



UNITED STATES SENATE  
**REPUBLICAN  
POLICY COMMITTEE**

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*Remembering James McHenry of Maryland*

## **Signing the Constitution, September 17, 1787**

*“Many parts of this proposed Constitution were warmly opposed, other parts it was found impossible to reconcile to the Clashing Interest of different States. . . . The whole however is the result of that spirit of Amity which directed the wishes of all for the general good, and where those Sentiments govern it will meet, I trust, with a Kind and Cordial reception.”* – James McHenry reporting to the Maryland Legislature, 1787

September 17 marks the 215<sup>th</sup> anniversary of the signing of the Constitution of the United States. James McHenry of Maryland was one of 39 delegates who signed that day, and the journal he kept provides us with a glimpse of the convention. Unfortunately, though, McHenry was absent from much of the convention because of his brother’s poor health.

McHenry was born in Ireland in 1753. (He was one of several Signers who were not born in the American colonies.) As a young man he studied medicine, and during the War for Independence he served as a surgeon. He was captured by the British and imprisoned, but later became a staff officer under both Washington and Lafayette. One of his contemporaries said that McHenry was “bred a physician, but he afterwards turned Soldier.”

McHenry had a long record of public service. He served in the Continental Congress from 1783 through 1786, and later in his life he served in the Maryland State Assembly and Senate. He fought successfully for ratification of the Constitution in the Maryland ratifying convention. He was President Washington’s Secretary of War, and he served in that position under President Adams until he was asked to resign. While McHenry served as Secretary, a fort at the entrance to Baltimore Harbor was renamed for him.

On the last day of the Constitutional Convention, McHenry made the following entry in his journal to explain why he was signing the new Constitution, and why he would support it at home:

“Firstly, I distrust my own judgement, especially as it is opposite to the opinion of a majority of gentlemen whose abilities and patriotism are of the first cast; and as I have had already frequent occasions to be convinced that I have not always judged right.

“Secondly, alterations may be obtained, it being provided that the concurrence of 2/3 of the Congress may at any time introduce them.

“Thirdly, comparing the inconveniences and the evils which we labor under and may experience from the present confederation, and the little good we can expect from it – with the possible evils and probable benefits and advantages promised us by the new system, I am clear that I ought to give it all the support in my power.”

McHenry’s observations, particularly those remarking on his own fallibility, echo the more famous remarks of Benjamin Franklin on the same occasion. On that day, McHenry was just 33 years of age, but Franklin was 81 and in the last few years of his long and remarkable life.

One of the other delegates, William Pierce of Georgia, wrote character sketches of his fellow delegates. Pierce was not effusive in his praise of McHenry (as he was, justly, with such others as Washington, Madison, Hamilton, Gouverneur Morris, Wilson, Rutledge, and Charles Pinckney), but he did say that McHenry “is a very respectable young Gentleman, and deserves the honor which his Country has bestowed on him.”

James McHenry is now best remembered for the fort that bears his name, and for a poem that was written there. Fort McHenry had been erected in 1776 in anticipation of a British attack, but that attack wouldn’t come for another generation.

On the night of September 13, 1814, the British bombarded Fort McHenry, but at sunrise the huge garrison flag (30 feet by 42 feet with 15 stars and 15 stripes) still waved above the fort. It was that flag, “catching the gleam of the morning’s first beam,” that inspired Francis Scott Key to pen his famous poem, “The Star-Spangled Banner,” which was made the National Anthem in 1931.

The poem has four stanzas. The first is well known to most Americans because we sing it regularly. The other stanzas are little known but even more powerful than the first (which ends with a question mark!). The fourth stanza is particularly topical today:

*O thus be it ever, when freemen shall stand / Between their loved homes and the war’s desolation! Blest with victory and peace, may the heaven-rescued land / Praise the Power that hath made and preserved us a nation / Then conquer we must when our cause it is just / And this be our motto: “In God is our trust.” / And the star-spangled banner in triumph shall wave / O’er the land of the free and the home of the brave!*

McHenry died in May of 1816. His biographer said, “Here we come to the end of the life of a courteous, high-minded, keen-spirited Christian gentleman. He was not a great man, but he participated in great events and great men loved him, while all men appreciated his goodness and the purity of his soul. His highest titles to remembrance are that he was faithful to every duty and that he was the intimate and trusted friend of Lafayette, of Hamilton, and of Washington.”

Sources: Farrand, *THE RECORDS OF THE FEDERAL CONVENTION OF 1787* (1937 rev. ed.), Vol III, p. 150 (report to Maryland convention); Vol. II, pp. 649-50 (the *Notes*); Vol III, p. 93 (Pierce's sketch). Information on Fort McHenry obtained from its website. Last paragraph in text from B. Steiner, *THE LIFE AND CORRESPONDENCE OF JAMES MCHENRY* 615 (1907).