

## IN CONGRESS IN PHILADELPHIA

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 pretences, 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 dependent 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, N.C.D. 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. 11.** 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, entitled, "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.

Signed, PEYTON RANDOLPH, President.

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*To the Inhabitants of the Several Anglo-American Colonies • 1774 •*

Summary and notes (pending). (William Livingston)

## IN CONGRESS IN PHILADELPHIA

October 21, 1774

**WE, the delegates** appointed by the good people of these 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 to settle the public conduct on the solid foundations of wisdom and justice.

From counsels 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.

Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these colonies. By a statute made in the fourth year of the present reign, a time of profound peace, alleging "the expediency of new provision, and regulations for extending the commerce between Great Britain and his majesty's dominions in America, and the necessity of raising a revenue in the said dominions, for defraying the expenses of defending, protecting, and securing the same," the commons of Great Britain undertook to give and grant to his majesty many rates and duties to be paid in these colonies. To enforce the observance of this act, it prescribes a great number of severe penalties and forfeitures; and in two sections makes a remarkable distinction between the subjects in Great Britain and those in America. By the one, the penalties and forfeitures incurred there are to be recovered in any of the king's courts of record at Westminster, or in the court of exchequer in Scotland; and by the other, the penalties and forfeitures incurred here

are to be recovered in any court of record, or in any court of admiralty or vice-admiralty, at the election of the informer or prosecutor.

The Inhabitants of these colonies, confiding in the justice of Great Britain, were scarcely allowed and consider this act, before another, well known by the name of the Stamp Act, and passed in the fifth year of this reign, engrossed their whole attention. By this statute, the British Parliament exercised in the most explicit manner a power of taxing us, and extending the jurisdiction of courts of admiralty and vice-admiralty in the colonies to matters arising within the body of a county, and directed the numerous penalties and forfeitures thereby inflicted to be recovered in the said courts.

In the same year a tax was imposed upon us by an act establishing several new fees in the customs. In the next year the Stamp Act was repealed, not because it was founded in an erroneous principle, but, as the repealing act recites, because "the continuance thereof would be attended with many inconveniences, and might be productive of consequences greatly detrimental to the commercial interest of Great Britain."

In the same year, and by a subsequent act, it was declared, "that his majesty in Parliament, of right, had power to bind the people of these colonies by statutes in all cases whatsoever." In the same year another act was passed for imposing rates and duties payable in these colonies. In this statute, the commons, avoiding the terms of giving and granting, "humbly besought his majesty that it might be enacted," &c. But from a declaration in the preamble, that the rates and duties were "in lieu of" several others granted by the statute first before mentioned for raising a revenue, and from some other expressions, it appears that these duties were intended for that purpose.

In the next year (1767,) an act was made "to enable his majesty to put the customs and other duties in America under the management of commissioners," &c., and the king thereupon erected the present expensive board of commissioners, for the express purpose of carrying into execution the several acts relating to the revenue and trade in America.

After the repeal of the Stamp Act, having again resigned ourselves to our ancient unsuspecting affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favorable alteration in sentiments and measures toward us, we did not press our objections against the above mentioned statutes made subsequent to that repeal.

Administration, attributing to trifling causes a conduct that really proceeded from generous motives, were encouraged in the same year (1767) to make a bolder experiment on the patience of America.

By a statute commonly called the Glass, Paper, and Tea Act made fifteen months after the repeal of the Stamp Act, the commons of Great Britain resumed their former language, and again undertook to "give and grant rates and duties to be paid in these colonies," for the express purpose of "raising a revenue to defray the charges of the administration of justice, the support of civil government, and defending the king's dominions," on this continent. The penalties and forfeitures incurred under this statute are to be recovered in the same manner with those mentioned in the foregoing acts.

To this statute, so naturally tending to disturb the tranquility then universal throughout the colonies, Parliament, in the same session, added another no less extraordinary.

Ever since the making the present peace a standing army has been kept in these colonies. From respect for the mother country, the innovation was not only tolerated, but the provincial Legislatures generally made provision for supplying the troops.

The Assembly of the province of New York having passed an act of this kind, but differing in some articles from the directions of the act of Parliament made in the fifth year of this reign, the House of Representatives in that colony was prohibited, by a statute made in the last session mentioned from making any bill, order, resolution, or vote, except for adjourning or choosing a speaker, until provision should be made by the said Assembly for furnishing the troops within that province not only with all such necessaries as were required by the statute which they were charged with disobeying, but also with those required by two other subsequent statutes, which were declared to be in force until the twenty fourth day of March, 1769.

These statutes of the year 1767 revived the apprehensions and discontents that had entirely subsided on the repeal of the Stamp Act; and, amid the just fears and jealousies thereby occasioned, a statute was made in the next year (1768) to establish courts of admiralty and vice admiralty on a new model, expressly for the end of more effectually recovering of the penalties and forfeitures inflicted by acts of Parliament framed for the purpose of raising a revenue in America, &c. The immediate tendency of these statutes is to subvert the right of having a share in legislation, by rendering assemblies useless; the right of property, by taking the money of the colonists without their consent; the right of trial by Jury, by substituting in their places trials in admiralty and vice-admiralty courts, where single Judges preside, holding their commissions during pleasure, and unduly to influence the courts of common law by rendering the judges thereof totally dependent on the crown for their salaries.

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 can not 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 reproaches of those who are most unfriendly to the freedom of America are principally leveled against the province of Massachusetts Bay, but with what little reason will appear by the following declarations of a person, the truth of whose evidence in their favor will not be questioned. Governor Bernard thus addresses the two Houses of Assembly in his speech on the 24th of April, 1762: "The unanimity and dispatch with which you have complied with the requisitions of his majesty require my particular acknowledgment, and it gives me additional pleasure to observe that you have therein acted under no other influence than a due sense of your duty, both as members of a general empire and as the body of a particular province."

