is that basis; and such parts of it are now in force as were adapted to the colonies,

* For a notice of Gunning Bedford, see Appendix G.

and have been, since their settlement, recognized, used, and retained. Soon after the Constitution of the United States went into operation, the question was raised whether or not the common law of England was adopted in the United States by its establishment, or is the law of these States in their national capacity. It was, with reason, contended "that the framers of the Constitution, upon which so much labor was expended to enumerate and define the powers therein granted, could never have intended to introduce in mass, indirectly and by forced construction of a few phrases, the vast and multifarious jurisdiction of the common law, and thus sap its foundation as a system of specified and limited powers," giving to the Federal courts unlimited jurisdiction, and to the other departments of the United States government unlimited powers. The true doctrine seems to be this: "The maxims and rules of proceeding of the common law are to be adhered to wherever the written law is silent in cases the cognizance whereof is vested in the United States courts, or of a similar or analogous nature, so that it may govern and direct the course of proceeding in such cases, but cannot give jurisdiction in any case where it is not expressly given by the Constitution;" and so it may regulate (the United States statute law being silent) the exercise of the powers conferred by the Constitution upon the other departments of the government, but can confer none upon them.*

"In the debate in the United States Senate, July 15th, 1789, upon the President's constitutional power of removing from office, Mr. Read said:

"The President is to take care that the laws be faithfully executed; he is responsible. How can he do his duty, or be responsible, if he cannot remove his instruments? It is not an unequal sharing of the power of appointment between the President and the Senate: the Senate is only a check to prevent impositions on the President. The minister, a deputy or agent of the Executive. Difficult to bring a great character to trial and punishment.'

"The yeas and nays were: yeas,—Bassett, Carroll, Dalton, Elmer, Henry, Morris, Patterson, Read, Strong—9;

* Tucker's Blackstone, Part i. Appendix, note E; Encyclopædia Americana, vol. iii. p. 394.

nays,—Few, Grayson, Green, Johnson, Izard, Langdon, Lee, Maclay, Wingate—9.

“The Vice-President gave his vote for the power of removal being in the President, and so decided the question, and the country acquiesced in his decision; and this power has been exercised ever since, though this question has subsequently been agitated at intervals, and is liable to be so whenever a majority of the Senate may be in opposition to a new President coming in upon a revolution in public opinion.”—*Writings of John Adams*, vol. ii. pp. 407–409; *Benton's Abridgment of the Debates in Congress*, pp. 86–92, and 102–109.

John Penn in the following letter confides to Mr. Read the management of the affairs of his family in Delaware :

“LONDON, UPPER WIMPOLE STREET, July 22d, 1789.

“DEAR SIR,—I take the liberty of troubling you with a letter to beg your friendly assistance in the management of our affairs in the State of Delaware, as we are desirous of bringing all our business in America to a settlement, and should be extremely obliged to you if you will be kind enough to advise any of our friends, whom we shall desire to apply to you, what will be the proper method of proceeding. We are in expectation of receiving some compensation from government, but I am afraid, from the great deductions that will be made upon it, it will not be very considerable.

“I hope you go on prosperously in the establishment of your new government, and that you may soon get clear of the clouds that were hanging over you when I left America; and though my own interest would naturally lead me to this wish, I assure you I should be happy to hear of this event for the sake of America in general, and particularly for the few friends I have left there.

“I hope you will excuse the trouble I give you, which proceeds from the confidence I have in your judgment, and from our long acquaintance I presume upon your friendly disposition towards me.

“I am, dear sir, your sincere friend and obedient servant,
“JOHN PENN.”*

* The eldest son of Thomas Penn, son of William Penn and Hannah Callowhill, and who was proprietor of two-thirds of Pennsylvania. He

There was much competition for the offices to be established under the new general government. Applications for offices had even been made to General Washington before his inauguration and while yet at Mount Vernon. With that nice sense of propriety which he manifested in every situation, he declined the promise of appointment to all the applicants, having "determined to go into office free from all engagements, of every nature whatsoever."—*Marshall's Life of Washington*, vol. v. pp. 151, 152.

Edward Shippen, so strongly recommended for the office of District Judge in Pennsylvania in the letters which follow, was born in Philadelphia, February 6th, 1729. His great-grandfather, Edward Shippen, came to Boston, from England, in 1675, and was the first mayor of Philadelphia. The son of this gentleman, Joseph, was the father of Edward Shippen, originally a merchant, but elevated to the bench before and after our Revolution, in which he took an active part. His son, Edward Shippen, completed his education for the bar at the Middle Temple, London, and was admitted to practice in the Pennsylvania courts in September, 1750. His legal knowledge was extensive. He was appointed a judge of the Supreme Court of Pennsylvania in 1791, and Chief Justice in 1799, at the age of seventy, and was a safe and excellent judge. "He was an agreeable, prepossessing gentleman, of dignified personal appearance, and beloved and venerated by all who knew him." In December, 1805, feeling the infirmities of age, he resigned, to secure a brief space to prepare for death, which he met, April, 1806, with the faith and submission of a Christian, full of years, honored and lamented.*

was in Philadelphia after the Revolution. He had a particular nervous affection about him, such as was sometimes distressing to himself and others, and was, besides, near-sighted. He built the place called "Solitude," over Schuylkill. He was still alive in 1830, and wrote occasionally to Watson, author of "Annals of Philadelphia," on subjects relating to that city, and had then in his possession a great collection of his grandfather's papers, in fine preservation and regularly filed and endorsed, which it was expected would some day be published to elucidate family and civil history. John Penn was the wealthy proprietor and resident of Stoke Poges Park, in the country, and of the mansion-house of Spring Garden, in London.—*Watson's Annals of Philadelphia*, p. 115.

* Hall's Journal of Jurisprudence, vol. i. p. 67; The Forum, by David Paul Brown, vol. i. pp. 324-326.

PHILADELPHIA, September 22d, 1789.

DEAR SIR,—Although I have not had the pleasure of corresponding with you since you have taken your seat at New York, yet I cannot deny myself the satisfaction of communicating my sentiments to you on a subject in which I feel myself interested. That department of government in which you take your station as a Senator will, I hope, in your opinion, render the matter not altogether foreign to your consideration; if it should [be so], I must rely on the acquaintance I have heretofore enjoyed with you as my apology.

“For some time past, sir, the appointment of a district judge for Pennsylvania has excited the attention and inquiries of the greater part of the lawyers here. They have observed that its complicated duties require an acquaintance with the common law as well as the civil and maritime. As they wish, for their own ease, happiness, and interest, that the seat may be filled with dignity, they have been apprehensive lest the office should be given to the gentleman who formerly held the appointment of Judge of the Admiralty here, upon the principle of not taking away office from the former possessor. Their apprehensions arise not from any personal dislike to Mr. Hopkinson, but from a conviction that Mr. Edward Shippen possesses far superior knowledge and capacity for the station. They are induced to believe the appointment would not be rejected by him, though he has too much modesty and merit to push himself forward in order to obtain it. Upon these grounds, Mr. Lewis, Mr. Tilghman, the Attorney-General, Mr. Rawl, and many other of the gentlemen [of the bar] have formed strong wishes that the office should be conferred on Mr. Shippen. I very cheerfully confess myself one of this number, from the knowledge and experience I have had of both the gentlemen [thought of for this office]. I mention these circumstances in confidence, though I am not unwilling openly to avow them, if it should be necessary.

“You will pay, sir, such attention to this communication as you may think most proper. I am prevented from saying more by the necessity I am under of going out with Mr. Matthew Pearce and Mr. John Read, your son, who are now waiting.

"I hope you will believe me to be, with all due consideration, sir, your most obedient servant,

"MOSES LEVY.*

"GEORGE READ, Esquire."

"PHILADELPHIA, September 21st, 1789.

"DEAR SIR,—I cannot refrain from again mentioning to you Mr. Shippen as a gentleman in every respect qualified for the seat of district judge of this State. It is generally supposed that another gentleman stands for this appointment. There is no sort of comparison between the two. This is not my opinion alone, but that of every lawyer I have conversed with on the subject. Mr. Shippen has not applied for the office, but will accept it with pleasure, and is beyond all doubt much better qualified for it than any other man in this State who will accept it. To you I may in confidence say that the other (F. H.) is not competent. I say this not from my own experience, but from the voice of the bar, without exception, that I know of, unless Mr. Wilson may be of another opinion, which I rather suspect to be the case, from their intimacy and friendship. I assure you most solemnly I have no other motive than a desire that so important a station should be properly filled, and most sincerely pity the family of Mr. H——, nor have I entertained any the least disgust against him on any score whatever.

"If you see no impropriety in communicating my sentiments to the President, be pleased to make them known to him.

"This matter did not originate with Mr. Shippen; it proceeds from some gentlemen of this bar.

"I am not upon such a footing with any of the delegates from Pennsylvania as to justify an application to them. This you will consider as also made to Mr. Bassett.

"I am, dear sir, your very affectionate friend,

"EDWARD TILGHMAN.†

"Honorable GEORGE READ, Esquire."

* An eminent lawyer of Philadelphia. See Appendix H.

† Mr. Tilghman adds to what he urged, as above, in a letter to Mr. Read, written 23d September, "that if the sense of the bar should be

Richard Peters received the appointment of United States District Judge for Pennsylvania.

It appears by the following letter of Mr. Dickinson—the last of Mr. Read's correspondence for 1789 which has been preserved—that he was suffering inconvenience, though in no peril of eventual loss, from his having lent his credit to sustain that of Delaware, in 1782. This letter has a characteristic of Mr. Dickinson's letters whenever the subject was of interest or importance—earnestness :

“WILMINGTON, October 31st, 1789.

“MY DEAR FRIEND,—The bond which I gave in June, 1782, to Robert Morris, Esquire, to satisfy him for one thousand pounds borrowed for the use of this State, has been lately assigned by him to Edward Tilghman, and there remains a balance of two hundred and eighty-three pounds and three pence, principal, still due, with interest on that from the 19th of July, 1787.

“The former treasurers, Drs. Tilton and Clayton, have, by payments, in pursuance of the resolution of the Legislature on the 21st of June, 1783, so far reduced the debt.

“The assignee positively insists upon my immediate payment of the residue, and threatens to sue if his demand is not directly complied with.

“Thus I find myself unexpectedly distressed and embarrassed.

“I have written to the present treasurer, and he has assured me, by the auditor-general, that this debt shall be the first paid out of the taxes now collecting, after paying one hundred and fifty pounds to the Chief Justice. But the affair is of so much consequence to me that I wish to strengthen, by all possible means, the treasurer in his declaration of speedily doing me justice.

“I therefore desire to be favored with a letter to the president and another to the treasurer, expressing thy sentiments and those of the Legislature on this subject, since it was first laid before them, and urging the most early measures for extricating me from my very disagree-

requested, it would certainly be warmly in favor of Mr. Shippen, and would have been sent to the President, but for doubts of the propriety of so doing.”

able situation. The late presidents, Van Dyke and Collins, were solicitous that this debt should have been long since paid.

"I shall be exceedingly obliged if this affair can be so represented that I may be soon relieved from an uneasiness, caused by the purest zeal for the welfare of the State.

"I propose to set off next Wednesday morning for Kent, I can then call for an answer, or the bearer may now wait. I should prefer the first way of receiving it.

"I am thy ever affectionate friend,

"JOHN DICKINSON.

"GEORGE READ, Esquire, New Castle."

Mr. Read enjoyed a brief interval between the termination of the first session of the first Congress of the United States, September 29th, 1789, and the commencement of the second session of that body, which was devoted to his family and his professional and private business, cheered by the general approval of the late proceedings of the national legislature, the principal of which were the acts providing revenue, constituting the Federal judiciary, organizing the executive departments, and defining crimes cognizable under the authority of the United States, and their punishment, and the adopting amendments to the Constitution, which were submitted to the States. These labors having been most fitly terminated by their recommendation of the observance of a day of thanksgiving to Almighty God for his many signal and unmerited favors, and especially for the opportunity vouchsafed to establish, in peace, a government which would, with his blessing, insure safety, liberty, strength, and happiness to their countrymen, and while it won their love, receive, as it deserved, the admiration of the nations among which the United States had taken their place.*

* Mr. Read participated considerably in the business of the committees of the Senate in 1789, as appears by the following entries on *one* page of the Journal of that body in that year:

"Monday, September 28th, 1789.—Mr. Read, on behalf of the committee appointed on the bill entitled 'An act to explain and amend an act for registering and clearing of vessels, regulating the coasting trade, and other purposes,' reported an amendment.

"Mr. Read, on behalf of the committee appointed on the bill entitled 'An act amending part of an act to regulate the collection of duties on

tonnage and on goods, wares, and merchandise imported into the United States,' reported non-concurrence, and the bill did not pass.

"Mr. Read, on behalf of the committee appointed upon the bill entitled 'An act to recognize and adapt to the Constitution of the United States the establishment of the troops raised under the United States in Congress assembled, and for other purposes,' reported amendments [which were adopted].

"Mr. Read, on behalf of the committee appointed on the bill entitled 'An act for the payment of invalid pensioners,' reported concurrence."
—*Journal of the First Session of the United States Senate*, vol. i. pp. 58, 91.

The labors of committees, not having been performed under the eyes of the public, have seldom been appreciated as they deserved, though to their unseen and inglorious toils belonged often the whole merit of the best legislative acts. Men look admiringly upon the grand or graceful façade of a stately building, with its swelling dome or tapering spire, without a thought of its invisible *foundation*, constructed perhaps with much architectural skill, or laid at least with great cost of time, labor, and money, and essential to its existence.

Mr. Read was upon other committees on important subjects,—for example, on the one appointed to report the bill "defining crimes cognizable under the authority of the United States, and their punishment."
—*Journal of the Senate of the United States*, vol. i. p. 25.

APPENDICES TO CHAPTER VI.

A.

1787.—An act appointing deputies from this State [Delaware] to the convention proposed to be held in the city of Philadelphia for the purpose of revising the Federal Constitution.

PREAMBLE. *Whereas*, The General Assembly of this State are fully convinced of the necessity of revising the Federal Constitution, and adding thereto such further provisions as may render the same more adequate to the exigencies of the Union; *and whereas*, the Legislature of Virginia have already passed an act of that Commonwealth appointing and authorizing certain commissioners to meet at the city of Philadelphia in May next,—a convention of commissioners or deputies from the different States,—and this State being willing and desirous of cooperating with the Commonwealth of Virginia, and the other States in the Confederation, in so useful a design;

SECTION 1. Be it therefore enacted by the General Assembly of Delaware, That George Read, Gunning Bedford, John Dickinson, Richard Bassett, and Jacob Broom, Esquires, are hereby appointed deputies from this State to meet in the convention of the deputies of other States to be held at the city of Philadelphia on the 2d day of May next. And the said George Read, Gunning Bedford, John Dickinson, Richard Bassett, and Jacob Broom, or any three of them, are hereby constituted and appointed deputies from this State to meet such deputies as may be appointed and authorized by the other States to assemble in the said convention at the city aforesaid, and to join with them in deliberating and discussing such alterations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union, and in reporting such act or acts for that purpose to the United States in Congress assembled, as, when agreed to by them and duly confirmed by the several States, may effectually provide for the same; so always, and provided that such alterations or further provisions, or any of them, do not extend to that part of the fifth article of the Confederation of the said States, finally ratified on the 1st day of March, in the year 1781, which declares *that in determining questions in the United States in Congress assembled, each State shall have one vote.*

SECTION 2. And be it enacted, That in case any of the deputies hereby nominated shall happen to die, or to resign his or their appointment, the President or Commander-in-Chief, with the advice of the Privy Council, in the recess of the General Assembly, is hereby authorized to supply such vacancies.

Passed February 3d, 1787.—*Laws of Delaware*, vol. ii. chap. cxlviii. B., pp. 892, 893.

B.

NOTICE OF NICHOLAS VAN DYKE.

NICHOLAS VAN DYKE, a distinguished lawyer of Delaware, was born at New Castle, Delaware, 8th December, 1770, and died May 21st, 1826, in the fifty-sixth year of his age. In the catalogue of the graduates of Nassau Hall, I find his name in the class which graduated in 1788, in which appears that of Smith Thomson, Secretary of the Navy, and Judge of the Supreme Court of the United States.

Mr. Van Dyke studied law in the office of his brother-in-law, Chief Justice Johns, was admitted to the bar in 1791, and soon obtained a large practice.

If surpassed by some of his contemporaries (inferiors to few, if any, members of the bar throughout the Union) in profound knowledge of the law, and in dialectical power, he was a sound lawyer, and superior to them all as a fluent, graceful, and successful advocate, and in the skilful management of his cases.

He never lost his predilection for general literature, and always found time for miscellaneous reading. He was remarkable for the ease and elegance of his manners and conversational powers, and for his taste in architecture, and fondness for indulging it, having erected two large and fine houses in New Castle, and two in its vicinity,—his ample fortune enabling him to gratify this taste, at once elegant and useful, without inconvenience.

In the latter period of his life he was a ruling elder of the Presbyterian Church and took an active part in its affairs, thus superadding to his pure moral character the crowning ornament of piety.

He was elected to the Legislature of Delaware in 1799; to the United States House of Representatives in 1809; to the Senate of Delaware in 1815, and to the United States Senate in 1817; and, having been re-elected, was, when he died, a member of that body,—in which he not only maintained but increased the high reputation of the representatives of Delaware for statesmanship and ability as debaters in the national legislature. He was of the Federal party.

C 1.

NOTICE OF EDMUND RANDOLPH.

EDMUND RANDOLPH, eminent as a lawyer and a statesman, filled offices of the highest responsibility. At the head of his profession, he was for several years Attorney-General of Virginia and then Governor of that State, and, still in this office, was elected a member of the convention which formed the Constitution of the United States, and opened

the business confided to that assembly by submitting the project of a new constitution, known as the Virginia plan, and took a prominent part in its proceedings. Upon the expiration of his term of service as chief magistrate of Virginia he was elected a member of her Legislature, and from thence appointed by Washington Attorney-General of the United States. In 1793 he was transferred to the higher post of Secretary of State, upon the resignation of Mr. Jefferson. In 1795 Mr. Randolph was so far misled by party feeling and his predilection for France as to make communications to the French minister which the President considered so reprehensible that they called forth his strong disapprobation, on which Mr. Randolph resigned, and attempted to justify this abuse of his official position by representing himself as sacrificed to England and the aristocrats who espoused her cause, for his devotion to liberty and the French republic. He may not have made the overtures to Fauchet from which it was inferred that he was willing, with some of his friends, to be in the pay of France; but his needy circumstances, and his retiring from office a defaulter, gave countenance to the suspicion the intercepted despatch of the French envoy excited, and at all events he cannot be acquitted of tortuous conduct, and even intrigue with the Democratic leaders and French minister, inconsistent with his official position and consequent relations to the administration.

John, the father of Edmund Randolph, held the office of Attorney-General of Virginia, and at the commencement of the American Revolution sided with the royalists and withdrew with his family to England. His brother, Peyton, declared for the Whigs, succeeded him as Attorney-General, and was eminent for his ability, zeal, and success in offices, State and national, to which his fellow-citizens elected him. Being childless, he adopted Edmund as his son.

Edmund entered the college of Williamsburg soon after Jefferson graduated there; and that eminent man being, with several of his fellow-students afterwards distinguished, infected with the infidelity imported from France, they unhappily left the taint of this poison behind them. Edmund was for a time led astray by the sophistries and arts of the infidels of his college; but, escaping from their toils, turned his back upon their theories, unfounded in truth as barren of utility, and upon their dreary prospects, and took honorable position among the champions of religion and the church.

He was one of the eminent lawyers who ably maintained, but unsuccessfully, that the law by which the churches in Virginia were robbed of their glebes was unconstitutional.

Towards the close of his life his residence was with his son-in-law, Bennett Taylor, in Frederick County. Bishop Meade, during this residence, had conversation with him, and states that he was deeply interested in religious subjects.

He died at Carter Hall, the seat of Colonel Nathaniel Burwell, and was interred in the ancient grave-yard of Frederick parish.—*Marshall's Life of Washington*, vol. v. note 17, p. 30, pp. 214, 630; *Hildreth's History of the United States*, vol. i. pp. 516, 556, 561; *Old Churches and Families in Virginia*, vol. ii. pp. 292, 293.

William Wirt, who practised with Edmund Randolph in courts of Virginia, and had ample opportunity for studying his character, intel-

lectual and moral, draws a portrait of this eminent citizen (of the outward and inner man) in his "Letters of a British Spy" (A.D. 1803), Letter 7, a work so popular that ten editions of it, perhaps more, have been published :

"Mr. Edmund Randolph has great personal advantages. A figure large and portly ; his features uncommonly fine ; his dark eyes and his whole countenance lighted up with an expression of the most conciliating sensibility ; his attitudes dignified and commanding ; his gesture easy and graceful ; his voice perfect harmony ; and his whole manner that of an accomplished and engaging gentleman. I have reason to believe that the expression of his countenance does no more than justice to his heart. If I am correctly informed, his feelings are exquisite, and the proofs of his benevolence are various and clear, beyond the possibility of doubt. He has long maintained a most respectable rank in his profession, and is esteemed by the people a great lawyer and an eloquent speaker.

"To me it seems his mind is turned rather for ornament than for severe use. His speeches deserve, I think, the censure which Lord Verulam pronounces on the writers posterior to the reformation of the church. 'Luther,' says he, 'standing alone against the Church of Rome, found it necessary to awake all antiquity in his behalf ; this introduced the study of the dead languages and a taste for the Ciceronian manner, and hence the prevailing error of hunting more after words than matter, and more after the choiceness of the phrase and the round and clean composition of the sentence, and the sweet falling of the clauses, and the varying and illustration of their works with tropes and figures, than after the weight of matter, worth of subject, soundness of argument, life of invention, or depth of judgment.' Mr. Randolph's temper and habits lead him to the stately and swelling manner of Bolingbroke ; but, either from want of promptitude and richness of conception or too sedulous hunting after words, he does not maintain that manner smoothly and happily ; on the contrary, the spirits of his hearers, after having been awakened and put in pleasant motion, have their tide checked by the hesitation and perplexity of the speaker.

