
WHEREAS the tyrannical Administration of the Government of the King and Parliament of Great-Britain, the State of New-Hampshire, and the other United-States of AMERICA, have been manifested to us by the British Government, and declared themselves INDEPENDENT STATES: all which is more largely set forth by the CONTINENTAL CONGRESS, in their Rejection or Denunciation of the fourth of July A.D. 1776.

AND WHEREAS it is recommended by the said CONTINENTAL CONGRESS, to each and every of the said United-States to establish a Form of Government, and conduct the Welfare thereof. We the Delegates of the said State of New-Hampshire, have to the present, formed the following DECLARATION of RIGHTS, and Plan of GOVERNMENT; and recommend the same to our Constituents for their Adoption.

A DECLARATION of the RIGHTS of the People of the State of New-Hampshire.

First, We declare, that we the People of the State of New-Hampshire, are Free and Independent of the Crown of Great-Britain. Secondly, We the People of this State, are entitled to Life, Liberty, and Property; and all other Immunities and Privileges which we heretofore enjoyed. Thirdly, The Common and Statute Laws of England, adopted and used here, and the Laws of this State (not inconsistent with said Declaration of INDEPENDENCE) are now, and shall be in force here, for the Welfare and good Government of the State, within the same shall be repealed or altered by the future Legislature thereof. Fourthly, The whole and entire Power of Government of this State, is vested in, and must be derived from the People thereof, and from no other Source whatsoever. Fifthly, The future Legislature of this State, shall make no Laws to infringe the Rights of Conscience, or any other of the natural, unalienable Rights of Men, or contrary to the Laws of GOD, or against the Protestant Religion. Sixthly, The extent of Territory of this State, and shall be the same which was under the Government of the late Governor John Wentworth, Esq. Governor of New-Hampshire. Reserving nevertheless, our Claim to the New-Hampshire Grants, as called private to the West of Connecticut River. Seventhly, The Norther by Jury in all Causes hereafter used in this State, shall be preferred in every Cause.


First, The State of New-Hampshire shall be governed by a COUNCIL, and House of REPRESENTATIVES; to be chosen as hereafter mentioned, and to be held in the General-Court of the State of New-Hampshire.

Second. The COUNCIL shall consist of twelve Members to be elected out of the several Counties in the State, in Proportion to their respective Number of Inhabitants.

Third. The Members belonging to each County for the present, according to said Proportion being as followeth, viz.:—

To the County of Rockingham, five; to the County of Strafford, two; to the County of Hillsborough, two; to the County of Cheshire, two; to the County of Grafton, one.

Fourth. The number for the County of Rockingham, shall not be increased or diminished hereafter, but remain the same; and the Numbers for the other Counties shall be increased or diminished as their Inhabitants shall increase or decrease.

Fifth. The House of REPRESENTATIVES shall be chosen as follows: Every Town or Parish, choosing Town Officers, amounting to one hundred families, and upwards, shall send one Representative for each hundred families they amount of; for each hundred families of number as they please, or deputamen themselves, with some other, Towns or Parishes that will join in sending a Representative.

Sixth. All other Towns and Parishes under the number of one hundred families, shall have Liberty to select themselves together to make the number of one hundred families or upwards; and being so elected, each shall have one Representative.

Seventh. The number of COUNCILORS and REPRESENTATIVES in each County shall be determined according to the several Counties may be proportioned by the said Councils from time to time, on a new Proportion made out of the State Tax which shall be due in seven Years at the least, and other if need be.

Eighth. All the Publick Inhabitants of the State of lawful Age, paying Taxes, and professing the Protestant Religion, shall be declared to be legal Voters in electing COUNCILORS and REPRESENTATIVES, and having an Estate of Three Hundred Pounds equal to not less at his Distress and eight Pence per Quarter, one half at least whereof to be real Estate, and lying within the State, with the Qualifications aforesaid, shall be capable of being elected.

Ninth. The Delegates of each respective Town or Parish, choosing Town Officers, containing one hundred families or upwards, and also of each respective Class of Towns elected together as aforesaid, shall notify the legal Voters of their respective Towns, Parishes, or Villages, qualified as aforesaid, in the usual Way of notice, the Town-Meetings, giving fifteen Days notice at least, to meet at some convenient Place on the last Wednesday of November annually, to choose COUNCILORS and REPRESENTATIVES.

Tenth. And the Voters being met, and the Moderator chosen, and the proceedings thereon, he shall proceed to choose their Representative or Representatives, required by this Constitution by a Majority of the Voters present, who shall be notified accordingly; and a Return thereof made into the Secretary's Office, by the first Wednesday of January, one next after.

Eleventh. And such Representatives shall be paid their Wages by their Constituents, and for their Travel by the State.

