

## 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 1.** The Colonies or 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.

Legislative Power.

**Art 2.** All legislative power 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.

**Art 3.** 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.

**Art 4.** The representatives shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest, 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.

**Art 5.** 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.

**Art 6.** The Governor shall preside at the deliberations of the Council, and shall have a veto on all their acts, provided nevertheless, that if two thirds of all the members elected to serve in the Council, shall concur in passing a bill or resolution, notwithstanding the veto of the Governor, the same when so passed shall become a law, and have effect as such.

**Art 7.** 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.

**Art 8.** 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.

**Art 9.** The Governor and Council shall have power to provide a uniform system of military

To prescribe uniform rules of naturalization for all persons of color, and 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, with the approbation, or under the sanction of the American Colonization Society; or 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.

#### Executive Power.

**Art 10.** 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.

**Art 11.** 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 emergency 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.

**Art 12.** The land 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.

**Art 13.** 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.

**Art 14.** 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.

#### Judicial Power.

**Art 15.** 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 office during good behaviour.

**Art 16.** A code or uniform system of civil and criminal law, shall be provided by the American Colonization Society for the Commonwealth of Liberia.

**Art 17.** 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.

**Art. 21.** There shall be no dealing in slaves by any citizen of the Commonwealth, either within or beyond the limits of the same.

**Art. 22.** Emigration shall not be prohibited.

**Art. 23.** The right of trial by Jury, and the right of petition, shall be inviolate.

**Art. 24.** 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.

**Art. 25.** Every male citizen of the age of twenty-one years shall have the right of suffrage.

**Art. 26.** All elections shall be by ballot.

**Art. 27.** The military shall at all times, and in all cases, be in subjection to the civil power.

**Art. 28.** 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.

**Art 29.** 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 the power to settle the value of the actual currency of the Commonwealth according to the metallic currency of the United States of America.

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*Office of the American Colonization Society, Washington, January 14th, 1839.*

I hereby certify the above twenty-nine articles to be a true copy of a Constitution of the Commonwealth of Liberia, adopted by the Board of Directors, of the American Colonization Society, on the fifth day of January in the year Eighteen Hundred and Thirty Nine.

PHILIP E. FENDALL,  
Recording Secretary