John Kean Declaration of Rights, January, 1788

John Kean

Follow this and additional works at: https://digitalcommons.kean.edu/lhc_1780s
The House of Tudor had so firmly fixed themselves on the throne of England that they were deemed absolute — the commons were little considered — indeed their declarations go to prove that they had no right to pass an act to bind bound
the prerogative — that by the divine hereditary right
of the sovereign they could do away & render null
void any such declaration so that the sovereign
might make any regulations they thought proper
relative to government or any other matters of State.

Towards the latter part of the reign of Elizabeth
this doctrine began to be controverted by the pettans
notwithstanding many bold declarations of the queen
such as admonishing the commons "not to meddle with
what in no wise belonged to them (matters of State & religion)
and what did not lie within the compass of their understandings
and warning them" since neither her commands nor the
example of their wiser brethren (those devoted to the court)
could reclaim their audacious arrogant & presumptuous
folly that some other species of correction must be found
for them" and committing many members to custody for
free speech — yet they persevered in their attempts to revive
the precious spark of liberty — In this state of the nation
the house of Stuart succeeded to the throne — possessed
which had been enlivened by
of all the high ideas of prerogative of Elizabeth but
not of her abilities — nor of the confidence of the
thing recorded by the people had crushed the
demon of prerogative.

Have we among us any persons pretending to
this divine, hereditary right — this prerogative which
lays claim to absolute domination — no — against
whom then are we to guard by a declaration of
rights — a man against himself — will any
man in an American legislature consent to
a law that will abridge the liberty of the citizen
in any manner but what is perfectly necessary
to good order & government — when at the next
election he may return to the common mass
of Citizens & cannot be exempt from its operation.

For a moment, I will suppose that a legis-
body should so far forget themselves & their duty
as to pass an act that should oppress the mass of
mankind & should exempt themselves & any particu-
lar class in the community from its operation — this
exemption must be either by general description
or by particular name — would not the people
recoil at it. It degrade such representatives
if they had the spirit of freemen & I trust
Americans will long have it — they will — if
the spirit of freedom is no more — in vain
people being at first of the same line of conduct - the flame of liberty
crow burn't more fiercely and the nation had not that true idea of
civil liberty that they afterwards attained to yet its progress had been very great - this contest brought on the civil wars of the destruction of royal
government - here the puritans flew from one extreme to another & attempted the establishment of a democracy - after much anarchy & confusion & being obliged to submit to the rule of Cromwell 
& perhaps from their manners not being fitted to a republican form of government they had again recourse to Royalty - & the ascendency of the

the 2 James resumed the tyrannic doctrines of the

the spirit of liberty was too firmly fixed to admit them - the whole nation was in a flame - he abdicated the government - William and
Mary were called to the throne & the declaration of rights were increased & became the bill of rights. the house of commons had become fully acquainted with their power & consequence in the government.
will declarations upon paper secure us our rights, it is the spirit of the people must guard them while it exists there is no danger when it is extinct this will not be the government of the Country— Aristocracy nor despotism will not trust the multitude with elective rights— preserve the rights of election biennially and we have nothing to fear—

Petition of rights in 1628 Charles 1st passed by the commons & lords but evaded by the king— but afterwards assented to on the same condition.

No, Charles 12th.

1. Heed the calling in Heed his own council.
2. Then his 3 command.
3. The 3 council.
1295. 8th. 29th, Jan 12th. 3.

1871 1st 390.
110 1st
120 1st
2 1st
8 1st

Helen Head 3900
1st
1st
1st