

The Preamble of the New Hampshire State Constitution

**All men are born equally free and
independent; Therefore all government of
right originates from the people,
is founded in consent,
and instituted for the general good.**

What's the Danger?

Purpose for state government in the N.H. Preamble	What does it mean?	Why did the delegates include this idea? What were they trying to prevent?
“All men are born equally free and independent”		
“all government of right originates from the people”		
“founded in consent”		
“instituted for the general good”		



Map of New Hampshire, 1799



1782

STATE OF NEW-HAMPSHIRE.

A

PROCLAMATION.

WHEREAS a number of Towns, in the Counties of Cheshire and Grafton in this State, did at the Commencement of the American Revolution, by a full Representation, by their Delegates in the Congress assembled on that Occasion, unite with the Delegates from the several Towns in the other Counties, in the then Colony, now State of New-Hampshire, in an Application to the United States in Congress assembled, requesting Leave to take up Government; and by their Advice did accordingly concur in forming and adopting a Constitution and Plan for the governing this State, during the Contest with Great-Britain; and afterwards, affected to join themselves to a Body of People, dwelling on the Western Side of Connecticut-River, claiming to be a separate and independent State, by the Name of Vermont; and have since their Union as aforesaid, refused Submission to the Authority and Government of New-Hampshire, or to contribute their proportionable Part of Taxes and Supplies, for prosecuting the War.

And whereas the United States in Congress assembled, always have, and still do, in all Requisitions for Men, Money and Stores of every kind, calculate the Quota of New-Hampshire according to the Number of Inhabitants, contained on the Territory under its Jurisdiction, at the Time of the Revolution: And as the said Congress, by the Confederation, particularly the first and second Articles thereof, guarantee to the several States, that they shall severally retain their "Sovereignty, Freedom and Independence; and every Power, Jurisdiction and Right, which was "not by the Confederation delegated to the United States in Congress assembled."

And also, did enter into a "firm League of Friendship with each other, for their common Defence, binding themselves to assist each other, against any Force offered to, or Attacks made upon them, or any of them, on account of Religion, Sovereignty, Trade, &c." And likewise, by their Resolutions of the seventh and eighth of August Seventeen Hundred Eighty-one, do expressly confine the New-Hampshire Grants and the State called Vermont, to the West Side of Connecticut River—and resolve in the Words following, viz. "That, in case Congress shall recognize the Independence of said People of Vermont, they will consider all the Lands belonging to New-Hampshire and New-York respectively, without the Limits of Vermont aforesaid, as coming within the mutual Guarantee of Territory, contained in the Articles of Confederation; and that the United States, will accordingly guarantee such Lands, and the Jurisdiction over the same, against any Claims or Invasions from the Inhabitants of Vermont aforesaid." And as by a following Resolution, passed on the Twenty-first of August, A. D. 1781, they do in the most explicit and peremptory Terms, declare their fixed Purpose, to adhere to the guaranteeing of the States of New-Hampshire and New-York, as contained in the Resolution above recited, making it the Preliminary of admitting Vermont to Independence and the federal Union.

Yet notwithstanding, that New-Hampshire hath at all Times had the undoubted Right as aforesaid, to the Jurisdiction over the Towns in the Counties of Cheshire and Grafton; she hath forborn fully to enforce the same, in expectation that Time and lenient Methods, would awaken their Attention, conciliate their Affection, and dispose them to consult their Interest, by peaceably acceding to her rightful Authority. And at the same Time, New Hampshire hath been in Expectation, that the Honorable the Congress, would finally determine, respecting its Claim to the Jurisdiction on the Western Side of the River Connecticut: but while waiting for this Event, so earnestly to be wished, certain Persons on the Eastern Side of the said River, who, in some Instances at least, have appeared unfriendly to the Revolution; and who may therefore be suspected of the most dangerous Designs against the United States, have taken Advantage of the unsettled State of Things in that Territory; and under the Pretext of joining Vermont, and establishing the Authority thereof, have openly and avowedly resisted the Authority of New-Hampshire; and proceeded to molest some of the good Citizens thereof—to threaten and injure others for the supposed Crime, of denying and refusing their assumed Authority; and even to drive them from their Habitations:

THEREFORE, THE COUNCIL AND HOUSE OF REPRESENTATIVES, in GENERAL COURT assembled, have found themselves reduced to the painful Necessity, of ordering such an armed force into that Quarter, as may effectually protect the Civil Magistrates, acting under their Authority in performing the Duties of their respective Offices, and in carrying the good and wholesome Laws of this State into Execution, for the Restoration of Order, and the Protection of all their good Citizens. And they do hereby SOLEMNLY DECLARE, that in pursuing this necessary, tho' disagreeable Measure, they have no other Object in view, than the preserving and restoring the public Peace.

