

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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HOUSE JOINT RESOLUTION 1130
PROPOSED COMMITTEE SUBSTITUTE H1130-PCS30521-SU-49

Sponsors:

Referred to:

May 19, 2016

1 A JOINT RESOLUTION CONCERNING THE COMMITMENT OF THE GOVERNMENT OF
2 THE STATE OF NORTH CAROLINA TO THE PRINCIPLES AND THE ENFORCEMENT
3 OF THE BILL OF RIGHTS IN THE CONSTITUTION OF THE UNITED STATES OF
4 AMERICA AND THE NORTH CAROLINA DECLARATION OF RIGHTS, WHILE
5 HONORING THE MEMORY OF WILLIE JONES OF HALIFAX COUNTY, DAVID
6 CALDWELL OF GUILFORD COUNTY, AND OTHER NORTH CAROLINA CITIZENS
7 AND THE INFLUENCE THEY HAD ON THE CREATION AND ADOPTION OF THE
8 BILL OF RIGHTS AND THE NORTH CAROLINA DECLARATION OF RIGHTS.

9 Whereas, the State of North Carolina was 12th among the original 13 States to ratify
10 the United States Constitution; and

11 Whereas, the State of North Carolina refused to ratify the United States Constitution
12 unless a Bill of Rights was added, guaranteeing the freedom and rights of the People and the
13 ability of the States to govern themselves in all matters in which the United States Constitution did
14 not explicitly grant authority to the federal government; and

15 Whereas, the anti-federalists, who insisted upon a Bill of Rights, included Willie Jones
16 of Halifax County, who not only served as a member of the commission that drafted the first State
17 Constitution of the State of North Carolina and as a member of the House of Commons throughout
18 the Revolution but also served one term in the Continental Congress in 1780; and

19 Whereas, David Caldwell of Guilford County, a pastor of the Buffalo and Alamance
20 Presbyterian Churches, encouraged his parishioners to participate in the American Revolution and
21 represented Guilford County in the Halifax Provincial Congress and voted, along with the
22 majority of delegates, not to ratify the United States Constitution without the addition of a Bill of
23 Rights; and

24 Whereas, some of the other North Carolinians who supported a Bill of Rights before
25 agreeing to ratify the United States Constitution were Lemuel Burkitt, Thomas Person, Samuel
26 Spencer, and Timothy Bloodworth; and

27 Whereas, the provisions of the North Carolina Declaration of Rights preceded and
28 were, in many respects, a source of the text of the Bill of Rights; and

29 Whereas, the State of North Carolina ratified the United States Constitution on
30 November 21, 1789, only after a proposed Bill of Rights, in the form of 12 Amendments to the
31 United States Constitution, was offered in Congress in September 1789; and

32 Whereas, the first 10 Amendments to the United States Constitution were finally
33 ratified on December 15, 1791, becoming enshrined as America's own Bill of Rights; and

34 Whereas, this Bill of Rights codifies limitations on the power of the federal
35 government of the United States, assuring the People and the States the right to govern themselves
36 in all matters in which the United States Constitution does not empower the federal government to
37 interfere; and



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1 Whereas, the People of the State of North Carolina have a right to expect the
2 government of our State to adhere to and uphold the Bill of Rights at all times; Now, therefore,
3 Be it resolved by the House of Representatives, the Senate concurring:

4 **SECTION 1.** We, the General Assembly of the State of North Carolina, pledge to be
5 faithful to the oath we have taken to govern in accordance with the North Carolina Constitution
6 and the United States Constitution, taking particular care to uphold the Bill of Rights and the
7 North Carolina Declaration of Rights in their entirety.

8 **SECTION 2.** The General Assembly honors the memory of Willie Jones of Halifax
9 County, David Caldwell of Guilford County, and others for their contributions to the creation and
10 adoption of the Bill of Rights.

11 **SECTION 3.** This resolution is effective upon ratification.