

## THE CONSTITUTION OF THE COMMONWEALTH OF LIBERIA

*Adopted by the Board of Directors of the American Colonization Society, January 5, 1839.*

The American Colonization Society hereby grants to the colonies or settlements in Liberia, on the western coast of Africa, under its care, the following Constitution:

### **Article I.**

The colonies of settlements of Monrovia, New Georgia, Caldwell, Millsburg, Marshall, Bexley, Bassa Cove, and Edina, and such other Colonies hereafter established by this Society, or by Colonization Societies adopting the Constitution of the American Colonization Society, on the Western coast of Africa, are hereby united into one Government, under the name and style of the Commonwealth of Liberia.

### **Article II.**

All Legislative powers herein granted, shall be vested in a Governor and Council of Liberia; but all laws by them enacted shall be subject to the revocation of the American Colonization Society.

### **Article III.**

The Council shall consist of representatives to be elected by the people of the several colonies or settlements and shall be apportioned among them according to a just ratio of representation. Until otherwise provided, Monrovia New Georgia, Caldwell, and Millsburg, shall be entitled to six representatives; and Marshall, Bexley, Bassa Cove, and Edina, to four representatives; to be appointed among them by the Governor.

### **Article IV.**

The representatives shall, in all cases, except treason, felony, and breach of the peace, be privileged from arresting during their attendance at the session of the Council, and in going to or returning from the same; and for any speech or debate therein, they shall not be questioned in any other place.

### **Article V.**

Until otherwise provided by law, the Governor shall appoint and publish the times, places, and manner, of holding elections, and making returns thereof, and the same for the meeting of the Council.

## **Article VI.**

The Governor shall preside at the deliberations of the Council, and shall have a veto on all their acts.

## **Article VII.**

A Colonial Secretary shall be appointed by the Governor; and it shall be the duty of such Colonial Secretary to record in a book or books, all the official acts and proceedings of the Governor, of the Council, and of the Governor and Council; to secure and preserve the same carefully; and to transmit a copy of each of such acts or proceedings to the American Colonization Society, from time to time. Provided, however, that such acts and proceedings be so transmitted at least once a year.

## **Article VIII.**

A great seal shall be provided for the Commonwealth of Liberia, whereby the official and public acts of the Governor shall be authenticated; and the custody of the said seal shall be committed to the Colonial Secretary.

## **Article IX.**

The Governor and Council shall have power to provide a uniform system of military tactics and discipline: to provide for organizing, arming and disciplining the militia and for governing such part of them as may be employed in the service of the Commonwealth:

To declare war in self-defense:

To make rules concerning captures on land and water:

To make treaties with the several African tribes, and to prescribe rules for regulating the commerce between the Commonwealth of Liberia and such tribes; except that all treaties for the acquisition of lands shall be subject to the approval of the American Colonization Society:

To prescribe uniform laws of naturalization for all persons of color. All persons now citizens of any part of the Commonwealth of Liberia shall continue to be so, and all colored persons emigrating from the United States of America, or any District or Territory thereof, which the approbation, or under the sanction of the American Colonization Society, or of any Society auxiliary to the same, or of any State Colonization Society of the United States, which shall have adopted the Constitution of the American Colonization Society, shall be entitled to all the privileges of citizens of Liberia; except the same shall have been lost or forfeited by conviction of some crime.

**Article X.**

The Executive power shall be vested in a Governor of Liberia, to be appointed by, and to hold his office during the pleasure of, the American Colonization Society.

**Article XI.**

The governor shall be Commander-in-Chief of the Army, of the Navy, and of the Militia of the Commonwealth; he shall have power to call the Militia or any portion thereof into actual service, whenever the public exigency shall require; and he shall have the appointment of all military and naval officers, except the captains and subalterns of militia companies, who may be elected by their respective companies.

**Article XII.**

The lands owned by the Society, and all other property belonging to the Society, and in the Commonwealth, shall be under the exclusive control of the Governor and such agents as he may appoint under the direction of the Society.

**Article XIII.**

The Governor, with the advice and consent of the Council, shall appoint all officers, whose appointment or election is not otherwise specially provided for in this Constitution.

**Article XIV.**

There shall be a Lieutenant Governor, who shall be elected by the people in such manner as shall be provided by law. He shall exercise the office of Governor, in case of a vacancy in that office, occasioned by the Governor's death or resignation, or in case the Governor shall delegate to him the temporary authority of Governor during the Governor's absence or sickness.

**Article XV.**

The judicial power of the Commonwealth of Liberia shall be vested in one Supreme Court, and in such inferior Courts as the Governor and Council may, from time to time, ordain and establish. The Governor shall be, ex officio, Chief Justice of Liberia, and as such shall preside in the Supreme Court, which shall have only appellate jurisdiction. The Judges, both of the Supreme and inferior Courts, except the Chief Justice, shall hold their offices during good behavior.

**Article XVI.**

A code or uniform system of civil and criminal law, shall be provided by the American Colonization Society for the Commonwealth of Liberia.

**Article XVII.**

The present criminal laws in force in the several colonies or settlements now forming the Commonwealth of Liberia, and such others as may, from time to time, be enacted, shall constitute the criminal code of the Commonwealth. Such parts of the common law as set forth in Blackstone's Commentaries, as may be applicable to the situation of the people, except as changed by the laws now in force, and such as may hereafter be enacted, shall be the civil code of law for the Commonwealth.

**Article XVIII.**

A great seal shall be provided for the Colonies, whereby the official and private acts of the Governor shall be authenticated, and the custody thereof shall be committed to the Colonial Secretary.

**Article XIX.**

Until otherwise provided by law, the Commonwealth of Liberia shall be divided into counties, as follows: Monrovia, New Georgia, Caldwell and Millsburg, shall constitute one county, under the name of the county of Montserado ; and Bassa Cove, Elina, Bexley, and Marshall, shall constitute the other county, under the name of the county of Grand Bassa

**Article XX.**

There shall be no slavery in the Commonwealth.

**Article XXI.**

There shall be no dealing in slaves by any citizen of the Commonwealth, either within or beyond the limits of the same.

**Article XXII.**

Emigration shall not be prohibited.

**Article XXIII.**

The right of trial by jury, and the right of petition, shall be inviolate.

**Article XXIV.**

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

**Article XXV.**

Every male citizen of the age of twenty-one years shall have the right of suffrage.

**Article XXVI.**

All elections shall be by ballot.

**Article XXVII.**

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

**Article XXVIII.**

Agriculture, the mechanic arts, and manufactures, shall be encouraged within the Commonwealth; and commerce shall be promoted by such methods as shall tend to develop the agricultural resources of the Commonwealth, advance the moral social and political interests of the people, increase their strength, and accelerate and firmly establish and secure their national independence.

**Article XXIX.**

The standards of weight, measure and money, used and approved by the Government of the United States of America, are hereby adopted as the standards of weight, measure and money within the Commonwealth of Liberia. But the Governor and Council shall have power to settle the value of the actual currency of the Commonwealth, according to the metallic currency of the United States of America.