"All the arguments I have ever heard from him are defective in the important and most material character,—the *lucidus ordo*. I suspect that in the preparatory arrangement of his subject he gains his ground by slow and laborious gradations, and that his difficulties are numerous and embarrassing. Hence it is, perhaps, that his points are generally too multifarious, and although among the rest he exhibits the strong point, its appearance is too often like that of Issachar, bowed down between two burdens. I incline to believe that if there be a blemish in his mind, it is the want of a strong and masculine judgment, manifested in his selection of cases seized by his adversaries and turned against him. He is certainly a man of close and elaborate research."

C 2.

NOTICE OF CHARLES THOMSON.

CHARLES THOMSON was born in Ireland, November, 1729, of respectable parents. About 1740, his father, with himself and three older brothers, embarked for America. His father, having been sick during the voyage, died, off the capes of Delaware. "I stood by my expiring father," said Charles Thomson to John F. Watson, years after, "closed his eyes, and performed other duties of filial piety to him." Dying so near land, his corpse might have been kept for interment on shore, but the captain of the ship cast it into the sea to save expense, which would diminish the property the parent left behind him and which he designed in part to appropriate, and did embezzle, as Charles and his orphan brothers believed. They were landed at New Castle, Delaware, with little property, which the unprincipled captain said was all their father had, thus despoiling children who, orphans, friendless, and strangers in a strange land, could not assert their rights. Charles was placed, when he landed at New Castle, in the family of a blacksmith, who was so much pleased with his intelligence, courtesy, and energy that he designed to have him bound to him as an apprentice. Hearing him, in conversation with his wife at night, say he should carry this intention into effect the next day, Charles, whose antecedent state had been far superior to that which was designed for him, left the blacksmith's house at the dawn of that day. He took the road to Wilmington, a boy, ten years old, trudging manfully along, with his bundle of scanty clothes. An inquisitive lady, as the sun arose, overtook him, and, interested by his manly bearing, asked his name, where he was travelling, and why. Even the fear of being taken back to the blacksmith did not overbear his love and habit of truthfulness. He recounted his brief history, and his aspiration for a liberal education which might fit him for some occupation more congenial to his feelings than the trade from which he was escaping. This kind woman was at once interested for the young traveller, and obtained his admission into the school taught by the Reverend Doctor Allison, at Thunder-Hill, in the province of Maryland, and of high repute. Charles's eldest brother generously provided him, as far as he could, with money; and his gratitude was manifested, at a later period of his life, by the gift of a farm in Delaware to this benefactor. One of Mr. Thomson's fellow-students at this seminary was George Read. They soon became warm friends, and so continued through the trying scenes of the Revolution, in which they were prominent actors, and until the death of Mr. Read, in 1798. Classical books, as necessary to learners as tools to mechanics, were so scarce that Dr. Allison's pupils had but one lexicon among them. Charles Thomson told Watson "that, having accidentally got hold of some loose leaves of the 'Spectator,' by which he learned its name and style, he so longed to possess the whole work that he walked all night to Philadelphia to buy it, did so, and walked back in time not to miss his lessons in his class; and that, after he was initiated in Greek, he walked to Amboy, and to his

home again, to visit a British officer there, a stranger to him, because he was reported to be a fine Greek scholar." His first passion for Greek literature, he told Watson, was the result of an apparently accidental occurrence. Passing an auction store in Philadelphia, he heard the offer of an "outlandish book" for sale, which he bought for a trifle. It was part of the *Greek Septuagint*. When he mastered it enough to understand it, he was very anxious to obtain the whole, but could get no copy of the coveted book until, strange to tell, in the interval of two years, passing the same store and looking in, he actually saw the remainder selling, which he joyfully bought for a few pence.* From these anecdotes may be inferred his ardent desire for knowledge, his energy and perseverance. He completed his course of study at Thunder-Hill, and settled in Philadelphia, with such knowledge of Latin, Greek, mathematics, and whatever else as was taught at Thunder-Hill. He was appointed assistant teacher in the first Philadelphia academy, being solicited by Dr. Franklin to accept this office, because esteemed among the best scholars of his day. He taught in this seminary until he married.† He was also, for several years before the Revolution, actively engaged in iron-works at Egg Harbor, New Jersey. From the beginning of the contest of the North American colonies with England, he sided with the Whigs. The very night the British Parliament passed the stamp-act, Franklin wrote to Charles Thomson, "The sun of liberty is set,— we must light the lamps of industry and economy." To which he answered, "Be assured, we shall light torches of another sort."‡ They did,—the torches of war; and they lighted them to liberty, glory, and independence. It has been asserted, but not, to my knowledge, proved, that he originated the opposition to the stamp-act. He was secretary to the assembly of colonial delegates, who met in New York, in 1765, commonly called the Stamp-act Congress. He was qualified for this office, not only by probity, ability, and education, but by his skill, then rare, in short-hand writing, and discharged his duties so satisfactorily that when the first Congress, held in Philadelphia, A.D. 1774, met, all eyes were fixed on him as the fittest person for the secretaryship of that august body. He was unanimously elected thereto, and the circumstances of the notification of this honor, and his acceptance of it, were remarkable. I write them in the words of his friend Watson: "He had then lately married Miss Harrison (the heiress to the estate of Harriton, near the city) [of Philadelphia], and arriving there in his carriage, with his wife, had just alighted, when a message came to him from the President of Congress that he must see him immediately. He went, not conceiving what it could be for, and was told they wished him to take their minutes. He set to it as a temporary affair, but in fact the service so commenced continued throughout the whole war. As no compensation was received for the first service, Congress presented him with a *silver urn* as their gift, and as a compliment to his lady for having so unexpectedly deprived her of the attentions of her husband, the morning after their marriage, on their way to pay their respects to his aunt and her family. She was asked what the present should be,

* Collections of the Pennsylvania Historical Society, vol. i. pp. 88, 89.

† Encyclopædia Americana, vol. xii. p. 238.

‡ Niles's Register, vol. ix. (New Series) pp. 16–101.

and chose an urn. As secretary of Congress, at that eventful period, he possessed very much of that confidence and general intelligence respecting the secret machinery of government which now more properly pertains to the secretary of state. Never changing his office, nor losing his opportunities for information and service, as did the members who depended, for their places, on their elections, he became, in time, their common friend and common depositary of State-secrets and measures. Hence, John Jay, when minister to Spain, wrote, April, 1781, to him, 'I wish you were, also, secretary of foreign affairs; I should then have better sources of information;' and from Passy, 19th July, 1788, 'When I consider that no person in the world is so perfectly acquainted with the rise, conduct, and conclusion of the American Revolution as yourself, I cannot but wish you would bestow but one hour a day to give posterity a true account of it.' After 1789, when he retired to 'Harriton,' he gathered valuable and curious papers for such history, but, after writing many pages of it, destroyed them, alleging as his reason his unwillingness to blur the reputation of many families, then rising in credit and esteem, whose progenitors must have had a bad reputation in his contemplated book. During the Revolution many reports were in circulation [questionable and questioned], but when they came in a congressional paper, sanctioned by his name [doubt and speculation ceased], and men said, *here comes truth*. Such was the trust in his veracity."*

He discharged the duties of the secretaryship, so long confided to him, with far more than common ability and faithfulness, and to the general satisfaction of Congress and his countrymen. But when there are parties in a country and its legislature, as there were in ours, even in the very infancy of our government, suspicion assails, and prejudice misjudges and misrepresents her officers, however faithful and competent. This fate Charles Thomson did not escape. John Adams in his Diary † intimates bias in the secretary of Congress on account of his connection with John Dickinson, and thence with those he calls *the cold party* in that body, which led him to omit all motions in committee of the whole, which did not prevail and were not reported to Congress, by which was evaded the appearance of subjects they disliked on the journals. Mr. Thomson thus conclusively, I think, repelled this charge: "I was unexpectedly called into Congress, and the President informed me that they had chosen me to take their minutes. I bowed and said I awaited their pleasure. After a short silence a person ‡ dressed in gray arose and spoke (I supposed he was a Presbyterian clergyman). He said: 'We are here upon an occasion of great difficulty and distress,—like the friends of a man in deep embarrassment assembled to suggest measures for his relief. He would suggest one thing, a second [speaker], something else better, and a third, something still better, which he would embrace and think no more of rejected schemes.' I thought this a very good instruction to me as to taking the minutes. What Congress adopted I committed to writing; with what they rejected I had nothing further to do; and even this method

* Collections of the Pennsylvania Historical Society, vol. i. pp. 90, 91.

† Writings of John Adams, vol. ii. pp. 29, 30, *note*.

‡ Patrick Henry.

led to some squabbles with members who were desirous of having their speeches and motions—however put to rest by the majority—still preserved upon the minutes.”* Mr. Thomson’s good sense led him to adopt the parliamentary rule,†—that *abortive* motions are not entered on the journals of legislatures, except when the yeas, nays by the constitutions of the United States, or the States of this Confederacy, are called: “a rule founded in great prudence and good sense, as there may be many questions proposed which it would be improper to publish in the form in which they were made.”‡

This charge of John Adams is without foundation. Able, honest, and patriotic, he was irascible, indiscreet, and very liable to party bias, as appears by his Diary.

As soon as the first Congress of the United States was organized, Mr. Thomson was appointed to inform General Washington of his election to the Presidency of the United States: and he discharged this duty. He declined office, though asked to accept it under the new government, “Believing”—I use his own words—“that the suitable hour for his retirement was come.” Being sensible of some decadence of body and mind, “he wisely withdrew from the throng of competitors for the glittering but empty prizes of ambition, mingling with whom hoary-headed men are unseemly spectacles.” He held with Hesiod:

“Let enterprise the young engage;
Counsel the mature,—
Prayer is the proper business of old age,”—

prayer, with the study of the sacred Scriptures, and meditation on their precious contents,—inseparable from it when sincere. He had an additional motive to the one above mentioned for retirement from public life,—his desire and purpose to devote his days and nights to a great work which he contemplated,—a translation of the Old Testament from the “Septuagint,” and of the New from the Greek. Withdrawn from public employment, he was not idle, but was diligently occupied at “Harriton” with these translations for many years. “This translation (of the Septuagint) is executed with great fidelity, though—being the version of a version—it can hardly afford much assistance to the biblical student. The translation of the New Testament is much improved in the punctuation, and also in the arrangement of the objections and replies that occasion such frequent transitions in St. Paul’s Epistles. The notes which accompany the work are very brief, but satisfactory as far as they go.”§ These translations he modestly, but I think injudiciously, published without preface or introduction, and not being heralded by any notice of their merits, they brought him neither praise

* American Quarterly Review, vol. i., article “American Biography.”

† Hatsel, vol. ii. p. 85, and Jefferson’s Manual, p. 158.

‡ But it must be admitted that the entry of *abortive motions* on the journals of legislatures would shed much light upon the history of their proceedings, and aid the right construction of their laws. The strongest arguments of the strict constructionists of the Constitution of the United States are furnished by *abortive motions* of members of the convention that framed it.

§ Horne’s Introduction to the Critical Study of the Holy Scriptures, vol. ii. p. 760.

nor reimbursement of the cost of printing them, though they have, for some years, become known to scholars and commended. Dr. Adam Clarke declared "that none could understand adequately the New Testament without diligent study of the Septuagint." Charles Thomson, therefore, deserves the gratitude of unlearned men for putting it within their reach.*

"Mr. Thomson used jocularly to say he was at least half an Indian. This he said in allusion to his having been adopted into the Delaware tribe after the treaty at Easton, Pennsylvania, in 1756-7. At that time he was invited by the Society of Friends then and there to be present and take minutes for them in short-hand. It was the proper business of the Reverend Mr. Peters, the secretary of the Governor, to do this, and he did so; but his minutes were so often disputed (in the reading of them) by the Indian chief Tadyuscund that Mr. Thomson's unofficial minutes were called for, and were, in the opinion of the Indians, so true, that they solemnly adopted him, and gave him the name *Wegh-wu-law-no-end*—the man who tells the truth."†

Charles Thomson was affable and dignified, without arrogance or hauteur, and accessible; amiable, and cheerful, and religious, without superstition or fanaticism. His education inclined him to the Presbyterians, but his affection, Watson thought, to the Quakers; but he allied himself with none of the sects, and, I regret to write, not with the church, "loving to say he was attached to no system nor peculiar tenets of any sect or party, and therefore better qualified to be a faithful translator of the Septuagint." In politics he was an old-school Republican. So accurate was his observation and sound his judgment that his estimates of character were seldom erroneous.‡

"He was tall, becomingly slender, erect to the close of his life as a column, never wore spectacles nor lost his teeth, and looked younger than he was, though there was no ruddiness in his cheeks to enliven his features." He was regular and temperate, and long survived his contemporaries; but, while vigorous and healthful in body, his mind fell into decay, as is touchingly described by his friend Watson in the following account of his visit to "Harriton," in the spring of 1824, "when Charles Thomson was in his ninety-fifth year, and his mind a ruin:"

"His figure and countenance were very little changed. He could not recognize me, though he made several brief inquiries, as if to learn who I was. He was very courteous and cheerful, and returned thanks, with many smiles, to my kind inquiries in regard to him. He was in full dress on his sofa, where he reclined much of his time, slumbering often throughout the day. His appetite and general health were good. He had lost all idea of books and former things, and passed his time in silence, unless when spoken to. A circumstance occurred at the dinner-table, he being placed at the head of it, which showed the decadence of his mind. While grace was saying by the Reverend Mr. Jones, he began, in an elevated and audible voice, to repeat the Lord's Prayer, nor did he desist or regard the voice of Mr. Jones, who did not pause

* Collections of the Pennsylvania Historical Society, vol. i. pp. 89, 90.

† *Ibid.*, p. 90.

‡ *Ibid.*, p. 92; American Quarterly Review, vol. i., article "American Biography."

till the grace was ended. This prayer was all said in the words of his own translation, and correctly throughout, thus proving, as I think, that the moral faculties are much more enduring than the intellectual ones, and that, though bereft of reason, his heart still glowed with veneration and love for God. He made no remark at the table, and did not heed the conversation of those around it. He ate with discrimination what was offered him, but asked for nothing. For some time it had been remarked that his mental faculties were most impaired at the time of the equinoxes. In the rooms I observed a silver urn of large dimensions (a present from the Congress of 1774), a full-sized bust of John Paul Jones, the celebrated naval officer, engraved likenesses of Charles James Fox and the Count de Vergennes, and a large print of William Tell, with surrounding spectators and scenery. These were generally presents, and showed his former, but then lost, predilections and opinions.**

Charles Thomson died the 16th of August, 1824.

"When a youth," he said, "deer crossed his path, and he saw the beavers at work."

He was twice married. His first wife was a daughter of Charles Mather, of Chester County, Pennsylvania. By her he had two children, who died in infancy. His second wife was a daughter of Richard Harrison, of Merion, near Philadelphia. By this marriage he acquired the estate called "Harriton," in the vicinity of Philadelphia, where he resided for many years.

His second wife, firm and undismayed, sustained and encouraged him through the trials of the American Revolution, and aided him with her pen in his labors while secretary of Congress; much of whose business was so confidential that he could not intrust it to any other deputy, and so extensive and multifarious that he could not have done it unless aided, or at least without delay and impairment of his health.

"His translation of the Bible," he said, "however received by the world, had been a blessing to him."†

D.

NOTICE OF JOHN VINING.

THE ancestor of the Vining family, Captain Benjamin Vining, migrated from New England to Philadelphia, and was resident there about 1722. He removed to Salem, New Jersey; was highly respectable and influential, and a warden of the Episcopal church in that town, in one of the aisles of which he was interred, his grave being covered by a marble slab having the following inscription: "In Memory of Benjamin Vining, Esquire, late Collector of Salem and Marblehead, in

* Collections of Pennsylvania Historical Society, vol. i. pp. 92-94.

† American Quarterly Review, vol. i., article "American Biography."

New England, and son of William Vining, in Portsmouth, New Hampshire, who died September 5th, 1735, aged 52 years, 1 month, and 22 days."

He married Mary, daughter of Hugh Middleton, a judge of Salem County, New Jersey,—an early settler there and large landholder. Their son John married Rachel Ridgley, and, on her decease, Phebe, daughter of Abraham and Esther Wynkoop. He owned a large tract of land in Salem County, and removed from thence to the State of Delaware, having settled at or near Dover in that State: and such was the exalted character he sustained that he was elevated to the highest offices there. On one of his visits to Salem he was taken sick and died, and was buried in an aisle of its Episcopal church (St. John's). Upon the stone covering his sepulchre is this epitaph: "In Memory of the Honorable John Vining, Esquire, Speaker* of the Three Lower Counties of Delaware, who departed this life November 13th, 1770, aged forty-six years." He had two sons by his first wife,—namely, Benjamin and Nicholas, who died before his father,—and by his second, Abraham (who died aged two years), John, and one daughter, Mary.†

John Vining was born at Dover, Delaware, 23d December, A.D. 1758, where he was educated, but what was the education he received I am not informed. He studied law with George Read, of New Castle, Delaware, was admitted to the bar, practiced in Dover, his residence, and soon distinguished himself, as may be inferred from the fact of his election to the United States House of Representatives, having not more than attained to the age constitutionally required to qualify for membership of that body, and at that time it was not usual to advance young men to high offices. So strongly was the partiality of his fellow-citizens manifested for him that he was called "the pet of Delaware."‡ Poverty, because it would have compelled to industry and self-denial, would have been to him a boon, but an ample fortune was his by inheritance.§ In 1793 he was elected to the Senate of the United States. How faithfully and with what distinction he served in Congress the reader can judge from the following notices of John Vining, which I have collected from a recent historian:

"In a department of foreign affairs,—a mere continuation of the old department of that name,—after an ineffectual effort of Vining, of Delaware (20th May, 1789), to establish a separate one for home business, these two departments were combined."||

*Journal of the General Assembly of the "three lower counties on Delaware," A.D. 1769, p. 161. It appears by the same journal that John Vining, Esquire (I suppose the same person), was prothonotary and clerk of the peace for Kent County.

†I am indebted for the above facts to the family record and to a letter (addressed to the Reverend S. R. Wynkoop, Wilmington, Delaware) by Colonel Robert G. Johnson, a gentleman of very high standing in Salem, New Jersey, who died since its date, April 5th, 1850, when he was within a few months of entering upon his eightieth year. In a paragraph introductory to his account of the Vining family, he mentions that he has a book in which he has recorded the history of the most respectable families (among them the Vinings) from their settlement in Salem County. My thanks are due to Miss Elizabeth Montgomery, writer of an interesting volume ("Reminiscences of Wilmington, Delaware"), for the letter of Colonel Johnson and permission to use it.

‡Reminiscences of Wilmington, p. 152.

§Ibid.

||Hildreth's History of the United States (2d Series), vol. i. p. 102.

"The debt of Delaware was trifling, but Vining, the able representative of that State, supported the assumption [of Revolutionary State debts] as a Federal measure."*

"Tucker (March 16th, 1789) moved to strike out the whole report of a house committee, on a memorial of a Pennsylvania society, praying the abolition of slavery, substituting a resolution to refuse considering it as unconstitutional. Jackson seconded the motion, in a speech as warm as Tucker's, to which Vining replied."†

"The arguments in favor of assumption were recapitulated by Lawrence, Goodhue, and others, and by Vining."‡

"Vining (January 28th, 1789) spoke in favor of chartering a national bank."§

"Among the new members [of the Senate], Livermore, of New Hampshire, Jackson, of Georgia, and Vining, of Delaware, had already distinguished themselves as former members of the House."||

Nature was liberal to him, for, besides a good face and person, he was one of the wittiest men of his day, his powers of conversation great, and these endowments set off by very fascinating manners. As a specimen of his wit I recall the following anecdote, which I heard from my father, and which may be found in the "Reminiscences of Wilmington," p. 152. He married Miss Seaton, daughter of James Seaton, Collector of New York.¶ Her father, when he was addressing her, reasonably anxious for some knowledge of his circumstances, asked: "Mr. Vining, what are your prospects?" Spreading his arms abroad, he promptly answered, "Prospects, sir; my prospects are unbounded." "Mr. Vining," writes Robert G. Johnson, "was considered a very acute advocate at the bar, a very able debater in Congress, and a highly creditable representative of his native State." Whether nature was as liberal in endowing him with the solid as with the brilliant intellectual faculties, I doubt. He attained no great eminence as a lawyer,** which may have resulted from his indolence, but when he addressed juries was fluent, graceful, acute, and even eloquent, and always listened to with attention and pleasure. He wanted that virtue, without which all other endowments, however prodigally bestowed, are vain—prudence. He was indolent, fond of pleasure, and generous, and, having broken his constitution and wasted his estate, died prematurely.†† One of my uncles told me that when quite a boy he was among the spectators at an assembly in New Castle graced by the presence of the brilliant officers of Lauzun's legion, then lying at Wilmington. Vining suddenly entered the room where it was held, and, thrusting into my uncle's hand a bag of

* Hildreth's History of the United States (2d Series), vol. i. p. 172.

† Ibid., p. 184.

‡ Ibid., p. 207.

§ Ibid., p. 448.

|| Ibid., p. 262.

¶ "Who," says Robert G. Johnson, "came to her death by taking medicine by mistake." "And was," writes Miss Montgomery, "a child of sorrow consigned to an early grave."

** So said Judge Thomas Clayton, but when he knew Vining he was in his decadence.

†† Reminiscences of Wilmington, pp. 152, 153.

