

1774 BILL OF RIGHTS

LETTERS TO THE BRITISH & THE COLONISTS

ISSUED BY THE

FIRST CONTINENTAL CONGRESS

SEPTEMBER-OCTOBER, 1774 ■ EXCERPTS

■■■

[BILL of RIGHTS]

The good people of the several colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Newcastle, Kent, and Sussex on Delaware,¹ Maryland, Virginia, North Carolina, and South Carolina,² justly alarmed at these arbitrary proceedings of Parliament and administration, have severally elected, constituted, and appointed deputies to meet and sit in general Congress in the city of Philadelphia in order to obtain such establishment as that their religion, laws, and liberties may not be subverted: Whereupon the deputies so appointed being now assembled in a full and free representation of these colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do in the first place as Englishmen, their ancestors in like cases have usually done, for asserting and vindicating their rights and liberties, DECLARE,

That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following RIGHTS:—

*Resolved, N. C. D.*³ 1. That they are entitled to life, liberty and property: and they have never ceded to any sovereign power whatever a right to dispose of either without their consent.

life, liberty,
and
property

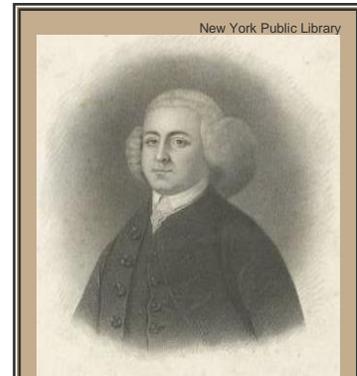
Resolved, N. C. D. 2. That our ancestors who first settled these colonies were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural born subjects within the realm of England.

rights as
English
subjects

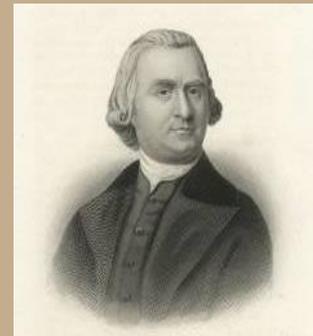
Resolved, N. C. D. 3. That by such emigration they by no means forfeited, surrendered, or lost any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

rights not
lost by
emigration
to America

Resolved, 4. That the foundation of English liberty and of all free government is a right in the people to participate in their legislative council: and as the English colonists are not represented, and from their local and other circumstances



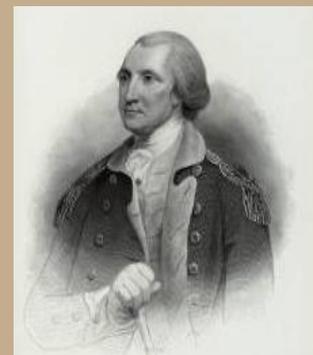
John Adams (Massachusetts Bay)



Samuel Adams (Massachusetts Bay)



John Jay (New York)



George Washington (Virginia)

¹ Newcastle, Kent, and Sussex: counties on the Delaware River became the self-governing state of Delaware in 1776.

² Georgia, being the newest colony (founded in 1730) and more dependent on Great Britain, did not send delegates.

³ N.C.D.: unanimous [Latin: *nemine contra dicente* (no one dissenting)].

rights of American colonists, as Englishmen, to tax and pass laws for themselves in their own assemblies (subject only to king's veto)

cannot properly be represented in the British Parliament, they are entitled to a free and exclusive power of legislation in their several provincial Legislatures, where their right of representation can alone be preserved in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed: But, from the necessity of the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such acts of the British Parliament as are bona fide, restrained to the regulation of our external commerce for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members, excluding every idea of taxation internal or external, for raising a revenue on the subjects in America without their consent.

right to trial by jury of one's peers

Resolved, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage [surrounding district], according to the course of that law.

rights in long-established English law

Resolved, 6. That they are entitled to the benefit of such of the English statutes as existed at the time of their colonization, and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

rights in royal charters & colonial laws

Resolved, N. C. D. 7. That these, his Majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters or secured by their several codes of provincial laws.

rights of assembly and petition

Resolved, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and petition the King; and that all prosecutions, prohibitory proclamations, and commitments for the same are illegal.

standing armies in peacetime illegal

Resolved, N. C. D. 9. That the keeping a standing army in these colonies in times of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

legislative councils appointed by royal governors illegal

Resolved, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that therefore the exercise of legislative power in several colonies by a council appointed, during pleasure by the crown, is unconstitutional, dangerous and destructive to the freedom of American legislation.