In another speech, on the 27th of May in the same year, he says, " Whatever shall be the event of the war, it must be no small satisfaction to us that this province hath contributed its full share to the support of it. Every thing that hath been required of it hath been complied with; and the execution of the powers committed to me for raising the provincial troops hath been as full and complete as the grant of them. Never before were regiments so easily levied, so well composed, and so early in the field as they have been this year: the common people seem to be animated with the spirit of the General Court, and to vie with them in their readiness to serve the king."

Such was the conduct of the people of the Massachusetts Bay during the last war. As to their behavior before that period, it ought not to have been forgot in Great at Britain that not only on every occasion they had constantly and cheerfully complied with the frequent royal requisitions, but that chiefly by their vigorous efforts Nova Scotia was subdued in 1710, and Louisbourg in 1745.

Foreign quarrels being ended, and the domestic disturbances that quickly succeeded on account of the Stamp Act being quieted by its repeal, the Assembly of Massachusetts Bay transmitted an humble address of thanks to the king and divers noblemen, and soon after passed a bill for granting compensation to the sufferers in the disorder occasioned by that act.

These circumstances, and the following extracts from Governor Bernard's letters, in 1768, to the Earl of Shelburne, Secretary of State, clearly show with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discords, and with what respectful deference they endeavored to escape other subjects of future controversy. " The House," says the governor, "from the time of opening the session day, has shown a disposition to avoid all dispute with me, every thing having passed with as much good humor as I could desire, except only their continuing to act in addressing the king, remonstrating to the Secretary of State, and employing a separate agent. It is the importance of this innovation, without any willfulness of my own, which induces me to make this remonstrance at a time when I have a fair prospect of having in all other business nothing but good to say of the proceedings of the House."

"They have acted in all things, even in their remonstrance with temper and moderation; they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercation."

"I shall make such a prudent and proper use of this letter as I hope will perfectly restore the peace and tranquility of this province, for which purpose considerable steps have been made by the House of Representatives."

The vindication of the province of Massachusetts Bay contained in these letters will have greater force if it be considered that they were written several months after the fresh alarm given to the colonies by the statutes passed in the preceding year.

In this place it seems proper to take notice of the insinuation of one of those statutes, that the interference of Parliament was necessary to provide for "defraying the charges of the administration of justice, the support of civil government, and defending the king's dominions in America."

As to the first two articles of expense, every colony had made such provision as by their respective assemblies, the best judges on such occasions, was thought expedient and suitable to their several circumstances, respecting the last, it is well known to all men the least acquainted with American affairs that the colonies were established, and generally defended themselves, without the least

assistance from Great Britain; and that, at the time of her taxing them by the statutes before mentioned, most of them were laboring under very heavy debts contracted in the last war. So far were they from sparing their money when their sovereign constitutionally asked their aids, that, during the course of that war, Parliament repeatedly made them compensations for the expenses of those strenuous efforts which, consulting their zeal rather than their strength, they had cheerfully incurred.

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 brigadier-generals, 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 Constitutions 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 and 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 and arbitrarily dissolved.

From some few instances it will sufficiently appear on what pretenses of justice those dissolutions have been founded.

The tranquility of the colonies having been again disturbed, as has been mentioned, by the statutes of the year 1767, the Earl of Hillsborough, Secretary of State, in a letter to Governor Bernard, dated April 22d, 1768, censures the "presumption" of the House of Representatives for "resolving upon a measure of so inflammatory a nature as that of writing to the other colonies on the subject of their intended representations against some late acts of Parliament," then declares that "his majesty considers this step as evidently tending to create unwarrantable combinations, to excite an unjustifiable opposition to the constitutional authority of Parliament," and afterward adds, "It is the king's pleasure that, as soon as the General Court is again assembled at the time prescribed by the charter, you should require of the House of Representatives, in his majesty's name, to rescind the



resolutions which gave birth to the circular letter from the speaker, and to declare their disapprobation of and dissent to that rash and hasty proceeding."

"If the new Assembly should refuse to comply with his majesty's reasonable expectation, it is the king's pleasure that you should immediately dissolve them."

This letter being laid before the House, and the resolution not being rescinded, according to order the Assembly was dissolved. A letter of a similar nature was sent to other governors, to procure resolutions approving the conduct of the representatives of Massachusetts Bay to be rescinded also, and the Houses of Representatives in other colonies refusing to comply, assemblies were dissolved.

These mandates spoke a language to which the ears of English subjects had for several generations been strangers. The nature of assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the requisitions made, left to the assemblies only the election between dictated submission and threatened punishment: a punishment, too, founded on no other act than such as is deemed innocent even in slaves, of agreeing in petitions for redress of grievances that equally affect all.

The hostile and unjustifiable invasion of the town of Boston soon followed these events in the same year, though that town, the province in which it is situated, and all the colonies, from abhorrence of a contest with their parent state, permitted the execution even of those statutes against which they were so unanimously complaining, remonstrating, and supplicating.

Administration, determined to subdue a spirit of freedom which English ministers should have rejoiced to cherish, entered into a monopolizing combination with the East India Company to send to this continent vast quantities of tea, an article on which a duty was laid by a statute that in a particular manner attacked the liberties of America, and which therefore, the inhabitants of these colonies had resolved not to import. The cargo sent to South Carolina was stored and not allowed to be sold. Those sent to Philadelphia and New York were not permitted to be landed. That sent to Boston was destroyed, because Governor Hutchinson would not suffer it to be returned.

On the intelligence of these transactions arriving in Great Britain, the public spirited town last mentioned 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 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. If the unexampled pacific temper of that province shall disappoint this part of the plan, it is hoped the other colonies will be so far intimidated as to desert their brethren suffering in a common cause, and that thus disunited all may be subdued.

To promote these designs another measure has been pursued. In the session of Parliament last mentioned, an act was passed for changing the government of Quebec, by which act the Roman Catholic religion, instead of being tolerated, as stipulated by the treaty of peace, is established, and the people there are deprived of a right to an assembly, trials by jury, and the English laws in civil cases are abolished, and instead thereof the French laws are established, in direct violation of his majesty's promise by his royal proclamation, under the faith of which many English subjects settled in that province; and the limits of that province are extended so as to comprehend those vast regions that lie adjoining to the northerly and westerly boundaries of these colonies.