In a docket of my father, George Read, Esquire, of his suits in the Supreme Court of Delaware, beginning October term, 1793, is the entry (p. 46) of a suit for libel, entitled "John Vining, Esquire, vs. Peter Brynberg and Samuel Andrews," which, after setting forth the proceedings in the case, closes with these words: "Abated by plaintiff's death, in the winter of 1802, at Dover."

gold, the proceeds of the sale of a farm, with which he had just returned from Jersey, selected a partner and led her to the dance, in which he participated for hours after, thoughtless of his gold, in the charge of a mere lad, in a crowd of very miscellaneous character. For the following story I give my authority, the late Cæsar A. Rodney: "Mr. Vining once invited a large company to dinner. His wife, to whom he had given no notice of this invitation, when aware of the arrival of the guests, called him out, in much disquietude, to say there was nothing to set before them. 'Nothing!' exclaimed he. 'Nothing,' replied she, sarcastically, 'nothing—but *the black bull.*' 'Well,' answered Vining, 'kill the bull.'" "His sister, Mary Vining," writes R. G. Johnson, "was considered the most accomplished and beautiful of all women in her day—was courted by many gentlemen, but rejected them all, preferring a single life;" and she has been thus described to me by my father and others: her conversational powers, they said, were even superior to those of her brother. During the latter period of our Revolution and that immediately succeeding it she reigned a belle in the fashionable circles of New York and Philadelphia. Among her adorers was General Wayne, to whom his soldiers, from his headlong courage, gave the sobriquet of "Mad Anthony." C. A. Rodney told me he was one evening in company with him and Miss Vining, when mention being made of a man who had been guilty of some act of great moral obliquity, Wayne started from his chair, exclaiming, with an oath, "Madam, had I been present I would have *suicided him!*" She found herself upon the decease of her brother, with narrow pecuniary resources, in charge of his children,—four boys,—to the care and training of whom she devoted herself, retiring to a small house in Wilmington. They well repaid her sacrifices for them, giving promise of usefulness, and one of them of distinction; but they were all prematurely cut down by consumption.* Miss Vining died on Good Friday, 1821, and was buried in the cemetery of Trinity Church on Easter Sunday,—having purposed to receive the sacrament of the Lord's Supper from the rector of this church on that day. No stone marks her grave.† She was born August 28th, 1756.‡

In the course of conversation, May 24th, 1859, with James Rogers, Esquire,§ an eminent member of the Delaware bar, and Attorney-General of this State for twenty years, upon my asking "whether he knew John Vining or not," he replied that "he had well known him, and related the following anecdotes of him.

* The eldest of these youths was admitted to the bar in New York, and the second in age was in the United States Navy.—*Reminiscences of Wilmington*, pp. 154, 155.

† One of her peculiarities was to partially conceal always her beautiful face by a veil or fan, and in the latter part of her life by a cap, and another never to be seen abroad unless riding. Among her guests were the Duke de Liancourt and Duke of Orleans, afterwards King Louis Philippe. General Miranda, passing through Wilmington in the mail at night, left his card for her in the post-office. Not a gray hair was mingled when she died with her soft, glossy, brown tresses, nor a wrinkle marred the beauty of her fine forehead.—*Reminiscences of Wilmington*, pp. 150, 151, 155, 156.

‡ Family record.

§ Mr. Rogers died 15th September, 1868, in the eighty-ninth year of his age.

Mr. Rogers (my informant) was a student of law, for three years, in Dover, Delaware, and for fifteen months of this period in the office of Nicholas Ridgley, then Attorney-General, and afterwards for many years Chancellor of this State, leaving his office when he was appointed Chancellor, and during this period, in 1799, 1800, and 1801, was very intimate with John Vining.

Vining was about or rather below middle size, very handsome, of most engaging and winning manners, eloquent, and very popular as an advocate, "with a voice which was perfect music;" but he was not a well-read lawyer, in corroboration of which assertion, Mr. Rogers said, "I and my fellow-student, H. M. Ridgley were employed by Mr. Vining to draw his declarations, which we did with willingness, for our improvement in this part of the practice of the law. On one occasion he gave us a list of cases in which we were to draw his nars., and among them was this case. A had shot or struck with some weapon the animal of B, and it had died by reason of the wounding, and Vining had brought an action *on the case* for the damage sustained by B. Young students as we were, we soon perceived that *trespass*, not *case*, should have been brought, and so intimated to Vining; but he would not admit that he had mistaken the form of action, arguing that A had fired the gun or given the blow, and the injury was consequential thereto. His conversation was a succession of flashes of wit, so bright was his imagination." Mr. R. was invited to a supper Vining gave, he thinks, while the Legislature was in session. Card-tables were laid in the front, and the supper in the back, parlor of Vining's house in Dover. About 11 o'clock P.M. his kitchen-chimney took fire, and his house was at once filled with his neighbors, and there was danger of his entertainment being broken up. But Vining prevented this catastrophe by a specimen of his wonderful address, for, with perfect self-possession, and in the blandest manner, he thanked the crowd, of all classes and colors, for their kindness, which, he rejoiced, was unnecessary, as his guests were numerous enough to render all the aid required,—all the while advancing upon them, with graceful bows, they insensibly retreating, till they were in the street. While Mr. R. was a student of law, occurred a case of homicide, in Sussex County, Delaware, which excited deep interest. "A man named Wild shot another named Wilson, in a Masonic lodge. It is remarkable that the brother of the slain man, James P. Wilson, subsequently an eminent divine in the Presbyterian Church, assisted in the prosecution, as did O. Horsey, who made his debut, and in the outset of his speech urged against the prisoner, as an aggravating circumstance, the place where the crime was committed, which indicated a breach of solemn Masonic obligations. As this was uttered, Associate Judge John Clayton, striking violently the desk before him, exclaimed, 'How do you know this, or what do you know of Masonic obligations?' This rough interruption so embarrassed H. that he could not go on." Vining's speech was very eloquent, and was listened to with delight. His wife, tall and rather spare, was very accomplished and pleasing, but not beautiful. She was skilled in music, and her voice so powerful that Mr. R. often heard her singing, at her piano, on summer evenings, while sitting at his lodgings, a considerable distance from her house. Upon her death, and the sale of the remnant of his

property for his debts, the decadence of Vining became complete, for he submitted to live at Furby's hotel, where Mr. R. boarded, with the run of its table and bar, without cost. His intemperance was so confirmed that he was always under the influence, more or less, of liquor. His chamber adjoined that of Mr. R., to which he resorted often, delighting him with his anecdotes and witty conversation. Often he would come in, late at night, in his shirt (taking, he said, his cold bath), and sit reciting, and sometimes declaiming, poetry, especially passages from Shakspeare, as long as Mr. R. would listen. "He was athletic and brave," said Mr. R., "even in his decline;" in proof of which assertion, he added, "there was, while I lived in Dover, a meeting, the occasion of which I cannot recall, at which Vining was present, and one Millis, a noted bully, six feet high, square-built, and strong. A political quarrel was raised, and he threatened to beat Vining, and struck at him, while Vining's friends (among them Judge Clayton) held him back. Vining remonstrated, exclaiming, 'Why do you hold me? I can whip him in two or three minutes!' They released him, and in two or three minutes he did whip him. Vining, I suppose, owed his victory to his self-possession, and his assailing his enemy so quickly that he was conquered before he could put forth his greatly superior strength." He died in the winter of 1802, at Dover."

Miss Vining bequeathed the house in Wilmington, Delaware, in which she resided during the closing period of her life, with her furniture, to her housekeeper, Mrs. Motherall, who received with it two family Bibles, one of which, after her decease, came into the possession of her nephew, Mr. William Motherall, who resides now (November, 1858) near Newark, Delaware. Mr. Motherall has, with great kindness, at my request upon hearing that he possessed one of these Bibles, brought it to me and permitted me to examine the family records therein, and make extracts from them. It is a King James's Bible, printed A.D. 1707. These records are made with much care; they show the solicitude felt for the early baptism of infants and provision of sponsors, which, with the accouchements and witnesses thereto, are noted with much particularity,* as if to guard against the palming of supposititious heirs upon Barriton Fields, the Vining estate, near Salem, New Jersey. Funeral sermons are recorded as having been preached even at children's burials. I add a genealogical table, as far as necessary, from these records of the Vining family,—

William Vining.

Benjamin Vining—Mary Middleton.

* Of this particularity the following entry is a specimen:

"John Vining, third son of John Vining, and the second child by Phebe, his wife, was born at Dover town, in Kent County, Delaware, at their house, on the 23d day of December, 1758, at forty-five minutes after six of the clock, in the afternoon. Present, Elizabeth Thomas, midwife; Mary Ridgley, grandmother; said John, and Elizabeth Jackson, widow, and Mary Vining, his aunt. And was christened by the Reverend Hugh Neil, Missionary at Oxford, in Pennsylvania, on the 14th day of May, 1759, and Mrs. Mary Ridgley and Mrs. Elizabeth Chew, wife of Benjamin Chew, Esqr., and Mr. Cæsar Rodney, stood godmothers and godfather."—*Family Record.*

John Vining—Rachel Ridgley, first wife ;
Phebe Wynkoop, second wife.

John Vining—Mary Seaton.

Issue: four sons, who died shortly before or after attaining man's estate.

E.

NOTICE OF COMMODORE BARNEY.

JOSHUA BARNEY was born in Maryland, in 1759. He went early to sea, in the mercantile service, and after several voyages, and when not more than sixteen years of age, the captain and mate of the ship in which he was employed being disabled by illness, he took charge of and commanded her for eight months, encountering great difficulties and perils, through which he brought her safely to Baltimore, manifesting nautical skill, courage, and decision extraordinary in one so young. He then entered the service of the United States, and, with the rank of lieutenant, was in several actions, and the vessels in which he served very successful in making prizes, several of which he, as prize-master, brought safely to the United States. He was three times captured by the enemy,—twice exchanged and once escaped. In 1782 he received from the State of Pennsylvania the command of the ship *Hyder-Ally*, of ten guns, and while waiting in the Delaware Bay a favorable wind for putting to sea, was attacked by the British ship *General Monk*, with two consorts in sight, she carrying twenty guns. This ship, so superior in force, he bravely engaged, and, gaining some advantage by a very-adroit stratagem, captured her in twenty-six minutes,—the British having lost thirty killed and fifty-three wounded, besides fifteen out of sixteen officers, his own loss having been but four killed and fifteen wounded. The command of the captured ship, bought by the United States, was given to Barney, the State of Pennsylvania having voted him a sword for his skill and courage in taking her. He sailed in the "*Monk*" with despatches for Franklin, and was received with distinction at the Court of Versailles, and returned with "barrels of gold and chests of silver," a loan from France, and the welcome news that the preliminary treaty between England and the United States was signed. When the Constitution of the United States went into operation, a navy was to be created; but it was not until 1794 that even the first step towards it was taken, not without strong opposition, and it was even provided that the act then passed for building six frigates should be suspended if peace could be purchased with Algiers. Employment not being obtainable at home, Barney, active and ambitious, sought and received the commission of captain in the French service and held the command of one of their frigates for five years, when he resigned, because, I suppose, of the quasi war between her and the United States. The dispute between the United States and France placed him, while he held his commission in the French service, in a difficult and delicate position.

While loyal to the flag under which he sailed, he was bound to maintain his allegiance to his country, and the unfriendly feelings between the governments of France and the United States made this not an easy matter. He was charged with having treated Americans brought into ports of the French West India Islands, by privateers, with indifference, contempt, and neglect; to have hoisted, in scorn of his country, the American ensign, *union down*; to have boasted that he had orders in his pocket for the capture of American vessels, and that if Jefferson should not be elected President, France would declare war against the United States in three months; and yet when he arrived at Baltimore with the two French frigates under his command, he was received with the highest honors, feasted, addressed, and followed by throngs. In 1812, when war was declared by the United States against Great Britain, he offered his services to the President, and in 1813 received the command of the flotilla in the Chesapeake. In 1814 he was active in annoying the enemy in that bay, but was compelled by a superior force to abandon and burn his vessels. Retreating with his crews before the advancing army of General Ross, he made a gallant stand near Bladensburg, which he maintained until almost surrounded, inflicting, by the quick and well-aimed fire of his few pieces of artillery, a heavy loss upon the British. He was wounded, made prisoner, and released on parole. He received a ball in his thigh, which the utmost skill of the most eminent surgeons failed to find and extract. After the peace of 1815 he retired to his farm; but, as might have been expected in a man so active and ambitious, soon tired of agricultural pursuits and removed to Baltimore. He then went on a mission to Europe, and on his return found himself crippled by his wound. His strength being partially restored, impatient of inaction, he determined to remove to Kentucky, and on his journey thither died at Pittsburg, Pennsylvania, December 1st, 1818, aged sixty years. The corporation of Washington voted him a sword for his services in defence of that city, and the Legislature of Georgia their thanks. Commodore Barney was uncommonly handsome, and his courage, enterprise, judgment, seamanship, and knowledge of naval tactics entitled him to be ranked with the most distinguished naval officers of the United States.*

* Encyclopædia Americana, vol. i., article "Barney;" Goldsborough's United States Naval Chronicle, pp. 30, 31; Hildreth's History of the United States, vol. i. pp. 479, 480, 703, 704.

F.

CLASSIFICATION OF UNITED STATES SENATORS, 1789.

MONDAY, May 11th, 1789, Messrs. Ellsworth, Carroll, and Few were appointed a committee to report a mode of executing the second paragraph of the third section of the first article of the Constitution. May 14th, 1789, the committee appointed to report a mode of carrying into effect the provision in the second clause of the third section of the first article of the Constitution reported:

Whereupon, *Resolved*, That the Senators be divided into three classes:

The first to consist of Messrs. Langdon, Johnson, Morris, Henry, Izard, and Gunn;

The second, of Messrs. Wingate, Strong, Patterson, Bassett, Lee, Butler, and Few;

And the third, of Messrs. Dalton, Ellsworth, Elmer, Maclay, Read, Carroll, and Grayson.

That three papers of equal size, numbered one, two, and three, be by the Secretary rolled up and put in a box and drawn by Messrs. Langdon, Wingate, and Dalton in behalf of the respective classes in which each of them is placed, and that the classes shall vacate their seats in the Senate according to the order of numbers drawn for them, beginning with number one;

And that when Senators shall take their seats from States that have not yet appointed Senators, they shall be placed by lot in the foregoing classes, but in such a manner as shall keep the classes as nearly equal as may be in numbers.

Friday, May 15th, 1789, the Senate proceeded to determine the classes, according to the resolve of yesterday, on the mode of carrying into effect the provision of the second clause of the third section of the first article of the Constitution, and, the numbers being drawn, the classes were determined as follows:

Lot No. 1, drawn by Mr. Dalton, contained Messrs. Dalton, Ellsworth, Elmer, Maclay, Read, Carroll, and Grayson, whose seats shall accordingly be vacated in the Senate at the expiration of the second year.

Lot No. 2, drawn by Mr. Wingate, contained Messrs. Wingate, Strong, Patterson, Bassett, Lee, Butler, and Few, whose seats shall accordingly be vacated in the Senate at the expiration of the fourth year.

Lot No. 3, drawn by Mr. Langdon, contained Messrs. Langdon, Johnson, Morris, Henry, Izard, and Gunn, whose seats shall accordingly be vacated in the Senate at the expiration of the sixth year.

G.

NOTICE OF GUNNING BEDFORD.

GUNNING BEDFORD was born in the city of Philadelphia in the year 1747. He was first cousin of Governor Bedford, of Delaware, and they were of English descent. Gunning Bedford graduated at Nassau Hall, New Jersey, in 1771. James Madison and Hugh M. Brackenridge were his classmates.* Mr. Bedford, while a student at Princeton, married Miss Jane Ballaroux Parker, of New York,—a lady five years older than himself, of great intelligence, and distinguished by vivacity and grace, which she probably derived from her mother, a native of France. He was one of the best scholars, and the first speaker of his class,—which appears from the fact that he received a high honor,—being selected to deliver the valedictory oration at his commencement: his wife travelled *with her baby* to Princeton, and heard him deliver it. He studied law with Joseph Reed, an eminent lawyer of Philadelphia, and, having been admitted to the bar, removed to Dover, Delaware, where he practised successfully until the unhealthiness of that town compelled him to remove with his family to Wilmington in that State. He was a handsome man, and a very fluent and agreeable speaker, and the high place he gained in the esteem and confidence of his fellow-citizens was shown by the offices of trust and importance he filled. He was a member of the Legislature of Delaware, of Congress, and of the convention which formed the Constitution of the United States, in the debates of which he participated. In the deeply interesting and exciting discussion upon the question “whether or not the States should be equally represented in the Federal Legislature,” he expressed himself with warmth, † so near to intemperance to some it seemed, as subjected him to animadversion; but when it is considered that this warmth was prompted by generous zeal for his State, on a question of vital importance to her, we may justly conclude that it did not deserve severe censure. Soon after, Mr. Bedford was appointed Attorney-General of Delaware, and filled this office with fidelity and distinction. Upon the organization of the government of the United States he was commissioned the first judge of the United States District Court of Delaware. This high office he filled, honorably for himself and satisfactorily to the public, until he was disabled by disease, which terminated his life in 1812, in the sixty-fifth year of his age. ‡

* Catalogus Collegii Neo Cæsariensis, p. 24.

† Pitkin's Civil and Political History of the United States, vol. ii. pp. 239-241.

‡ “Judge Bedford and his lady were remarkably handsome, and of noble stature. Mrs. Bedford received a superior education. She spoke French fluently, and when Wilmington was filled with French emigrants she was their friend and patron. Her entertainments excelled in tasteful arrangement,—so said foreigners. Her father was an early friend and companion of Dr. Franklin, who encouraged him in giving her a classical education, and she enjoyed his friendship, and was one of his correspondents. Mrs. Bedford, when her father edited a paper in New York, aided him by writing and translating.”—*Reminiscences of Wilmington*, p. 288.

I am indebted to a lady, daughter of Judge Bedford, and the only survivor of his children, for most of the facts of the foregoing notice, which she very kindly communicated to me March 16th, 1858.

A monument is now (19th October, 1858) ready to be placed in the cemetery of the First Presbyterian Church, Wilmington, Delaware, over Judge Bedford's grave (by the pious regard to his memory of his only surviving child, Miss Henrietta I. Bedford), which he requested should be made as near as possible to the door of the small church still standing on the upper corner of the burying-ground, and fronting on the main street of that city. It is an oval marble column, about eight feet high, standing on a base of the height of three feet; it has a piece of drapery sculptured, with a tassel at each end, as if thrown over it, and the Bedford coat-of-arms,—three lions' claws and the Ballaroux, two leopards,—with the following inscription :

*In hope
of a joyful resurrection,
through faith in Jesus Christ,
here rests the mortal part*

*of
GUNNING BEDFORD.*

*Born in Philadelphia, A.D. 1747,
Graduated at Nassau Hall, New Jersey, A.D. 1771,
with great distinction.*

*Having studied law in Philadelphia,
he practised in Delaware
with success ;*

*distinguished by his eloquence as an advocate ;
Attorney-General, member of the Legislature of Delaware
[and of Congress],*

*and one of the delegates to the Convention that
framed the Constitution of the United States [by whose
efforts, with those of other delegates, two Senators were obtained
for the State of Delaware].*

*He received from Washington the commission of first Judge of the
District Court of the United States for the District of Delaware,
which he held till his death in 1812.*

*He so behaved in these high offices as to deserve and receive
the approbation of his fellow-citizens.*

*His form was goodly, his temper amiable,
his manners winning, and his discharge
of private duties exemplary.*

*Reader, may his example stimulate
you to improve the talents—be they five, or
two, or one—with which God has entrusted you.**

* This epitaph was written by the author at the request of Miss Bedford.

H.

NOTICES OF RICHARD PETERS AND EDWARD
TILGHMAN.

RICHARD PETERS was born near Philadelphia, August 22d, 1744. He was a graduate of Philadelphia College, and studied and practised law, and was early successful, and especially because of his knowledge of the land-laws of Pennsylvania, and the German language. In the Revolutionary war he was captain, for a short time, of a volunteer corps, and then was appointed to the War Office, where he served till 1781, when he resigned, and was thanked by Congress for his services. He shared, with the great financier, Robert Morris, in the efforts and sacrifices which so often saved the American cause from ruin, during the contest with Great Britain. Mr. Peters was a member of the Continental Congress, and, when the Constitution of the United States went into operation, having refused the office of Comptroller of the United States Treasury, accepted the United States District Judgeship for Pennsylvania, which he held for thirty-six years. Equal to his duties, and diligent in discharging them, he deserved to be held, as he was, a faithful and useful judge. He was an eminent agriculturist, president of the society instituted in Pennsylvania to promote agriculture, and wrote valuable essays on this science, the publication of which, as he was an experimental farmer, was extensively useful. He was the wittiest man of his day, and adorned his profession of Christianity in all the relations of life.*

EDWARD TILGHMAN, an eminent member of the Philadelphia bar, was born at Wye, on the Eastern Shore of Maryland, 11th December, 1750. His paternal ancestor, a native of Kent, England, settled in Maryland in 1662, and his family was one of the oldest and most respectable in that State. He was educated in Philadelphia, and studied law, for a short time, there, and then, for several years, in the Middle Temple, London, assiduously attending the courts, and taking full notes (still extant) of the arguments of the great lawyers of that period, and the decisions of the judges, especially Lord Mansfield. His method of study cannot be too strongly recommended. He studied the whole system of law, beginning with estates and tenures, and pursued the cognate branches and collateral subjects, in due order, by which means he acquired a knowledge of the principles which rule in all departments of legal science. The advantage of this mode of study is apparent when contrasted with the common one of getting an outline of the law by reading commentaries, and filling it up by desultory perusal of treatises and reports. The last can only make superficial lawyers; the other has made such as are the glory of their profession. Mr. Tilghman surpassed his contemporaries in knowledge of contingent remainders and executory devises, which have been called "the higher mathematics of the law," and "could untie," said an eminent judge, "the

* *Encyclopædia Americana*, vol. x. pp. 56, 57.

most complicated knots of a contingent remainder, or executory devise, as easily as he could his garters." There can be no better evidence than this that his intellect was clear, acute, discriminating, and comprehensive. He was, too, an able advocate, fluent, graceful, and perspicuous, and well understood how to manage a case. Qualified, as he was, beyond his compeers, for the judicial station, such was his modesty and repugnance to office that he refused the Chief Justiceship of Pennsylvania, offered him by Governor McKean. He has left nothing behind him but his legal opinions, which were numerous, and which, if collected, would establish the rank claimed for him among the most distinguished of his profession, and be a valuable legacy to the bar. Mr. Tilghman was benevolent, generous, and honorable, delighting his friends by the amenity of his temper, and his wit, which had no causticity, and by his courteous manners. He died November 1st, 1815. The article in volume xiv. pp. 581-583 of the *Encyclopædia Americana*, of which the foregoing notice is a summary, was written by one who was an intimate friend of Mr. Tilghman, and shows his ability to form a correct estimate of him.

CHAPTER VII.

