

The Mecklenburg Resolves

As you read...

A DECLARATION OF INDEPENDENCE?

The news of Lexington and Concord arrived in Charlotte Town (present-day Charlotte) sometime in May 1775. On May 31, the Mecklenburg County Committee of Safety adopted these “resolves,” or resolutions, which declared all royal authority to be suspended. All acts of king and Parliament had no force in the colonies, and the only legitimate governments in America were the Continental Congress and the provincial congresses. Royal officials were to be arrested. The resolves then laid out a plan for a local government that could keep order.

In 1819, a document called the Mecklenburg Declaration of Independence was published, with the claim that it had been written on May 20, 1775. It included the statement that “we do hereby declare ourselves a free and independent people, are, and of right ought to be, a sovereign and self-governing Association, under the control of no power other than that of our God and the General Government of the Congress.” In celebration, the date of May 20, 1775, appears on North Carolina’s state flag.

But no earlier reference to that document has ever been found, and most historians doubt that it ever existed. Most likely, the Mecklenburg Declaration of Independence was what someone remembered the Mecklenburg Resolves to have been, borrowing phrases from the Declaration of 1776. The Mecklenburg Resolves, after all, did set up a government “independent of Great-Britain.” In any case, citizens of Mecklenburg County were deliberately beginning to govern themselves more than a year before the Continental Congress finally severed ties with Britain.

WHY MECKLENBURG?

You might wonder why residents of Mecklenburg County were the first to claim their independence from Britain. It may be in part because of religion: Until 1800, all churches established in Mecklenburg County were Presbyterian, and the county’s residents were mostly Scotch-Irish. But only ministers of the Church of England could legally perform marriages, which created problems for people of other faiths. Mecklenburgers may have been as eager to declare themselves independent of the English church as they were to get rid of its government.



Figure 1. Reenactors at Charlotte's annual "Meck Dec Day" celebration, commemorating the Mecklenburg Declaration of Independence.

RESOLVES ADOPTED IN CHARLOTTE TOWN, MECKLENBURG COUNTY, NORTH CAROLINA, MAY 31, 1775

This Day the Committee met, and passed the following

RESOLVES:

Whereas by an Address presented to his Majesty by both Houses of Parliament in February last, the American Colonies are declared to be in a State of actual Rebellion, we conceive that all Laws and Commissions confirmed by, or derived from the Authority of the King or Parliament, are annulled and vacated, and the former civil Constitution of these Colonies for the present wholly suspended. To provide in some Degree for the Exigencies of the County in the present alarming Period, we deem it proper and necessary to pass the following Resolves, viz.

1. That all Commissions, civil and military, heretofore granted by the Crown, to be exercised in these Colonies, are null and void, and the Constitution of each particular Colony wholly suspended.
2. That the Provincial Congress of each Province, under the Direction of the Great Continental Congress, is invested with all legislative and executive Powers within their respective Provinces; and that no other Legislative or Executive does or can exist, at this time, in any of these Colonies.
3. As all former Laws are now suspended in this Province, and the Congress have not yet provided others, we judge it necessary, for the better Preservation of good Order, to form certain Rules and Regulations for the internal Government of this County, until Laws shall be provided for us by the Congress.
4. That the Inhabitants of this County do meet on a certain Day appointed by this Committee, and having formed themselves into nine Companies, to wit, eight for the County, and one for the Town of Charlotte, do choose a Colonel and other military Officers, who shall hold and exercise their several Powers by Virtue of this Choice, and independent of Great-Britain, and former Constitution of this Province.
5. That for the better Preservation of the Peace, and Administration of Justice, each of these Companies do choose from their own Body two discreet Freeholders, who shall be empowered each by himself, and singly, to decide and determine all Matters of Controversy arising within the said Company under the Sum of Twenty Shillings, and jointly and together all Controversies under the Sum of Forty Shillings, yet so as their Decisions may admit of Appeals to the Convention of the Select Men of the whole County; and also, that any one of these shall have Power to examine, and commit to Confinement, Persons accused of Petit Larceny.
6. That those two Select Men, thus chosen, do, jointly and together, choose from the Body of their particular Company two Persons, properly qualified to serve as Constables, who may assist them in the Execution of their Office.
7. That upon the Complaint of any Person to either of these Select Men, he do issue his Warrant, directed to the Constable, commanding him to bring the Aggressor before him or them to answer the said Complaint.
8. That these eighteen Select Men, thus appointed, do meet every third Tuesday in January, April, July, and October, at the Court-House, in Charlotte, to hear and determine all Matters of Controversy for Sums exceeding Forty Shillings; also

Appeals: And in Cases of Felony, to commit the Person or Persons convicted thereof to close Confinement, until the Provincial Congress shall provide and establish Laws and Modes of Proceeding in all such Cases.