The authors of this arbitrary enactment flatter themselves that the inhabitants, deprived of liberty and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such as differ from them in modes of government and faith.

From the detail of facts herein before recited, as well as from authentic intelligence received, it is clear, beyond a doubt, that a resolution is formed and now carrying into execution to extinguish the freedom of these colonies, by subjecting them to a despotic government.

At this unhappy period we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence but have endeavored to discharge it with integrity. Though the state of these colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place, it appeared to us a conduct becoming the character these colonies have ever sustained, to perform, even in the midst of the unnatural distresses and immediate dangers which surround them, every act of loyalty, and therefore we were induced once more to offer to his majesty the petitions of his faithful and oppressed subjects in America. Secondly, regarding with the tender affection which we knew to be so universal among our countrymen, the people of the kingdom from which we derive our origin, we could not forbear to regulate our steps by an expectation of receiving full conviction that the colonists are equally dear to them. Between these provinces and that body subsists the social band, which we ardently wish may never be dissolved, and which can not 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.

The people of England will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence, and can not, upon a review of past events, be persuaded that they, the defenders of true religion, and the asserters of the rights of mankind, will take part against their affectionate Protestant brethren in the colonies, in favor of our open and their own secret enemies, whose intrigues, for several years past, have been wholly exercised in sapping the foundations of civil and religious liberty.

Another reason that engaged us to prefer the commercial mode of opposition arose from an assurance that the mode will prove efficacious if it be persisted in with fidelity and virtue, and that your conduct will be influenced by these laudable principles can not be doubted. Your own salvation and that of your posterity now depends upon yourselves. You have already shown that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of trade, you will weigh in the opposite balance the endless miseries you and your descendants must endure from an established arbitrary power. You will not forget the honor of your country, that must, from your behavior, take its title, in the estimation of the world, to glory or to shame; and you will, with the deepest attention, reflect that if the peaceable mode of opposition recommended by us be broken and rendered ineffectual, as your cruel and haughty ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to choose either a more dangerous contest, or a final, ruinous, and infamous submission.

Motives thus cogent, arising from the emergency of your unhappy condition, must excite your utmost diligence and zeal to give all possible strength and energy to the pacific measures calculated for your relief; but we think ourselves bound in duty to observe to you, that the schemes agitated against these colonies have been so conducted as to render it prudent that you should extend your views to mournful events, and be, in all respects, prepared for every contingency. Above all things, we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves, and implore the favor of Almighty God: and we fervently beseech his divine goodness to take you into his gracious protection.

IN CONGRESS, PHILADELPHIA, October 21, 1774.

Signed, PEYTON RANDOLPH, President.

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*Address to the Inhabitants of the Province of Quebec* • 1774 • Summary and notes (pending).  
(John Dickinson)

## IN CONGRESS IN PHILADELPHIA

October 26, 1774

### *Friends and Fellow subjects:*

**WE, the delegates** of the colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, deputed by the inhabitants of the said colonies to represent them in a general Congress at Philadelphia, in the province of Pennsylvania, to consult together concerning the best methods to obtain redress of our afflicting grievances, having accordingly assembled, and taken into our most serious consideration the state of public affairs on this continent, have thought proper to address your province, as a member therein deeply interested.

When the fortune of war, after a gallant and glorious resistance, had incorporated you with the body of English subjects, we rejoiced in the truly valuable addition, both on our own and your account, expecting, as courage and generosity are naturally united, our brave enemies would become our hearty friends, and that the Divine Being would bless to you the dispensations of his overruling providence, by securing to you and your latest posterity the inestimable advantages of a free English constitution of government, which it is the privilege of all English subjects to enjoy.

These hopes were confirmed by the king's proclamation, issued in the year 1763, plighting the public faith for your full enjoyment of those advantages.

Little did we imagine that any succeeding ministers would so audaciously and cruelly abuse the royal authority as to withhold from you the fruition of the irrevocable rights to which you were thus justly entitled.

But since we have lived to see the unexpected time when ministers of this flagitious temper have dared to violate the most sacred compacts and obligations, and as you, educated under another form of government, have artfully been kept from discovering the unspeakable worth of that form you are now undoubtedly entitled to, we esteem it our duty, for the weighty reasons hereinafter mentioned, to explain to you some of its most important branches.

"In every human society," says the celebrated Marquis Beccaria, "there is an effort continually tending to confer on one part the height of power and happiness, and to reduce the other to the extreme of weakness and misery. The intent of good laws is to oppose this effort, and to diffuse their influence universally and equally."

Rulers stimulated by this pernicious "effort," and subjects animated by the just "intent of opposing good laws against it," have occasioned that vast variety of events that fill the histories of so many nations. All these histories demonstrate the truth of this simple position, that to live by the will of one man, or set of men, is the production of misery to all men.

On the solid foundation of this principle, Englishmen reared up the fabric of their Constitution with such a strength, as for ages to defy time, tyranny, treachery, internal and foreign wars; and, as an illustrious author [Montesquieu] of your nation, hereafter mentioned observes, "They gave the people of their colonies the form of their own government, and this government carrying prosperity along with it, they have grown great nations in the forests they were sent to inhabit."

In this form, the first grand right is that of the people having a share in their own government, by their representatives chosen by themselves, and, in consequence, of being ruled by laws which they themselves approve, not by the edicts of men over whom they have no control. This is a bulwark surrounding and defending their property, so that no portions of it can legally be taken from them but with their own full and free consent, when they in their judgment deem it just and necessary to give them for public services, and precisely direct the easiest, cheapest, and most equal methods in which they shall be collected.

The influence of this right extends still farther. If money is wanted by rulers who have in any manner oppressed the people, they may retain it until their grievances are redressed and thus peaceably procure relief without trusting to despised petitions or disturbing the public tranquility.

