

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 13-11**

BILL NO. 2013-06

Title of Bill: Amendment – Flag and Seal Ordinance – Official County Seal

Synopsis: An act to amend the Public Laws of Cecil County, Chapter 105, by restoring to the county the official seal in use following the establishment of Cecil County on June 6, 1674.

Introduced by: Vice President Dr. Alan McCarthy at the request of Michael W. Dawson

Introduced and ordered posted on: June 4, 2013

Public hearing scheduled on: July 2, 2013 **at:** 7:00 p.m.

Scheduled for consideration: July 16, 2013

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by June 7, 2013 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on June 12 and 19, 2013, a public hearing was held on July 2, 2013, and concluded on July 2, 2013.

By: _____
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates language added to a Bill by amendment.
~~Strike through~~ indicates language stricken out of a Bill by amendment.

1 **WHEREAS**, the historical background of our beloved Cecil County, and that of the Great State of
2 Maryland, is replete with a rich heritage of direct influence from the British Crown and its hereditary Lords
3 Calvert Proprietors; and

4 **WHEREAS**, a contingent of the Virginia Company of London, along with Capt. John Smith, in the
5 spring of 1607, arrived at what is now known as Jamestown under a charter to colonize, for profit, land
6 granted them between the 34th and 38th parallel by King James I of England; and

7 **WHEREAS**, Smith and a crew of twelve set out during the summer of 1608 to explore the regions
8 of the Chesapeake Bay and, on July 30 reached Turkey Point, where he saw that the Bay divided itself into
9 four main rivers: the Susquehanna, the North East, the Elk, and the Sassafras; and

10 **WHEREAS**, Smith would spend the next ten days sailing these waterways and exploring the
11 adjacent lands, mapping the area, trading with the Indians and claim land for the Crown; and

12 **WHEREAS**, as a result of Smith’s map of the Chesapeake and its tributaries, his friend William
13 Claiborne would establish Virginia Company small trading posts along the bay including a fur-trading post
14 on Palmer’s Island (now Garrett Island); and

15 **WHEREAS**, British commercial and political industrialist George Calvert, former Member of
16 Parliament and 1st Baron of Baltimore in the Irish Peerage, would occupy what would be the last three
17 years of his life aggressively lobbying for a charter from the Crown to colonize the region; and

18 **WHEREAS**, the persistence of George Calvert, now in failing health, would eventually persuade
19 the Crown to grant a charter for a territory north of the Potomac River and on either side of the Chesapeake
20 Bay, but Calvert succumbed to his illness in April 1632, just weeks before the new charter was to have
21 been sealed; and

22 **WHEREAS**, the charter for a colony in Maryland, named in honor of Queen Henrietta Maria, wife
23 of Charles I, was granted to his son, Cecilius Calvert, 2nd Baron of Baltimore, on June 20, 1632, and

24 **WHEREAS**, the explorations and reports from Smith and others would be used to garner support
25 for the first expedition from England to the planned colony of Maryland, undertaken by Cecilius Lord
26 Baltimore, and consisted of two ships previously obtained by the late George Calvert, 1st Baron of
27 Baltimore, the Ark and the Dove; and

28 **WHEREAS**, the Ark and the Dove departed in November 1633 with more than three hundred
29 settlers aboard, including two brothers of Lord Baltimore and two Jesuit priests, as they set out across the
30 Atlantic along with detailed instructions from Lord Baltimore for the governance of the colony, including
31 commands that his brothers seek any information about those who had tried to thwart the colony and make
32 contact with William Claiborne to determine his intentions for the trading station on Kent Island; and

33 **WHEREAS**, upon reaching the New World, the ships sailed up the Chesapeake Bay to the Potomac
34 River where they reached their first landing place in Maryland on March 25, 1634 and by March 27,
35 Governor Leonard Calvert and his advisors had selected a site for their settlement which they named St.
36 Mary’s; and

37 **WHEREAS**, Lord Baltimore continued as Maryland’s first Proprietary Governor (1632–1675), and
38 attempted to maintain an active involvement in the governance of the colony, though he never visited it,
39 and during this long tenure, he governed through deputies, the last being his only son Charles; and

40 **WHEREAS**, a territorial dispute between the Dutch and the Swedes within the Delaware valley
41 intensified during the 1650s and, in 1659, delegations from both settlements travelled to St. Mary’s to
42 negotiate a settlement to the dispute, including Dutch envoy and cartographer Augustine Herman; and

43 **WHEREAS**, following the failure of these negotiations, Herman concluded that an accurate and
44 detailed map of the region would be indispensable and he first proposed the idea to the Dutch
45 administration who were unconvinced of its necessity and rejected the offer - the same offer was made to
46 the Calverts was eagerly accepted; and