All and each of which the aforesaid deputies in behalf of themselves and their constituents do claim, demand, and insist on, as their indisputable rights and liberties, which cannot be legally taken from them, altered or abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.



In the course of our inquiry, we find many infringements and violations of the foregoing rights, which, from an ardent desire that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present and proceed to state such acts and measures as have been adopted since the last war which demonstrate a system formed to enslave America.

Resolved, N. C. D. That the following acts of Parliament are infringements and violations of the rights of the colonists, and that the repeal of them is essentially necessary in order to restore harmony between Great Britain and the American colonies, viz. [namely]

The offending acts of Parliament from 1764 to 1774 are summarized, after which the delegates propose a Continental Association to enforce a non-importation agreement after December 1 if the named acts of Parliament have not been repealed. The Proceedings conclude with two letters, one addressed to the people of Great Britain, and one to the American colonists.

To the PEOPLE of GREAT BRITAIN

Friends and Fellow Subjects,

When a Nation, led to Greatness by the hand of Liberty, & possessed of all the Glory, that heroism, munificence, and humanity can bestow, descends to the ungrateful talk of forging chains for her Friends & Children, and, instead of giving support to Freedom, turns advocate for Slavery and Oppression, there is reason to suspect she has either ceased to be virtuous or been extremely negligent in the appointment of her rulers.

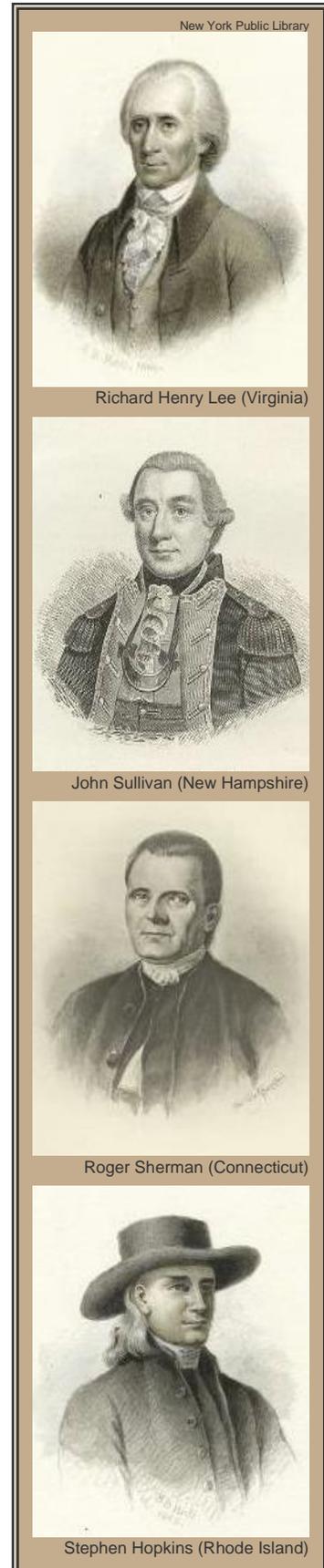
In almost every age, in repeated conflicts, in long and bloody wars, as well civil as foreign, against many and powerful nations, against the open assaults of enemies and the more dangerous treachery of friends, have the inhabitants of your Island, your great and glorious ancestors, maintained their independence and transmitted the rights of men and the blessings of liberty to you, their posterity.

Be not surprised, therefore, that we who are descended from the same common ancestors; that we, whose forefathers participated in all the rights, the liberties, and the constitution you so justly boast, and who have carefully conveyed the same fair inheritance to us, guaranteed by the plighted faith of government and the most solemn compacts with British Sovereigns, should refuse to surrender them to men who found their claims on no principles of reason, and who prosecute them with a design that, by having our lives and property in their power, they may with the greater facility enslave you.