Mr. Read at Dover—Letter of John Dickinson—Commencement of the second session of First Congress—Letter of Richard Bassett; his opinion as to the assumption of State debts—Mr. Read attends United States Senate, 8th March, 1790—Success of the new government—President's message; recommends encouragement of agriculture, commerce, and manufactures, and provision for maintaining public credit—Hamilton's report, recommending payment of United States debt and assumption of State debts by funding them—Mr. Madison's motion to discriminate between original creditors and present holders—Resolutions introduced into United States House of Representatives in conformity to Hamilton's report, and debates thereon; arguments for and against assumption; resolution for assumption adopted by the House, then reconsidered and rejected—Bill making provision for United States debt passed the House—The question where should be the permanent seat of the United States government; bill passed in United States Senate fixing it temporarily in Philadelphia and permanently on the Potomac, and bill for funding United States debt, with amendment assuming in part the State debts; Mr. Read's vote for both; beneficial result of these measures—Congress adjourns—Letters of Colonel Read and Mrs. Thompson as to claim of General Thompson's heirs for a manor from the Penns, for his services as their surveyor—Third session of Congress commences; Mr. Read attends, 8th December, 1790, and through this session—Acts imposing further duties on foreign spirits and a duty on domestic; act chartering United States Bank; both bills pass, Mr. Read voting for them; arguments for and against these measures—Mr. Monroe's motion for doors of United States Senate to be open when in legislative session rejected, renewed, and proposition finally succeeds; reasons for it—Congress adjourns—Letter of Judge Anderson; notice of him—First session of Second Congress commences; Mr. Read present at its opening and till its close—Most important bills passed, one for apportionment of representatives, the other for the increase of the army; final shape and passage of the first-named bill, and Mr. Read's vote for it—State of parties—St. Clair's defeat—Bill for increase of army debated in both Houses, and argument for and against it; disagreement of Senate and House on this bill; committee of conference; their report adopted and bill passed; Mr. Read's vote for it—Congress adjourns—Mr. Read's letter on behalf of his second son, with a notice of him—Mr. Read's letter to Mrs. House, and ill health—Second session of Second Congress commences; Mr. Read present; one of a committee upon expediency of a law respecting fugitives from justice, who report a bill; history of its progress and passage—Principal measures of this session—Mr. Read's opinion, in his letter to Colonel Bedford, of John Adams's suitability for Vice-President; he receives the electoral vote of Delaware—Giles's resolutions censuring the Secretary of the Treasury—Congress adjourns—Mr. Read appointed Chief Justice of Delaware, and letters relating to this appointment—Resigns his seat in United States Senate—Letter of John Dickinson—St. Domingo, history and description of; negro insurrection there; fugitives from St. Domingo in New Castle; letter of one of them to General Washington in their case, and Mr. Read's reply; Mr. Jefferson's opinion on the question of the right of Congress to grant these fugitives relief, and comment thereon—Letters of Oliver Ellsworth and Richard Bassett—Opinion of Mr. Read as to the right of the Governor of Delaware to fill the vacancy in the United States Senate caused by his resignation, the Legislature of Delaware meeting thereafter and adjourning without filling it—Governor Clayton appoints Kensey Johns to succeed Mr. Read; Senate refuses him his seat; comments on this case—Mr. Read's petition to the Delaware Legislature for increase of his salary as Chief Justice—Mr. Read's character as a judge,

and testimonies in regard to it—His decease, and character as a man—Place of interment, and epitaph—Mr. Dickinson's gift to Mrs. Read and her children—Notice of John Dickinson—Appendix A, notice of Kensey Johns—Appendix B, portraits of George Read; Appendix C, Mr. Read's mansion, means, and style of living.

IN the beginning of the year 1790 Mr. Read was in Dover, and while there received the following letter from John Dickinson, who, importuned for payment of the balance still due on the bond he gave in 1782 for one thousand pounds, borrowed for the use of the State of Delaware, requested him again to exert his influence for the payment of this balance.

“MY DEAR FRIEND,—Some time ago I requested the assistance of thy influence with the treasurer to relieve me from the balance due on my bond to Robert Morris for the use of the State, now amounting to about three hundred and twenty-five pounds. He has made the most positive promises that the first money of the public at his command shall be applied to this purpose. But still the debt remains and Tilghman distresses me beyond description. I need say no more to my friend, except it be to repeat my request, in the most earnest manner, to employ thy just influence on this occasion in behalf of thy truly affectionate friend,

“JOHN DICKINSON.*

“WILMINGTON, January 9th, 1790.

“GEORGE READ, Esquire, now at Dover.”

The second session of the First Congress commenced in New York, January 4th, 1790. Mr. Read was not present then, nor for some time thereafter, but from his faithful discharge of his duties, public and private, he is entitled to the presumption that this absence was unavoidable. His colleague, Richard Bassett, urged his attendance in the letter that follows, which is interesting as showing the state of parties and of a very important and exciting question at its date. Mr. Bassett's opinion upon the subject of the assumption of the State debts by the United States, expressed in this letter, remained unchanged, for he voted

* Ante, Chapter VI. p. 489.

against it, while Mr. Read, taking, it seems to me, a more enlarged and statesman-like view, voted for it:

“NEW YORK, March 1st, 1790.

“DEAR SIR,—Your very long absence from this place occasions much inquiry, and is the subject of some animadversion. I have anxiously expected to see you every day for these two weeks. I hope the delay is not occasioned by bad health. One great and important question on the funding business has been determined in the House of Representatives, in a committee of the whole,—to wit, that there should be no discrimination between original creditors and present holders. This determination took place against the sentiments of our friend Madison, who no doubt must be a little mortified thereat, as he labored the point in a most masterly manner, and appeared to have it much at heart, and I must own, in my poor opinion, had reason, justice, and every sentiment on his side, which ought to have acted as a stimulus to have induced a different decision. Whether he will come forward with his proposition for discrimination again before the House [I] cannot say, but should suppose he would not, as the majority appeared large against him. The present great question before them is whether the State debts shall be assumed or not. Great diversity of opinion prevails on this subject, and I fear an improper determination will take place. The Eastern people seem to be determined, unless they can carry the assumption of the State debts, that they will fund none, and it appears to me that as long as we continue to sit at this place we most assuredly shall have whatever they contend for imposed upon us, be it right or wrong. From what I can learn and discover respecting the State claims to the East, if their now favorite measure is adopted, poor little Delaware will have saddled upon her between two and three hundred thousand dollars more than her former supposed quota. This will never do; but how to help it is the question. Do come forward and lend us your aid. I feel my own weakness upon subjects of this kind in a very eminent degree, and therefore want your aid. Eastern politics and Eastern men will prevail in our government; they evidently begin to feel their own weight and importance, and show it in every step. North Carolina has come forward with a

curious cession of western territory, and annexed thereto are a parcel of the most curious and extraordinary conditions I ever beheld. I inclose them for your perusal. This cession I opposed with all my might in Senate, but to little purpose, [and] have been making all the head I could against it with the members of the other branch, but with what success time must determine. I have too much reason to fear the same interest will preponderate there that did with us. Rhode Island, it is said, will not come in, [and] that there is a majority of twelve against it. The Eastern men here are exerting all possible influence to bring [her] in, from this motive principally alone, I fear, to give [them] a clearer decided majority. I inclose a paper or two, to which I refer you for the news of the day. For God's sake, come along; I cannot stay here much longer without you. My respects to Mrs. Read and family.

"I am, sir, with great respect, your friend and humble servant,

"RICHARD BASSETT.*"

"GEORGE READ, Esquire."

Mr. Read must have left his home for New York immediately after the receipt of the foregoing letter of his colleague, for it appears by the journal of the Senate (vol. i. p. 118) that he attended on the 8th day of March, and, as appears further by that journal, through the remaining part of the session.

Debt! How suggestive is this word at this day of imprudence, folly, crime, ruin, misery! But if men could never incur debt, enterprise must fold her wings, agriculture, commerce, and manufactures languish, and national defence sometimes be impossible. The debt of our Revolution was the price of liberty and independence. It was the anticipation of future resources when present means of maintaining the war with Great Britain were exhausted.

* The first session of the Second Congress began 24th October, 1791, and ended May 8th, 1792; and the second session of the Second Congress began 5th November, 1792, and terminated 2d March, 1793. Mr. Read was present at the commencement and during the whole of these sessions. He resigned his senatorship Sept., 1793.—*Journal of United States Senate*, vol. i. pp. 118, 216, 323, 444, 450, 501.

Peace was conquered and our independence was acknowledged, but this debt was unpaid because its payment was impossible. The country, where it had been the theatre of war, was wasted, its resources everywhere were exhausted, industry and enterprise were paralyzed, confidence of men in each other was almost destroyed, and the blight of a currency, so depreciated as to be worthless, was upon the people. The power to fill the empty national treasury was not possessed by the Continental Congress, for its means of collecting revenue was by requisitions upon sovereign States, which could only be enforced by war. This body had fallen into universal contempt. A peaceful revolution delivered the United States from the Confederacy, from which no relief could be hoped, and gave them a constitution with the powers that system of government wanted. The new government was inaugurated, its measures of recuperation were prompt and wise, and the revival of hope, of confidence, enterprise, and industry in every pursuit was immediate. The success of the new government being no longer doubtful, its ability to discharge the debt of the Revolution at no distant day was certain, and it was the duty of the nation therefore to adopt the necessary measures to pay this sacred debt. At the opening of the second session of the First Congress in January, 1790, Washington, while he recommended the use of all proper means to advance agriculture, commerce, and manufactures, urged, above all, provision to maintain the public credit. The celebrated report of Hamilton was made January 15th, by which it appeared that the foreign debt of the United States amounted to eleven millions, their domestic debt to forty-two, and that of the States to twenty-five: The Secretary of the Treasury recommended the payment of the debts of the United States, and the assumption of the State debts, both to be secured by funding them. As he doubted the ability of the United States to pay the interest on these debts, according to the terms on which they were contracted, he recommended either the lowering the interest on the whole debt, or the postponement of payment of part of it to a future time, with the consent of the creditors. He also recommended the partial irredeemability of these debts. This matter was called up in the House of Representatives January 28th, and postponed till 8th February,

when it was taken up and resolutions offered approbatory of the principles of the report, upon which an animated and protracted debate ensued. The opponents of the treasury report urged the evils and impolicy of the funding system, as exemplified in history, that the full amount of the certificates ought not to be paid because the public had not received it, and the holders by parting with them at a less amount had fixed their value and declared their willingness to sacrifice the difference for the public benefit, and that therefore there ought to be a settlement. It was replied that creditors had a right to repose trust in government for the discharge of their debts, as settled and fixed by their certificates, and that without an enormous violation of justice and sound policy these ascertained amounts could not be diminished by the Legislature. Mr. Madison moved, unsuccessfully, to discriminate, so as to pay to holders of certificates their highest price in market at any time, and the residue to the original creditors, and where they had not assigned, they to receive the whole debt. This discrimination would have saved nothing to the public. It was opposed by assignees of certificates and by honest men, in Congress and out of it, who believed that these certificates, being assignable, were contracts with assignees as much as with original holders, and that honor forbade the violation of the contracts of government no less than those of individuals, and sound policy, for the assignability of public securities was essential to give them credit, and after so flagrant an instance of bad faith, few or none would take them as assignees thereafter.

But the proposition to assume the State debts encountered the most determined opposition, and caused great excitement within Congress, and throughout the Union, and was debated with much ability and warmth.

The Revolutionary war had been waged by the States, sometimes separately, at others conjointly, sometimes with the funds of the United States, and sometimes with their own means. The war debt was therefore incurred partly by the Confederacy and partly by the States, and when the requisition system was adopted the war was chiefly maintained by State agency. The making good to the army the depreciation of their pay was assumed by the States, some of whom had funded the amount assumed, and paid

the interest, while others had made no provision for it; but all had somewhat reduced the principal sum. A settlement of the accounts of the States with the Confederacy was earnestly wished, but small progress had been made therein, for it was beset with intricacies and obscurities. These debts, thus unascertained, it was proposed the United States should assume.

The assumption was opposed because it would give the United States undue and dangerous influence, as it would take to them almost the whole power of taxation, and leave the States but the semblance of it; because it was unconstitutional,* there being no grant of this power, and of questionable policy, as it would lay on the Union a burden of unascertained amount, which would require great and imprudent taxation, and, as the impost and excise could not produce the necessary sum, a land-tax would be unavoidable, which could be far better levied by the States; because the States had not petitioned for this measure, and when they did it would be time enough to entertain it, and many of them were decidedly opposed to it; because the only assumption should be of balances ascertained; because the State debts by being assumed would be perpetuated, whereas if left to the States they would be paid, as they were in the course of being by many of them; because the proposed assumption would so increase the public debt as to impair the public credit, for all stocks lessened in value as they increased in quantity; because the funded debt would flow to the cities, into the hands of a few rich merchants, or be bought by foreigners, and the interest of the debt, raised by onerous taxation, go abroad in specie; be-

* "We have had one assumption in our country, and that in a case which was small in amount and free from the *impediment of a constitutional objection*, for the debts proposed to be assumed were incurred for the general good,—the general defence during the Revolution,—but which was attended by such evils as should deter posterity from imitating the example. It was in the first year of the Federal government, and, although the assumed debts were only twenty millions, and were alleged to have been contracted for general purposes, yet the assumption was attended by circumstances of intrigue and corruption which led to the most violent dissensions in Congress, suspended its business for a season, drove some of the States to the verge of secession, and menaced the Union with instant dissolution."—*Benton's Thirty Years in the United States Senate*, vol. ii. pp. 173, 174.

cause it would be unjust, for thereby the States that had taxed themselves most to pay their debts would be taxed to pay the debts of States that had not; because the settlement of the accounts of the States and United States would be delayed, if not prevented, by assumption, and insuperable difficulties arise; because all the creditors would not change the security of their debts, nor could it be ascertained whether they had been incurred for general or local purposes. These were the principal objections.

In support of assumption it was urged that these so-called State debts were in truth debts of the United States, having been contracted for the common cause, as appeared by examination of public records, as well as by a review of the origin of the several classes of these debts. True, they were contracted by the States, but the complex nature of the American political system made it necessary to levy money to carry on the war, by their agency, since they had all the resources of the country, and the distribution of the debt among the States for payment was necessary from the distribution of political power under the Confederation; that as power over the resources of the country was transferred by the Constitution from the States to the general government, the so-called State debts ought to be assumed with it; that the assumption was not the creation of a new debt, but only the reacknowledging of an old one; that if this debt (as was true) had only been transferred to facilitate its payment, being in its origin Continental, there was no constitutional objection to restoring its original character; that assumption was constitutional, because Congress possessed the power to levy taxes or borrow money to pay the debts, and provide for the common defence and welfare of the Union, and these debts were debts of the United States, incurred for their defence, and the payment of them would be for their welfare; that if Congress could not borrow money to pay the debts of a past war, they could not do so to pay the debt of a future one; that if the Federal government should pay debts admitted to be those of the Union, and the States be left to pay those contracted by their agency, there might be dangerous or at least inconvenient jealousy, competition, and clashing of jurisdiction in regard to subjects over which their power to

tax was concurrent, and between the different classes of public creditors; that the excise would be more profitable if levied by the general government than by thirteen governments; that if the debt should be paid by the States there would be no uniform system of taxation for its payment, which would make the burden unequal, and, as the agents would be more numerous, the expense would be greater; that some States might make no provision for their debts, and could the Union leave those of defaulting States unsatisfied, being in truth the debtor? that the assumption would not delay, but facilitate, the settlement of the accounts of the States, for its advocates desired this settlement, and had prepared a plan for it; that the burden of the war had been unequally borne by the States,—justice therefore demanded that it should be equalized by an apportionment, of the debt thereby incurred, among them all, in order to which there must be a settlement of accounts between them; but, with such settlement or without it, assumption was indispensable, for debtor States could not be compelled to pay the balances found against them; that assumption would quiet the anxious public debtors and put an end to speculation, so rife, and so much denounced by its opponents; that if the influence of the general government should come in competition with that of the States, the latter would triumph, because the ties of the citizens to their States were more numerous and stronger than those to the Federal government, and, at any rate, if assumption would dangerously increase the influence of the Union, too much was proved, and the power of the purse and the sword ought to have been left by the Constitution to the States; that if the expenses of the Revolutionary war must be borne by the States, the expense of future ones should be borne by them; that if assumption might lead to consolidation, non-assumption might to disunion; that if the amount of the debts proposed to be assumed was unascertained, they were justly due, and ought to be paid, and, if never exactly ascertained, such an approximation might be reached as would be sufficient; and, if the public resources were not equal to pay all, they ought to be equitably apportioned; that assumption would not perpetuate these debts, because the general government, with more ability to pay, might be presumed more willing to do so; that the

question was not whether or not a public debt was a blessing, but how to dispose of one existing,—should it be left to discredit the nation by non-payment, or delay of it to distress the unhappy holders of it by hope deferred, and be the subject of ruinous and demoralizing speculation, or to remove these evils by funding it, and so making it a circulating medium equal in value to gold and silver. and an increase of business capital much needed, and so, admitting public debt to be an evil, turning it, partially at least, into a blessing; that if the funded debt would flow into cities, and into the hands of merchants, so much the better, for it would increase their capital used for the public benefit; that if foreigners should buy the funded debt, they would do so from confidence in the ability and willingness of the United States to pay it, and nothing could more advance the public credit (so essential to the public welfare) as such a manifestation of it, and they would pay for the debt gold and silver; that, to the argument that it would be unjust to burden States who had exerted themselves to the uttermost to pay their debts with the debts of States who had made no such exertion, it could be truly replied it must be presumed each State exerted itself to its utmost power, and, if it could not or would not make provision for creditors to whom the Union was equitably bound, the argument for assumption was stronger; that the irredeemability of the debt, except as was proposed, was necessary to give it value, and as to the objection that it was unwise for government to tie up its hands from paying it whenever able to do so, it was replied that it would probably not be able to redeem sooner than the bill provided, nor even pay six per cent. interest upon the whole debt, nor even, if it could, would it be wise to pledge all its means for these purposes, for contingent expenses were unavoidable; that there was no permanent provision for the payment of interest on the public debt and for its gradual extinguishment, and therefore the provisions of this bill were preferable to the bare obligation to do both, which was all the creditors had to trust to,—and where was the injustice of proposing an arrangement, voluntary on their part, by which they and the government would both be benefited, the one with time, the other with certain though delayed payment of principal, and partial present and eventual full payment of interest? that if the

irredeemability of the debt were taken away, there was no probability that it would be sooner paid, and it would remain fluctuating in value and the subject of demoralizing speculation, instead of a safe mode of investing money,—making it equal to gold and silver, and so an increase of capital, which was so much needed,—and, until the funded debt rose above par, the United States, though restricted by the resolution, could profitably go into market and purchase the stock, so that the evil of debt would not probably be prolonged by this proposed measure, as there was no probability of an excess in the treasury more than enough to buy stock at and below par. And in reply to the question, what, then, was the use of irredeemability? the answer was that it was necessary to give value to the stock proposed to be created.

The arguments for these resolutions, it appears to me, preponderate over those against them. They were adopted in the House of Representatives by a majority of two votes, the State debts being assumed to the amount of twenty-five millions of dollars. Soon after, the members from North Carolina took their seats, which changed the majority to two against the resolution for assumption, which was reconsidered and rejected; and several efforts to reconsider this vote having failed, the bill “making provision for the debt of the United States” was passed without the provision for the assumption of the State debts, and sent to the Senate. The assumption was, apparently, defeated irretrievably, when its friends availed themselves of the unsettled question, “Where should be the permanent seat of the Federal government,” to effect an understanding, which secured its adoption. This question had long agitated and divided the Continental Congress, and excited no little feeling throughout the States. The Eastern States would gladly have retained the seat of government of the Union in New York, but it was so far from the centre that this could not be accomplished. The Middle States desired Philadelphia, or some other point between the Delaware and the Potomac; while the South preferred the location of the Federal city permanently on the banks of the Potomac. The understanding was that the capital of the Union should be for ten years at Philadelphia and permanently upon the Potomac, and the State debts should be assumed by the United

States.* The bill fixing the temporary and permanent location of the United States government then passed the Senate, Mr. Read voting for it (*Journals of the Senate*, vol. i. p. 172);† and the bill providing for the United States debt, pending in the Senate, with an amendment that the State debts should be assumed to the amount of twenty-one millions five hundred thousand dollars, apportioned in specified sums to the States, so that each would receive what it would have to pay, and thus amended passed the House by a majority of six votes. Thus by the almost simultaneous passage of the bills the differing sections of the Union obtained measures they desired, and were reconciled to the adoption of those they disliked.‡ The beneficial results of this bill providing for

* This compromise was devised by Hamilton, and effected by his influence and that of Robert Morris, exerted over members of Congress of the Eastern and Middle States, and that of Mr. Jefferson, brought to bear upon Southern members of that body, on Hamilton's suggestion.—*Jefferson's Works*, vol. ix. p. 93.

Jefferson, who looked (knowing his monarchical predilection) upon Hamilton's financial measures with a jaundiced eye, soon repented of the aid he had thus lent, and stigmatized this compromise "as a fiscal manœuvre, to aid which he had been entrapped by a finesse of Hamilton" (*Irving's Life of Washington*, pp. 66, 67); but surely it was the happy thought of this great statesman to accomplish a just measure, the defeat of which might have dissevered the States, held together, in the infancy of the central government just inaugurated, by feeble ties.

Hamilton disavowed the design imputed to him by his rival "of introducing aristocracy or monarchy by the influence of a government continually changing hands;" urging, I think truly, "that more than a lifetime would be insufficient thus to accomplish this end, and therefore neither ambition, interest, nor other selfish motive could prompt him to attempt it." Besides, the people were so little disposed to such change that no sane man could think it feasible.

† The Senate proceeded to the third reading of this bill, July 21st, 1790, when it passed as amended.

Yeas—Butler, Carroll, Dalton, Ellsworth, Elmer, Johnson, Izard, King, Langdon, Morris, Patterson, Read, Schuyler, and Strong—14.

Nays—Bassett, Few, Foster, Gunn, Hawkins, Henry, Johnston, Lee, Maclay, Stanton, Walker, and Wingate—12.—*Journals of United States Senate*, vol. i. p. 187.

The States of New York, Massachusetts, Connecticut, New Jersey, and South Carolina were in favor of assumption; and Maryland, Delaware, and Pennsylvania divided; while Virginia, Rhode Island, North Carolina, and Georgia were opposed to it. Massachusetts, Connecticut, and South Carolina owed more than half the total of the State debts.

‡ Writings of Thomas Jefferson, vol. iii. pp. 152–154.

the United States debt were so sudden and so great as to demonstrate its wisdom and to restore in no long time public harmony.

Congress adjourned on the 12th day of August, 1790.

