
Zenger's Maryland Venture · The Earliest Assembly Proceedings

Constitution of Maryland, the same may be printed, Resolved that any person have the Liberty of printing them that will undertake the same."¹

In spite of the invitation thus cordially extended, no one seems to have volunteered to assume the risk of the publication, so that as the session drew near to its close the delegates found themselves compelled to request one of their own number, Thomas Bordley, a leader in their struggle, to edit and to have printed a collection containing the Charter and "such of the Debates & proceedings of the three Sessions of this Assembly as relate to the Government or Judicature of this Province,"² a request "which the said Thomas Bordley Esqr being present promised his Endeavour to perform." A year later the journal records that Mr. Bordley brought into the House several printed copies of the "proceedings of the Lower House in the years 1722/1723: 1724 relating to the Government and Judicature of this province . . .," and in receiving them, it was entered on the book that

" . . . this House . . . unanimously return their thanks to the said Thomas Bordley Esqr for his Extraordinary Care and pains in making a Collection of the said proceedings and Composing the preface thereto and getting them printed for the publick Service . . ."³

This collection of debates printed by Andrew Bradford of Philadelphia is a vital document in the constitutional history of the Province. Furthermore the series of *Votes and Proceedings*, the publication of which began a year later to be regularly provided for by the Lower House, and which has continued without serious interruption until the present time, traces its origin to this compilation of legislative debates on the "Government and Judicature" of Maryland.

¹L. H. J., October 10, 1724, *Archives of Maryland*, 35: 99. The author has assumed, as the narrative indicates at this point, that this resolution of October 10, 1724, was carried into effect when the delegates requested Thomas Bordley to edit and have printed his well known compilation containing the Charter and such of the debates and proceedings of 1722-1724 as related to the government and judicature of the Province. With equal force, however, this resolution may be said to refer to the "printed Copys of the Address and the Resolves of the Lower House in October Assembly 1722" which were produced in the House on October 13, 1724, and "well approved of in the manner as they are now printed." Before accepting the second interpretation of the documents, however, it is well to recall that as far as is known there was no printing press in Maryland in October 1724, and that it would have been almost impossible to have sent copy to Philadelphia and received in Annapolis a printed paper of several pages in the interval between October 10th and October 13th. The alternative interpretation is that some person acting without authority had printed the "Address and Resolves," and that becoming aware of this the delegates had confirmed his action by an *ex post facto* resolution; that is the resolution of October 10th, thus making it possible for the publication to be presented for approval on October 13th.

²L. H. J., October 29, 1724, *Archives of Maryland*, 35: 149.

³L. H. J., October 7, 1725, *Archives of Maryland*, 35: 303. For a valuable discussion of the contention over the English Statutes, the reader is referred to Sioussat, St. G. L., *The English Statutes in Maryland* (Johns Hopkins Studies in Historical and Political Science, Series XXI, Nos. 11 and 12, Baltimore, 1903). Mr. Sioussat's suggestion that probably the preface to the collection described above was the work of Daniel Dulany, the Elder, does not seem to be borne out by the extract from the House Journal in which its composition is specifically attributed to Bordley.