The cause of America is now the object of universal attention. It has at length become very serious. This unhappy country has not only been oppressed but abused and misrepresented, and the duty we owe to ourselves and posterity, to your interest, and the general welfare of the British empire, leads us to address you on this very important subject.

Know then, that we consider ourselves, and do insist that we are and ought to be, as free as our fellow subjects in Britain, and that no power on earth has a right to take our property from us without our consent.

That we claim all the benefits secured to the subject by the English constitution, and particularly that inestimable one of trial by jury.



That we hold it essential to English Liberty that no man be condemned unheard, or punished for supposed offenses, without having an opportunity of making his defense. . . .

That we think the Legislature of Great Britain is not authorized by the constitution to establish a religion fraught with sanguinary and impious tenets, or to erect an arbitrary form of government in any quarter of the globe. These rights we, as well as you, deem sacred. And yet sacred as they are, they have, with many others, been repeatedly and flagrantly violated.

Are not the proprietors of the soil of Great Britain Lords of their own property? Can it be taken from them without their consent? Will they yield it to the arbitrary disposal of any man or number of men whatever? — You know they will not.

Why then are the Proprietors of the soil of America less Lords of their property than you are of yours? Or why should they submit it to the disposal of your Parliament, or any other Parliament or Council in the world not of their election? Can the intervention of the sea that divides us cause disparity in rights? Or can any reason be given why English subjects who live three thousand miles from the royal palace should enjoy less liberty than those who are three hundred miles distant from it? . . .

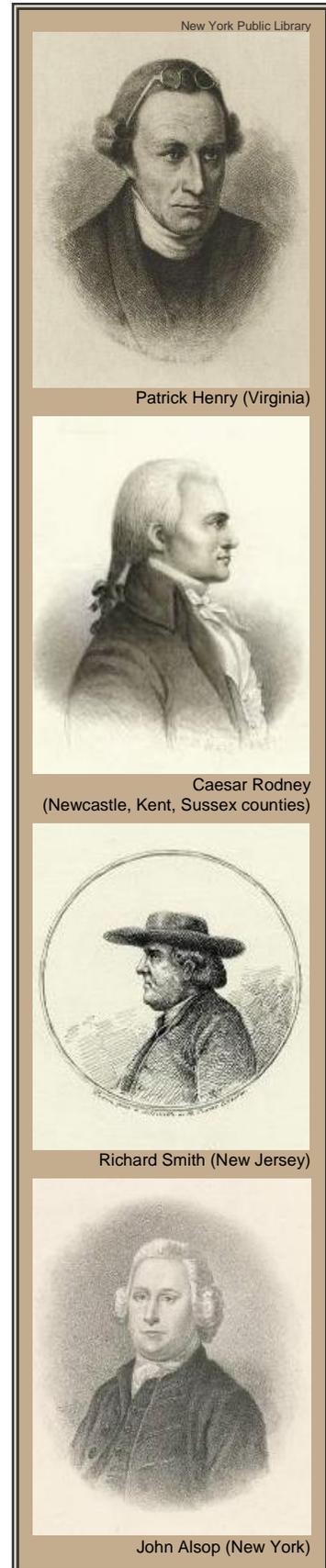
The delegates review American grievances against British policies since 1763, culminating in the Coercive Acts and the targeted punishment of Massachusetts for the Boston Tea Party.

. . . Without incurring or being charged with a forfeiture of their rights, without being heard, without being tried, without law and without justice, by an Act of Parliament their charter [Massachusetts] is destroyed, their liberties violated, their constitution and form of government changed. And all this upon no better pretense than because in one of their towns a trespass was committed [i.e., the Boston Tea Party] on some merchandise said to belong to one of the Companies, and because the Ministry were of opinion that such high political regulations were necessary to compel due subordination and obedience to their mandates.