It had been the practice when a manor was surveyed for the proprietaries of Pennsylvania to permit the surveyor, as a compensation for his services, to lay off a particular tract for himself, for which he paid a much less price than that required for the remaining ones. General Thompson had surveyed a manor in Westmoreland County, Pennsylvania, for the Penns, and, as was customary, laid off a tract for himself, which he understood he was to receive without payment; but his attention having been, to his great loss in this and in other cases, diverted from his private business by his devotion to the public service, he died without having obtained a title to this tract. His widow was now about applying for it. All which appears by the following letters:

“PHILADELPHIA, 23d September, 1790.

“DEAR BROTHER,—I was with Mrs. Thompson yesterday when she saw Mr. Physick, who, on reading your letter, assured her he was disposed to render her any services that might be in his power relative to the business mentioned in it. He said his correspondence now was with the younger Mr. John Penn, to whom he would write concerning it, and transmit a copy of Mrs. Thompson’s letter, with a copy of yours to him.

“He advised her to see Mr. Anthony Butler, who is now the agent of the older Mr. Penn here. We accordingly saw Mr. Butler, to whom I made known the nature of Mrs. Thompson’s claim and expectations. He said he had become acquainted with the circumstances relative to that business. He said it had always been the practice when a manor was surveyed for the person who did it to mark a particular tract, which he generally got for a price considerably less than the remaining tracts were valued at, and he could have no doubt but the one in question would be granted to Mrs. Thompson on very moderate terms. With respect to the expectation of its being given as a gratuity, he could only observe that Mr. Penn, having been stripped of so much of his property in this country, had it not now

in his power to do those acts of generosity which his disposition would incite him to; but if she desired it, he would write to Mr. Penn, and inclose a duplicate of her letter, with any other paper that might be deemed necessary or proper, and do her any other service respecting it which would consist with his situation, as he knew Mr. Penn had entertained a favorable opinion of General Thompson's services and attachment to him and his family. You will therefore let me know if you think it proper Mrs. Thompson should accept Mr. Butler's offer of services in this business, and if so, whether a copy of your letter to Mr. Physick may be given him to inclose with his own and Mrs. Thompson's letter to Mr. Penn. I have made a duplicate of her letter, which she has signed, and a copy of yours to Mr. Physick, to be given to Mr. Butler in case you should think the measure a right one. I have only to add that from my knowledge of Mr. Butler I entertain a favorable opinion of his candor and integrity. Both Mr. Physick and Mr. Butler proposed writing by the next packet, which will sail in about eight or ten days.

"My family desire to be affectionately remembered to yours and our other friends in your neighborhood.

"Yours very affectionately,

"JAMES READ.

"GEORGE READ, Esquire."

Mrs. Thompson had addressed the letter next inserted to John Penn from

"PITTSBURG, September 6th, 1790.

"SIR,—In the year 1780 my late husband, General Thompson, obtained of you a grant of five hundred acres of land, situate in the manor of Denmark, in Westmoreland County [Pennsylvania], which I understood from him was intended as a present, though the terms set down in the grant were that he should have the preference in purchasing.

"I am informed that Mr. Woods, your agent, has laid off that manor into different tracts (a copy of which [plot], with the lines of this tract, is inclosed), and has fixed on them prices, and, among others, has set a sum per acre on the tract I have mentioned; but of this I have not had any

notice from him. I am anxious to know your intentions upon this subject, and whether I am to be charged or not, and have therefore taken the liberty of addressing you. I would consider it as a particular favor to hear from you. If the land was intended as a present, I wish the deed to be made to my son, William Allen Thompson; if it was not, I would be glad to know as soon as convenient, that I might prepare for the payment of the purchase-money. An answer to this [letter], directed to the care of Mr. James Biddle, Philadelphia, or Mr. George Read, New Castle, will be gratefully accepted by your obedient servant,

“CATHARINE THOMPSON.

“Honorable JOHN PENN.”

The foregoing letter was inclosed in one written by Mrs. Thompson to Mr. Read.

“DEAR SIR,—The inclosed letter to Mr. Penn is on a subject of importance to me. Mr. Thompson had obtained from Mr. Penn a tract of land in one of his manors in Pennsylvania, which I understood to be a present, but had not got a conveyance. Since Mr. Thompson’s death, Mr. Penn’s agents have laid off this manor into different surveys and fixed prices on them, and on this one among others. I wish Mr. Penn to be informed of this, and prefer applying to him rather than to his agents. I must request the favor of you to deliver the inclosed [letter] to Mr. Chew, or any other of Mr. Penn’s friends who will take the trouble of transmitting it to him, if he is yet in England, which I suppose he is. When he is acquainted with the circumstances, I flatter myself he will give a deed without requiring payment of the sum at which the land is valued.

“I am yours affectionately,

“CATHARINE THOMPSON.*

“The Honorable GEORGE READ.”

The third session of Congress commenced in Philadelphia, December 6th, 1790.†

* Of the result of Mrs. Thompson’s application I am ignorant.

† See Appendix D.

Mr. Read attended in the United States Senate, December 8th. and through the rest of the session.

The President, in his message, congratulated Congress on the prosperous state of public affairs, but not without the expression of some degree of anxiety for the future. The clouds of war were gathering over Europe, and, if hostilities should become general there, they must operate unfavorably upon the revived agriculture and commerce, and the restored credit of the United States.* The western frontier was desolated by the cruel warfare of the Indian tribes,—an expedition against them had been only partially successful, and the general government was invoked to protect its frontier citizens from the savage foe.

The prominent measures of this session were the act of Congress imposing a further duty on foreign spirits, and a duty on spirits distilled within the United States, and the act chartering the United States Bank.

The State debts had been (a small part excepted) assumed at the last session, but Congress had adjourned without providing means for payment of interest upon them. The Secretary of the Treasury was directed to report the further measures needed to establish public credit. He now recommended a further duty on foreign spirits, and a duty on spirits distilled within the United States, and a bill conforming was reported; it encountered violent opposition. Its opponents alleged that it did not appear that existing taxes were insufficient to pay this interest; that it was the odious excise in truth, exposing the houses of citizens, their castles, to the inquisitorial visits of tax-gatherers; that the assumption being unpopular in the South and West, this tax to pay its interest would be there equally so; that it would be unequal, falling mainly on the western section of the Union, and that popular insurrection against it would be certain.

It was replied that the insufficiency of the existing taxes for the additional burden, proposed to be provided for, was shown by the estimates of the treasury officers, carefully prepared, and if there should be excess in the product of

* "Raised," writes Mr. Jefferson, 20th June, 1790, "to be the first on the exchange at Amsterdam, where our paper is above par."—*Writings of Thomas Jefferson*, vol. iii. p. 152.

this duty over the interest it was to pay (which was highly improbable), this excess could be advantageously applied to the redemption of the public debt; that it would be highly impolitic to increase the impost, for commerce was already burdened as much as it could bear, and an increase of duties upon it would not increase revenue, for it would diminish imports and increase smuggling; that it was wise to increase the subjects of taxation; that the proposed duty was preferable to a direct tax, because less burdensome, being more diffused; that a direct tax would be difficult to raise, for no census had been taken, and, the country being sparsely settled, its collection would be most expensive and tedious, and it would be more unpopular than the duty on domestic spirits; that direct taxation was the chief resource of the nation in emergencies, and ought to be reserved for them intact; that indirect taxation was always preferable to direct, because paid generally without consciousness of it, and so without reluctance and ill feeling to government, being, like the insensible perspiration or exhalations from the earth, of such tenuity as to be invisible; that a like duty had already been levied in several States without dissatisfaction; that the substitutes suggested for this duty, taxes on salaries, or pensions, or lawyers, or legal instruments, or by a stamp-act, were more objectionable than it was; and finally, that it was not excise, for it would be levied not on spirits in the hands of the retailer or consumer, but in the manufactory.

The bill imposing duties on foreign and domestic spirits, having passed the House of Representatives, where it originated, was passed by the Senate, amended, 12th February, by the vote of twenty yeas to five nays, Mr. Read voting for it.—(*Journals of the Senate*, vol. i. p. 263.)

The bill to incorporate the subscribers to the Bank of the United States was reported 3d January, 1791, by a committee of the United States Senate, appointed to consider and report upon the Treasury plan of a national bank, and was the subject of earnest and able debate, in that body, until the twentieth of that month.

It was urged by the opponents of this bill that the general utility of the banking system was questionable, and features of this bill objectionable: but it was chiefly assailed on the ground of unconstitutionality. The power to

charter a bank was not conferred by the Constitution of the United States, nor could it be fairly implied from any of the powers therein granted, certainly not from the power to pass all laws necessary and proper to execute the granted powers, for those only were intended without which the granted powers could not be executed at all, which was not pretended as to a bank. It was further alleged that a proposition to give Congress power to charter banks was before the convention that framed the Constitution of the United States, and not adopted.

The advocates of the bank replied that the advantages of the banking system had been shown by the experience of the greatest commercial nations, and, though by a briefer experience, in the United States. The power to charter a bank was not, it must be admitted, expressly granted in the Constitution of the United States; but implied as well as expressed powers must be vested in every government, for without the former its administration would be imperfect or impracticable. That when a power was conferred to accomplish an object, incident to it must be the right to use all proper means commonly employed to effect it, and all doubt was removed from the subject by the power expressly given to Congress to pass all laws "necessary and proper to execute the granted powers." A bank was shown to be necessary to enable Congress, in the best manner, and sometimes in any manner, to execute the high trusts of regulating commerce and raising revenue to pay the debts and provide for the defence and general welfare of the republic. If the provision conferring the power to incorporate a bank was proposed and not adopted, as asserted, by the convention which framed the Constitution of the United States, it was because this body thought it superfluous, inasmuch as whenever necessary to the exercise of any granted power, it passed, as incident to it.

The bill incorporating the subscribers to the Bank of the United States was passed January 24th, by 18 yeas to 5 nays, Mr. Read voting for the bill, and sent to the House of Representatives for concurrence.*

In conformity with the usage of the Continental Congress and of the convention which framed the Constitution of the

* Journals of the United States Senate, vol. i. p. 234.

United States, the Senate sat with closed doors, not only when occupied with executive business, but when acting in their legislative capacity. On the 24th of February, 1791, Mr. Monroe moved that when the Senate should be sitting in their legislative capacity, their doors should be open, except when secrecy might be required. His motion was considered on the 25th and rejected,—17 nays to 9 yeas (Journals of the United States Senate, vol. i. pp. 280, 281, 286, 287),* Mr. Read voting in the negative.

Congress adjourned on the 3d day of March, 1791; but Mr. Read was detained for some days after by an executive business session of the Senate, called chiefly to pass upon nominations to the army offices, made necessary by the increase of the regular military force.

Independently of its connection with the subject of this

* On the 26th of March, 1792, at the next session of the Senate, a similar resolution was moved and rejected, Mr. Read voting against it; and again, 3d February, 1793, Mr. Read being in the negative,—ayes 7, nays 18 (Senate Journal, vol. i. pp. 415, 478). But the perseverance of the friends of this resolution at last carried it, 16th January, 1794, by the vote of 18 yeas to 9 nays (Ibid., vol. ii. p. 34). It was urged by the advocates of this resolution that Senators were responsible to their constituents for their conduct; and the information necessary to truly estimate it could not justly be withheld; and the journals did not and could not afford it; that the journals were in the power of the Senate; that the publicity of their proceedings is the best mode of diffusing information as to the principles, motives, and conduct of Senators; and by withholding the information, responsibility is in truth removed and the influence of the people over one branch of the legislature annihilated, and the very best security experience had devised against neglect of duty or maladministration of power abandoned (Senate Journals, vol. ii. p. 478). These reasons seem to me so conclusive against the usage of sitting with closed doors when engaged in legislative business, that I wonder the Senate clung to it so long, and it may be well regretted that they did, because this obstinate adherence to an ill practice has deprived us of their debates at a period when they were especially valuable; and their value was increased by the very circumstance which has deprived us of them, for the occlusion of the public from their sittings occluded the temptation "*to speak for effect merely*," with its concomitants,—appeals to popular prejudice, sophistry, and the tinsel and embroidery of a meretricious rhetoric.*

* But, writes a recent historian, "So little interest was evinced in senatorial proceedings, and so seldom were they enlivened by elaborate discussions, that for many years the galleries of the Senate-chamber, when opened to the public, were little resorted to, and no reports exist of senatorial debates, except upon two or three special occasions."—*Hildreth's History of the United States*, vol. i. p. 450.

biography, the following letter seems to be worthy of preservation from its notice, brief though it is, of the infant population in the territory south of the river Ohio, the healthy germ of the great communities into which it has since expanded, and as giving the outlines of a judgeship in a frontier region, which the imagination readily and as truly fills up into a picture strangely in contrast to the circumstances of the judicial station in densely peopled countries:

“TERRITORY OF THE UNITED STATES SOUTH OF THE OHIO,
“WASHINGTON DISTRICT, 20th September, 1791.

“SIR,—Your candor and friendship to me will always claim my grateful acknowledgments; and, considering myself under obligations to you, I hold myself bound to make such communications respecting my standing in this country as are founded in candor and warranted by fact. I arrived in this country some time previous to any court being held in this district, after I received my appointment. Our court was held at Jonesborough, the 10th day of August, and continued for ten days, during which period I had the good fortune to impress the bar and people with favorable sentiments, of which, for *particular reasons* and your satisfaction, I, though very reluctantly, think proper to make you acquainted. This, however, is for your own eye, [for] it is a species of vanity. I dare not venture beyond the limits of your *candor* and *benevolence*.

“This district or territory is divided into two districts, the upper called Washington, the lower Cumberland. There are two courts a year held in each. The places of holding the courts in the respective districts are about three hundred miles apart, with a vast wilderness between, much infested with hostile Indians, which renders the passing it very dangerous. The judges, however, are necessitated to pass it four times a year. One hundred and forty miles of it is entirely without inhabitants. The people of this country appear well disposed; they do not, as in most new countries, seem inclined to drink, [but], with very few exceptions, sober and orderly, and so far as I have been able to make observations, a regard for the government and respect for the law seem to pervade the whole territory.

“If ought in this letter should seem exceptionable, I must crave your forgiveness.

“I am, sir, with sentiments of great respect, your very obedient servant,

“J^OSEPH ANDERSON.

“Honorable GEORGE READ, Esquire, Senator in the U. S. Congress, corner of Fifth and Market Streets, Philadelphia. Honored by Mr. Sevier.”

Judge Anderson served with credit, during the war of our Revolution, in the Jersey line, I believe; was a member, and a leading one, of the United States Senate, from the State of Tennessee, for a long period,—seventeen winters, as I think he informed me; and afterwards for many years first comptroller of the United States Treasury. He was a man of great worth, very polished manners, and of considerable address, as I have heard, and as was apparent, when, on his request, in 1832, I was introduced to him, at an age protracted beyond the ordinary terminus of human existence. Neither age nor the lapse of near half a century had chilled his gratitude to Mr. Read for his influence, exerted in the United States Senate, in favor of his nomination to his judgeship, which, I inferred, met some opposition. It would be cynical to ascribe his certainly self-complacent mention of his *début* as a judge to anything but a commendable anxiety to satisfy Mr. Read that he had not proved unworthy of his support and vote. He was a communicant in one of the religious societies in Washington, and, I believe, a truly pious man.

Congress met in Philadelphia, 24th October, 1791, and Mr. Read attended on that day, and throughout this, the first session of the Second Congress.

The most important acts of this session were two: one for apportioning representatives among the States, the other for the increase of the army.

The Constitution of the United States provided that representation and taxation should be apportioned among the States according to their respective numbers, and that the number of representatives should not exceed one for every thirty thousand, but each State should have at least one representative. A bill was introduced into the House, which gave to each State one member for every thirty thousand persons, and was passed, and was sent to the Senate, November 24th, where it was passed with the amendment

giving to each State one representative for every thirty-three thousand persons, Mr. Read voting for it (Journals of the Senate, vol. i. pp. 354, 408). The ground of this amendment was the great amount and inequality of unrepresented fractions which resulted from the ratio proposed by the House, operating hardly upon the small States, where these fractions could not be distributed among several members. This amendment was non-concurred in by the House, and the bill failed. A bill substantially the same as this, without the amendment, then passed the House, was sent to the Senate, and amended by that body, thus: applying thirty thousand, as a divisor, to the total of population of the United States, and taking the quotient (one hundred and twenty) as the number given by the ratio adopted by the House, they apportioned this number, by this ratio, among the States (according to their population) until as many representatives as it would give were allotted to each. The residuary members were then distributed among the States having the highest fractions, thus giving a more equitable apportionment of representation to population than the original bill, and making it more accord with the prevalent wish in Congress, and outside of it, that the House should consist of as many members as the Constitution would permit. The House concurred in this amendment, but the President vetoed this bill, because the Constitution required that representatives should be apportioned among the States according to their respective numbers, and there was no proportion or divisor which, applied to the respective numbers of the States, would yield the number of representatives provided by this bill; and, secondly, because the Constitution provided that the representatives should not exceed one for every thirty thousand persons, which restriction applied to the separate and respective numbers of the States, and the bill allotted to eight States more than one representative for thirty thousand (Journal United States Senate, vol. i. p. 422). A bill then passed both houses of Congress, apportioning the representatives to the several States in the ratio of one for every thirty thousand *in each State*, which received the assent of the President. It was received from the House in the Senate, 10th of April, and by *unanimous* consent read the first, second, and third times, and passed (Journals of Senate, vol. i. p. 428).

The people of the United States were now divided into two great parties, Federalists and Democrats. The attentive reader of American history cannot fail to discern the germs of these parties anterior to the adoption of the Constitution. The jealousy of Congress manifested by the States, in the course of the war of the Revolution, at the most critical periods, threatening ruin to the common cause, in no long time after the recognition of our independence by Great Britain reduced the general government to utter insignificance. The conflict of opinions upon the momentous question of the ratification of the Constitution widened the separation between the adherents of Congress, who endeavored to maintain the legitimate authority of that assembly, and the friends to the preponderance of the States in our complicated political system. The recent measures—the funding of the public debt, and the assumption, and chartering of a national bank—had so inflamed the States Rights party that at this session they for the first time appeared in open and organized opposition to the administration. They held, no doubt sincerely, that the only source of danger to the rights of the people was the tendency of the central power to swallow up the States, which, unless met by prompt and strenuous resistance, must result in the establishment of a consolidated government with a king, if not in name, in truth, at its head. The Federalists, on the contrary, and as truly, believed the political system, happily established by the Constitution, to be endangered by the tendency of the States to fly off from the central authority, and successfully, when interest or passion (often active and violent) prompted, which would bring them, if not wisely counteracted, to disunion, followed by civil war, and terminating in despotism. The Federalists were the majority in the Congress which terminated 3d March, 1791. They might well appeal to the measures of that Congress in proof of their wisdom and patriotism. They had organized the general government, relieved the nation from the reproach of the design to repudiate debts of a sacred character, or of indifference to the payment of them, restored its lost public credit, provided a sufficient and permanent revenue, and wisely legislated to protect our commerce from foreign rivalry. They could truly and proudly appeal to the prosperity which gladdened

every heart and stimulated enterprise and industry in every walk of business, as the effects of their policy. But the Democrats saw in their measures remote dangers to liberty more than counterbalancing their immediate good effects. "The debt," said its leaders, "was funded, at the expense of the people, for the benefit of capitalists,—mean speculators upon the necessities of their brethren,—to rally to the support of the administration a band of corrupt adherents, and to render it omnipotent. The assumption was an iniquity, the bank charter unconstitutional, and the tax on domestic spirits the odious excise which justified rebellion." These parties had their representatives and exponents in the cabinet even of the President, in the great statesmen filling the secretaryships of state and the treasury, both sincere lovers of liberty, but each believing the other its deadliest enemy. The efforts of the President to reconcile these eminent men (now in open hostility) were strenuous, judicious, and kind, but unavailing.*

Such was the state of parties when the disastrous defeat of General St. Clair made it necessary for the President to recommend the immediate augmentation of the army of the United States. A bill was reported in the House of Representatives for raising three additional infantry regiments and a squadron of cavalry, to serve for three years, unless sooner discharged. This bill was warmly opposed. The justice of the war with the Indians was questioned, for it was provoked, there was ground to suspect, by the aggression of the whites, and its necessity, for it would be wiser and cheaper to withdraw our citizens from the disputed territory, than to burden the people, already heavily taxed, with the expense of such a war; but conceding the justice and necessity of this war, the existing army was sufficient for it; and if not, the militia was a better force to wage it, serving for short periods, as only would be required, and eager to revenge the murders of their brethren and devastation of their settlements. Always superior to regulars in intelligence, they would surpass them in promptitude and in vigor, and at least equal

* Marshall's *Life of Washington*, vol. v. pp. 346-359; *Writings of Thomas Jefferson*, vol. iii. pp. 359-368.

them in courage, and, from their habits as frontiersmen, be far better suited for Indian warfare. It was replied that no doubt three thousand American citizens had been cruelly killed or hurried into captivity, and a large extent of country laid waste; and a war to punish these atrocities and prevent their repetition was surely necessary, and was just, especially as every effort for peace had been made by the Prèsident in vain; that in the state of exasperated feelings between the whites and Indians peace would be impossible until the latter should be chastised and the frontier secured by driving them farther west. But if the United States declined further hostilities, would they cease? On the contrary, it was certain that the Indians, emboldened by what they would believe the pusillanimity of the pale faces, would visit the unhappy frontier, on a wider and widening area, with all the horrors of their infernal warfare. Fifteen hundred Indian warriors hung like a dark cloud upon the western frontier, ready to spread ruin and death along and within it, and gentlemen should be ashamed to object to the expense of protecting their brethren, the hardy pioneers of civilization, with all its blessings. If government should be left to prosecute this war with inadequate means, its expense would in the end only be enhanced, for another unsuccessful campaign would embolden the enemy and make their subjugation more tedious; and while the courage of the militia was admitted, it was urged that experience had shown it to be far more expensive than regular soldiers, insubordinate, and, except for temporary service, not to be relied upon.

This bill, entitled "An act for making further and more effectual provision for protecting the frontier of the United States," was passed by the House, and sent to the Senate for concurrence, February 2d, 1792. It was debated till the 23d of that month, when it passed the Senate by the vote of 16 yeas to 11 nays, Mr. Read voting for it, and against several preceding motions to strike out sections of it. (*Journals of the Senate of the United States*, vol. i. p. 395.) After disagreement as to amendments of this bill with the House, the final report of their joint committee of conference was accepted by both, and the bill was passed, and, March 5th, was approved by the President.—*Journals of the Senate of the United States*, vol. i. pp. 402–404.

