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Maryland, 19 December 1789

Introduction

Governor John Eager Howard had the proposed twelve amendments sent to the Maryland House of Delegates, which on 9 November, read the documents and selected a nineteen-person committee to “consider and report on the proposed amendments,” The committee reported that “in the present situation of our public affairs” Maryland should not take any action. House read the report for the first time. Over the next several weeks, the Maryland legislature debated the amendments.

On 17 December, the House approved the engrossed act and sent it to the Senate. On 19 December, the Senate read and assented to the engrossed bill, making Maryland the eighth state to ratify the amendments. On 15 January 1790, Governor Howard transmitted a copy of the act to President George Washington.

Governor John Eager Howard to the General Assembly, Sunday, 8 November 1789 (excerpt)

In Council November 8th, 1789

Gentlemen,

In addition to the Laws and proceedings of both houses of Congress; with the Amendments proposed to the Constitution of the United States, and a Letter from Governor Clinton of New York on that Subject, which have been delivered to the Hon’ble Speaker of the House of Delegates; We now lay before you the following papers. . . .

House Proceedings, Monday, 9 November 1789

His excellency the governor communicates a letter from the president of the United States of the 2d October, 1789, enclosing a resolution, and a copy of the amendments proposed to be added to the constitution of the United States; and a letter from the governor of New-York, enclosing a resolution on the subject matter of amendments to the constitution of the United States; which were read.

On motion, ORDERED, That Mr. Z. Forrest, Mr. W. Tilghman, Mr. J. G. Worthington, Mr. Somervell, Mr. Parnham, Mr. Ridgely, Mr. Winder, Mr. Steele, Mr. Bond, Mr. Clark, Mr. Quynn, Mr. Seney, Mr. Dashiell, Mr. Dorsey, Mr. Pinkney, Mr. Emory, Mr. M’Henry, Mr. Stull and Mr. Oneale, be a committee to consider and report on the proposed amendments to be added to the constitution of the United States.

On motion, ORDERED, That the letter from his excellency the governor of New-York, with the resolution of the legislature of the same state, on the subject of amendments to the constitution of the United States, be referred to the above committee.

House Proceedings, Thursday, 12 November 1789

Mr. Seney, from the committee, brings in and delivers to Mr. Speaker the following report: The committee to whom was referred a letter of the president of the United States of the 2d of October last, the amendments proposed by congress to the constitution of the United States, a letter from the governor of New-York of the 5th of May last, and the resolution of the legislature of New-York, on the subject of amendments, beg leave to report, that they have considered the several subjects referred to their consideration, and are of opinion that the said amendments to the general government ought to be ratified by this state. The committee are further of opinion, that it is not necessary, in the present situation of our public affairs, for the legislature of Maryland to take any steps in consequence of the letter and resolution aforesaid. All which is submitted to the honourable house.

By order,

T. PURDY, clk.

Which was read.

House Proceedings, Monday, 16 November 1789

Mr. Speaker, with the members, returned and resumed the chair. The following message being prepared, was read and agreed to.

By THE HOUSE OF DELEGATES, NOVEMBER 16, 1789.

MAY IT PLEASE YOUR HONOURS,

This house propose that the legislature of this state address the president of the United States, and have appointed Mr. M'Henry, Mr. Pinkney, Mr. U. Forrest, Mr. J. Tilghman and Mr. Craik, to join such members as your honours may appoint, to prepare the same.

By order,

W. HARWOOD, clk.

The house adjourns till to-morrow morning 9 o'clock.

House Proceedings, Tuesday, 17 November 1789 (excerpts)

William Perry, Esquire, from the senate, delivers to Mr. Speaker the following message:

By THE SENATE, NOVEMBER 17, 1789.

Gentlemen,

We concur with your message of this day by Mr. Sterett, and have appointed Charles Carroll and Richard Ridgely, Esquires, to join such members as you have appointed, to prepare an address to the president of the United States. . . .

By order

H. Ridgely, clk.

House Proceedings, Wednesday, 18 November 1789

The report on the subject of amendments, proposed by congress to the constitution of the United States, was read the second time, and unanimously concurred with, and leave given to bring in a bill pursuant thereto. ORDERED, That Mr. W. Tilghman, Mr. Seney, Mr. J. Tilghman,

Mr. Sterett, Mr. M'Henry, Mr. U. Forrest and Mr. Craik, be a committee to prepare and bring in the same.

House Proceedings, Monday, 23 November 1789

Mr. W. Tilghman, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislatures of the several states; which was read the first time and ordered to lie on the table.

House Proceedings, Wednesday, 25 November 1789

The bill to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislature of the several states, was read the second time, passed, and sent to the senate by Mr. W. Tilghman.

