

New Hampshire's Ratification

Ratification of the Constitution by the State of New Hampshire, June 21, 1788. New Hampshire was the ninth state to do so, and with its ratification, the Constitution was officially in effect. New Hampshire's ratification message included several suggested changes to the Constitution, including one which would said "Congress shall never disarm any citizen, unless such as are or have been in actual rebellion." The following text is taken from the Library of Congress's copy of Elliot's Debates.

In Convention of the Delegates of the People of the State of New Hampshire, June the 21st, 1788.

The Convention having impartially discussed and fully considered the Constitution for the United States of America, reported to Congress by the Convention of Delegates from the United States of America, and submitted to us by a resolution of the General Court of said state, passed the 14th day of December last past, and acknowledging with grateful hearts the goodness of the Supreme Ruler of the universe in affording the people of the United States, in the course of his providence, an opportunity, deliberately and peaceably, without fraud or surprise, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new Constitution, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, — Do, in the name and behalf of the people of the state of New Hampshire, assent to and ratify the said Constitution for the United States of America. And as it is the opinion of this Convention, that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this state, and more effectually guard against an undue administration of the federal government, — The Convention do therefore recommend that the following alterations and provisions be introduced in the said Constitution: —

I. That it be explicitly declared that all powers not expressly and particularly delegated by the aforesaid Constitution are reserved to the several states, to be by them exercised.

II. That there shall be one representative to every thirty thousand persons, according to the census mentioned in the Constitution, until the whole number of representatives amount to two hundred.

III. That Congress do not exercise the powers vested in them by the fourth section of the first article but in cases when a state shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress; nor shall Congress in any case make regulations contrary to a free and equal representation.

IV. That Congress do not lay direct taxes but when the moneys arising from impost, excise, and their other resources, are insufficient for the public exigencies, nor then, until Congress shall have first made a requisition upon the states to assess, levy, and pay, their respective proportions of such requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the legislature of the state shall think best; and in such case, if any state shall neglect, then Congress may assess and levy such state's proportion, together with the interest thereon, at the rate of six per cent. per annum, from the time of payment prescribed in such requisition.

V. That Congress shall erect no company of merchants with exclusive advantages of commerce.

VI. That no person shall be tried for any crime by which he may incur an infamous punishment, or loss of life, until he first be indicted by a grand jury, except in such cases as may arise in the government and regulation of the land and naval forces.

VII. All common-law cases between citizens of different states shall be commenced in the common-law courts of the respective states; and no appeal shall be allowed to the federal court, in such cases, unless the sum or value of the thing in controversy amount to three thousand dollars.

VIII. In civil actions between citizens of different states, every issue of fact, arising in actions at common law, shall be tried by jury, if the parties, or either of them, request it.

IX. Congress shall at no time consent that any person, holding an office of trust or profit under the United States, shall accept any title of nobility, or any other title or office, from any king, prince, or foreign state.

X. That no standing army shall be kept up in time of peace, unless with the consent of three fourths of the members of each branch of Congress; nor shall soldiers, in time of peace, be quartered upon private houses, without the consent of the owners.

XI. Congress shall make no laws touching religion, or to infringe the rights of conscience.

XII. Congress shall never disarm any citizen, unless such as are or have been in actual rebellion.

And the Convention do, in the name and in behalf of the people of this state, enjoin it upon their representatives in Congress, at all times until the alterations and provisions aforesaid have been considered agreeably to the fifth article of the said Constitution, to exert all their influence, and use all reasonable and legal methods, to obtain a ratification of the said alterations and provisions, in such manner as is provided in the article.

And that the United States in Congress assembled may have due notice of the assent and ratification of the said Constitution by this Convention, it is Resolved, That the assent and ratification aforesaid be engrossed on parchment, together with the recommendation and injunction aforesaid, and with this resolution; and that John Sullivan, Esq., president of the Convention, and John Langdon, Esq., president of the state, transmit the same, countersigned by

the secretary of Convention, and the secretary of state, under their hands and seals, to the United States in Congress assembled.

JOHN SULLIVAN, Pres. of the Conv.

JOHN LANGDON, Pres. of the State.

By order.

John Calf, Secretary of Convention,
Joseph Pearson, Secretary of State