On the 8th of May this session of Congress was closed by adjournment to the 5th day of November, 1792.

Mr. Read's second surviving son, in behalf of whom the letter next presented to the reader was written, had been regularly trained as a merchant in one of the first houses of Philadelphia, and realized by his subsequent character the expectations awakened by his exemplary deportment in his youth. He made several voyages as supercargo to India, which I have no doubt agreeably interrupted the monotony of Mr. Read's family life, the hope of his son's safe return, as is usual in such cases, predominating over fears for his safety.

“NEW CASTLE, 20th August, 1792.

“DEAR SIR,—From our long acquaintance I have taken the liberty of introducing the bearer of this, my son William Read, to your acquaintance as a young mercantile man, who has served a four years' apprenticeship with Mr. Mordecai Lewis, where I got him placed originally, with the assistance of Messrs. Samuel and Isaac Wharton, your friends, in the year 1789. Mr. Lewis was pleased to intrust him and Mr. George Plumsted with the agency of the ship 'Union,' Captain Ashmead, belonging to Mordecai Lewis & Co., sent to Canton in China, and, as I have always understood, his conduct on that occasion was satisfactory to Mr. Lewis and all concerned. He has now a desire to become the supercargo of Mr. S. Howell's ship 'Samson' in her next voyage to Canton, and has made his application to him for that purpose; and my son understands you will be a considerable shipper, and if such, wishes to be made known to you and have your approbation of him. I have the happiness as a parent who has attended to his conduct hitherto carefully to say that he is of the best disposition, strict integrity and probity, and apparently active and diligent.* It would give me pleasure if you, upon further

* Mr. William Read, after several successful voyages to India as supercargo, established himself, with his brother-in-law, Matthew Pearce, in Philadelphia, as merchants in the East India trade, but by failure of a firm for whom they had indorsed, and capture of one of their ships on her return voyage from Canton by a French privateer, off the capes of Delaware, after several years of prosperous business they were obliged to suspend, and my uncle, to retrieve his fortunes, to sail again to India, where he remained for several years trading to several ports.

inquiry into the character and capacity of my son, could give him your countenance and aid in obtaining the place of supercargo on board of Mr. Howell's ship in her intended voyage to Canton. Excuse the freedom I have taken on this occasion, and believe me yours, very sincerely,

“GEORGE READ.

“Mr. JOHN WHARTON, Philadelphia.”

Mr. Read, while attending Congress, had resided with Mrs. House, whose boarding-house was the best in Philadelphia. He was now obliged to inform her that he could not be one of her family during the approaching session of Congress :

“NEW CASTLE, October, 13th 1792.

“MY DEAR MADAM,—In July last I was seized with an intermittent fever, which continued with little alteration for more than six weeks,—since which I have been considered by my physician in a state of recovery, he only recommending exercise and a dose or two of bark in the twenty-four hours as the means to effect it; but I have progressed so slowly in that recovery that I am apprehensive I shall be very much of an invalid through the winter, and as such would be rather a disagreeable lodger. It would distress me greatly daily to exhibit a countenance expressive of bodily infirmity among so large a body of gentlemen as your house has been and will be filled with, and in such a condition I must be an unpleasant object to others in full health and spirits; therefore it is, madam, that I must think of living with more privacy than I can with you. And to this end I have it in view to go to the small house occupied by my two sons, in Dock Street, in which Mrs. Read, who has lately been on a visit to them, says I may be comfortably lodged and have all that retire-

He was widely known and respected in Philadelphia, where he died in 1846, in his seventy-ninth year. An uncle of the celebrated traveller, Edward Daniel Clarke, from his extraordinary amiability of temper was called Mild William. This epithet might as truly have been applied to my uncle, who was so gentle and amiable that nothing could disturb his equanimity. His wife, losing her own temper at his imperturbableness, once exclaimed, “Mr. Read, why will you not be angry?” He was much devoted to books, but too modest to display the extensive knowledge he had acquired.

ment I would wish for in my present state of health. You, madam, from the want of health in the two last years, can well judge of what must be the feelings of an invalid among your numerous lodgers, and I presume will consider my proposal of secluding myself from a situation in your house, always pleasing to me on every account, as prudent and necessary. So that the room I have generally had, and you were so good as to say I should have on my return this fall, may be disposed of for the ensuing winter, to your best liking. Could I suppose my declining to occupy it would prevent your having another occupant for it, I should immediately tell you that no disappointment of that sort should affect you; but I take it for granted that as soon as the vacancy shall be known it will be instantly applied for. I should have given this intimation sooner, but I flattered myself that from regular exercise on horseback and good management of myself I might be reinstated in time for the meeting of Congress; however, at present it seems far otherwise, and I must submit. I wish you to present my best wishes to Mrs. Triest and compliments to all of your present family. And I am, with much esteem, yours, sincerely,

“GEORGE READ.

“To Mrs. HOUSE, Philadelphia.”

The second session of the Second Congress commenced at Philadelphia, 5th November, 1792, when Mr. Read attended in the Senate, and was present till it closed. This was the last session of his service in Congress.

On the 22d of November Messrs. Johnston, Cabot, and Read were appointed a committee to consider the expediency of a law respecting fugitives from justice and persons escaping from the service of their masters, and should they think proper, to report a bill. They reported a bill, 20th December, which on the 28th was recommitted, Messrs. Taylor and Sherman being added to the committee, who reported a bill which was passed 18th January and sent to the House for concurrence, was passed by the House February 5th, and approved by the President February 14th. — *United States Senate Journals*, vol. i. pp. 465–468, 470, 472, 479, 482, 483, 486.

Besides this act respecting fugitives from justice, etc., the

principal ones passed this session were, "acts supplementary to the acts establishing a mint," and "providing means of intercourse with foreign nations," and acts "regulating foreign coins," "for enrolling and licensing vessels in the coasting trade," to "promote the progress of useful arts," to "regulate trade and intercourse with the Indian tribes," and an act in addition to the act "to establish the United States Courts."—*United States Senate Journals*, vol. i. p. 506, Appendix.

Colonel Bedford had been again chosen an elector of President and Vice-President of the United States. Mr. Read, feeling it to be his duty to bear testimony against the misrepresentations of the conduct of John Adams in the chair of the Senate, widely circulated to defeat his re-election to the Vice-Presidency. wrote the following letter, expressing his high opinion of the abilities and integrity of that patriot :

"PHILADELPHIA, 30th November, 1792.

"DEAR SIR,—Recollecting that on Wednesday next you meet your two colleagues as electors of President and Vice-President of the United States, I have supposed that you would expect some information from me respecting Mr. Adams, the present Vice-President, as to his conduct in the chair of the Senate of the United States, since so much pains has been taken in the public prints of the present year to raise a general prejudice against him, in expectation of preventing his re-election.

"It is but a piece of justice, due to Mr. Adams, for me to say that as chairman of the House of Congress of which I am a member from the Delaware State, his conduct, at all times since his being placed there, hath appeared to me attentive, upright, fair, and unexceptionable, and his attendance at the daily meetings of the Senate uncommonly exact. As to his having abilities equal to that station, none of his detractors insinuate a want thereof, and anything on that head from me must be unnecessary,—his various political publications sufficiently evidence such ability.

"With respect to the objections to him which I have heard or seen on paper, they principally existed previously to his former election, at which you well know his popularity was such as to induce a portion of electors in each State to throw away their votes (but not to be done now

by those who wish his re-election), by applying them to names, not with a view to their return, but in order to secure the Presidency to General Washington. The present change of sentiment, therefore, with respect to Mr. Adams is not easy to be accounted for at a distance from the central scene. I have supposed the clamor raised against Mr. Adams to have proceeded from a personal dislike of an individual, contracted, perhaps, before the adoption of the present Federal system, as well as from the general jealousy that such of the Southern States as are most interested in the future seat of the Federal government entertain of the possibility or probability of its being changed through the influence of an Eastern character in high station.

“Some pretend an opinion that a rotation in office is a salutary thing in republican governments; but this has always appeared to me an insincere reason urged by those who use it; but this, perhaps, because my sentiments have been, at all times, uniformly otherwise: to wit, that when a fit character hath been selected for office, either by the people or by their executive authority, and he discovers such fitness by an able discharge of duty for a time, such person hath a reasonable claim to an after-continuance in office, and I consider it as conducing to the interest of the community for whom such officer acts, by means of the improved knowledge of the duties of office which he acquires.

“You may be assured that what I have before said as to Mr. Adams hath not proceeded from any intimacy subsisting between us, for in the three past years I have not been so many times in his residence, exclusive of the complimentary visit at the commencement of each session.

“I am, etc.,

“GEORGE READ.

“GUNNING BEDFORD, Esquire, New Castle, Delaware.”

On the 13th of February, 1792, the votes for President and Vice-President were opened by the President of the Senate, in presence of both Houses, and counted, when it was ascertained and declared that George Washington was unanimously elected President, and John Adams (by a plurality of votes) Vice-President of the United States. The three votes of Delaware were cast for both.

This session is memorable for an assault in the House of

Representatives, acrimonious and violent, upon the Secretary of the Treasury. At the last session of Congress acts were passed authorizing the borrowing of twelve millions abroad, to be applied in payment of the foreign debt of the United States, and two millions to be applied to pay their domestic debt. The French government was desired to settle a rule by which moneys paid them by the United States should be received and credited, and the French minister to the United States expressed the wish that part of their debt to France should be paid in provisions, to be sent to St. Domingo, where the slaves were in a state of insurrection, and a decree of the National Assembly was necessary to authorize this payment. The disordered state of public affairs in France delayed this rule and decree, and therefore the payment of her debt, for which Mr. Hamilton was unjustly blamed. The money abroad applicable to it, lying idle, he drew it home and applied it to the purchase of the domestic debt, to great advantage, as it bore then a low price in market, while foreign capital was pouring into the United States to purchase it. By this operation a double benefit resulted,—the extinguishment, on favorable terms, of a large amount of domestic debt, and an increase of its price by the United States coming into market to buy it, which enabled the holders to sell it at a better rate, and to foreigners, than they otherwise could have done. The Secretary of the Treasury also complied with the repeated and urgent request of the French minister to pay the French debt, in part, by provisions exported from the United States to St. Domingo, —to the manifest advantage of our producers, and honorable to the people, being evidence of their gratitude for the French alliance,—a decree of the National Convention, which took the place of the National Assembly, having authorized it. These operations were so manifestly for the public benefit that the resolutions of Mr. Giles, censuring them, were rejected by a large majority, it being also plain that the Secretary of the Treasury, though he had transcended these acts of Congress, had acted in the exercise of a sound discretion, believing it for the national advantage, under circumstances unforeseen by Congress when it passed these acts, and therefore unprovided for. Some weight ought to be conceded to the objection that it was danger-

ous to sanction the assumption by an executive officer of legislative power; but we can hardly censure him for having forgotten for a moment the respect and courtesy it is always convenient and decent for the departments of government to maintain in their intercourse with each other, because it was in the excitement of honest indignation at the false and untenable charge of not having accounted for a large sum of public money.

Congress adjourned on the second day of March, 1793.

Mr. Dickinson having received some choice wine, and wishing his old friend to partake, sent him a portion of it. They both probably received as a truth the aphorism that "wine, poison to the young, is the milk of old men." His gift was accompanied with this letter:

"MY DEAR FRIEND,—I have lately received a gross of the best claret I have had these fifteen years, and as I think such a wine very good for such constitutions as ours, I beg thy acceptance of a part.

"I am thy truly affectionate friend,

"JOHN DICKINSON.

"WILMINGTON, March 19th, 1793.

"GEORGE READ, Esquire, New Castle."

In the year 1792 the people of Delaware, by a convention* they had duly elected, adopted a constitution to supersede that of 1776. It is only necessary for me, in connection with an important event in the life of Mr. Read, to notice, in part, the article of this instrument relating to the judicial power thereby established, which was vested in a court of chancery, orphans' and registers' courts, supreme court, and court of common pleas, of concurrent jurisdiction throughout the State in civil cases, each to consist of a chief justice and two or three associates, the former to be justices of oyer and terminer, and the latter to constitute the court of quarter sessions. One defect of this system was its cumbrousness and useless expense, two courts of concurrent civil jurisdiction being unnecessary in so small a State as Delaware: the reason alleged for which was that otherwise

* The most prominent members of this convention were John Dickinson, Kensey Johns, Richard Bassett, and Nicholas Ridgley. This constitution was superseded in 1832 by the existing one.

a court of appeals (which was provided for) could not be constituted. Another defect was that these judges were not required to be lawyers,* and therefore it might happen (and did happen) that the associates would either exercise the high functions of judges without being qualified, or be mere ciphers.

The office of governor of Delaware was then filled by a gentleman who was a physician by profession. He was the father of the eminent lawyer, Thomas Clayton, lately deceased, who served in the House of Representatives and Senate of the United States, and had been Attorney-General and Chief Justice of Delaware. Governor Clayton appears by the following letter to have been laudably anxious to appoint proper persons to the judgeships it was now his duty to fill. He had solicited Mr. Read's acceptance of either of the chief justiceships of the supreme court or common pleas, or of the chancellorship, and repeats this solicitation in this letter written from

“BACK CREEK, July 21st, 1793.

“DEAR SIR,—I take the liberty again to solicit your acceptance of the chief justiceship of either of the courts, or of the chancellorship of this State. I am persuaded, sir, no man among us can give such general satisfaction, or render such essential services to the public, as you can in any of these stations; these considerations make me very anxious for your acceptance. If, on consideration of the subject, you should think it will be convenient to you to take any of these appointments, you will please name the one that will be most agreeable to you; but if you decide otherwise (which I hope you may not), I shall also thank you to inform me, that early application may be made to others.

“I am, sir, with every sentiment of respect, your most obedient servant,

“J. CLAYTON.

“The Honorable GEORGE READ.”

* But it was always understood that the convention intended and expected the chief justices should be lawyers, and such was the belief of the Legislature which established their salaries,—shown by the difference in regard to the amounts of them. Yet the successor of Judge Bassett, the first chief justice of the court of common pleas, was not a lawyer. The present constitution substituting for the two courts above mentioned, one, consisting of a chief justice and three associates, requires them *all* to be lawyers.

To this letter Mr. Read replied :

“ August 20th, 1793.

“ SIR,—The especial manner in which you were pleased, in your letter to me of the 21st ult., to press upon me the reconsideration of your former offer of the chief justiceship of either of the two law courts, or of the chancellorship of this State, with your opinion of a capacity on my part to render useful services to the public in any of those stations, was not only very flattering to me, but I assure you hath been a strong inducement with me to give up a resolution I had taken to avoid as much as I reasonably might all public duties that would require great attention and much exercise of the mental faculties. The station in which the Legislature of the State had been pleased to place me for the four years past, and continuing for near four years to come, of their representative in the Senate of the United States, was and is more eligible in my view, as well on account of a less continued exertion of the mind, as in point of importance in society; but, sir, after much conflict of opinion and solicitations from a variety of respectable persons, who somehow were informed or got to know that I was in your contemplation as one of the persons intended to fill a seat in one of the courts established by the present constitution of the State, I have at length determined to accept of the chief justiceship of the supreme court, under the idea that it may be the one of the three judgeships that, consistently with my ability of body at rather an advanced period of life, I may probably be most useful in; though I assure you that I doubt its business will accumulate in a short time, so as to make the attention to its determination a very burdensome duty, most likely beyond my ability to go through with: and when it shall so happen, I hope I may without censure retire.

“The annual compensation which the Legislature of the State made at their last session I consider as inadequate to the service to be performed by a first judge in either of those two law courts; therefore, as well in duty to myself as any that may succeed therein, I make the declaration now, that I may not be thought concluded from asking for an increase of allowance futurely. Certainly if a person possessing professional knowledge, acquired by much appli-

cation of time and considerable expense, doth employ that solely to the use of the public, that public should at least allow him therefor his usual annual expenditures, which the one thousand dollars will not be equal to, for my annual average expenses of the thirty past years of my life hath exceeded that sum; and I have not heretofore considered myself as unnecessarily expensive, but rather otherwise,—however true it is that from several other circumstances, among which was my having engaged in too much public State duty, and of course sacrificing much of my time therein, that the property I now possess will not admit of my dependence thereon, with the addition of the one thousand dollars per annum, for a sole future support for me and those dependent upon me; and on my acceptance of the proposed office I am restrained from the means of other acquisition, in the only way in which I could have a chance of so doing. And while I am on this part of the subject, permit me to suggest to you the opinion that was had at the first planning of the draft of that part of the present State constitution prescribing the number of judges in the two law courts,—to wit, that *three* would be sufficient at all times, and more within the ability of the State to provide for than a greater number; but it being evident from former habit and experience that one judge of each court must always reside in each county, thence, in case of a vacancy of the chief justiceship, the Executive would be confined in his choice to a person who either then was, or would on appointment to such vacancy become, a resident of such county; and therefore it was that the expressions, as finally adopted in the third and fourth sections of the sixth article of that constitution, were introduced,—to wit, that the judges of those courts '*be not fewer than three nor more than four,*' with an expectation that the fourth place would only be filled from such an existing necessity as before mentioned. I am well satisfied that the convention at framing those sections had it only in expectation that the first seat in those two law courts should be filled by real professional characters in the first instance; and such evidently was the idea entertained by the State Legislature since, from the difference they made in the annual salaries, and such will probably be the case; and if so, a fourth judge, without professional knowledge, may be considered like unto a fifth wheel to a coach.

“Among other things that suggested themselves to my mind as to my acceptance of the seat in the supreme court was that of its being presently filled by Mr. Killen, a professional man, for a long time, in whose original appointment I had concurred; as one of the three electors under the old constitution of this State, I felt a compunction in contributing perhaps to his removal therefrom. You, sir, may, in some future communication with him, represent this in such a manner as to secure me from plausible censure by him, which I leave to your own better opinion.

“I shall make out my resignation of my seat in the United States Senate in due time, previous to the 1st of October, with its duplicate, the original to be delivered to you, and the other I shall transmit to the secretary of the Senate, at Philadelphia, to do away with the disqualification created by the present constitution of this State.

“I am, with great respect, your obedient servant,

“GEORGE READ.

“Governor CLAYTON.”

To the foregoing letter Governor Clayton immediately replied, expressing his satisfaction with Mr. Read's decision upon his offer:

“DEAR SIR,—It was with great pleasure I was informed by Mr. George Read, Jr., upon his visit to me with Judge Paca, that you had consented to accept the chief justiceship of the supreme court.

“I have wished to have a communication with you with respect to your associates, as I assure you my intention is to make you as comfortable as possible, and not to vex you with any troublesome colleague. My present illness prevents me from waiting on you at New Castle, although I hope to have that pleasure before it becomes necessary to make the appointments. I will mention those characters who have been thought of for those appointments, and I wish to be guided by you (who must be a better judge than myself) which of them should be the men. In Kent County there seems to be only three men to choose from,—viz., Mr. Thomas White, Mr. James Bellach, and my brother John Clayton; in Sussex County, there are three or four,—viz., Mr. Peter Robinson, Mr. Daniel Rodney, Mr. Wells, and Judge Jones.

“I am also at some loss with respect to the clerks of that court. The man now in office in Kent is a drunken, low fellow, and must be removed, and I do not know any other person who has capacity and sufficient knowledge of the business. There are some young men who could learn the duties, but in the mean time I fear their want of knowledge would give you trouble. In Sussex County, Colonel Hall, who is now the clerk, I believe does not want abilities; but he is very inattentive, and it seems to be the wish of that county he should be removed and that a Mr. Hazard should be appointed. Mr. Hazard seems a gentlemanly, sensible young man, and has for some time past acted as a deputy-sheriff, and some gentlemen with whom I have conversed seemed to think he would do very well. I also wished to have advised with you on the propriety of filling the courts, or only appointing three to each of them. Bassett yet hesitates; I do not know what to make of him, or whether I may depend on his acceptance or not. Perhaps he may speak decisively to you. I shall thank you to mention the matter to him, and inform me of the result, if your leisure will permit you to write me a line in answer. There are many other things I want your advice about, but I must reserve them until I can have a personal interview with you.

“I am, with sentiments of the most perfect respect and esteem, your most obedient and humble servant,

“J. CLAYTON.

“August 22d, 1793.

“P.S.—If there are any other gentlemen in the counties within your knowledge better fitted for associate judges than those named, please to mention them. J. C.

“The Honorable GEORGE READ, Esquire.”

On the 18th day of September, 1793, Mr. Read resigned his United States senatorship, and thereby qualified himself to accept the high and responsible office to which he had been appointed in a way very honorable and flattering to him.

On the same day Mr. Dickinson wrote him upon some of his private business, in regard to which it was his habit to consult Mr. Read, and concludes, “My hand is mending, as the doctor thinks, but is very distressing. Let this still severe affliction be admitted as an excuse for this scrawl

from thy always affectionate friend, John Dickinson. Wilmington, September 18th, 1793."

