DECLARATION AND RESOLVES OF THE FIRST CONTINENTAL CONGRESS

By Miscellaneous

OCTOBER 14, 1774

Whereas, since the close of the last war, the

British parliament, claiming a power, of right, to

bind the people of America by statutes in all cases

whatsoever, hath, in some acts, expressly imposed

taxes on them, and in others, under various presences,

but in fact for the purpose of raising a revenue,

hath imposed rates and duties payable in these

colonies, established a board of commissioners, with

unconstitutional powers, and extended the

jurisdiction of courts of admiralty, not only for

collecting the said duties, but for the trial of

causes merely arising within the body of a county:

And whereas, in consequence of other statutes,

judges, who before held only estates at will in their

offices, have been made dependant on the crown alone

for their salaries, and standing armies kept in times

of peace: And whereas it has lately been resolved in

parliament, that by force of a statute, made in the

thirty-fifth year of the reign of King Henry the

Eighth, colonists may be transported to England, and

tried there upon accusations for treasons and

misprisions, or concealments of treasons committed

in the colonies, and by a late statute, such trials

have been directed in cases therein mentioned:

And whereas, in the last session of parliament,

three statutes were made; one entitled, "An act to

discontinue, in such manner and for such time as are

therein mentioned, the landing and discharging,

lading, or shipping of goods, wares and merchandise,

at the town, and within the harbour of Boston, in

the province of Massachusetts-Bay in New England;"

another entitled, "An act for the better regulating

the government of the province of Massachusetts-Bay

in New England;" and another entitled, "An act for the

impartial administration of justice, in the cases

of persons questioned for any act done by them in the

execution of the law, or for the suppression of

riots and tumults, in the province of the

Massachusetts-Bay in New England;" and another

statute was then made, "for making more effectual

provision for the government of the province of

Quebec, etc." All which statutes are impolitic,

unjust, and cruel, as well as unconstitutional,

and most dangerous and destructive of American

rights:

And whereas, assemblies have been frequently

dissolved, contrary to the rights of the people, when

they attempted to deliberate on grievances; and

their dutiful, humble, loyal, and reasonable

petitions to the crown for redress, have been

repeatedly treated with contempt, by his Majesty's

ministers of state:

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, Maryland, Virginia, North-

Carolina and South-Carolina, 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. 1. That they are entitled to

life, liberty and property: and they have never ceded

to any foreign power whatever, a right to dispose of

either without their consent.

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.

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.

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, 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 bonfide, 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.

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, according

to the course of that law.

Resolved, N.C.D. 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.

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.

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.

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.

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 indubitable 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 legislature.

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.

The several acts of Geo. III. ch. 15, and

ch. 34.-5 Geo. III. ch.25.-6 Geo. ch. 52.-7 Geo.III.

ch. 41 and ch. 46.-8 Geo. III. ch. 22. which impose

duties for the purpose of raising a revenue in America,

extend the power of the admiralty courts beyond their

ancient limits, deprive the American subject of trial

by jury, authorize the judges certificate to indemnify

the prosecutor from damages, that he might otherwise

be liable to, requiring oppressive security from a

claimant of ships and goods seized, before he shall be

allowed to defend his property, and are subversive of

American rights.

Also 12 Geo. III. ch. 24, intituled, "An act for

the better securing his majesty's dockyards, magazines,

ships, ammunition, and stores," which declares a new

offence in America, and deprives the American subject

of a constitutional trial by jury of the vicinage, by

authorizing the trial of any person, charged with the

committing any offence described in the said act, out

of the realm, to be indicted and tried for the same in

any shire or county within the realm.

Also the three acts passed in the last session of

parliament, for stopping the port and blocking up the

harbour of Boston, for altering the charter and

government of Massachusetts-Bay, and that which is

entitled, "An act for the better administration of

justice, etc."

Also the act passed in the same session for

establishing the Roman Catholic religion, in the

province of Quebec, abolishing the equitable system

of English laws, and erecting a tyranny there, to the

great danger (from so total a dissimilarity of

religion, law and government) of the neighboring

British colonies, by the assistance of whose blood and

treasure the said country was conquered from France.

Also the act passed in the same session, for the

better providing suitable quarters for officers and

soldiers in his majesty's service, in North-America.

Also, that the keeping a standing army in several

of these colonies, in time of peace, without the

consent of the legislature of that colony, in which

such army is kept, is against law.

To these grievous acts and measures, Americans

cannot submit, but in hopes their fellow subjects in

Great Britain will, on a revision of them, restore us

to that state, in which both countries found

happiness and prosperity, we have for the present,

only resolved to pursue the following peaceable

measures: 1. To enter into a non-importation, non-

consumption, and non-exportation agreement or

association. 2. To prepare an address to the people

of Great-Britain, and a memorial to the inhabitants

of British America: and 3. To prepare a loyal address

to his majesty, agreeable to resolutions already

entered into.

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