47 **WHEREAS**, Augustine Herman was named a resident of Maryland and, in 1662 was granted a
48 down payment for his work of a 4,000-acre tract of land he called Bohemia Manor - he became
49 increasingly involved in local affairs, envisioning his new homeland as a political body of its own right,
50 wrote to Lord Baltimore regarding such possibility of creating a new county at the head of the bay to be
51 called “Cecil” in honor of Cecilius Calvert – Herman completed his ‘visionary’ map in 1670 which
52 depicted an arc of land at the head of the bay is identified as “Cæcil County;” and

53 **WHEREAS**, by 1674 a sufficient number of traders and farmers had settled at the head of the bay
54 to necessitate redistricting and, on June 6th of that same year, Proprietary Governor Charles Calvert under a
55 royal charter granted to his father, Cecilius Calvert, 2nd Baron of Baltimore, Lord Baltimore, issued a
56 proclamation erecting a territory to be known as Cecil County, following the boundaries proposed by
57 Augustine Herman, from land previously apportioned to Baltimore and Kent Counties; and

58 **WHEREAS**, the Charter of Maryland, unique amongst the New World settlements, established the
59 territory as a palatinate which, in general, grants hereditary authority to exercise powers normally reserved
60 to the sovereign, particularly to the Calvert peerage under the title Lord Baltimore; and

61 **WHEREAS**, official Acts of the Province of Maryland bore the authority of a palatinate and were
62 sealed with the Lord Proprietary’s Greater Seal at Arms, and official Acts of Cecil County and her nine
63 sister counties palatine, used the Lesser Seal at Arms of the Lords Baltimore until time of the Revolution,
64 with a brief exception of 13 years during which King William of England then revoked the Calvert charter

65 and Maryland reverted to the Crown until George I succeeded the throne in 1715 and restored the Maryland
66 Palatinate to the Lords Baltimore; and

67 **WHEREAS**, during those intervening years under the direct rule of the British Crown each county
68 was ascribed a color to be borne upon their horses and mounted infantry and, ascribed to Cecil County was
69 the color Crimson; and

70 **WHEREAS**, nearly two hundred years passed in Cecil County with no known formal discussions
71 regarding the use or adoption of an official seal of the county until 1968 when the County Commissioners
72 took action to establish an official seal after a “diligent search of various records” had failed to reveal that
73 an official seal was previously adopted; and

74 **WHEREAS**, this official seal had been adopted for use by the county’s historical society nearly 20
75 years earlier and was described at the time as “Seal of Cecil County, which features wild ducks on a
76 background of crimson”; and

77 **WHEREAS**, researchers at the Maryland State Archives discovered in the mid-1980s a document
78 bearing the Lesser Seal at Arms of Lord Baltimore and, at the top of the shield are the words Cecil County,
79 below the shield is a ribbon which usually carries a family’s motto, but in this place it carries the date the
80 county was established – 1674; and

81 **WHEREAS**, the Commissioners of Cecil County were presented with this newly discovered
82 information and, in 1986, voted to restore the original seal as the official seal of Cecil County; and

83 **WHEREAS**, the commissioner-form of county government is the organic local government
84 structure under the Constitution of the State of Maryland and, thereby, required all public laws to be
85 enacted by the General Assembly, and the Commissioners then requested such legislation to be introduced
86 in the General Assembly by the county’s delegation chaired by Sen. Walter Baker; and

87 **WHEREAS**, Sen. Baker and the state delegation refused to support the commissioner’s decision to
88 change the seal, saying he had no plans to introduce the bill necessary to change the county code and thus
89 the seal; and

90 **WHEREAS**, the voters of Cecil County, on November 2, 2010, approved a ballot measure to adopt
91 a charter and thereby transition the county to a charter-form of government under Article XI-A of the
92 Constitution of the State of Maryland and, as such, has the power to enact and repeal local legislation
93 within its jurisdiction; and

94 **WHEREAS**, the Charter became effective on December 3, 2012, and the people of the Cecil
95 County became an independent body politic, free from unnecessary, burdensome and sometimes
96 unwarranted legislative interference in the affairs of our jurisdiction; and

97 **WHEREAS**, it is appropriate and necessary to celebrate, to commemorate, and to declare
98 Independence at the adoption of the Charter of Cecil County; and

99 **WHEREAS**, a fitting declaration and commemoration is the restoration of Cecil County’s ancient
100 historical seal and, as was written by the Maryland Historical Society in 1885 following the restoration of
101 the Great Seal of Maryland, by the final restoration of the ancient device in our own times, it is proclaimed,
102 that whatever the changes by which its political constitution has been affected, the identity of the County
103 has never been destroyed and its continuity remains unbroken.

