magistrates or other designated individuals to remove all obstructions from the river, including dams, that interfered with the upstream migration of fish. By the mid-eighteenth century, however, only a few Native Americans still lived along Delaware's stretch of the Brandywine or just over the line in Pennsylvania, with the last, Indian Hannah, dying in 1803. Now it was the turn of whites, who were also dependent on the spring run of spawning fish, to step forward and oppose the dam-building proclivities of the Brandywine's millers.20

Dams were more acceptable to fishermen if they included "fishways" or fishruns that allowed at least some shad, herring and other anadromous species to fight their way upstream to spawning grounds beyond the dams. But often these fishways were not kept open by the millers. In 1756, petitions from white residents of the Brandywine Valley living in both Delaware and Pennsylvania caused a commission to be appointed to police the river and to break through dams that did not have fishways or to open those fishways that were now closed up. In 1760, four Brandywine dams—their exact locations are unclear—were breached by government-appointed officials. After that date, however, "there were no more dam wars, but also no more shad."

The shad and other anadromous fish stopped making their annual spring spawning runs because Delaware's colonial government decided that it was good public policy to support Brandywine millers in their ongoing dispute with the river's fishermen. Encouraging entrepreneurs to construct water-powered mills and their related mill-dams along the Brandywine made good sense because the mill provided "a public benefit and ought therefore to be encouraged." Thus, in 1760, the same year that four dams on the Brandywine were breached, Delaware's colonial legislature annulled the law of 1727 that provided official support for the breaching of those dams.21

To a colonial assembly intent on encouraging the construction of water-powered mills abolishing the 1727 law made good sense because that piece of legislation discouraged the building of mill-dams and was, therefore, a barrier to progress. As Henry Seidel Canby later observed, after 1760 "[water] power was now dominant on the lower Brandywine" and the "fish were somewhere turned back." Canby remembered that during his childhood in Wilmington, in the late nineteenth century, the migratory instinct of a certain type of herring—sometimes called alewives—continued to be so strong that every spring the fish fought their way, by the thousands, through Brandywine's Great Falls, "vainly trying to past the bulwarks of dams and races to blocked" their way upstream.22 The act taken by the colonial legislature to favor Brandywine's dam-builders indicated that the future, the public's traditional fishing rights along streams and rivers would be protected by Delaware's government only where when those traditional rights did not conflict with the legislature's more modern concern to industrial development.

Despite the construction of numerous mill-dams along its length, the supposed domestication of the Brandywine was far...
...into nearby streams and rivers. This series of events had been dramatically increased by the cutting down of trees and the dumping of wastes that occurred during the seventeenth and eighteenth centuries. As a result, the Delaware River has been left with significantly decreased water levels and increased water temperatures, leading to a decrease in fish populations and causing overall decline in the health of the river.

The Delaware River has been a major source of water for the nearby communities, providing drinking water for thousands of people. However, the pollution and overuse have led to a decrease in the quality of the water, making it unsuitable for drinking or other uses.

The Delaware River has long been a major source of recreation for the people of the region. However, as the water levels decrease, the recreational activities become more difficult to sustain. The decrease in the water levels has also led to a decrease in the amount of fish that the river can support, making it more difficult for commercial fishing operations.

The Delaware River is an important waterway for commerce, providing transportation for goods and resources. However, the decreasing water levels have made it more difficult for ships and other watercraft to navigate the river, leading to increased costs for shipping and transportation.

The Delaware River has also been an important source of energy for the region. However, the pollution and overuse have led to a decrease in the amount of energy that can be generated from the river, making it more difficult for power companies to meet the needs of the region.

Finally, the Delaware River has been an important source of recreation for the people of the region. However, the pollution and overuse have led to a decrease in the amount of recreation that can be enjoyed, making it more difficult for people to enjoy the river and its surrounding areas.
20. Canby, The Brandywine, 62–64, 82; Laws of The State of Delaware, vol. I, 97, 384. Because The Laws of The State of Delaware, vol. I, does not give the exact year for some of the acts of the early eighteenth century, the date of 1727 for the act that responded to the Lenape complaint was arrived at after examining a number of sources.


23. Montgomery, Wilmington, 29.


27. Berger, History and the Human Ecology of the Delaware River, 51; Hoffecker, “Nineteenth Century Wilmington: Satellite or Independent City,” 17–18. In 1837, Wilmington burned the dumping of ballast in either the Christina or the Brandywine. See Ordinances of the City of Wilmington (Wilmington, DE, 1841), 96.


31. Ibid., 7–8; Hoffecker, Wilmington, Delaware, 17.


34. Dalleo, “South of the Canoys, Amerindians and Their Forebears, D.P.A., Dover, DE.,


37. Steinberg, Down to Earth American History, 160; Ordinance of Wilmington (Wilmington, I. Steinberg, “Down to Earth, N. Power in American History,” 8

38. Ordinance of the City of Wilmington, January 1, 1863, (Wilmington, Ordinance of the City of Wilmington, 1872, 224, 336. Resist attempts to close down urbar was widespread in American c til 1860, for example, that urbar was pig free. Steinberg, “Down