near Cape Palmas, on the west coast of the continent of Africa, to be called Maryland in Liberia: and whereas, it is not less the desire of the Society that the evil of slavery should be removed from Maryland, than that the emigrants to Africa should find their happiness and prosperity promoted by their change of home; and that, through their instrumentality, the blessings of civilization and the gospel should be extended to a benighted land: And whereas, acting with these views, it becomes the duty of the State Society to afford to the settlements which they may cause to be established, a system of equal laws, that shall secure to every emigrant and his descendants, the unalienable rights of life, liberty, and the pursuit of happiness—Therefore, be it known, that the Maryland State Colonization Society, do hereby solemnly enact the following "CONSTITUTION," as the basis and foundation of the government of any, and every settlement, or Colony, which may be established as aforesaid, under their auspices and control in Africa, ratifying and confirming the same, according to its tenor, to all emigrants to such settlements, and their descendants, so long as the powers of government shall continue to be exercised by the Maryland State Colonization Society.

ART. 1. The Maryland State Colonization Society shall have full power and right, from time to time, as they may think fit, to make and ordain rules, regulations and ordinances, for the government of the territory acquired by them in Africa, called Maryland in Liberia, not repugnant to the provisions of this Constitution, until the State Society shall withdraw their agents, and yield the government wholly into the hands of the people of the territory.

ART. 2. Every emigrant of full age, before he or she shall be received in Maryland in Liberia, shall read or have read to him or her this Constitution, and sign a declaration to support the same, and they shall in so doing, bind themselves to refrain from the use of ardent spirits, except in case of sickness.

ART. 3. No person shall hold any office in the said territory, who either uses ardent spirits, with the above exception, or traffics in it; and the State Society are pledged to carry the principal of abstaining from it, and preventing a traffic in it, into the local government of the territory, and have all the powers necessary for that purpose.

ART. 4. Religion, morality and knowledge, being necessary to good government, and the happiness of mankind, schools, and the means of education, shall forever be encouraged. The utmost good faith shall always be observed towards the natives; their land and property shall not be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed, unless it may become necessary to do so, to repel aggressions on their part: but laws founded in justice and humanity, shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 5. No taxes shall be laid in the territory, except for the purpose of defence, of internal improvement, education, and the support of the local government of the territory.—Duties and port charges, for the same purposes of revenue, shall be imposed, from time to time, at the discretion of the State Society.

ART. 6. All elections shall be by ballot, the qualifications of voters to be fixed by the State Society.

ART. 7. That the great and essential principles of liberty and free government may be recognized, and forever unalterably established, it is hereby declared, as part and parcel of this Constitution:

1. All men have a natural and unalienable right to worship Almighty God, according to the dictates of their own consciences, and no one shall be hurt, molested, or restrained, in his person, liberty or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience, nor for his religious professions or sentiments, provided he does not disturb the public peace, nor obstruct others in their religious worship; and all persons demeaning themselves peaceably, as good members of the community, shall be equally under the protection of the laws; and no subordination or preference of any one sect or denomination to another, shall ever be established by law; nor shall any religious test be required as a qualification for any office or trust in the community: and all religious societies in the community, shall, at all times, have the exclusive right of electing their public teachers, and contracting with them for their support and maintenance.

2. Every member of the community may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

3. The people shall be secure in their persons, houses, papers and possessions, from unreasonable seizures and searches: and no warrant to search any place, or to

seize any person or thing, shall issue, without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation.

4. No person shall be accused, arrested, or detained, except in cases ascertained by law, and according to the forms which the same has provided, and no person shall be punished, but by virtue of a law established and promulgated prior to the offence, and legally applied.

5. In all criminal prosecutions, the accused has a right to be heard by himself and counsel: to demand the nature and cause of the accusation, and to have a copy thereof: to be confronted by the witnesses against him: to have compulsory process for obtaining witnesses in his favour: and in all prosecutions, a speedy trial by an impartial jury of the neighbourhood or district in which the offence shall have been committed: he shall not be compelled to give evidence against himself, nor shall he be deprived of his life, liberty, or property, but by due course of law,

6. No person shall, for the same offence, be twice put in jeopardy of his life, or limb: nor shall any person's property be taken or applied to public use, unless just compensation be made therefore.

7. All courts shall be open, and every person, for an injury, done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered freely without any sale, fully without any denial and speedily without any delay.

8. No power of suspending laws shall be exercised, except by the authority which has enacted them, or its direction.

9. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted. All persons shall, before conviction, be bailable by sufficient securities, except for capital offences, when the proof is evident, or the presumption great; and the privileges of the writ of 'habeas corpus' shall not be suspended, unless when in cases of rebellion, or invasion, the public safety may require it.

10. The person of a debtor, where there is not strong presumption of fraud, shall not be detained in prison after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

11. No *ex post facto* law, nor law impairing the obligation of contracts, shall be made.

12. The members of the community have a right, in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of the government, for redress of grievances, or other proper purposes, by petition, address, or remonstrance.

13. Every member of the community has a right to bear arms in defence of himself and the community.

14. The military shall, in all cases and at all times, be in strict subordination to the civil power.

15. No title of nobility, or hereditary distinction, privilege, honour or emolument, shall ever be granted or conferred; nor shall any office be created, the appointment to which shall be for a longer term than during good behaviour.

16. Emigration shall not be prohibited.

17. The right of trial by jury shall be forever inviolate.

18. No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself, before any tribunal in the community, by him or herself, or counsel.

19. There shall be neither slavery nor involuntary servitude in the settlements of the Maryland State Colonization Society in Africa, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted; nor shall any male person, arrived at the age of twenty-one years, nor female person, arrived at the age of eighteen years, be held to serve any person as a servant, under pretence of indenture, or otherwise, unless such person shall enter into such indenture while in a state of perfect freedom, and on condition of a consideration in good faith, received or to be received, for their services, except as before excepted.

20. This enumeration of certain rights, belonging to the emigrants to the settlements which the Maryland State Colonization Society may make in Africa, and their descendants, shall not be construed to deny or disparage the exercise, by the said society, of all others necessary or incident to government.

21. And lastly, it is hereby declared, that this article shall be construed, reputed and adjudged in all cases most favourably on the behalf and for the best benefit and behoof of the emigrants aforesaid, and their descendants.

Maryland Historical Society

The Maryland State Colonization Society Papers

VIII. Commissions and Reports

D. Reports of the Board of Managers
1850