The next great right is that of trial by jury. This provides that neither life, liberty, nor property can be taken from the possessor until twelve of his unexceptionable countrymen and peers of his vicinage, who, from that neighborhood, may reasonably be supposed to be acquainted with his character and the characters of the witnesses, upon a fair trial and full inquiry, face to face, in open court, before as many of the people as choose to attend, shall pass their sentence upon oath against him—a sentence that can not injure him without injuring their own reputation, and probably their interest also, as the question may turn on points that in some degree concern the general welfare; and if it does not, their verdict may form a precedent that, on a similar trial of their own, may militate against themselves.

Another right relates merely to the liberty of the person. If a subject is seized and imprisoned, though by order of government, he may, by virtue of this right, immediately obtain a writ termed a habeas corpus from a judge, whose sworn duty it is to grant it, and thereupon procure any illegal restraint to be quickly inquired into and redressed.

A fourth right is that of holding lands by the tenure of easy rents, and not by rigorous and oppressive services, frequently forcing the possessors from their families and their business to perform what ought to be done in all well regulated states by men hired for the purpose.

The last right we shall mention regards the freedom of the press. The importance of this consists, besides the advancement of truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of government its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated into more honorable and just modes of conducting affairs.

These are the invaluable rights that form a considerable part of our mild system of government; that, sending its equitable energy through all ranks and classes of men defends the poor from the rich, the weak from the powerful, the industrious from the rapacious, the peaceable from the violent the tenants from the lords, and all from their superiors.

These are the rights without which a people can not be free and happy, and under the protecting and encouraging influence of which these colonies have hitherto so amazingly flourished and increased. These are the rights a profligate ministry are now striving by force of arms to ravish from us, and which we are with one mind resolved never to resign but with our lives.

These are the rights you are entitled to, and ought at this moment in perfection to exercise. And what is offered to you by the late act of Parliament in their place? Liberty of conscience in your religion? No. God gave it to you, and the temporal powers with which you have been and are connected firmly stipulated for your enjoyment of it. If laws divine and human could secure it against the despotic caprices of wicked men, it was secured before. Are the French laws in civil cases restored? It seems so. But observe the cautious kindness of the ministers who pretend to be your benefactors. The words of the statute are, "that those laws shall be the rule until they shall be varied or altered by any ordinances of the governor and council." Is the "certainty and lenity of the criminal law of England, and its benefits and advantages," commended in the said statute, and said to have been "sensibly felt by you," secured to you and your descendants? No.

They too are subjected to arbitrary "alterations" by the governor and council; and a power is expressly reserved of appointing "such courts of criminal, civil, and ecclesiastical jurisdiction as shall be thought proper." Such is the precarious tenure of mere will by which you hold your lives

and religion. The crown and its ministers are empowered, as far as they could be by Parliament, to establish even the inquisition itself among you. Have you an Assembly composed of worthy men, elected by yourselves, and in whom you can confide, to make laws for you, to watch over your welfare, and to direct in what quantity and in what manner your money shall be taken from you? No. The power of making laws for you is lodged in the governor and council, all of them dependent upon and removable at the pleasure of a minister. Besides, another late statute, made without your consent, has subjected you to the impositions of excise, the horror of all free states, thus wresting your property from you by the most odious of taxes and laying open to insolent tax gatherers houses, the scenes of domestic peace and comfort, and called the castles of English subjects in the books of their law. And in the very act for altering your government, and intended to flatter you, you are not authorized to "assess, levy, or apply any rates and taxes but for the inferior purposes of making roads, and erecting and repairing public buildings, or for other local conveniences within your respective towns and districts." Why this degrading distinction? Ought not the property honestly acquired by Canadians to be held as sacred as that of Englishmen? Have not Canadians sense enough to attend to any other public affairs than gathering stones from one place and piling them up in another? Unhappy people! who are not only injured, but insulted. Nay, more! with such a superlative contempt of your understanding and spirit has an insolent ministry presumed to think of you, our respectable fellow subjects, according to the information we have received, as firmly to persuade themselves that your gratitude for the injuries and insults they have recently offered to you will engage you to take up arms, and render yourselves the ridicule and detestation of the world, by becoming tools in their hands in taking that freedom from us which they have treacherously denied to you; the unavoidable consequences of which attempt, if successful, would be the extinction of all hopes of you or your posterity being ever restored to freedom; for idiocy itself can not believe that, when their drudgery is performed, they will treat you with less cruelty than they have us, who are of the same blood with themselves.

What would your countryman, the immortal Montesquieu, have said to such a plan of domination as has been framed for you? Hear his words, with an intenseness of thought suited to the importance of the subject: "In a free state, every man who is supposed a free agent ought to be concerned in his own government; therefore the legislative should reside in the whole body of the people or their representatives." "The political liberty of the subject is a tranquillity of mind, arising from the opinion each person has of his safety. In order to have this liberty, it is requisite the government be so constituted as that one man need not be afraid of another. When the power of making laws and the power of executing them are united in the same person, or in the same body of magistrates, there can be no liberty, because apprehensions may arise lest the same monarch or senate should enact tyrannical laws to execute them in a tyrannical manner."

"The power of judging should be exercised by persons taken from the body of the people, at certain times of the year, and pursuant to a form and manner prescribed by law. There is no liberty if the power of judging be not separated from the legislative and executive powers."

"Military men belong to a profession which may be useful but is often dangerous." "The enjoyment of liberty, and even its support and preservation, consists in every man's being allowed to speak his thoughts and lay open his sentiments."

Apply these decisive maxims, sanctified by the authority of a name which all Europe reveres, to your own state. You have a governor, it may be urged, vested with the executive powers, or the powers of administration: in him and in your Council is lodged the power of making laws. You have judges, who are to decide every cause affecting your lives, liberty, or property. Here is, indeed, an

appearance of the several powers being separated and distributed into different hands, for checks upon one another — the only effectual mode ever invented by the wit of men to promote their freedom and prosperity. But scorning to be illuded by a tinselled outside, and exerting the natural sagacity of Frenchmen, examine the specious device and you will find it, to use an expression of holy writ, "a whited sepulchre" for burying your lives, liberty, and property.