Nor are these the only capital grievances under which we labor. We might tell of dissolute, weak, and wicked Governors having been set over us — of Legislatures being suspended for asserting the rights of British subjects — of needy and ignorant dependents on great men advanced to the seats of justice and to other places of trust and importance — of hard restrictions on commerce, and a great variety of lesser evils, the recollection of which is almost lost under the weight and pressure of greater and more poignant calamities.

Now mark the progression of the ministerial plan for enslaving us.

Well aware that such hardy attempts to take our property from us, to deprive us of that valuable right of trial by jury, to seize our persons and carry us for trial to Great Britain, to blockade our ports, to destroy our Charters and change our forms of government, would occasion and had already occasioned great discontent in the Colonies which might produce opposition to the measures, an Act was passed to protect, indemnify, and screen from punishment, such as might be guilty even of murder, in endeavoring to carry their oppressive edicts into execution. . . .



The delegates argue that the Coercive Acts and especially the Quebec Act comprise the "ministerial plan" to reduce Americans to the "same state of slavery" as the French Catholic settlers in Canada, where French law was allowed to continue despite Britain's conquest of Canada. In addition, the boundaries of Quebec were expanded to the west and south, incorporating land that Americans began to settle after 1763 but, after 1774, without their longheld rights and privileges as Englishmen.

Do not treat this as chimerical. — Know that in less than half a century the quitrents reserved to the Crown from the numberless grants of this vast continent will pour large streams of wealth into the royal coffers. And if to this be added the power of taxing America at pleasure, the Crown will be rendered independent of you for supplies, and will possess more treasure than may be necessary to purchase the *remains* of Liberty in your Island. — In a word, take care that you do not fall into the pit that is preparing for us.

We believe there is yet much virtue, much justice, and much public spirit in the English nation. — To that justice we now appeal. You have been told that we are seditious, impatient of government, and desirous of independence. Be assured that these are not facts, but calumnies. — Permit us to be as free as yourselves, and we shall ever esteem a union with you to be our greatest glory and our greatest happiness. We shall ever be ready to contribute all in our power to the welfare of the Empire — we shall consider your enemies as our enemies, and your interest as our own.

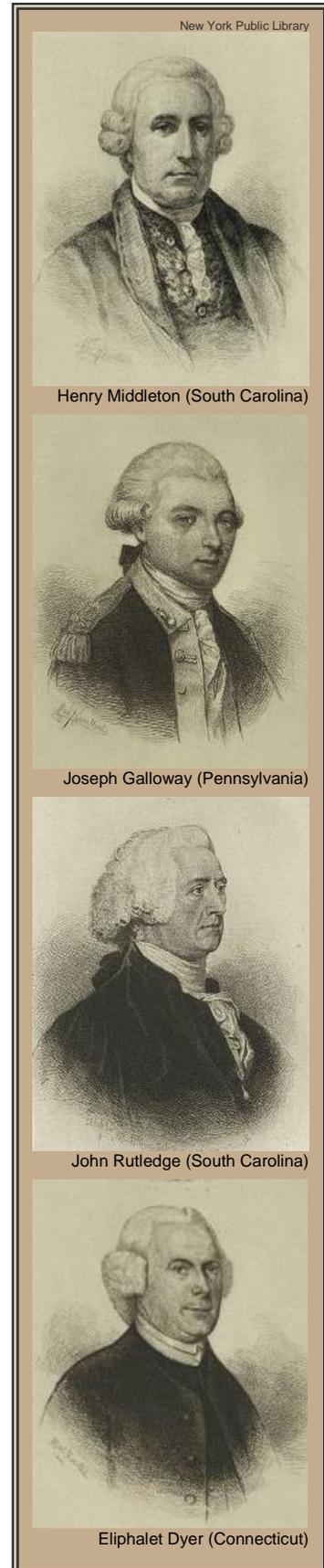
But if you are determined that your Ministers shall wantonly sport with the rights of Mankind — If neither the voice of justice, the dictates of the law, the principles of the constitution, or the suggestions of humanity can restrain your hands from shedding human blood in such an impious cause, we must then tell you that we will never submit to be hewers of wood or drawers of water for any ministry or nation in the world.