9. That these Eighteen Select Men, thus convened, do choose a Clerk to record the Transactions of said Convention; and that the said Clerk, upon the Application of any Person or Persons aggrieved, do issue his Warrant to one of the Constables, to summon and warn said Offender to appear before the Convention at their next sitting, to answer the aforesaid Complaint.
10. That any Person making Complaint upon Oath to the Clerk, or any Member of the Convention, that he has Reason to suspect that any Person or Persons indebted to him in a Sum above Forty Shillings, do intend clandestinely to withdraw from the County without paying such Debt; the Clerk, or such Member, shall issue his Warrant to the Constable, commanding him to take the said Person or Persons into safe Custody, until the next sitting of the Convention.
11. That when a Debtor for a Sum below Forty Shillings shall abscond and leave the County, the Warrant granted as aforesaid shall extend to any Goods or Chattels of the said Debtor as may be found, and such Goods or Chattels be seized and held in Custody by the Constable for the Space of Thirty Days; in which Term if the Debtor fails to return and discharge the Debt, the Constable shall return the Warrant to one of the Select Men of the Company where the Goods and Chattels are found, who shall issue Orders to the Constable to sell such a Part of the said Goods as shall amount to the Sum due; that when the Debt exceeds Forty Shillings, the Return shall be made to the Convention, who shall issue the Orders for Sale.
12. That all Receivers and Collectors of Quitrents, Public and County Taxes, do pay the same into the Hands of the Chairman of this Committee, to be by them disbursed as the public Exigencies may require. And that such Receivers and Collectors proceed no farther in their Office until they be approved of by, and have given to this Committee good and sufficient Security for a faithful Return of such Monies when collected.
13. That the Committee be accountable to the County for the Application of all Monies received from such public Officers.
14. That all these Officers hold their Commissions during the Pleasure of their respective Constituents.
15. That this Commission will sustain all Damages that may ever hereafter accrue to all or any of these Officers thus appointed, and thus acting, on Account of their Obedience and Conformity to these Resolves.
16. That whatever Person shall hereafter receive a Commission from the Crown, or attempt to exercise any such Commission heretofore received, shall be deemed an Enemy to his Country; and upon Information being made to the Captain of the Company where he resides, the said Captain shall cause him to be apprehended^t, and conveyed before the two Select Men of the said Company, who, upon Proof of the Fact, shall commit him the said Offender, into safe Custody, until the next setting of the Convention, who shall deal with him as Prudence may direct.
17. That any Person refusing to yield Obedience to the above Resolves shall be deemed equally criminal, and liable to the same Punishments as the Offenders above last mentioned.

18. That these Resolves be in full Force and Virtue, until Instructions from the General Congress of this Province, regulating the Jurisprudence of this Province, shall provide otherwise, or the legislative Body of Great-Britain resign its unjust and arbitrary Pretentions with Respect to America.
19. That the several Militia Companies in this county do provide themselves with proper Arms and Accoutrements, and hold themselves in Readiness to execute the commands and Directions of the Provincial Congress, and of this committee.
20. That this committee do appoint Colonel Thomas Polk, and Doctor Joseph Kennedy, to purchase 300 lb. of Powder, 600 lb. of Lead, and 1000 Flints, and deposit the same in some safe Place, hereafter to be appointed by the committee.

Signed by Order of the Committee.
EPH. BREVARD, Clerk of the Committee

On the web

The Mecklenburg Resolves

<http://www.sog.unc.edu/programs/civiced/resources/docs/meckresolves.pdf>

In this lesson plan from the North Carolina Civic Education Consortium, students will examine the Mecklenburg Resolves (also referred to as the Mecklenburg Declaration of Independence) and work in small groups to teach their classmates about key ideas posed in the document. Students will then demonstrate their understanding of this document by creating innovative infomercials on the important elements of the Resolves.

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Visit us on the web at www.learnnc.org to learn more about topics related to this article, including American Revolution, Charlotte, Declaration of Independence, Mecklenburg County, North Carolina, Presbyterians, Scots-Irish, government, history, independence, and politics.

Notes

1. Arrested or captured.

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Figure 1 (page 2)

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