Your judges and your Legislative Council, as it is called are dependent on your governor, and he is dependent on the servant of the crown in Great Britain. The legislative, executive, and judging powers are all moved by the nods of a minister. Privileges and immunities last no longer than his smiles. When he frowns, their feeble forms dissolve. Such a treacherous ingenuity has been exerted in drawing up the code lately offered to you, that every sentence beginning with a benevolent pretension concludes with a destructive power; and the substance of the whole, divested of its smooth words is, that the crown and its ministers shall be as absolute throughout your extended province as the despots of Asia or Africa. What can protect your property from taxing edicts, and the rapacity of necessitous and cruel masters ? your persons from lettres de cachet, jails, dungeons, and oppressive services ? your lives and general liberty from arbitrary and unfeeling rulers? We defy you, casting your view upon every side, to discover a single circumstance promising from any quarter the faintest hope of liberty to you or your posterity, but from an entire adoption into the union of these colonies.

What advice would the truly great man before mentioned, that advocate of freedom and humanity, give you, were he now living, and knew that we, your numerous and powerful neighbors, animated by a just love of our invaded rights, and united by the indissoluble bands of affection and interest, called upon you by every obligation of regard for yourselves and your children, as we now do, to join us in our righteous contest, to make common cause with us therein and take a noble chance for emerging from a humiliating subjection under governors, intendants, and military tyrants, into the firm rank and condition of English freemen, whose custom it is, derived from their ancestors, to make those tremble who dare to think of making them miserable?

Would not this be the purport of his address? "Seize the opportunity presented to you by Providence itself. You have been conquered into liberty, if you act as you ought. This work is not of man. You are a small people compared to those who, with open arms, invite you into a fellowship. A moment's reflection should convince you which will be most for your interest and happiness, to have all the rest of North America your unalterable friends, or your inveterate enemies The injuries of Boston have roused and associated every colony from Nova Scotia to Georgia. Your province is the only link wanting to complete the bright and strong chain of union. Nature has joined your country to theirs. Do you join your political interests. For their own sakes, they never will desert or betray you. Be assured that the happiness of a people inevitably depends on their liberty and their spirit to assert it. The value and extent of the advantages tendered to you are immense. Heaven grant you may not discover them to be blessings after they have bid you an eternal adieu."

We are too well acquainted with the liberality of sentiment distinguishing your nation, to imagine that difference of religion will prejudice you against a hearty amity with us. You know that the transcendent nature of freedom elevates those who unite in her cause above all such low minded infirmities The Swiss cantons furnish a memorable proof of this truth. Their union is composed of Roman Catholic and Protestant states, living in the utmost concord and peace with one another, and thereby enabled, ever since they bravely vindicated their freedom, to defy and defeat every tyrant that has invaded them.

Should there be any among you, as there generally are in all societies, who prefer the favors of ministers and their own private interests to the welfare of their country, the temper of such selfish persons will render them incredibly active in opposing all public spirited measures, from an expectation of being well rewarded for their sordid industry by their superiors; but we doubt not you will be upon your guard against such men, and not sacrifice the liberty and happiness of the whole Canadian people and their posterity to gratify the avarice and ambition of individuals.

We do not ask you, by this address, to commence acts of hostility against our common sovereign. We only invite you to consult your own glory and welfare, and not to suffer yourselves to be inveigled or intimidated by infamous ministers, so far as to become the instruments of their cruelty and despotism, but to unite with us in one social compact, formed on the generous principles of equal liberty, and cemented by such an exchange of beneficial and endearing offices as to render it perpetual. In order to complete this highly desirable union, we submit it to your consideration, whether it may not be expedient for you to meet together in your several towns and districts, and elect deputies who, afterward meeting in a Provincial Congress, may choose delegates to represent your province in the Continental Congress to be held at Philadelphia on the tenth day of May, 1775.

In this present Congress, beginning on the fifth of the last month, and continued to this day, it has been with universal pleasure, and a unanimous vote, resolved that we should consider the violation of your rights, by the act for altering the government of your province, as a violation of our own, and that you should be invited to accede to our confederation, which has no other objects than the perfect security of the natural and civil rights of all the constituent members, according to their respective circumstances, and the preservation of a lasting and happy connection with Great Britain on the statutory and constitutional principles herein before mentioned. For effecting these purposes, we have addressed an humble and loyal petition to his majesty, praying relief of our and your grievances, and have associated to stop all importations from Great Britain and Ireland, after the first day of December, and all exportations to those kingdoms and the West Indies, after the tenth day of next September, unless the said grievances are redressed.

That Almighty God may incline your minds to approve our equitable and necessary measures, to add yourselves to us, to put your fate, whenever you suffer injuries which you are determined to oppose, not on the small influence of your single province, but on the consolidated powers of North America and may grant to our joint exertions an event as happy as our cause is just, is the fervent prayer of us, your sincere and affectionate friends and fellow subjects.

By order of the Congress,  
Henry Middleton, President.

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*Address to the People of Great Britain* • 1774 • Summary and notes (pending). (John Jay)

## IN CONGRESS IN PHILADELPHIA

**WHEN A NATION**, led to greatness by the hand of liberty, and possessed of all the glory that heroism, munificence, and humanity can bestow, descends to the ungrateful task of forging chains for her friends and 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, 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 of, 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 3,000 miles from the royal palace should enjoy less liberty than those who are 300 miles distant from it?

Reason looks with indignation on such distinctions, and freemen can never perceive their propriety. And yet, however chimerical and unjust such discriminations are, the Parliament assert that they have a right to bind us in all cases without exception, whether we consent or not; that they may

take and use our property when and in what manner they please; that we are pensioners on their bounty for all that we possess, and can hold it no longer than they vouchsafe to permit. Such declarations we consider as heresies in English politics, and which can no more operate to deprive us of our property, than the interdicts of the pope can divest kings of scepters which the laws of the land and the voice of the people have placed in their hands.

At the conclusion of the late war — a war rendered glorious by the abilities and integrity of a minister to whose efforts the British empire owes its safety and its fame — at the conclusion of this war, which was succeeded by an inglorious peace, formed under the auspices of a minister of principles and of a family unfriendly to the Protestant cause and inimical to liberty; we say, at this period, and under the influence of that man, a plan for enslaving your fellow subjects in America was concerted, and has ever since been pertinaciously carrying into execution.