Place us in the same situation that we were at the close of the last war, and our former harmony will be restored.

But lest the same supineness and the same inattention to our common interest, which you have for several years shown should continue, we think it prudent to anticipate the consequences.

By the destruction of the trade of Boston, the Ministry have endeavored to induce submission to their measures. — The like fate may befall us all. We will endeavor, therefore, to live without trade and recur for subsistence to the fertility and bounty of our native soil, which will afford us all the necessaries and some of the conveniences of life. — We have suspended our importation from Great Britain and Ireland; and in less than a year's time, unless our grievances should be redressed, shall discontinue our exports to those kingdoms and the West Indies.

It is with the utmost regret, however, that we find ourselves compelled by the overruling principles of self-preservation to adopt measures detrimental in their consequences to numbers of our fellow subjects in Great Britain and Ireland. But we hope that the magnanimity and justice of the British Nation will furnish a Parliament of such wisdom, independence, and public spirit as may save the violated rights of the whole empire from the devices of wicked ministers and evil Counselors, whether in or out of office, and thereby restore that harmony, friendship, and fraternal affection between all the inhabitants of His Majesty's kingdoms and territories, so ardently wished for by every true and honest American.



To the INHABITANTS of the COLONIES

Friends and Fellow Countrymen,

WE, the Delegates appointed by the good people of the above Colonies to meet at Philadelphia in September last for the purposes mentioned by our respective Constituents, have, in pursuance of the trust reposed in us, assembled and taken into our most serious consideration the important matters recommended to the Congress. Our resolutions thereupon will be herewith communicated to you. But as the situation of public affairs grows daily more and more alarming; and as it may be more satisfactory to you to be informed by us in a collective body than in any other manner, of those sentiments that have been approved upon a full and free discussion by the Representatives of so great a part of America, we esteem ourselves obliged to add this Address to these resolutions.

In every case of opposition by a people to their rulers, or of one state to another, duty to Almighty God, the creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition, and of the causes by which it has been provoked or can in any degree be justified; that neither affection on one hand nor resentment on the other, being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all circumstances and settle the public conduct on the solid foundations of wisdom and justice.

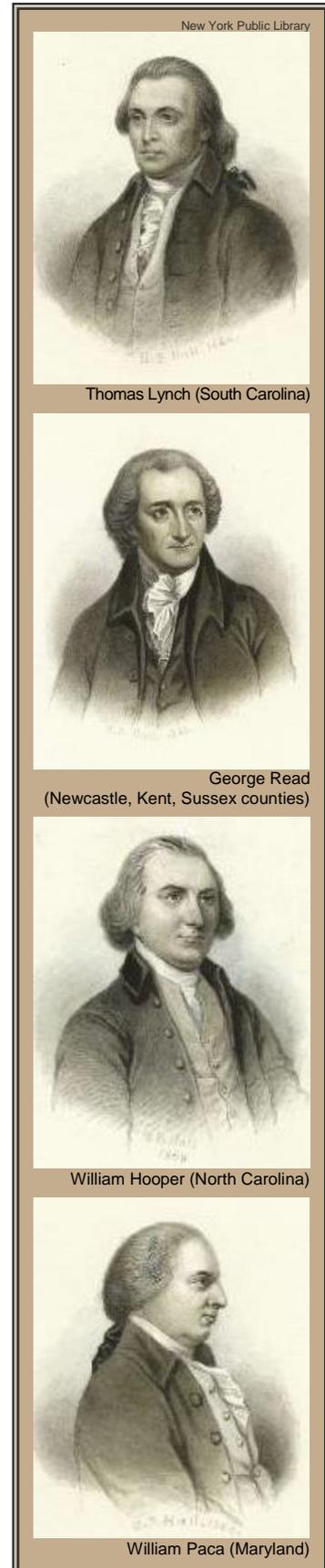
From Councils thus tempered arise the surest hopes of the divine favor, the firmest encouragement of the parties engaged, and the strongest recommendation of their cause to the rest of mankind.

