



SPONSOR: Sen. McBride & Rep. Schwartzkopf
Sens. Henry, Poore, Simpson, Lavelle; Reps. Longhurst,
Viola, D. Short, Hudson

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 29

RECOGNIZING THE 120TH ANNIVERSARY OF THE CONSTITUTION OF THE STATE OF DELAWARE.

1 WHEREAS, at the general election of 1894 the people of Delaware overwhelmingly supported, by a vote of
2 22,842 to 2,364, the call for a state Constitutional Convention to amend the Constitution of the State of Delaware of 1831,
3 Delaware's third and, at the time, longest existing constitution; and

4 WHEREAS, the General Assembly issued the call for a Convention to be held in December 1896, with elections
5 taking place at the next general election in November 1896 to elect 10 delegates to the Convention from each county; and

6 WHEREAS, the Convention convened for the first time on December 1, 1896, and, after a dispute as to the
7 election results in Kent County, 16 Democrats and 14 Republicans were seated as delegates to the Convention, with the
8 delegates including businessmen, farmers, doctors, preachers, and lawyers; and

9 WHEREAS, the Convention elected John H. Biggs, then Attorney General, to serve as the President of the
10 Convention and Charles R. Jones to serve as Secretary; and

11 WHEREAS, the Convention established the following 10 standing committees, composed of equal representation
12 by party and county, with some chaired by Republican delegates, to study and make reports to the Convention on ideas to
13 be included in the new constitution: Legislature; Governor and Executive Orders; Judiciary; Elections; Securing Purity of
14 the Ballot; Corporations; Crimes, Punishment, and Impeachment; Agriculture; Alterations and Amendments of the
15 Constitution and Calling of Constitutional Conventions; and Accounts; and

16 WHEREAS, the substantive work of the Convention began on January 4, 1897, and continued for 6 months until
17 the completion of the new Constitution on June 4, 1897, and its effectiveness on June 10, 1897; and

18 WHEREAS, the new Constitution began with a preamble, which recognized that all authority flows from the
19 people; followed next by the first of 17 articles establishing a Bill of Rights containing 19 sections of basic substantive and
20 procedural rights of the people, reserving these rights out of the general powers of the government; and continued through
21 the next 16 articles establishing powers and responsibilities of the 3 separate, co-equal branches of our state government;
22 and

23 WHEREAS, William C. Spruance, one of the drafters of this Constitution stated, "We are not making a
24 Constitution for today or for tomorrow. We are making it for all time. This may last probably for a generation, and it may
25 be the last Constitution for two generations. We do not know in the upheaval of time how things may go. There may be
26 then gentleman who differ very, very radically, and who may be suffering then as we are now;" and

27 WHEREAS, this Constitution has stood the test of time not by remaining the same, but by continuing to evolve
28 over time through the enactment of over 90 amendments by succeeding General Assemblies aimed at securing additional
29 rights for all Delawareans and refining the powers and responsibilities of state government.

30 NOW, THEREFORE:

31 BE IT RESOLVED by the Senate of the 149th General Assembly, the House of Representatives concurring
32 therein, that Saturday, June 10, 2017, is recognized as the 120th anniversary of the Constitution of the State of Delaware
33 and all Delawareans are encouraged to join the General Assembly in reflecting on the rights secured and government
34 formed by this important document.

SYNOPSIS

This Concurrent Resolution recognizes the 120th Anniversary of the Constitution of the State of Delaware.

Author: Senator McBride