The beautiful island bearing the names of "Hayti," "St. Domingo," and "Hispaniola," was discovered by Columbus. The French buccancers, about the middle of the seventeenth century, visiting this island, at first to waste in wild revelry the fruits of their accursed piracies, remained, and they, or other Frenchmen attracted to them, at length devoted themselves to agriculture. By the treaty of Ryswick the western moiety of this island was ceded to the French. Its commerce, unfettered by the exclusive privileges of commercial companies, soon flourished. Its face was picturesque and romantic in a high degree. The extensive savannas near the ocean, so gentle and unruffled that the Spaniards called it "*the ladies' sea*," as they receded from the coast, swelled into hills, and, in the interior, to the altitude of mountains, one range of them, the "Cibas," crossing the island from east to west. Between these mountains are cool and shaded valleys, delighting the eye by the affluence and beauty of vegetable production, in which nature delights in tropical regions. The oak, the lignum-vitæ, the satin-wood, and the mahogany were conspicuous, which, while they astonished by their giant size, were eagerly sought for as dye-woods, for furniture, and ship-building, and therefore were valuable in commerce. The little rills, ordinarily like silver threads, along the precipitous sides of the mountains, when the tropical rains descended like a deluge, rushed to the vales wild and magnificent torrents, or thundered down the steeps grand water-falls. The mountain-sides, the valleys, and groves were resplendent with flowers of gorgeous hues and overpowering fragrance; and birds of the most beautiful plumage, rivalling the flowers in hue, and vicing with the topaz, the ruby, and the emerald in tint and lustre. The productions of its soil, of inexhaustible fertility, were those most valued and sought by merchants,—indigo, cotton, cocoa, vanilla, the sugar-cane, and coffee-tree. The fruits, various and delicious, furnished the most magnificent desserts in the world; while the climate of the interior mountain-region was in delightful contrast to the fierce heat of the plains. The planters, raised to opulence by the high prices of their crops, soon superadded to comforts luxuries and the embellishments of

refinement, and their intercourse had there, as everywhere, the characteristics which charm in French society. I hope, from their national temperament, they were humane masters, but cannot forget that the high prices of their produce were dangerous temptations to overwork the negroes in the coffee-fields and "ingenios." If the term can be applied to any part of this globe blighted since the fall of man by the awful malediction of God, the French portion of St. Domingo was a paradise. But, alas! the wild theories of the mad revolutionists of France, after desolating that fair monarchy, diffused their poison. The Jacobin propagandists found their way to Hispaniola. With them it was enough that equality was the right of all; they never paused to ask whether there was that fitness for it without which it was no boon. The rights of man, proclaimed by Jacobin emissaries, the mulattoes were not backward to demand, and the whites would not yield, and civil war was the consequence. The negroes rose against both, and the plantations, embellished by wealth, guided by taste,—the abodes of families virtuous, intelligent, and polished,—were desolated by murder, fire, and atrocities so horrible that we cannot tolerate even the thought of them. The survivors of these unhappy families escaped to the ports of the island, but the emancipation of the slaves having been proclaimed by the insane commissioners of the "National Assembly," whose advent was more fraught with calamity than the hurricane or the plague, flight from the island could alone save them from destruction. Many escaped to the United States. There they found sympathy and charity; and some, with the mercurial temperament and facility of adaptation to circumstances characteristic of their race, rising from their crushing calamity, turned to account the accomplishments which had embellished their prosperity, and earned their bread as teachers of drawing, music, and dancing. Some of these unhappy fugitives found their way to New Castle; and they seem to have been without resource, and therefore cast upon the charity of this town. Two of the ladies petitioned General Washington for aid. Discharging ever the high duties of his public stations, he never neglected those pertaining to him as a man. While his heart and hand were open to the appeals of suffering humanity always, he never forgot that he was God's almoner, bound not to

waste upon impostors his bounty, which he held in trust for his poor. He therefore wrote as follows to Mr. Read :

“ PHILADELPHIA, 26th December, 1793.

“ DEAR SIR,—Two of the unhappy female fugitives from St. Domingo have (as you will see by the inclosed letter) laid their distresses before me, which, if true in the degree they have stated, merit much commiseration. But I have received so many applications of a similar nature, and some of them from impostors, that I find it necessary to guard what little relief I am able to afford against imposition. For this reason, and because I am not well acquainted with any other gentleman in New Castle from whence the letters come, I have taken the liberty of putting my answer to them under cover to you, open, that if on inquiry the authors are found to merit relief, it may be sealed and handed to them. If, on the other hand, their statement should prove a fictitious tale, the inclosure may be returned to me.

“ I will make no apology for giving you this trouble, because to be employed in acts of humanity cannot, I am sure, be disagreeable to such a character as yours.

“ With very great esteem and regard I am, dear sir, your most obedient servant,

“GEORGE WASHINGTON.

“The Honorable Mr. READ.”

To this letter Mr. Read replied from

“ NEW CASTLE, 4th January, 1794.

“ SIR,—As the two fugitive ladies from St. Domingo who had addressed [to you] the two letters, which I now return in this inclosure, lived very retired from their coming into this place, I heard nothing more of their situation than the report of three of the inhabitants, acting as a committee to inquire into the situation and wants of the French strangers that had taken temporary residence among us, by which it appeared they were well-bred women, who spoke of possessing real property in the district of Jeremie, and that they had for some time expected the arrival of a considerable quantity of coffee, part of its produce, and which was ready for shipping when they left the island; and that they ex-

pressed a desire to obtain a loan or advance of moneys on the credit of their property, but declined to make known their particular wants, or to accept any part of the provision that had been directed to be made for distressed French fugitives who might come among us. As I do not speak their language, I had not paid them any personal visit until after I received your favor of the 26th ult., when making every inquiry within my power as to their character, situation, and circumstances, the result is that I am induced to believe they are such persons as they represent themselves in their inclosed letters, and further that their family connections have been among the most respectable of St. Domingo. Under this impression I delivered your letter addressed to them, with its particular contents, and they expressed much satisfaction at the receiving of it. I have hopes that the Legislature of this State, to be in session in the next week, will provide further relief than what can be obtained from the contributions of a few. There are several other wanting fugitives in our town, and the burden of supplying them is borne by a few.

"It will afford me pleasure at all times to carry into execution your wishes, more especially on occasions similar to the present one.

"With the utmost esteem and respect I am, sir, your most obedient and very humble servant,

"GEORGE READ.

"To the President of the United States."

The names of these unfortunate ladies were Laurent de Saxy and Laurent de Verneuil. One, perhaps both, were in New Castle in the following year. I find among Mr. Read's papers a letter from Madame de Saxy, written 26th August, 1794, in a style which shows her to have been well educated and refined, addressed to him, imploring relief, and describing in moving terms the "affreuse situation" of herself and family; having in charge four children, sick with fever, without money or food, and if compelled to pass the winter in New Castle, as she feared (return to St. Domingo being impossible), with the prospect of wanting, in that "saison rigoureuse," clothes and fuel, as well as bread. It is by a single case of a great calamity, distinctly presented, that we gain a true and lively idea of it. Of this

lady Mr. Read's papers furnish no further information. I hope the prayer which ends her letter, that heaven would yet put it into her power to testify her gratitude for his kindness, was answered.

Mr. Jefferson wrote thus to one of his correspondents, July 14th, 1793: "The situation of the St. Domingo fugitives (aristocrats as they are) calls aloud for pity and charity. Never was so deep a tragedy presented to the feelings of man. I deny the power of the general government to apply money to such a purpose, but I deny it with a bleeding heart."—*Jefferson's Writings*, vol. iv. p. 20.

Three thousand of the fugitives from St. Domingo were landed in Baltimore; many of them women without their husbands, and children without their parents. The citizens of Baltimore immediately contributed largely for their relief, and so did the State of Maryland for a limited time. The French minister, Genet, gave, from his private purse, two thousand dollars to these sufferers, but excluded aristocrats, if any such should be among them, from this bounty. The committee of the Maryland Legislature appointed to distribute their gift among these fugitives, petitioned Congress to appropriate money for their relief. The question of the constitutionality of this appropriation was debated in the United States House of Representatives on the 10th and 28th days of January, 1794,—the strict constructionists denying the power to so appropriate because there was no provision authorizing it in the Constitution of the United States, while the advocates for this power being in the Federal Legislature urged that it was granted under the power "to provide for the general welfare," and was justified by precedents, and especially was proper in the case of citizens of France, our former ally and benefactor. Mr. Madison suggested that if the appropriation should be made the President of the United States be requested to obtain, if possible, credit for it in the accounts of the United States with France, and the Speaker—as I suppose a compromise, after the debates—proposed this suggestion by way of amendment, which was adopted, and a bill passed accordingly appropriating the sum of ten thousand dollars for the support of such inhabitants of St. Domingo, within the United States, as might need it. The Senate was less embarrassed by constitutional scruples, which, if always yielded to, would

nave made the administration of the government difficult. They passed the bill, but amended by increasing the appropriation to fifteen thousand dollars, and by striking out the paltry provision that credit for it should be sought against the debt of the United States to the French Republic.*

A State may, by its fundamental law, inhibit itself from all acts of benevolence to foreigners forced by calamity to seek for refuge within her territory, but must deserve, and probably experience the like inhumanity, and in so far excludes itself from the brotherhood of nations. An inhibition like this, it seems to me, is not to be admitted unless positive enactment be shown for it, or it can be deduced from such enactment. The strict constructionist in this case, it appears to me, can do neither; but, on the contrary, the power of Congress to bestow charity in this case, though not expressly granted, may be inferred from provisions of the Constitution.

Mr. Read's friends regretted his withdrawal from the Senate, where his services, always valuable, were at this time, in their opinion, especially so. One of these friends wrote to him from

"PHILADELPHIA, January 2d, 1794.

"MY DEAR SIR,—With many others, I do most sincerely regret the vacation of your seat in the Senate. Pray send us in your room, and as soon as possible, a man of an honest heart and a sound head,—such have at no time, you may be assured, been more necessary than at the present most critical moment. *The man you send us may decide our fate.*

"Pray make us a visit in the course of the session. And believe me to be, with the most cordial friendship and good wishes, your obedient and humble servant,

"OLIVER ELLSWORTH.

"Honorable Mr. READ."

* Madison contended that the authority of the United States government was confined to specific objects, of which charity was not one. So Nicholson, and Giles, and Dexter saw weight in this argument; but Murray and Boudinot argued that as the States had surrendered to the general government the power to regulate intercourse with foreign nations, it belonged to Congress to provide for cases like this.—*Hildreth's History of the United States*, vol. i. p. 479; *Benton's Abridgment of the Debates of the Congress of the United States*, vol. i. pp. 447, 462, 474.

This letter was inclosed in the one which follows from Richard Bassett, who had also left the United States Senate, having been appointed Chief Justice of the Court of Common Pleas in Delaware, and accepted this appointment.

“RED LION,* January 3d, 1794.

“DEAR SIR,—Inclosed is a letter from our old friend Ellsworth. I have been up with my children to the city, and am now on my return. Some of our friends in the Senate feel sensibly the want of your aid. Poor Izard is, I assure you, truly a distressed man, and though I feel much for his situation, yet a degree of levity, in spite of everything, arose in my mind while he painted his and our other friends’ present difficulties: you know the man. They wish much your place to be filled as speedily as possible with the best man we can get, and indeed I am, from the short interview I have had with many of the well disposed, of opinion it is necessary we should exert ourselves a little to send forward speedily our man, if possible. Pray have some communication with Grantham, and others who you can converse with upon the subject.

“My respects to Mrs. Read. I am, sir, with great respect, yours affectionately,

“RICHARD BASSETT.

“Excuse hurry, bad ink, pen, and paper.

“HONORABLE GEORGE READ, New Castle.”

The Legislature of Delaware at their session in January, 1794, neglected to supply the vacancy in the United States Senate caused by the resignation of Mr. Read, wherefore I am uninformed. The question was raised whether or not the Governor of Delaware could—there having been a session of the Legislature since this resignation—make a temporary appointment to fill this vacancy. He asked Mr. Read’s opinion upon this question in his letter addressed to him

“10th March, 1794.

“DEAR SIR,—The Legislature at their last sitting having neglected to appoint a senator to supply the vacancy in the Senate of the United States occasioned by your resignation,

* A tavern on the State road, seven miles below New Castle.

and it having been represented to me that it would be much to the interest of the United States that a representation should be had from this State, I some time ago wrote to Mr. Booth requesting him to consult you on this subject, and to request that you would give your opinion in writing,—‘whether the Executive of the State can *now* make a temporary appointment, the Legislature having been in session since the vacancy happened.’ It may now perhaps be said that the session of Congress is so near over that the appointment is unnecessary, but I am informed that the most of the material business is yet to do, and that there is a great probability Congress will continue sitting a considerable time; and if your opinion should be that I have the power, I shall be disposed to make the experiment whether the Senate would accept a member so appointed.

“It would seem to me the intention of the Legislature should be the pole-star for interpreting the law. The obvious meaning of the Constitution* certainly is that no vacancy should continue in the Senate of the United States, and in order that this should always be avoided the Executive is vested with authority to fill such vacancy when the common mode of election cannot conveniently be had. This construction is to be favored because it supports the design of the Constitution. On the contrary, if the Legislatures should refuse or neglect to appoint the senators, the whole system of government might be overthrown. However, I wish to be directed in this business by your advice and direction, and should thank you to favor me with your opinion as speedily as possible.

“I am, with sentiments of great respect, your most obedient servant,

“J. CLAYTON.

“The Honorable GEORGE READ, Esquire.”

To this letter Mr. Read replied :

“11th March, 1794.

“SIR,—Your letter of yesterday came to me this morning by the under-sheriff Aiken, upon the subject whereof I

* “If vacancies happen by resignation, or otherwise (in the United States Senate), during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.”—*Constitution of the United States*, art. i. sec. 3.

had a written application addressed to me, in my official character as Chief Justice of the Supreme Court, by Mr. Secretary Booth, on the 1st inst., wherein he mentions your desire that he should obtain my opinion thereon in writing. The following day I called upon Mr. Booth to know if he considered the application [to be] to me, in my official capacity, according to the address of his letter, and he answered in the affirmative, for that he so understood your directions to him. I then informed him of my doubts of the propriety of my giving a legal opinion on a subject of any sort, and particularly on the one then proposed, for that it was possible, though I admitted not very probable, the question might come before me judicially hereafter; and that if the application to me was grounded on the tenth section in the third article in the Constitution of this State, the provision in that section would not warrant my so doing, for that the expressions there confine the power of calling for information to the officers of the executive department. Now the Constitution contemplates three distinct bodies or powers to execute the system, in most cases totally independent of each other,—to wit, the legislative power, composed of two branches of the representatives of the people; supreme executive power, to be vested in a governor, also to be chosen by the people; and a judiciary power, vested in certain courts, to be filled with a chancellor and six other judges, to be commissioned by the executive aforesaid during good behavior—that when so organized they were, for all the principal purposes of their constitution, separate and distinct, and severally answerable. Under this impression of the construction of the general system, and that in the expressions ‘the officers in the executive department’ in the said section the judiciary was not included, it was that I doubted of the propriety of my complying with the Secretary’s application.

“That the English history affords two striking instances of the severe censure upon those of the judiciary of that nation (which is very similar in its institution to that of the judiciary of this State) for extra-judicial opinions obtained from and given by the judges of that country in two distant periods,—viz., in the reign of Richard II., A. D. 1389, and Charles I., A. D. 1636 and 1640; and unless the system of our government was different in these respects from that

of England, then these instances serve as beacons for the judiciary here. That although this was the opinion I then entertained of my official duty, I considered myself at liberty in great cases of public concern, equally affecting every free citizen, to converse thereon and express my sentiments; and that such an occasion had occurred since the rising of the State Legislature with Mr. Grantham, one of its members, when I did say to him on the question put that was I vested with the executive power of the State upon the present occasion, I would not hesitate to exercise the power of appointing to the vacancy in the Senate of the United States from this State until the next meeting of the State Legislature, and should rely upon the political necessity of the case as a safe shield of defence for the exercise of the power, which appeared sufficient, independent of the support of the spirit of the Federal system. And I further informed Mr. Booth that I had that morning, from a friendly intention towards you, and as much as might be to relieve you from present doubts, stated the case generally, and inclosed it to Mr. Vining,* in whose power it might be to obtain the best opinions of the efficacy of such an appointment and to speedily communicate his information thereon. My letter went by Mr. Matthew Pearce, but Mr. Vining having left Philadelphia before Pearce got there, had not returned when he left it on Sunday last. My letter to Vining was left for him, and I have not heard from him since. After such conversation with Mr. Booth, he asked me if he might communicate the same to you, and he had my assent thereto; and he told Mr. Aiken this morning if you had received a letter he had addressed to you, you would not have been at the trouble of writing those letters by him.

“I am fully impressed with the idea that at no time since the organization of the Federal government of the United States hath this State [more] required an able, active, and attentive representative in Congress than at the present period, and particularly so on account of its own special interest—and from the present state of the business before them the present session cannot end speedily.

“Since I began this I received a letter from Dr. Latimer,

*John Vining had been elected by the Legislature of Delaware United States Senator in place of Richard Bassett, resigned.

dated Newport, 7th inst. It appeared therein that he had left Philadelphia the 5th, and Cantwell Jones, the bearer, met with him on his return the 10th. He tells [me] the absence of the Delaware representation was publicly spoken of before he left Philadelphia.

“ I yesterday received a notification from the attorney-general that a person of the name of Baynard, being charged by the coroner’s inquisition of the wilful murder of a negro in Kent County, would require the holding of a court of oyer and terminer and general [jail] delivery there at a short, convenient time,—that the indisposition of Judge Clayton did not admit of his taking order therein, and the business was referred to me; and I am at present so much engaged with preparations to attend the spring circuit that I am much restricted in time for that purpose, being obliged under the late regulation to commence that duty at Georgetown in the first instance, at the distance of eighty-five miles, rather than in New Castle, at a very unfavorable time for a four days’ travel at my age, and more especially so as I have been laboring under rheumatic or gouty affections in all my limbs for six or eight days past.

“ I suspect, sir, you were mistaken when you were pleased to say, as an argument that I ought to accept a seat in the courts of this State, that it would receive the approbation of the many, for that those who it was then supposed would most approve thereof by report were perhaps most active to occasion the regulation, recently made, as the most inconvenient to me personally. My hurry therefore presently must be my apology for the evident haste in which I write this: and I am, with much respect and esteem, yours,

“GEORGE READ.

“GOVERNOR CLAYTON.”

Governor Clayton came to the conclusion that he was empowered to fill the then existing vacancy in the United States Senate, and exercised it. On the 24th of March, 1794, Kensey Johns appeared in that body and produced credentials of his appointment. Whereupon it was moved that these credentials be referred to the Committee of Elections before said Kensey Johns should be permitted to qualify, and that committee should report thereon; which motion was carried,—yeas 13, nays 12. This committee

reported 26th March, and their report ordered to lie for consideration. It was taken up 27th March, a motion to recommit it lost, and postponed till the 28th of that month, when it was further considered, being as follows :

“The Committee of Elections report that George Read, a senator from Delaware, resigned 18th September, 1793; and during the recess of the Legislature of that State, which met in January and adjourned in February, 1794 [without having appointed a successor to said George Read], upon the 19th day of March, and subsequent to the adjournment of the said Legislature, Kensey Johns was appointed by the Governor of Delaware to fill the vacancy occasioned by the resignation aforesaid; and thereupon this committee submit the following resolution: ‘*Resolved*, That Kensey Johns, appointed by the Governor of Delaware a senator of the United States for the said State, is not entitled to a seat in the Senate of the United States, a session of the Legislature of the said State having intervened between the resignation of the said George Read and the appointment of the said Kensey Johns.’”

On the question being put to agree to this report, it passed in the affirmative,—yeas: Bradford, Bradley, Brown, Burr, Butler, Cabot, Edwards, Ellsworth, Frelinghuysen, Gunn, Hawkins, Jackson, King, Langdon, Livermore, Martin, Mitchell, Monroe, Robinson, Taylor,—20. Nays: Foster, Izard, Morris, Potts, Rutherford, Strong, Vining,—7.*—

* “In no case except this has the attempt been made by any executive to appoint, after the Legislature had been in session, and declined or neglected to fill a vacancy.

“Three interpretations have been given to the clause of the Constitution, article i. section 3. The first is that which confines the power of appointment, and also the tenure of the executive appointee, until the next session of the Legislature, that is, until it *is organized*, and this seems most in accordance with the rational import of the language used. The second is, that the language of the Constitution merely limits the power of appointment in the executive until the next meeting of the Legislature, permitting the duration of the office, under that appointment, to be indefinite and dependent only upon the action of the Legislature, and the official communication of that action to the Senate. [This construction was given by the majority of the committee in the case of Phelps, in 1854.] The third limits the power of executive appointment to the *next* meeting of the Legislature, and also limits the duration of the office, under the executive appointment, to the *close* of the legislative session, unless previously terminated by the action of

(Journals of the Senate of the United States, vol. ii. pp. 53-55, 56, 57.)

Mr. Read's successor was not appointed by the Legislature of Delaware till 1795. On the 28th of February of that year "The Honorable Henry Latimer appeared in the Senate and took his seat, in place of the Honorable George Read, resigned."—(Journals of U. S. Senate, vol. ii. p. 177.)

The Legislature of Delaware, in determining, in 1793, as they did, the amount of judicial salaries, erred by making them too small, but do not stand alone in this mistake, which has been made by many of her sister States. This mistaken legislation may be ascribed to several causes, having more or less influence,—the despicable demagogism of men who sought popularity by paring down the expenses of government to the lowest possible amounts; selfish forgetfulness of the golden rule of giving to every man his due, in the case of high judicial officers, by legislators who would have blushed to have kept back part of the just wages of their ploughman, their hedger, or their ditcher; and chiefly, I am willing to believe, from a false estimate of the value of judicial qualifications and services which may affect the life, liberty, reputation, and property of every citizen, and inattention to the almost universal experience that the lucrative practice of the law has not been exchanged for the seat on the bench, with inadequate salary, and in such cases vacancies have been filled by second-rate lawyers instead, as they ought to have been by those most distinguished for ability and knowledge.

Mr. Read accepted the appointment of chief justice, believing, and declaring his belief, that the salary of this office was insufficient, and with the hope that it would be increased, and reserving the right to ask from the Legislature

the Legislature, and the official communication of that action to the Senate. This is based upon a well-known legal fiction (that of treating the whole session of the Legislature as one day), and has the support of one precedent, and of continued practice under it."—*Speech of the Honorable James A. Bayard on the Vermont Senatorship*, February 1, 1853, pp. 3, 4, 5, 10. Debates of the first session of the Thirty-third Congress, A.D. 1853.

Mr. Bayard, in his able speech, above quoted from, manifests, perhaps, an undue fear of the executive power, and underrates the evil of vacancies in State representations in the United States Senate.

See Appendix for a notice of Kensey Johns.

its augmentation. After devoting his abilities and legal knowledge with exemplary diligence to the discharge of his judicial duty for two years, Mr. Read petitioned the Delaware Legislature, in 1796, for such an increase of his salary (in accordance with the intention of the framers of the Constitution) as would make it equal to the annual expenses of himself and family, of which it had fallen short, and which expenses had not much, if at all, exceeded those of the thirty preceding years. It is proper to add, Mr. Read states that he had been told that a reason weighing much with the Legislature, when fixing the amount of judicial salaries, in 1793, was that the value of the judicial system, just adopted, had not been tested by experience, and, that it might be so tested, he had delayed his petition for two years. The great amount of business in the Supreme Court during these two years, and the diligence of its judges in disposing of it, appear from the facts Mr. Read states, that actions brought to the next preceding terms had been tried and disposed of without prejudice to, or interfering with, any of the older actions, and that there were ninety original writs returnable to its last term. Though the committee to whom this petition was referred reported favorably upon it, no increase of salary was made by the Legislature, and Mr. Read, in 1797, again petitioned for it, but with the same result.