With minds deeply impressed by a sense of these truths, we have diligently, deliberately, and calmly inquired into and considered those exertions, both of the legislative and executive power of Great Britain, which have excited so much uneasiness in America, and have with equal fidelity and attention considered the conduct of the Colonies. Upon the whole, we find ourselves reduced to the disagreeable alternative of being silent and betraying the innocent, or of speaking out and censuring those we wish to revere. — In making our choice of these distressing difficulties, we prefer the course dictated by honesty and a regard for the welfare of our country.

The colonists' grievances against Great Britain since the end of the French and Indian War (1763) are reviewed, from the Sugar Act in 1764 to the Coercive Acts in 1774.

The statutes, not to mention many others exceedingly exceptionable, compared one with another, will be found not only to form a regular system in which every part has great force, but also a pertinacious adherence to that system for subjugating these Colonies that are not, and from local circumstances cannot be, represented in the House of Commons, to the uncontrollable and unlimited power of Parliament in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

This conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has been by any behavior of these Colonies. From their first settlement, their bitterest enemies never fixed on any of them any charge of disloyalty to their Sovereign or disaffection to their Mother Country. In the wars she has carried on, they have exerted



themselves whenever required in giving her assistance, and have rendered her services which she has publicly acknowledged to be extremely important. Their fidelity, duty, and usefulness during the last war were frequently and affectionately confessed by his late Majesty and the present king. . . .

The delegates argue that Massachusetts does not deserve the singular criticism and punishment enacted by Parliament.

Severe as the acts of *Parliament* before mentioned are, yet the conduct of *Administration* hath been equally injurious and irritating to this devoted country.

Under pretense of governing them, so many new institutions, uniformly rigid and dangerous, have been introduced, as could only be expected from incensed masters for collecting the tribute, or, rather, the plunder, of conquered provinces.

By an order of the King, the authority of the Commander in chief, and under him of the Brigadiers general, *in time of peace*, is rendered *supreme* in all civil governments in America, and thus an uncontrollable military power is vested in officers not known to the constitution of these colonies.

A large body of troops and a considerable armament of ships of war have been sent to assist in taking their money without their consent.

Expensive & oppressive offices have been multiplied, and the acts of corruption industriously practiced to divide and destroy.

The Judges of the Admiralty and Vice Admiralty courts are empowered to receive their salaries and fees from the effects to be condemned by themselves. The Commissioners of the customs are empowered to break open and enter houses without the authority of any civil magistrate, founded on legal information.

Judges of Courts of Common Law have been made entirely dependent on the Crown for their commissions and salaries.

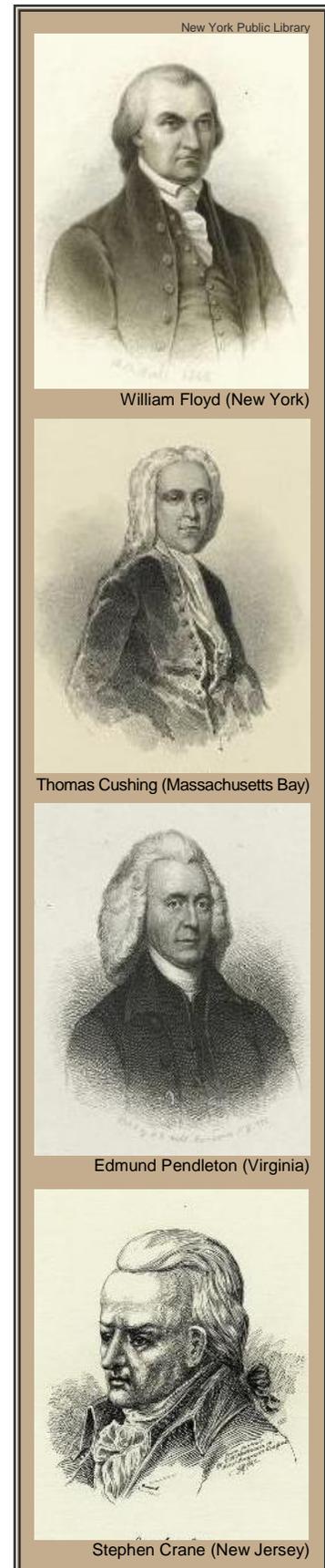
A Court has been established at Rhode Island for the purpose of taking colonists to England to be tried.