Prior to this era, you were content with drawing from us the wealth produced by our commerce. You restrained our trade in every way that could conduce to your emolument. You exercised unbounded sovereignty over the sea. You named the ports and nations to which alone our merchandise should be carried, and with whom alone we should trade; and though some of these restrictions were grievous, we nevertheless did not complain. We looked up to you as to our parent state, to which we were bound by the strongest ties; and were happy in being instrumental to your prosperity and grandeur.

We call upon you yourselves to witness our loyalty and attachment to the common interest of the whole empire. Did we not, in the last war, add all the strength of this vast continent to the force which repelled our common enemy? Did we not leave our native shores, and meet disease and death, to promote the success of British arms in foreign climates? Did you not thank us for our zeal, and even reimburse us large sums of money which, you confessed, we had advanced beyond our proportion; and far beyond our abilities? You did.

To what causes, then, are we to attribute the sudden changes of treatment, and that system of slavery which was prepared for us at the restoration of peace?

Before we had recovered from the distresses which ever attend war, an attempt was made to drain this country of all its money by the oppressive Stamp Act. Paint, glass, and other commodities which you would not permit us to purchase of other nations were taxed; nay, although no wine is made in any country subject to the British state, you prohibited our procuring it of foreigners without paying a tax imposed by your Parliament on all we imported. These and many other impositions were laid upon us most unjustly and unconstitutionally for the express purpose of raising a revenue. In order to silence complaint, it was indeed provided that this revenue should be expended in America for its protection and defense. These exactions, however, can receive no justification from a pretended necessity of protecting and defending us. They are lavishly squandered on court favorites and ministerial dependents, generally avowed enemies to America, and employing themselves by partial representations to traduce and embroil the colonies.

For the necessary support of government here, we ever were and ever shall be ready to provide. And whenever the exigencies of the state may require it, we shall, as we have heretofore done, cheerfully contribute our full proportion of men and money. To enforce this unconstitutional and unjust scheme of taxation, every fence that the wisdom of our British ancestors had carefully erected against arbitrary power has been violently thrown down in America, and the inestimable right of trial by jury taken away in cases that touch life and property. It was ordained that whenever

offenses should be committed in the colonies against particular acts imposing various duties and restrictions upon trade, the prosecutor might bring his action for the penalties in the Courts of Admiralty; by which means the subject lost the advantage of being tried by an honest, uninfluenced jury of the vicinage, and was subjected to the sad necessity of being judged by a single man, a creature of the Crown, and according to the course of a law which exempts the prosecutor from the trouble of proving his accusation, and obliges the defendant either to evince his innocence or to suffer. To give this new judicatory the greater importance, and as if with design to protect false accusers, it is further provided that the judge's certificate of there having been probable causes of seizure and prosecution shall protect the prosecutor from actions at common law for recovery of damages.

By the course of our law, offenses committed in such of the British dominions in which courts are established and justice duly and regularly administered shall be there tried by a jury of the vicinage. There the offenders and witnesses are known, and the degree of credibility to be given to their testimony can be ascertained.

In all these colonies, justice is regularly and impartially administered; and yet, by the construction of some, and the direction of other acts of Parliament, offenders are to be taken by force, together with all such persons as may be pointed out as witnesses, and carried to England, there to be tried in a distant land, by a jury of strangers, and subject to all the disadvantages that result from want of friends, want of witnesses, and want of money.

When the design of raising a revenue from the duties imposed on the importation of tea into America had in a great measure been rendered abortive by our ceasing to import that commodity, a scheme was concerted by the Ministry with the East India Company, and an act passed enabling and encouraging them to transport and vend it in the colonies. Aware of the danger of giving success to this insidious maneuver, and of permitting a precedent of taxation thus to be established among us, various methods were adopted to elude the stroke. The people of Boston, then ruled by a governor whom, as well as his predecessor Sir Francis Bernard, all America considers as her enemy, were exceedingly embarrassed. The ships which had arrived with the tea were by his management prevented from returning. The duties would have been paid, the cargoes landed and exposed to sale; a governor's influence would have procured and protected many purchasers.

While the town was suspended by deliberations on this important subject, the tea was destroyed. Even supposing a trespass was thereby committed, and the proprietors of the tea entitled to damages, the courts of law were open, and judges appointed by the Crown presided in them. The East India Company, however, did not think proper to commence any suits, nor did they even demand satisfaction either from individuals or from the community in general. The Ministry, it seems, officiously made the case their own, and the great council of the nation descended to intermeddle with a dispute about private property.

Diverse papers, letters, and other unauthenticated *ex parte* evidence were laid before them; neither the persons who destroyed the tea nor the people of Boston were called upon to answer the complaint. The Ministry, incensed by being disappointed in a favorite scheme, were determined to recur from the little arts of finesse to open force and unmanly violence. The port of Boston was blocked up by a fleet, and an army placed in the town. Their trade was to be suspended, and thousands reduced to the necessity of gaining subsistence from charity till they should submit to pass under the yoke, and consent to become slaves by confessing the omnipotence of Parliament and acquiescing in whatever disposition they might think proper to make of their lives and property.

Let justice and humanity cease to be the boast of your nation! Consult your history. examine your records of former transactions, nay, turn to the annals of the many arbitrary states and kingdoms that surround you, and show us a single instance of men being condemned to suffer for imputed crimes, unheard, unquestioned, and without even the specious formality of a trial; and that, too, by laws made expressly for the purpose, and which had no existence at the time of the fact committed; If it be difficult to reconcile these proceedings to the genius and temper of your laws and constitution, the task will become more arduous when we call upon our ministerial enemies to justify not only condemning men untried and by hearsay but involving the innocent in one common punishment with the guilty, and for the act of 30 or 40, to bring poverty, distress, and calamity on 30,000 souls, and those not your enemies but your friends, brethren, and fellow subjects.

