

Rev^d Wm. Leake

CONSTITUTION,

GOVERNMENT

AND DIGEST

OF THE

LAWS OF LIBERIA,

AS CONFIRMED AND ESTABLISHED BY THE BOARD OF MANAGERS

OF THE

AMERICAN COLONIZATION SOCIETY,

MAY 23, 1825.



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*Office of the American Colonization Society, }
Washington, May 18th, 1825. }*

At a special meeting of the Board of Managers of the American Colonization Society, the digest of the laws, and the plan of civil government for Liberia, as adopted by the Agents of this Society, having been read and considered, it was, on motion

Resolved, That the Board of Managers, considering the satisfactory information afforded by recent accounts from the colony, of the successful operation of the plan for the civil government thereof, as established by their Agents in August last, and seeing therein reason to re-consider their instructions to the Agent of the 29th of December, 1824, now approve of the principles in that form of government, and give their sanction to the same.

Resolved, That the digest of the laws, be referred to a committee to examine the same, and compare them with the Constitution and laws of 1820, and report to the next stated meeting.

*Office of the American Colonization Society, }
Washington, May 23d, 1825. }*

At a meeting of the Board of Managers this day, the committee appointed at the last meeting, presented the following resolutions which were adopted :

Resolved, That the Board having considered the digest of the laws, now in force in the colony of Liberia, dated August 19th, 1824, as prepared by the Agent, do approve the same, and declare the same to be under the Constitution, the law of the colony, adding thereto the following: In case of failure to find recognizances for good behaviour, when required, the person so failing shall be subjected to such labour on the public works, or other penalty as the Agent shall prescribe, until he shall find recognizance, or the object for which it was required of him shall have been answered.

In all cases of banishment, where the banished person has no heirs in the colony, the land held by him shall revert to the colony.

Resolved, That this declaration of the law of the colony, shall not be construed to annul or impair any regulations which the Agent, under his constitutional authority, may have seen fit to establish subsequent to the above date of August 19th, 1824.

Resolved, That the resident Agent cause to be printed two thousand copies of the Constitution, government, and laws of the colony of Liberia, as established by this Board at Washington, 23d May, 1825.

JAMES LAURIE, *Acting President*.

R. R. GURLEY, *Resident Agent*.

CONSTITUTION

FOR THE
GOVERNMENT OF THE AFRICAN COLONY AT LIBERIA.

ARTICLE I.

ALL persons born within the limits of the territory held by the American Colonization Society, in Liberia, in Africa, or removing there to reside, shall be free, and entitled to all such rights and privileges, as are enjoyed by the citizens of the United States.

ARTICLE II.

The Colonization Society shall, from time to time, make such rules as they may think fit for the government of the Settlement, until they shall withdraw their agents, and leave the settlers to the government of themselves.

ARTICLE III.

The Society's Agents shall compose a board, to determine all questions relative to the government of the Settlement, shall decide all disputes between individuals, and shall exercise all judicial powers, except such as they shall delegate to justices of the peace.

ARTICLE IV.

The Agents shall appoint all officers not appointed by the managers, necessary for the good order and government of the Settlement.

ARTICLE V.

There shall be no slavery in the Settlement.

ARTICLE VI.

The common law, as in force and modified in the United States, and applicable to the situation of the people, shall be in force in the Settlement.

ARTICLE VII.

Every settler coming to the age of 21 years, and those now of age, shall take an oath or affirmation, to support this Constitution.

ARTICLE VIII.

In cases of necessity, where no rule has been made by the Board of Managers, the agents are authorized to make the necessary rules and regulations, of which they shall, by the first opportunity, inform the Board, for their approbation; and they shall continue in force, until the Board shall send out their decision upon them.

ARTICLE IX.

This Constitution is not to interfere with the jurisdiction, rights, and claims of the agents of the United States, over the captured Africans and others, under their care and control, so long as they shall reside within the limits of the Settlement.

ARTICLE X.

No alteration shall be made in this Constitution, except by an unanimous consent of all present at a regular meeting of the Board of Managers, or by a vote of two-thirds of the members present at two successive meetings of the Board of Managers.

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PLAN FOR THE CIVIL GOVERNMENT OF
LIBERIA.

The necessity of a mild, just, and efficient government for the preservation of individual and political rights among any people, and for the advancement of true prosperity, induces the Agents of the American Colonization Society most seriously to consider, and immediately to adopt a system for the better regulation, in this colony, of public affairs.

I. The Agent of the Colonization Society, possesses in this settlement sovereign power, subject only to the decisions of the Board.