104

105 **NOW, THEREFORE, BE IT HEREBY ENACTED** BY THE COUNTY COUNCIL OF CECIL
106 COUNTY, STATE OF MARYLAND, that the Public Laws of Cecil County read as follows:

107 CHAPTER 105: [Seal and Flag] EMBLEMS AND COMMEMORATIVE DAYS

108 ARTICLE I. [Official] THE COUNTY Seal

109 § 105-1. ADOPTION

110 A. IN GENERAL – THE LESSER SEAL AT ARMS OF CECILIUS CALVERT, 1ST LORD
111 BALTIMORE IS THE COUNTY SEAL.

112 B. USE – THE COUNTY SEAL SHALL BE USED OFFICIALLY.

113 § 105-2. Description.

114 A. [The Official Seal for the County shall consist of a river scene which will reflect the water itself,
115 together with a scene of the sky, and on which shall be shown a male mallard duck in flight, and
116 underneath the male duck shall be a female mallard duck also in flight. In addition, to the left of the
117 heads of the ducks in flight shall be shown a cluster of cattails and reeds. In addition, a thin black
118 and orange border line shall surround the scene described above, surrounded by a crimson red
119 border with "Cecil County" in white letters symmetrically located around the top of the border and
120 "1674" in white located horizontally across the bottom of the border, and a thin black and orange
121 border line surrounding the entire Seal.]

122 THE OFFICIAL SEAL OF CECIL COUNTY IS HERALDICALLY DESCRIBED AS
123 FOLLOWS:

124 1. SHIELD: THE ARMS OF CALVERT - A PALY OF SIX OR AND SABLE A BEND
125 COUNTERCHANGED.

126 2. CREST: ABOVE THE ARMS, THE ROYAL CROWN OF ENGLAND SURMOUNTED BY
127 THE DUCAL CORONET OF CALVERT AND TWO PENNONS FLYING FROM STAVES
128 OF GULES TO THE DEXTER SIDE; THE DEXTER OR, THE SINSTER SABLE.

- 129 3. SUPPORTERS: TWO LEOPARDS OR RAMPANT.
130 4. BANNER: BELOW THE SHIELD – INSCRIBED WITH THE YEAR “1674”
131 5. THE SEAL IS ENCIRCLED WITH A SPACED DUPLEX OVAL, INSCRIBED ABOVE
132 “SEAL OF CECIL COUNTY, MARYLAND” AND INSCRIBED BELOW “AD MAIOREM
133 DEI GLORIAM.”

134 [§ 105-3. Copyright and guidelines for use.

135 A. A certificate of registration was issued under the seal of the Copyright Office in accordance with
136 Title 17, United States Code, and attests that registration has been made for the County Seal. The
137 effective date of registration is November 15, 2010.

138 B. The Cecil County Council shall by resolution develop guidelines for use of the County Seal.]

139 Article II. [Official] THE COUNTY Color [and Flag]

140 § 105-3. THE OFFICIAL COLOR OF CECIL COUNTY SHALL BE CRIMSON, FURTHER
141 IDENTIFIED AS RGB=164 / 16 / 52

142 ARTICLE III. THE COUNTY FLAG

143 § 105-4. THE OFFICIAL COUNTY FLAG SHALL HAVE A CRIMSON FIELD AND SHALL BEAR
144 THE SEAL OF THE COUNTY IN ITS CHARGE. THE FLAG SHALL BE IN A STANDARD
145 RECTANGULAR SHAPE WITH THE WIDTH/LENGTH PROPORTIONS AT 1:1.67.

146 ARTICLE IV. THE CECIL COUNTY DAY OF COMMEMORATION

147 § 105-5. THE COUNTY SHALL RECOGNIZE THE 6TH DAY OF JUNE EACH YEAR AS CECIL
148 COUNTY DAY.

149

150 **EFFECTIVE DATE:** All provisions of Bill 2013-06 shall be in full force and effect on and after

151

152

153

(Charter, Section 307)

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY: Council Manager



Amendment – Flag and Seal Ordinance – Official County Seal

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is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed .

CERTIFIED TRUE AND CORRECT

Council Manager

Date:_____

ENROLLED

Council President

Date:_____

BY THE COUNCIL

Read the third time.

Passed - LSD_____

Passage Failed - LSD_____

BY: _____

Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this day of _____, 20____ at _____ a.m. / p.m.
(10 business days from adoption §306)

BY: _____

Council Manager

BY THE EXECUTIVE:

Cecil County Executive

APPROVED Date:_____

VETOED Date:_____

(10 business days from presentation §306)

BY THE COUNCIL

This Bill No. 2013-06 having been approved by the Executive and returned to the Council becomes law

on _____ with an effective date of _____.

BY: _____

Council Manager