It was especially as a judge that Mr. Read was distinguished; his dispassionate habits of reasoning, his patience in hearing, his deliberation, and the essential requisites of profound legal knowledge and deep experience, which he possessed, enabled him to discharge the duties of his office with honor to himself and advantage to the community. When he assumed the office of Chief Justice of the State of Delaware, in 1793, there was a peculiar necessity for a judge of firmness and ability. The period of the Revolution, and that which followed its close, were marked with perplexity and confusion. The courts of justice were, in some degree, closed, and the master-spirits of the age were to be found in the cabinet or the camp. Laws were silent amid the din of arms. It is unnecessary to enumerate the effects of such confusion upon contracts and upon rights; but the duty of the judge was little less than the reorganization of a legal system out of chaos. This arduous

duty was performed by Mr. Read with his usual ability, and his decisions are still revered in the State of Delaware as the great land-marks of the judiciary and of the profession. That this character of Mr. Read, as a judge, is not the mere fancy-sketch of his descendant, biased by his partiality for his venerated ancestor, appears by the following statements.

Daniel Rodney, formerly associate judge of the Court of Common Pleas, Governor of the State of Delaware, and a member of the Senate of the United States, in 1844, being then in his eightieth year, said to me :

“James P. Wilson, an eminent lawyer in Delaware, and afterwards a distinguished Presbyterian minister, having studied law with a gentleman of the same political party as Dr. James Tilton, who was hostile to Mr. Read, came to the bar much prejudiced against him, but, when he had practiced two years, he declared to me, ‘I consider George Read not only the best judge in this State (Delaware), but in the United States, for talents, knowledge of law, and integrity.’”*

This remarkable testimony of Daniel Rodney is confirmed by another witness, who received from Dr. Wilson the statement of his violent prejudice against Mr. Read, and the total change of his opinion from observation of his administration of his judicial office. This other witness is Mrs. Susan Eckard, daughter of Colonel James Read, of Philadelphia, deceased, from whose letter, recently written to me, I make the extract on the next page. There is a *third* witness to Dr. Wilson’s exalted opinion of Mr. Read as a judge, to whom he communicated it, the friend Mrs. Eckard mentions, and, though I have not his evidence from himself, there is no ground to distrust it. I remark, in fine, that these three testimonies have one characteristic of verity,—*substantial agreement, with some circumstantial variety.*

* I will not suppress what Daniel Rodney added to this statement, viz, that James A. Bayard said “Judge Read could not decide cases out of his little office.” His earnest desire to decide rightly may have occasionally delayed unduly his decisions, and subjected him to sneering remarks like this; but the fact (stated in his petition to the Legislature for increase of salary) of the great amount of business disposed of in his court, in the first years of his service as chief justice, dissipates the suspicion it may excite that there may have been in him considerable defect of the proper and due promptitude of decision.

“My late venerated pastor, Dr. Wilson, told me that ‘when George Read was placed on the bench (Dr. Wilson was a lawyer, and a violent Democrat) he lost several causes, and said to a man he was sure would repeat, “that, now George Read was upon the bench, he should never gain a cause.” I was completely disarmed by this mild answer of Mr. Read to my violent remark: “Let Mr. Wilson be careful to bring just cases before the court, and he will always obtain justice.’” In after-years Dr. Wilson told my friend, the late General Winder, ‘If I could be certain of having such men on the bench as George Read, I would dispense with a jury.’ When that pious and humble Christian, Dr. Wilson, called, on hearing my father was sick, as he seated himself by his bedside, he said, ‘I come here to be instructed, not to teach.’”

Dr. Wilson was as distinguished as a divine as he had been in the profession of the law. Acute and metaphysical, he was well suited to teach Christianity in the phase in which it was held by the Presbyterians. His unfeigned, humble, and ardent piety, and most faithful discharge of his pastoral duties, won for him the warm regard and the veneration of his people,—the large, wealthy, and most respectable first Presbyterian congregation of Philadelphia.

When more than half a century has elapsed since Mr. Read's decease, still *another* testimony is offered to his character as a judge and a man. The writer of the following letter, the Honorable Willard Hall, long eminent at the Delaware bar, has for many years filled the office of judge of the District Court of the United States for the District of Delaware with the ability and integrity becoming that high station. Judge Hall migrated from New England to Delaware so soon after Mr. Read's death that he received the verdict of his contemporaries upon his character while their recollection of him was fresh and unfaded :

“WILMINGTON, December 26th, 1857.

“DEAR SIR,—When I settled in this State in 1803, commencing my professional life, the name most frequently mentioned in my hearing as of highest authority in law was that of your grandfather. In the estimation of the bar, then having among its members Bayard, Rodney, and others, his decisions established the law; of this character

they were cited and received. It would give me great pleasure if I could communicate any matter for his life which you are writing. Mr. Killen kept no diary of men or events, and his papers contain nothing that would be of use to you. Having searched them in past years for important vouchers, I have no recollection of seeing anything connected with your grandfather, although in speaking of him his voice concurred in the universal attestation of the high standing of your grandfather as a man and as a judge; indeed, his station among men was as elevated for exalted moral worth as among lawyers for legal capacity and deference.

“Very respectfully yours,

“WILLARD HALL.

“WILLIAM T. READ, Esquire.”

On the 21st day of September Mr. Read's long life of public usefulness was terminated by a sudden and short illness.*

We have seen this eminent man distinguishing himself at the bar as a lawyer, animating his fellow-citizens against oppression as a patriot, taking his seat in the national council as a sage, and presiding on the bench as one of the judges of the land. In all these lofty stations, exposed to the strict scrutiny of the public, that invaluable safeguard against abuses of power, no blemish was discovered in his conduct. Applause at the bar did not in him generate vanity, success in political life ambition, nor the dignity of the bench dogmatism. As a lawyer, a patriot, a statesman,

* He was interred near the eastern wall of Immanuel Church, New Castle, Delaware, where his family have worshipped, and in the vicinity of which they have been buried for more than a century. His monument bears this inscription :

GEORGE READ,

Born September 18th, 1734,

Died September 21st, 1798.

Member of the Congress of the Revolution,

the Convention that framed the Constitution of the United States,

and of the first Senate under it;

Judge of Admiralty,

President and Chief Justice of Delaware,

and

a Signer of the Declaration of Independence.

and a judge, he was alike unpretending, consistent, dignified, and impartial. His other peculiar characteristics were an inflexible integrity of motive, a slow and calm deliberation of his subject, a cool determination of purpose, and an invincible perseverance in the conclusions of his judgment.

Similar traits were prominent in the course of his private life, softened, however, by those social amenities which so delightfully relieve the sterner features of the patriot and show us the statesman in the husband and the father. His manners were dignified, and his dignity may have occasionally bordered upon austerity. He avoided trifling occupations, disliked familiarity, and could not tolerate the smallest violation of good manners, for which he was himself distinguished. A strict and consistent moralist, he granted no indulgence to laxity of principle in others, and he was remarkably averse to that qualified dependence which an obligation necessarily produces. Notwithstanding an exact attention to his expenditure, which he never permitted to exceed his income, his pecuniary liberality was extensive, his style of living simple, but becoming his station, and his hospitality generous, while it was not indiscriminate. The friendships which he enjoyed—and they were many—were remarkable for warmth and endurance, and the love of his relatives for him elevated by reverence.

In person Mr. Read was above the middle size, erect and dignified in his demeanor, and remarkable for his attention to personal arrangements.

In fine, he was an excellent husband, a good father, son, and brother, an indulgent master, an upright judge, a fearless patriot, and a just man.

Mr. Read, as he informed Governor Clayton (p. 547) upon his acceptance of the office of Chief Justice, from his having sacrificed his time too much to the public service (he meant for his own interest) and other circumstances, found himself at a very advanced period of life in possession of a small estate, which had not been augmented prior to his decease. Soon after it occurred, John Dickinson gave a valuable farm to the widow and children of his departed friend, and with the deed by which it was conveyed, sent the following letter:

“MY DEAR FRIEND,—I desire thee to accept the inclosed [deed] as some testimony, though an imperfect one, of high esteem for thyself and of affectionate reverence for the memory of our beloved friend.

“I have had an exact survey made of the plantation by two surveyors, from which it appears that there are upon it upwards of one hundred and eighty acres of woodland.

“The value of this part is already considerable and increasing, as the landing at Christiana Bridge is only two miles distant, and for the preservation of the wood I have rejected every offer that has been made to me for renting this place.

“From accurate calculations, made with judicious persons, I am persuaded that, under prudent management, at least one thousand pounds might be made by the sale of the wood, and still enough be left for the use of the farm.

“The mansion-house is of brick, strongly built, and two stories high, with four rooms on a floor. A small sum would put that, the kitchen adjoining,—which is also of brick.—and the barn and stable, into sufficient repair. Some trees planted around would give the whole a handsome appearance.

“The soil is favorable for grain; or if grazing should be preferred, every field might be next year turned into meadow.

“I mention these particulars, as they have been ascertained to me by attention and conversation with experienced men.

“With the warmest wishes for the happiness of thyself and family, I am thy respectfully affectionate friend,

“JOHN DICKINSON.

“WILMINGTON, sixth month 25th, 1799.

“MRS. GERTRUDE READ, New Castle, Delaware.”

Mr. Dickinson further manifested his undying respect for Mr. Read's memory and his affection for his family.

Having been informed that the office of John Read, Esquire, respecting British debts, was about expiring, he waited on the President of the United States, and recommended his continuance in this place.

Mr. John Read thanked Mr. Dickinson (April 8th, 1802) for this act of kindness, “it having been the happiness of

his father, through his long and useful life, to enjoy his friendship, and a great consolation to his family that it had survived him."

Mr. Dickinson thus replied :

"MY DEAR FRIEND,—On my return from Kent thy letter of the 8th was received.

"The information mentioned in it was true, and I was compelled to make the application by reverence for the memory of thy beloved father, and by affection for his relict and children, who will always be precious to my heart as long as it shall continue sensible of anything relating to this world.

"I am, with sincerity, thy friend,

"JOHN DICKINSON.*

"WILMINGTON, the 12th of the fourth month, 1802.

"JOHN READ, Jr., Esquire, Philadelphia."

* When I was a mere boy, Mr. Dickinson was my father's guest for a few days, during the trial of a suit in which I think he was defendant, my father being his counsel. I have a vivid impression of the man,—tall and spare, his hair white as snow, his garb uniting with the severe simplicity of his sect a neatness and elegance peculiarly in keeping with it; and his manners, beautiful emanations of the great Christian principle of love, with the gentleness and affectionateness which, whatever be the cause, the Friends, or at least individuals of them, exhibit more than others, combining the politeness of a man of the world, familiar with society in its most polished forms and with conventional canons of behavior. Truly he lives in my memory as the realization of my beau ideal of a gentleman.

APPENDICES TO CHAPTER VII.

A.

NOTICE OF KENSEY JOHNS.

KENSEY JOHNS was born at West River, Anne Arundel County, Maryland, on the 14th day of June, A.D. 1759. His ancestor migrated from Wales to that province soon after its settlement, and was the founder of one of those families who, transmitting their estates for many generations from father to son, gave to the gentry of Maryland an enviable superiority in intelligence and refinement, and an element of stability to her political institutions.

Mr. Johns was admitted to the bar of Delaware, and after a practice of twelve years appointed an associate judge of the Supreme Court, which place he filled until, upon the decease of Chief Justice Read, in 1798, he succeeded him. Judge Johns presided for thirty-eight years in the Supreme Court, to the satisfaction of the public, deciding, with his colleagues, questions difficult and important, and term after term disposing of business great in amount, from the peculiar circumstances of the period immediately succeeding the Revolution, and such as would appall the lawyer in these days of diminished practice. On the death of Chancellor Ridgley, Mr. Johns succeeded him, and held the chancellorship until the change of constitution in 1832. During this long period the bar of Delaware was distinguished by ability, knowledge, and eloquence. If asked what characterized Mr. Johns as a judge, I should answer, *unbending impartiality*, and as a man, *sagacity and discretion*, which led him to right conclusions in his own affairs, and made him an admirable adviser for others. He was a member of the Protestant Episcopal Church, and rendered her service in her vestries and in her diocesan and general conventions.

With faculties unimpaired almost to the last, in his ninetieth year this venerable man, surrounded by his family, was gathered to his fathers, in the confidence of a certain faith and in the comfort of a reasonable religious and holy hope.

Judge Johns said to me (27th August, 1844), "I was, as I have often told you, a student in your grandfather's office, having entered it in 1780. His 'Coke-Littleton' was in the old black-letter. When I had read it once, I asked, 'What shall I read next?' 'Read it,' said he, 'again.' I read it the second time and asked, 'What next?' 'Read it the third time,' said he; and, perceiving some manifestations of repugnance upon my part, he added, 'for this is the well whence you must draw your knowledge of the law.' Having omitted from a very long deed on parchment, which I had drawn by Mr. Read's direction, for

one of his clients, a few words, which might have been easily supplied by insertion, and which did not affect the instrument, he handed it to me, merely saying, 'Write it over again,' which I was obliged to do, at the cost of at least two days of hard labor. But," added Judge Johns, "he made a lawyer and a man of me."

A fellow-student with Judge Johns was Ross Thompson, a youth wild and heedless. My father told me that Ross, whenever in the course of his studies he encountered a difficulty, walked into the office (adjoining the one occupied by the students of Mr. Read) where he usually sat, and obtained the solution he ought first to have tried to work out for himself. Mr. Read, after bearing for a long time, with his accustomed equanimity, this annoyance, one day when Ross came, book in hand, to put a question, took him by the arm, led him to the office of the students and to each of the cases of books around it, which he opened, and having pointed to their contents, bowed with great politeness to him and left the room. Ross, added my father, felt the rebuke, took the hint so significantly given him, and ventured no more such questions.

B.

PORTRAITS OF GEORGE READ.

THERE are two portraits extant of George Read. One of these is in possession of his grandson, William T. Read, and all that is known of its history appears by the following letter, the writer of which, now deceased, was a son of George Ross, a signer of the Declaration of Independence.

This picture seems to have been taken when Mr. Read had attained middle age. The attitude is graceful, the features fine and very intellectual, the eyes hazel, and the expression one of mingled benevolence and melancholy. Good judges have pronounced it a fine picture, in the style of Gilbert Stewart, and his sons and surviving friends considered it a good likeness.

"LANCASTER (PENNA.), January 18th, 1828.

"DEAR SIR,—Your letter of the 22d December last was delivered to me by Mr. Barr, to whom you intrusted it. Mr. McCrone misapprehended me. I did not inform him that I had in my *possession* the portrait, but told him such a picture had been in one of the public inns of this place, and to inform some one of George Read's family, if they desired, I could procure it. I discovered that a Mr. Armstrong, of this city, possessed the picture. He, at my instance, called on me with the portrait and agreed to sell it for ten dollars, which sum, after receiving your letter, without chaffering about the price, I paid him, and he sent to me the picture, and I have since received your letter covering ten dollars.

"Mr. Leonard Eicholtz, at whose house the picture was found, remembered seeing it about ten years ago, when he was [first] in pos-

session of the house he now lives in, which belonged to his late father. It was found in a garret, among some old and useless furniture. He thought it of so little consequence to him that he made use of it to hang over a *hole* cut in one of his chimneys for the introduction of a stovepipe, to conceal it. Some time after it was discovered by his brother, a limner and portrait-painter, and kept by him in his study, he believes, to improve him in his profession, and which he pronounced to be a fine painting. He likewise discovered, after he had brushed up the picture, the name 'George Read' and the word 'Baltimore.*' (By a close inspection you may see them on the left side, near the lower part of the picture.) Mr. Eicholtz, not knowing who the picture represented, or where the person represented was to be found, [after his brother left Lancaster] placed it where first discovered. About eighteen months after, Mr. Armstrong happened to see and was much pleased with it as a fine painting, and regretting that it should occupy so degrading a situation, requested Mr. Eicholtz to let him have the picture, to which Mr. E., he being an acquaintance for whom he had a particular regard, consented, parting with it gratuitously. Hearing accidentally that this portrait was in Mr. A.'s possession, last summer I requested him, by my son, to call on me with it, as I thought it the picture of a near family connection of mine. He came as requested, and I observed the words 'George Read,' 'Baltimore,' and he sold me the picture as I have stated. Mr. Eicholtz regrets that he had not the pleasure of restoring this picture to the family of George Read, though he is gratified in having been instrumental in preserving it, and that it is now where it should be. With respect to your further queries, 'by whom,' and 'when and where,' and 'for whom painted,' I cannot give any account.

"I hope you will excuse any inaccuracies in this letter, and attribute them to my age and forgetfulness, being now in my seventy-sixth year.

"I am, devotedly, yours and the family's obedient servant,

GEORGE ROSS.

"TO WILLIAM T. READ, Esquire, Centre Hall, near New Castle, Delaware."

The other portrait, in the possession of the daughter of the late Mr. William Read, of Philadelphia, was painted by Robert Edge Pine. It was considered by Mr. Read's family to have an expression of sternness not his. His daughter, Mrs. Pearce, when she first saw this picture, exclaimed, "Take away that Saracen's head!" The following letter contains a sufficient account of this portrait:

"NEW CASTLE, May 30th, 1792.

"MADAM,—My son will wait upon you and advise as to the finishing of my portrait, if necessary, and then receive it. I have transmitted Mr. Pine's receipt for the fifty dollars paid in 1785, and have given directions for the payment of the remaining six, equal to twenty-seven shillings sterling. I was guilty of great omission in not seeing you before I left Philadelphia, in the beginning of this month, as I had seen

* On a letter he is represented as holding.

the young ladies, your daughters, on an evening visit to Mrs. Trist, who reminded me of the portrait being still with you, and of your intention to go to Europe; and I then said I would wait on you ere I departed, but a scene of hurry in the conclusion of the public business soon ensued, and this promise escaped my memory. I wish you and your family a safe and pleasing voyage, and I am, with esteem,

“Your very humble servant,

“GEORGE READ.

“Mrs. M. PINE, Philadelphia.”

I am indebted to “Putnam’s New Monthly Magazine,” of October, 1855, vol. vi., for the following account of Pine:

“A few octogenarians in Philadelphia used to speak of a diminutive family, the head of which manifested the sensitive temperament, if not the highest capabilities, of artistic genius. This was Robert Edge Pine [a native of England]. He was considered a superior colorist, and was favorably introduced into society there, by his acknowledged sympathy for the American cause, and by a grand project, such as was afterwards executed by Trumbull,—that of a series of paintings, illustrative of the American Revolution, to embrace original portraits of the leaders, both civil and military, in that achievement, including the statesmen who were chiefly instrumental in framing the Constitution and organizing the government under it. He brought letters of introduction to the father of the late Judge Hopkinson, whose portrait he executed, the vivid tints and resemblance to the original of which still attest to his descendants the ability of the painter. In the intervals of his business as a teacher of drawing and portrait-painter, he collected from time to time a large number of heads of distinguished persons. Of these the heads of General Gates, Charles Carroll, Baron Steuben, and Washington are the best known and most highly prized. Pine remained three weeks at Mount Vernon, and his portrait bequeaths some features of Washington with great accuracy. Artists find in it certain merits not discernible in those of later date. It has the permanent interest of a representation from life by a painter of established reputation, yet its tone is cold and its effect unimpressive beside the more bold and glowing creation of Stewart’s pencil. It has repose and dignity. In his letter to Washington, asking his co-operation in the design he meditated, Pine says, ‘I have been some time at Annapolis, painting the portraits of patriot legislators, patriot heroes, and beauties, in order to adorn my large pictures;’ and he seems to have commenced his enterprise with sanguine hopes of one day accomplishing his object, which it was, however, reserved for a native artist to complete. That his appeal to Washington was not neglected is, however, evident from an encouraging allusion to Pine and his scheme in the correspondence of the former. ‘Mr. Pine,’ he says, ‘has met a favorable reception in this country, and may, I conceive, command as much business as he pleases. He is now preparing materials for the historical representation of the most important events of the war.’ Pine’s picture of Washington is in the possession of the Hopkinson family of Philadelphia. The fac simile of Washington’s letter proves that it was taken in 1785. A duplicate was purchased in Montreal, in 1817, by the late Henry Brevoort, of New York.”

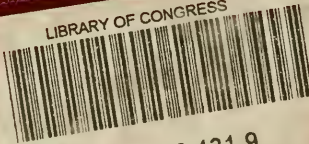
C.

MANSION, MEANS, AND STYLE OF LIVING.

THE mansion of Mr. Read commanded an extensive view of the river Delaware (of the width of two and a half miles or more), since obstructed by the houses erected along the river-front of New Castle. So near was his house to the Delaware that when the tide was high one wheel of a carriage passing the street in front of it was in the water, and in violent storms its waves were dashed against the building. This mansion was an old-fashioned brick structure, looking very comfortable, but with no pretensions to elegance. It contained a spacious hall, on one side of which was a large parlor or drawing-room, on the other Mr. Read's office, behind it the dining-room of sufficient size, and in its rear a large kitchen. The extensive garden ran back to the grounds, where were the stables and other out-buildings. The garden was kept with great care, for Mrs. Read had both fondness and taste for horticulture, and was proud of her profusion of flowers, especially her tulips, of great variety and beauty. This mansion was burned in the fire which, in 1824, laid in ashes almost half of New Castle. Its ruins were subsequently removed, and there is not now a trace of it visible. Here Mr. Read resided for many years in the style of the colonial gentry, who, even when having no more than the moderate income of Mr. Read, maintained a state and etiquette which have long disappeared. The furniture, though plain, was in the style of its day, and there was the necessary plate—both dinner and tea services—and the hospitality becoming Mr. Read's station maintained. How could this be, Mr. Read not being affluent? His income would buy far more than now, and he had a small farm, which furnished fuel and other necessary articles for housekeeping, and there were two lots near New Castle, which afforded pasture for horses and cows, and some hay; besides, he generally owned his servants. The out-door affairs were managed by a brother of Mr. Read, an old bachelor, rough in his manners (for he had followed the sea), but of very kind heart.



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