Twelfth. And the choice of COUNCILORS to be made by the Voters, shall deliver his Vote to the Moderator for the number of COUNCILORS respectively required, with the Word COUNCILORS written thereon; which Vote, and the Votes in like manner shall be taken, and delivered into the Hands of the Moderator, as the Prior Vote was the last Wednesday in December next following.
Fourteenth. The said Judges of the Inferior Court shall meet together on the first Saturday in December annually, to count the Votes, and the Person that have most Votes to the Number of COUNCILLOWS required, shall be declared duly elected, and shall be notified by the said Judges accordingly, and a Return thereof shall be made by them into the Secretary's Office by the first Wednesday in January annually.

Fifteenth. And in Case any two Persons shall have a like Number of Votes, the said Judges may determine the Choice in favour of which they please.

Sixteenth. The COUNCIL and House of Representatives so chosen and returned as aforesaid, shall meet on the first Wednesday in January next after their being chosen, at such Place as the present, or former General Court may from Time to Time appoint, and being duly sworn, shall hold their respective Places until the first Wednesday in January next.

Seventeenth. The COUNCIL shall elect their President, vice President, and Secretaries, and the House of Representatives shall elect their Speaker and Clerk.

Eighteenth. The COUNCIL and House of Representatives respectively, shall determine all disputed Elections of their own Members, regulate their own Proceedings; and on any Vacancy, order a new Election to fill up such Vacancy.

Nineteenth. The said General-Court elected and confirmed as aforesaid, shall be invested with the Supreme Power of the State, and all Acts, Resolutions, or Votes, except Grants of Money, Lands, or other Things, may originate in either House, but such Grants shall originate in the House of Representatives only.

Twentieth. The said COUNCIL and House of Representatives respectively, shall have Power to adjourn themselves from Day to Day, but not longer than two Days at any one Time, without Consent of the other.

Twenty-first. The PRESIDENT of the COUNCIL shall hold public Correspondence with other States, or Persons, call the Council together when Occasion shall require, and with Advice of three or more of the Council shall from Time to Time call the General-Court together if need be, before the Time they were adjourned to. And also point out the principal Barracks of their Session.

Twenty-second. The Military and Naval Power of the State shall be regulated, and all proper Officers thereof appointed, as the Legislature by Law shall direct from Time to Time.

Twenty-third. The Judges of the Superior and Inferior Courts, Judges of Probate, Judge of Admiralty, Judge of the Marine Court, Justices of the Peace, Sheriffs, Coroners, Attorney-General, Treasurer of the State, and Delegates to the CONTINENTAL CONGRESS, shall be appointed by the said General-Court, and commissioned by the President of the Council.

Twenty-fourth. The Appointment of Registrars of Deeds, County Treasurer's, Clerks of Courts, Registrers of Probate, and all other Civil Officers whatsoever, not before mentioned, shall be regulated by the Laws that now are, or that hereafter may be enacted.

Twenty-fifth. All Civil Officers of the State, shall be salaried by Paymasters appointed by and for the Services.

Twenty-sixth. No Member of the General-Court shall be Judge of the Superior Court or Inferior Court, Judge or Register of Probate, or Sheriff of any County, or Treasurer of the State, or Attorney-General, or Delegate of the CONTINENTAL CONGRESS.

Twenty-seventh. And no Member of the Council, Judge of the Superior Court, or otherwise, shall hold a Commission in the Militia, Army, or Navy of the State.

Twenty-eighth. No Member of the House of Representatives shall hold any Salary under the Government.

Twenty-ninth. The President of the Council, with Advice of Council, may grant Reprieves not longer than six Months, but the General Court only shall have Power to pardon Offences against the State.

Thirtieth. A Quorum of the Council, and a Majority of the House of Representatives, shall constitute a Majority of each House.

Thirty-first. This DECLARATION of RIGHTS, and PLAN of GOVERNMENT, shall be the fundamental Law of this State.

Thirty-second. The General-Court shall have no Power to alter any Part of this Constitution; but in Case they should concur in any proposed Alteration, Amendment, or Addition, the same being agreed to by a Majority of the People, shall become valid.

STATE OF NEW HAMPSHIRE.

IN CONVENTION, June 5th, 1779.

Voted, That the foregoing BILL of RIGHTS, and PLAN of GOVERNMENT, be printed, and dispersed throughout this State, for the People thereof, to give their Opinion thereon.

Voted, That Colonel Thumow, and Colonel Barrier, be a Committee to get this Plan of Government printed, and transmit two or more Copies of the same to each and every Town, Parish and Place in this State, to which Precipitations for this Convention were sent, and Printed in the New Hampshire News Paper.

Voted, That the Selectmen of the several Towns, Parish, and Villages in this State, upon the receipt of the same, are directed to notify and warn the legal Inhabitants paying Taxes in such Town, Parish, or Place, to meet at some suitable Place therein, giving them at least ten Days notice, for the Purpose of taking said Plan under Consideration; and make return of the Number of Voters present at such Meeting, and how many voted for receiving said Plan, and how many for rejecting the same, unto this Convention at Concord in this State, on the third Tuesday in September next.

By order of the Convention.

E. Thompson, Secretary.

JOHN LANGDON, President, P. T.

EXETER; Printed by Zabdiel Ford, 1779.