Senate Proceedings, Wednesday, 25 November 1789

Mr. W. Tilghman, from the house of delegates, delivers to the president a bill, entitled, An act to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed, by congress to the legislatures of the several states, endorsed; "By the house of delegates, November 23, 1789: Read the first time and ordered to lie on the table.

By order,

W. HARWOOD, clk.

By the house of delegates, November 25, 1789: Read the second time and will pass.

By order,

W. HARWOOD, clk."

Which was read the first time and ordered to lie on the table.

Senate Proceedings, Monday, 30 November 1789 (excerpts)

On the second reading the bill, entitled, An act to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislatures of the several states, it was moved and seconded, That the senate agree to the 2d article contained therein? The yeas and nays being called for, appeared as follow:

AFFIRMATIVE [7].

The honourable Daniel Carroll, Esquire, president,
the honourable George Gale, Charles Carroll, of Carrollton,
William Perry, Peregrine Tilghman, James Carroll and
Nicholas Hammond, Esquires.

NEGATIVE [2].

The honourable John Smith and Richard Ridgely, Esquires.

Determined in the affirmative.

The bill being read throughout, and the question being put, That the said bill do pass? Determine in the affirmative. . . .

The bill to ratify certain articles in addition to, and amendment of, the constitution of the United State of America, proposed by congress to the legislatures of the several states . . . sent to the house of delegates by George Gale, Esquire.

House Proceedings, Monday, 30 November 1789 (excerpts)

George Gale, Esquire, from the senate, delivers to Mr. Speaker the bill to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislatures of the several states, enclosed: “By the senate, November 25, 1789: Read the first time and ordered to lie on the table.

By order,

H. RIDGELY, clk.

By the senate, November 30, 1789: Read the second time and will pass.

By order,

H. RIDGELY, clk.”

. . . Ordered to be engrossed.

House Proceedings, Thursday, 17 December 1789

The engrossed bills No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21 and 22, were read, assented to, and sent to the senate, with the paper bills thereof, by Mr. Hopewell.

The house adjourns till to-morrow morning 9 o'clock.

House Proceedings, Friday, 18 December 1789 (excerpts)

Mr. M'Henry, from the joint committee, brings in and delivers to Mr. Speaker an address to his excellency the president of the United States; which was read. . . .

The address of the general assembly of Maryland to the president of the United States, was read the second time and concurred with.

The following message being prepared, was read the first and second time and assented to.

BY THE HOUSE OF DELEGATES, DECEMBER 18, 1789

MAY IT PLEASE YOUR HONOURS,

WE have agreed to the address to the president of the United States, reported to this house by a joint committee of both houses, and propose, should it meet your assent, that the same be signed by the president of the senate and speaker of the house of delegates, and presented to the president of the United States by the representatives of this state [in] congress.

By order,

W. HARWOOD, clk.

Senate Proceedings, Saturday, 19 December 1789 (excerpts)

[Printed here is the joint committee's proposed message to President Washington.]

Which was read and ordered to lie on the table.

. . . The engrossed bills from No. 2 to 10, and from No. 12 to 15, and from 17 to 22, were read and assented to, and the paper bills thereof so endorsed.

Act of Ratification of Amendments to the Constitution, 19 December 1789

An ACT to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislatures of the several states.

WHEREAS it is provided by the fifth article of the constitution of the United States of America, that congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to the said constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of the said constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other modes of ratification may be proposed by the congress: And whereas, at a session of the congress of the said United States begun and held at the city of New-York on Wednesday the fourth day of March, in the year of our Lord one thousand seven hundred and eighty-nine, it was resolved by the senate and house of representatives of the said United States in congress assembled, two thirds of both houses concurring, that the following articles be proposed to the legislatures of the several states as amendments to the constitution of the United States, all or any of which articles, when ratified by three fourths of the said legislatures, to be valid to all intents and purposes as part of the said constitution, *viz.*

[Here follow the twelve amendments proposed by Congress to the Constitution.]

II. Be it enacted, *by the General Assembly of Maryland*, That the aforesaid articles, and each of them, be and they are hereby confirmed and ratified.

Endorsements on copy of Maryland Act Ratifying Amendments, 19 December 1789

By the House of Delegates, December, 17, 1789.

Read and assented to, By order, W. HARWOOD, Clerk.

By the Senate, December. 19, 1789.

Read and assented to, By order, Hy. Ridgely, Clerk.

J. E. HOWARD, Seal Appendant

I hereby certify that the above is a true copy from the original engrossed act as passed by the Legislature of the State of Maryland.

T. Johnson, Jun. Clk. Council

Maryland fst. In Testimony that Thomas Johnson junior is Clerk of the Executive Council for the State of Maryland, I have hereto affixed the Great Seal of the said State. Witness my hand this fifteenth day of January, Anno Domini, 1790.