It would be some consolation to us if the catalogue of American oppressions ended here. It gives us pain to be reduced to the necessity of reminding you that under the confidence reposed in the faith of government, pledged in a royal charter from a British sovereign, the forefathers of the present inhabitants of the Massachusetts Bay left their former habitations and established that great, flourishing, and loyal colony. 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 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 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 the 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 these 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; and by another act the Dominion of Canada is to be so extended, modeled, and governed, as that by being disunited from us, detached from our interests by civil as well as religious prejudices, that by their numbers daily swelling with Catholic emigrants from Europe, and by their devotion to an administration so friendly to their religion, they might become formidable to us, and, on occasion, be fit instruments in the hands of power to reduce the ancient, free, Protestant colonies to the same state of slavery with themselves.

This was evidently the object of the act; and in this view, being extremely dangerous to our liberty and quiet, we cannot forbear complaining of it as hostile to British America. Superadded to these considerations, we cannot help deploring the unhappy condition to which it has reduced the many English settlers who, encouraged by the royal proclamation promising the enjoyment of all their rights, have purchased estates in that country. They are now the subjects of an arbitrary government, deprived of trial by jury, and when imprisoned, cannot claim the benefit of the Habeas

Corpus Act, that great bulwark and palladium of English liberty. Nor can we suppress our astonishment that a British Parliament should ever consent to establish in that country a religion that has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder, and rebellion through every part of the world.

This being a state of facts, let us beseech you to consider to what end they lead. Admit that the Ministry, by the powers of Britain and the aid of our Roman Catholic neighbors, should be able to carry the point of taxation, and reduce us to a state of perfect humiliation and slavery. Such an enterprise would doubtless make some addition to your national debt which already presses down your liberties and fills you with pensioners and placement. We presume, also, that your commerce will somewhat be diminished. However, suppose you should prove victorious, in what condition will you then be? What advantages or what laurels will you reap from such a conquest? May not a Ministry with the same armies enslave you? It may be said you will cease to pay them; but remember, the taxes from America, the wealth, and we may add the men, and particularly the Roman Catholics of this vast continent, will then be in the power of your enemies; nor will you have any reason to expect that after making slaves of us, many among us should refuse to assist in reducing you to the same abject state.

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 affords 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.

By order of the Congress,  
Henry Middleton, President.

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*Petition of Congress to the King* • 1774 • Summary and notes (pending). (John Adams)

## IN CONGRESS IN PHILADELPHIA

October 26, 1774

*To the King's most excellent Majesty:*

**MOST GRACIOUS SOVEREIGN,** — We, your majesty's faithful subjects, of the colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, and South Carolina, on behalf of ourselves and the inhabitants of these colonies, who have deputed us to represent them in general Congress, by this our humble petition beg leave to lay our grievances before the throne.

A standing army has been kept in these colonies ever since the conclusion of the late war, without the consent of our Assemblies; and this army, with a considerable naval armament, has been employed to enforce the collection of taxes. The authority of the commander-in-chief, and under him the brigadier-general, has, in time of peace, been rendered supreme in all the civil governments of America.

The commander-in-chief of all your majesty's forces in North America has, in time of peace, been appointed governor of a colony.

The charges of usual officers have been greatly increased and new, expensive, and oppressive offices have been multiplied.

The judges of admiralty and vice-admiralty courts are empowered to receive their salaries and fees from the effects condemned by themselves.

The officers of the customs are empowered to break open and enter houses without the authority of any civil magistrate, founded on legal information.

The judges of courts of common law have been made entirely dependent on one part of the Legislature for their salaries as well as for the duration of their commissions.

Counselors, holding their commissions during pleasure, exercise legislative authority.

Humble petitions, from the representatives of the people, have been fruitless.

The agents of the people have been discountenanced, and governors have been instructed to prevent the payment of the salaries.

Assemblies have been repeatedly and injuriously dissolved.

Commerce has been burdened with many useless and oppressive restrictions.

By several acts of Parliament, made in the fourth, fifth, sixth, seventh, and eighth years of your majesty's reign, duties are imposed on us for the purpose of raising a revenue; and the powers of admiralty and vice-admiralty courts are extended beyond their ancient limits, whereby our property is taken from us without our consent, the trial by jury in many civil cases is abolished, enormous forfeitures are incurred for slight offenses, vexatious informers are exempted from paying damages to which they are justly liable, and oppressive security is required from owners before they are allowed to defend their right.

Both Houses of Parliament have resolved that colonists may be tried in England for offenses alleged to have been committed in America, by virtue of a statute passed in the thirty-fifth year of Henry the Eighth, and in consequence thereof attempts have been made to enforce that statute.

A statute was passed in the twelfth year of your majesty's reign, directing that persons charged with committing any offense therein described, in any place out of the realm, may be indicted and tried for the same in any shire or county within the realm, whereby inhabitants of these colonies may, in sundry cases by that statute made capital, be deprived of a trial by their peers of the vicinage.

In the last session of Parliament, an act was passed for blocking up the harbor of Boston; another, empowering the governor of the Massachusetts Bay to send persons indicted for murder in that province to another colony, or even to Great Britain, for trial, whereby such offenders may escape legal punishment; a third for altering the chartered constitution of government in that province, and a fourth for altering the limits of Quebec, abolishing the English and restoring the French laws, whereby great numbers of British Frenchmen are subjected to the latter, and establishing an absolute government and the Roman Catholic religion throughout those vast regions that border on the westerly and northerly boundaries of the free, Protestant, English settlements; and a fifth for the better providing suitable quarters for officers and soldiers in his majesty's service in North America.

To a sovereign who glories in the name of Britain, the bare recital of these acts must, we presume, justify the loyal subjects who fly to the foot of his throne and implore his clemency for protection against them.

From this destructive system of colony administration, adopted since the conclusion of the last war, have flowed those distresses, dangers, fears, and jealousies that overwhelm your majesty's dutiful colonists with affliction; and we defy our most subtle and inveterate enemies to trace the unhappy differences between Great Britain and these colonies from an earlier period, or from other causes, than we have assigned.