II. *The Vice Agency.*

Three individuals shall be annually nominated by the colonists for the Vice Agency, one of whom shall be appointed by the Agent, unless special reasons forbid such appointment.

III. *Duties of the Vice Agency.*

The Vice Agent shall be admitted to the councils of the Agent in all important matters, and shall express an opinion on all questions submitted to his consideration. He shall aid the Agent in the discharge of his various duties, and in the defence and execution of the laws. In case of the absence or sickness of the Agent, the Vice Agent shall become the general superintendent of public affairs. The colonists shall be permitted to nominate individuals annually for this office, yet an appointment to it, may at any time be revoked by the Agent.

IV. The Vice Agent with two other persons, nominated by the colonists, and (if approved,) appointed by the Agent, shall

constitute a council who shall meet when requested by the Agent, to deliberate on measures to be adopted for the prosperity of the colony. The Vice Agent shall consult the other members of the council on the general interests of the settlement, and make a report to the Agent whenever he may believe the common good to require it. The appointment of this council shall be annual.

V. The Judiciary shall consist of the Agent and two Justices of the Peace, created by his appointment. The Justices shall have cognizance of all cases affecting the peace, and criminal cases within the definition of petit larceny; and all actions of debt not exceeding twenty dollars. In the Court of monthly sessions the Agent shall preside, and the Justices be his associates. The Court of monthly sessions shall have original jurisdiction in all actions of debt where the amount in litigation shall exceed twenty dollars, and in criminal causes above the degree of petit larceny, and shall have appellate jurisdiction in all cases whatsoever.

Two Constables shall be annually appointed by the Agent, whose duty it shall be to execute all processes, and levy distresses pursuant to writs issued by the Justices, and the Court of monthly sessions, and to aid in preserving the public peace.

The Clerk of the Court of monthly sessions, shall be appointed annually by the Court.

The following committees, the military committee excepted, shall be appointed by the Agent, in pursuance of a vote of a majority of the freeholders annually, whose election may be set aside or confirmed by the Agent, as in the case of counsellors.

I. The Committee of Agriculture, to consist of two persons, who are to report and serve as the organ of the government on all subjects relating to the agriculture of the colony.

II. The Committee of Public Works, to consist of three persons, who are to report and serve as the organ of the government on all subjects relating to buildings and fortifications. It shall be the especial duty of the members of this committee, to superintend in rotation the execution of the public works, by the labouring force employed by the government.

III. The Committee of the Colonial Militia, to consist of all the commissioned officers of the colonial militia; who are to report and serve as the organ of the government on all subjects relating to the militia of the colony. Each committee shall appoint a chairman, who shall communicate for them with the government and people.

IV. There shall be a committee of health, who shall be ready at all times to report to the government on all subjects relating to the health of the colony.

These committees are to become familiar with all the subjects relating to their appointment, and be ready at all times to meet, consult, and report thereon, when required to do so by the Agent.

Each committee shall record all important observations and facts relating to the subjects they investigate for the future use of the colony.

V. The militia of the colony shall be organized into one corps, which shall act as Infantry, and as Artillery. This corps shall be officered by one Captain and two Lieutenants, elected by the men, but confirmed in their appointments, and commissioned by the Agent. The officers in committee shall appoint all the non-commissioned officers subject to the approbation of the Agent.

The officers directly attached to the Agency, and to be appointed by him without nomination by the people are:

- 1st. A store keeper, who, when not on rations, shall receive a small compensation for his services.
- 2d. A Commissary of Ordinance, who, when not on rations, shall receive some compensation.
- 3d. A Colonial Secretary, who shall likewise receive a small compensation.
- 4th. A Librarian, who shall preserve with care the Colonial Library, and attend to the delivery of books at houses fixed upon by the Agent.
- 5th. A guard of twelve privates, two corporals, and one Sergeant commandant. This guard shall be raised, appointed, officered by, and subjected to, the entire and direct control of the American Colonization Society, and their Agent. They shall, except in case of war, or manifest danger, perform all the military service of the colony. The settlers being thus delivered from this heavy burden, are expected, and will be required to devote themselves with becoming zeal to the great and paramount objects of public and private industry.
- 6th. A Superintendent of captured Africans.
- 7th. Instructors in the public schools.
- 8th. An Auctioneer.
- 9th. Crier of the Court.

DIGEST OF THE LAWS

NOW IN FORCE IN THE

COLONY OF LIBERIA,

AUGUST 19th, 1824.

1st. Sedition, mutiny, insubordination, or disobedience to the lawful authorities, are high misdemeanors, and punishable either by the Justice, Court of Sessions, or prerogative of the Agent, as the case may be.

