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 favor: 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 therefor.

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 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.

Art. 8. No alterations shall be made in this Constitution, except by the unanimous consent of all present at a meeting of the Board of Managers, called for the purpose of taking such amendment or alteration into consideration, or by a vote of two-thirds of the members present at two successive meetings of the Board of Managers called as aforesaid, provided that the declaration of rights contained in the seventh article shall in no wise be altered.

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)