And whereas, the Authority of New-Hampshire earnestly wish, the late glorious struggle for American Liberty, now apparently approaching to an happy Issue, may not be tarnished by Civil Diversions; they hereby call on, and exhort the Inhabitants of the said Counties of Cheshire and Grafton, to keep a watchful Eye on the insidious Arts, of Factious and Evil-minded Persons, who, to serve their ambitious Views, and disturb the general Peace, would sacrifice their best Interests. And to convince the People of those Counties, of the Mildness and Lenity of that Government, to which they wish them to return, they hereby engage to all Persons therein, who may have accepted Offices under the said State of Vermont, or who under the pretended Authority thereof, have imprisoned; or by any Means molested, hindered or disturbed, the public Officers of New-Hampshire, or broke the Peace thereof, that they shall receive full Indemnity therefor, so far as the State is concerned, on the Condition, that within FORTY DAYS, from and after, issuing this Proclamation, they repair to some Magistrate of the State of New-Hampshire, and who hath not joined Vermont; and in his Presence subscribe a Declaration in the Words following, viz.——WE whose Names are hereunto subscribed, do acknowledge and declare, that the State of New-Hampshire doth, and of Right ought, to extend to the Western Bank of Connecticut River; and that we will demean Ourselves in future as peaceable Citizens of said State.

And in Case any Person or Persons, shall from and after the first Day of February next, presume to disturb or molest the Exercise of the lawful Authority of New-Hampshire; or to exercise, aid or abet, the pretended Authority of Vermont aforesaid within those Counties, he or they, shall be deemed Enemies to this, and the United States, and dealt with accordingly.

By order of COUNCIL and ASSEMBLY.

EXETER, January 12th, 1782.

M. Weare President.

Printed at EXETER, 1782.

Excerpt from Proclamation of Rebellion, 1782

(original first paragraph)

WHEREAS a number of Towns, in the Counties of Cheshire and Grafton in this State, did at the Commencement of the American Revolution, by a full Representation, by their Delegates in the Congress assembled on that Occasion, unite with the Delegates from the several Towns in the other Counties, in the then Colony, now State of *New-Hampshire*, in an Application to the United States in Congress assembled, requesting Leave to take up Government ; and by their Advice did accordingly concur in forming and adopting a Constitution and Plan for the governing this State, during the Contest with *Great Britain*; and afterwards, affected to join themselves to a Body of People, dwelling on the Western Side of *Connecticut-River*, claiming to be a separate and independent State by the Name of *Vermont*: and have since their Union as aforesaid, refused Submission to the Authority and Government of *New-Hampshire*, or to contribute their proportionable Part of Taxes and Supplies, for prosecuting the War,

Source: New Hampshire Historical Society

Concerns of the Western Towns

These were five key concerns of the towns along the Connecticut River had about the 1776 New Hampshire Constitution:

It did not list or acknowledge any of the people's rights.

There was no official process to change or amend it.

Only white men who owned a large amount of property could vote in state elections.

All power to make laws was in the legislature; there wasn't an executive or judicial branch.

Population determined the representation of a town in the state legislature; seacoast towns had more power.

Persuading the West

Directions: You have been chosen to visit the towns of western New Hampshire to talk to them about the newly written state constitution. Your job is to use the information in Part I: Bill of Rights from the 1784 New Hampshire State Constitution to show them that this newly created government has been put in place to protect people's rights, not take them away. Use the space below to brainstorm three key points you want to make in your speech. Use the back of this sheet to brainstorm: Why is having a constitution important?

What are three concerns about the state government that you want to talk about? These could be

- 1.
- 2.
- 3.

How does the State Constitution address these concerns?

Citizen's Concern	Evidence from the State Constitution	How does this protect citizen's rights?