Humble and reasonable petitions from the Representatives of the people have been frequently treated with contempt, and Assemblies have been repeatedly & arbitrarily dissolved. . . .

The delegates review events of 1768-1773, including the arrival of British troops in Boston in 1768, the dissolution of the New York and Virginia assemblies, and the 1773 Tea Act that resulted in the Boston Tea Party.

On the intelligence of these transactions [Boston Tea Party] arriving in Great Britain, the public spirited town last mentioned [Boston] was singled out for destruction, and it was determined the province it belongs to should partake of its fate. In the last session of Parliament, therefore, were passed the acts for shutting up the port of Boston, indemnifying the murderers of the inhabitants of Massachusetts Bay, and changing their chartered constitution of government. To enforce these acts, that province is again invaded by a fleet and army.

To mention these outrageous proceedings is sufficient to explain them. For though it is pretended that the province of Massachusetts Bay has been particularly disrespectful to Great Britain, yet, in truth, the behavior of the people in other colonies has been an equal "opposition to the power assumed by Parliament." No step, however, has been taken



against any of the rest. This artful conduct conceals several designs. It is expected that the province of Massachusetts Bay will be irritated into some violent action that may displease the rest of the continent, or that may induce the people of Great Britain to approve the meditated vengeance of an imprudent and exasperated Ministry. . . .

The delegates state the colonists' anger at the Quebec Act, which allowed the former French Canada to be governed by its longstanding Catholic regulations which did not include standard rights held by Englishmen, such as trial by jury, and which extended the boundaries of Quebec west and south to include regions near the American colonies.

. . . Between these provinces and [Great Britain] subsists the social band which we ardently wish *may never* be dissolved, and which *cannot* be dissolved, until their minds shall become *indisputably hostile*, or their *inattention* shall permit those who are thus hostile to persist in prosecuting, with the powers of the realm, the destructive measures already operating against the colonists, and in either case shall reduce the latter to such a situation that they shall be compelled to renounce every regard but that of self-preservation. Notwithstanding the violence with which affairs have been impelled, they have not yet reached that fatal point. We do not incline to accelerate their motion, already alarmingly rapid. We have chosen a method of opposition that does not preclude a hearty reconciliation with our fellow citizens on the other side of the Atlantic. We deeply deplore the urgent necessity that presses us to an immediate interruption of commerce that may prove injurious to them. We trust they will acquit us of any unkind intentions toward them, by reflecting that we are driven by the hands of violence into unexperienced and unexpected public convulsions, and that we are contending for freedom, so often contended for by our ancestors. . . .

IN CONGRESS,
PHILADELPHIA, October 21, 1774.

New York Public Library



James Kinsey (New Jersey)



James Duane (New York)

Delegates not pictured:

Nathaniel Folsom	N.H.
Robert Treat Paine	Mass.
Samuel Ward	R.I.
Silas Deane	Conn.
Simon Boerum	N.Y.
William Floyd	N.Y.
John Haring	N.Y.
Philip Livingston	N.Y.
Isaac Low	N.Y.
Henry Wisner	N.Y.
John De Hart	N.J.
William Livingston	N.J.
Edward Biddle	Penn.
Charles Humphreys	Penn.
Thomas Mifflin	Penn.
John Morton	Penn.
Samuel Rhoads	Penn.
George Ross	Penn.
Thomas McKean	*Del.
Robert Goldsborough	Md.
Thomas Johnson	Md.
Mathew Tilghman	Md.
Richard Bland	Va.
Benjamin Harrison	Va.
Peyton Randolph	Va.
Richard Caswell	N.C.
Edward Rutledge	S.C.

*Newcastle, Kent, and Sussex counties on the Delaware River; governed by Pennsylvania