Samuel Harvey Howard, Reg. Cur. Can.

Senate Proceedings, Sunday, 20 December 1789

and the paper bills No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22; were sent to the house of delegates by Daniel Bowley, Esquire.

On the second reading the address to the president of the United States, reported to the house of delegates by the joint committee of both houses, and sent to the senate for concurrence, the question was put, That the senate concur therewith? Determined in the negative.

ORDERED, That a message be prepared to the house of delegates on the subject thereof, and that the address, as altered by the senate, be sent with such message.

The senate adjourns until to-morrow morning 9 o'clock.

Senate Proceedings, Monday, 21 December 1789

The following messages were agreed to, and, with the paper bill No. 26, were sent to the house of delegates by Charles Carroll, Esquire.

BY THE SENATE, DECEMBER 20, 1789

Gentlemen,

WE have made some alterations in the address to the president of the United States, draughted by the joint committee of both houses. If these alterations should meet with your approbation, we concur in the mode mentioned in your message by Mr. Hollingsworth of presenting it to the president.

By order,

H. RIDGELY, clk.

House Proceedings, Monday, 21 December 1789

Charles Carroll, of Carrollton, Esquire, from the Senate, delivers to Mr. Speaker the paper bill No. 26 endorsed; "By the senate, December 21, 1789: The engrossed bill whereof this is the original read and assented to.

By order

H. RIDGELY, clk."

And the following message, and address to the president of the United States.

[Reprinted here is a message from the Senate about their alterations to the address to President Washington.]

WE, the general assembly of Maryland, avail ourselves of the first occasion afforded us, since your election to the office of the president of the United States, of expressing to you our gratitude for accepting that truly honourable, yet arduous station, and of mingling our gratulations with those of our country on this auspicious event.

With pleasure we anticipate the blessings which these state[s] will derive from the firmness and wisdom of your administration. The past proofs of your respect for the rights of your fellow-citizens, amidst the din of arms and the rage of war, are a sure pledge that these rights will be equally respected and cherished by you in peace.

In this place, from which we now address you, our predecessors lately saw the affecting scene of their patriot chief resigning his military command, having fully accomplished its glorious ends.

The lapse of a few years having proved the inadequacy of the late confederacy to the attainment of its objects, it affords subject of the most pleasing reflection, that in the change which became necessary to the safety and welfare of the people of America, the president of the United States should be the same person to whom they were indebted for a long series of the most important, glorious and disinterested services.

The people have unanimously called upon you to preside over their common councils, under a well founded hope, that having asserted their independence by your skill in war, your wisdom and firmness in peace will avert the dangers of civil discord, and establish their union on so firm a basis that it will endure to the latest ages.

We reflect on these things with gratitude, and that for you're the singular happiness was reserved of being twice the saviour of your country.

May that kind providence, whose protection you have frequently experienced in the midst of many and great dangers, direct your measures, and long preserve a life, in the preservation of which such numbers feel themselves so deeply interested.

Which were read.

House Proceedings, Thursday, 24 December 1789

The address to the president of the United States, was read the second time and assented to.

House Proceedings, Friday, 25 December 1789 (excerpts)

Charles Carroll, of Carrollton, and William Perry, Esquires, from the senate acquaint Mr. Speaker that the governor is waiting in the senate to sign and seal the engrossed bills, and requests the attendance of this house for that purpose.

Mr. Speaker left the chair, and, attended by the members of this house, went to the senate, and there presented the following engrossed bills to the governor, who signed the same and affixed the great seal thereto in presence of both houses.

. . . No. 6 An Act to ratify certain articles in addition to, and amendment of, the constitution of the United States of America, proposed by congress to the legislatures of the several states.

Governor John Eager Howard to President George Washington, Annapolis, Md.

15 January 1790

I have the honor to enclose a copy of An Act of the Legislature of Maryland, to ratify certain Articles in addition to and amendments of the Constitution of the United States of America proposed by Congress to the Legislature of the several States.

I have the Honor to be with the highest respect.

Tobias Lear to Roger Alden, New York City, 25 January 1790

I am directed by the President of the United States to transmit herewith to you, to be deposited in the Office of State with other public papers under your care, and to be delivered to the Secretary of State whenever he may enter upon the duties of his office, An Act of the Legislature of Maryland to ratify certain Articles in addition to, and amendment of the Constitution of the United States of America proposed by Congress to the legislatures of the several States, and likewise a letter accompanying the above act from J. E. Howard Governor of the State of Maryland to the President of the United States—

New York Gazette of the United States, 27 January 1790

The ratification of the Amendments to the Constitution by the State of Maryland, is an additional trait in the truly federal character of that respectable republic.

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