2d. Quarrelling, riot, drunkenness, Sabbath-breaking, profaneness and lewdness, are infractions of the public peace, and punishable by sentence of Justices, or of the Court of Sessions, with fine, imprisonment, standing in the stocks or whipping.

3d. Persons having violated the peace, or committed the misdemeanors specified in section first, on being discharged from custody, must find recognizances for their good behaviour.

4th. Simple theft, in which the property stolen shall be less than five shillings, is petit larceny, and shall always be punished in pursuance of sentence of Justices, or Court of Sessions, by a fine of fourfold the value of the property stolen, and the culprit to find recognizances in twenty times the amount.

5th. Grand larceny and all felonies punishable in pursuance of judicial sentence, with whipping and imprisonment, either in irons or not, or by a term of labour in chains on the public works. In case of failure to find recognizances for good behaviour, when required, the person so failing shall be subjected to such labour on the public works, or other penalty as the Agent shall prescribe, until he shall find recognizance, or the object for which it was required of him shall have been answered.

6th. Every able bodied male person receiving rations, is to labour for the public, under the superintendance of the commissioner for public works, two days in each week. Every person is to be considered in good health, who shall refuse to report himself and afford satisfaction of his inability to labour, to the committee of health.

7th. Every able bodied person as aforesaid, or person not reporting his indisposition as aforesaid, neglecting to labour on public works, or negligently attending to his own domestic la-

hours, during the four days of each week allowed him, shall, on the representation of the committee of public works, be immediately, together with his family, put on his own resources.

8th. No person forfeiting his rations, shall have them restored in less than one month.

9th. Persons obstinately refusing to acquiesce in the express decisions of the Board of Managers, shall, on conviction thereof by a court of justice, forfeit all their real estate in the Colony, and be compelled to leave it.

10th. Persons trespassing on appropriated lands by cutting or removing timber, or other property, are liable to exemplary damages.

11th. No person is to reside on the lands of the Colony, without permission of the Society or their Agent.

12th. Expulsion from the Colony may take place on conviction for offences directly affecting the peace, and good government of the same; and when ordered by the Society in punishment of any misdemeanors in their judgment deserving that penalty. The property of exiles to pass to his next heirs resident in the Colony. In all cases of banishment, where the banished person has no heirs in the Colony, the land held by him shall revert to the Colony.

13th. The party in any judicial trial, is entitled, if he desire it, to trial by jury.

14th. The common law, and usages of the courts of Great Britain and the United States, to regulate all judicial proceedings.

15th. All persons are permitted to dispose of property by will. The estate of intestates to be committed with letters of administration to administrators appointed by the Agent.

16th. In all lands appropriated to settlers, every third lot, when practicable, shall be reserved for public uses.

17th. No person shall own lands who does not reside in the Colony, and cultivate at least two acres, or carry on with consent of the Agent some mechanical trade, and build a substantial house on his town lot.

18th. A substantial house, to answer the requisition of the preceding section, must be, 1st. of sufficient extent to accommodate the family. 2d. Built of stone, brick or pise, or of frame or logs weather boarded, and covered with tile or brick.

19th. All settlers on their arrival, shall draw town lots and plantations, for which the agent is to give them a certificate specifying their number, and the time of drawing. If within two years from that date, two acres of land on the plantation

shall have been brought under cultivation, the town lot cleared and enclosed, and a legal house built, the said certificates may be exchanged for a title deed of such lands, to be held thereafter in fee simple.

20th. All town lots are to be enclosed by the proprietors with a good fence—any person neglecting to make such a fence, shall be answerable to his next neighbour for all damages he may sustain from the neglect, by application to the Committee of Agriculture, who shall proceed as directed in the laws of the 13th August, 1823. (See Journal under date of November 24th, 1824.)

21st. Persons holding town lots or plantations, are to keep the streets contiguous thereto, clear of weeds and brush to the centre, and cultivate any trees which may be planted thereon. Neglects in these cases are to fall under cognizance of the Committee of Agriculture, who are to proceed as in the law referred to in the preceding section.

22d. Every married man, besides a town lot, shall have for himself five acres of plantation land, two for his wife, and one for each child, if they are with him: *Provided*, that no single family shall have in all, more than ten acres.

23d. No Colonist shall deal with the natives of the Country for lands.

25th. Nothing but articles of necessity are to be given or expected in the rations issued from the public stores.

25th. Missionaries are permitted to reside, coming out with the approbation of the Society, so long as they devote themselves to their sacred functions.

ERRATA.—Page 8, 14th line from the bottom, for "Houses," read Houses.