Had they proceeded on our part from a restless levity of temper, unjust impulses of ambition, or artful suggestions of seditious persons, we should merit the opprobrious terms frequently bestowed upon us by those we revere. But, so far from promoting innovations, we have only opposed them, and can be charged with no offense unless it be one to receive injuries, and be sensible of them.

Had our Creator been pleased to give us existence in a land of slavery, the sense of our condition might have been mitigated by ignorance and habit. But, thanks be to his adorable goodness, we were born the heirs of freedom, and ever enjoyed our right under the auspices of your royal ancestors, whose family was seated on the throne to rescue and secure a pious and gallant nation from the popery and despotism of a superstitious and inexorable tyrant. Your majesty, we are confident, justly rejoices that your our title to the crown is thus founded on the title of your people to liberty; and, therefore, we doubt not but your royal wisdom must approve the sensibility that teaches your subjects anxiously to guard the blessing they received from divine Providence, and thereby to prove the performance of that compact which elevated the illustrious house of Brunswick to the imperial dignity it now possesses.

The apprehension of being degraded into a state of servitude from the preeminent rank of English freemen, while our minds retain the strongest love of liberty, and clearly foresee the miseries preparing for us and our posterity, excites emotions in our breasts which, though we can not describe, we should not wish to conceal. Feeling as men, and thinking as subjects, in the manner we do, silence would be disloyalty. By giving this faithful information, we do all in our power to promote the great objects of your royal cares, the tranquility of your government and the welfare of your people.

Duty to your majesty, and regard for the preservation of ourselves and our posterity, the primary obligations of nature and society, command us to entreat your royal attention; and, as your majesty enjoys the signal distinction of reigning over freemen we apprehend the language of freemen will not be displeasing. Your royal indignation, we hope, will rather fall on those designing and dangerous men, who, daringly interposing themselves between your royal person and your faithful subjects, and for several years past incessantly employed to dissolve the bonds of society, by abusing your majesty's authority, misrepresenting your American subjects, and prosecuting the most desperate and irritating projects of oppression, have at length compelled us, by the force of accumulated injuries, too severe to be any longer tolerable, to disturb your majesty's repose by our complaints.

These sentiments are extorted from hearts that much more willingly would bleed in your majesty's service. Yet so greatly have we been misrepresented, that a necessity has been alleged of taking away our property from us without our consent, "to defray the charge of the administration of justice, the support of civil government, and the defense, protection, and security of the colonies." But we beg leave to assure your majesty that such provision has been and will be made for defraying the first two articles as has been and shall be judged, by the Legislatures of the several colonies, just and suitable to their respective circumstances; and, for the defense, protection, and security of the colonies, their militia, if properly regulated, as they earnestly desire may immediately



be done, would be fully sufficient, at least in times of peace; and in case of war, your faithful colonists will be ready and willing, as they ever have been, when constitutionally required, to demonstrate their loyalty to your majesty, by exerting their most strenuous efforts in granting supplies and raising for ces. Yielding to no British subjects in affectionate attachment to your majesty's person, family, and government, we too dearly prize the privilege of expressing that attachment by those proofs that are honorable to the prince who receives them and to the people who give them, ever to resign it to any body of men upon earth.

Had we been permitted to enjoy in quiet the inheritance left us by our forefathers, we should at this time have been peaceably, cheerfully, and usefully employed in recommending ourselves by every testimony of devotion to your majesty, and of veneration to the state from which we derive our origin. But though now exposed to unexpected and unnatural scenes of distress by a contention with that nation in whose parental guidance, on all important affairs, we have hitherto, with filial reverence, constantly trusted, and therefore can derive no instruction in our present unhappy and perplexing circumstances from any former experience, yet we doubt not the purity of our intention and the integrity of our conduct will justify us at that grand tribunal before which all mankind must submit to judgment.

We ask but for peace, liberty, and safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favor. Your royal authority over us, and our connection with Great Britain, we shall always carefully and zealously endeavor to support and maintain.

Filled with sentiments of duty to your majesty, and of affection to our parent state, deeply impressed by our education, and strongly confirmed by our reason, and anxious to evince the sincerity of these dispositions, we present this petition only to obtain redress of grievances and relief from fears and jealousies occasioned by the system of statutes and regulations, adopted since the close of the late war, for raising a revenue in America; extending the powers of courts of admiralty and vice admiralty; trying persons in Great Britain for offenses alleged to be committed in America, affecting the province or Massachusetts Bay; and altering the government and extending the limits of Quebec; by the abolition of which system the harmony between Great Britain and these colonies, so necessary to the happiness of both, and so ardently desired by the latter, and the intercourses will be immediately restored. In the magnanimity and justice of your majesty and Parliament, we confide for a redress of our other grievances, trusting that, when the causes of our apprehensions are removed, our future conduct will prove us not unworthy of the regard we have been accustomed, in our happier days, to enjoy; for, appealing to that Being who searches thoroughly the hearts of his creatures, we solemnly profess that our councils have been influenced by no other motives than a dread of impending destruction.

Permit us, then, most gracious sovereign, in the name of all your faithful people in America, with the utmost humility, to implore you, for the honor of Almighty God, whose pure religion our enemies are undermining; for your glory, which can be advanced only by rendering your subjects happy, and keeping them united; for the interests of your family, depending on an adherence to the principles that enthroned it; for the safety and welfare of your kingdoms and dominions, threatened with almost unavoidable dangers and distresses, that your majesty, as the loving father of your whole people, connected by the same bonds of law, loyalty, faith, and blood though dwelling in various countries, will not suffer the transcendent relation formed by these ties to be further violated, in uncertain expectation of effects that, if attained, never can compensate for the calamities through which they must be gained.

We, therefore, most earnestly beseech your majesty that your royal authority and interposition may be used for our relief, and that a gracious answer may be given to this petition.

That your majesty may enjoy every felicity through a long and glorious reign, over loyal and happy subjects, and that your descendants may inherit your prosperity and dominions till time shall be no more, is, and always will be, our sincere and fervent prayer.

By order of the Congress,  
Henry Middleton, President.

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