

ENGLISH DOCUMENT

Magna Carta, 1215

Chapter 1

“by this our present charter confirmed for us and our heirs forever that the English Church shall be free, and shall have her rights entire, and her liberties inviolate...”

Chapter 12

“No scutage not aid shall be imposed on our kingdom, unless by common counsel of our kingdom”

Chapter 21

“Earls and barons shall not be amerced except through their peers, and only in accordance with the degree of the offense.”

Chapter 38

“No bailiff for the future shall, upon his own unsupported complaint, put anyone to his "law", without credible witnesses brought for this purposes.”

Chapter 39

“No freemen shall be taken or imprisoned or disseised or exiled or in any way destroyed... except by the lawful judgment of his peers or by the law of the land.”

Chapter 40

“To no one will we sell, to no one will we refuse or delay, right or justice.”

Chapter 63

“we will and firmly order that the English Church be free, and that the men in our kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely and quietly, fully and wholly, for themselves and their heirs, of us and our heirs, in all respects and in all places forever...”

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The English Petition of Right, 1628

Introduction

“Your Subjects have inherited this Freedom, that they should not be compelled to contribute to any Tax, Tallage, aid, or other like Charge not set by Common Consent in Parliament.”

Section 3

“No Freeman may be taken or imprisoned, or be disseised of his Freehold or Liberties, or his Free Customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful Judgment of his Peers, or by the Law of the Land.”

Section 4

“No Man of what Estate or Condition that he be, should be put out of his Land or Tenements, nor taken, nor imprisoned, nor disherited, nor put to Death, without being brought to answer by due Process of Law.”

Section 5

“Your Subjects have of late been **imprisoned without any Cause** shewed; and when for their Deliverance they were brought before your Justices by your Majesty’s Writs of *Habeas Corpus*, there to undergo and receive as the Court should order, and the **Keepers commanded to certify the causes of their Detainer, no Cause was certified**, but that they were detained by Your Majesty’s special Command, signified by the Lords of Your Privy Council, and yet were **returned back to several Prisons, without being charged with any Thing to which they might make Answer according to the Law.**”

Section 6

“Soldiers and Mariners and been dispersed into divers Counties of the Realm, and the Inhabitants against their Wills have been compelled to receive them into their Houses...”

Section 8

“...Some of Your Majesty’s Subjects have been by some of the said Commissioners put to death, when and where, if by the Laws and Statutes of the Land they had deserved death, by the same Laws and Statutes also they might, and by no other ought to have been adjudged and executed.”

COLONIAL DOCUMENTS

Massachusetts Body of Liberties, 1641

Preamble

“liberties Immunities and privileges...due to every man in his place and proportion without impeachment and infringement”

“...decree and confirm these following rites, liberties and privileges concerning our churches, and civil state to be respectively impartial and inviolably enjoyed and observed throughout our jurisdiction for ever.”

Section 1

“No mans life shall be taken away, no mans honor or good name shall be stained, no mans person shall be arrested, restrained, banished, dismembered, nor any ways punished, no man shall be deprived of his wife or children, no mans goods or estate shall be taken away from him, nor any way damaged under color of law or countenance of authority, **unless it be by virtue or equity of some express law of the country warranting the same, established by a general court and sufficiently published**, or in case of the defect of a law in any particular case by the word of God...”

The Pennsylvania Charter of Privileges, 1701

Section 1

“Because no People can be truly happy, though under the greatest Enjoyment of Civil Liberties, if abridged of the Freedom of their Consciences, as to their Religious Profession and Worship...nor be compelled to frequent or maintain any religious Worship, Place or Ministry, contrary to his or their Mind, or to do or suffer any other Act or Thing, contrary to their religious Persuasion.”

Section 5

“That all Criminals shall have the same Privileges of Witnesses and Council as their Prosecutors.”

COLONIAL DOCUMENT

The Pennsylvania Frame of Government, 1681

Preface

“Any government is free to the people under it (whatever be the frame) where the law rules, and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion.”

[The purpose of this government is to...] “To support power in reverence with the people, and to secure the people from the abuse of power.”

Section 5

“That all courts shall be open, and justice shall neither be sold, denied nor delayed.”

Section 6

“That, in all courts all persons of all persuasions may freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves...”

Section 8

“That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighborhood, and men without just exception...”

Section 9

“That all fees in all cases shall be moderate...”

Section 11

“That all prisoners shall beailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great.”

Section 35

“...in no ways, be molested or prejudiced for their religious persuasion, or practice, in matters of faith and worship, nor shall they be compelled, at any time, to frequent or maintain any religious worship, place or ministry whatever.”

ENGLISH DOCUMENT

The English Bill of Rights, 1689

Opening

“may have arms for their defence suitable to their conditions and as allowed by law.”

“freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned...”

“excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

“for redress of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.”

STATE DOCUMENT

The Virginia Declaration of Rights, 1776

Section 1

“All men are by nature equally free and independent, and have certain inherent rights...”

Section 8

“That in all capital or criminal prosecutions a man hath a **right to demand the cause and nature of his accusation** to be **confronted with the accusers and witnesses**, to **call for evidence** in his favor, and to a **speedy trial** by an **impartial jury**..., **nor** can he be **compelled to give evidence against himself**; that no man be deprived of his liberty except by the **law of the land or the judgement of his peers**.”

Section 9

“That excessive bail ought not to be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted.”

Section 10

“That general **warrants**, whereby any officer or messenger may be commanded **to search suspected places** without evidence of a fact committed, **or to seize any person or persons** not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.”

Section 12

“... freedom of the press is one of the greatest bulwarks of liberty and can never be restrained...”

Section 13

“That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state...”

Section 16

“That religion...can be directed by reason and conviction, not by force or violence; and therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience...”

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Constitution of New Jersey, 1776

Article 16

“That all criminals shall be admitted to the same privileges of witnesses and counsel, as their prosecutors are or shall be entitled to.”

Article 18

“That no person shall ever, within this Colony, be deprived of the inestimable privilege of worshipping Almighty God in a manner, agreeable to the dictates of his own conscience...”

Article 19

“That there shall be no establishment of any one religious sect in this Province, in preference to another...”

Article 22

“...the inestimable right of trial by jury shall remain confirmed as a part of the law of this Colony, without repeal, forever.”

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Pennsylvania Constitution, 1776 – Declaration of Rights

Section 2

“That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding: And that no man ought or of right can be compelled to attend any religious worship, ...support any place of worship,... contrary to, or against, his own free will and consent...”

Section 8

“But no part of a man's property can be justly taken from him, or applied to public uses, without his own consent...”

Section 9

“That in all prosecutions for criminal offences, a man hath a right to be heard by himself and his council, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favor, and a speedy public trial, by an impartial jury... nor can he be compelled to give evidence against himself; nor can any man be justly deprived of his liberty except by...[the] judgment of his peers.”

Section 10

“That the people have a right to hold themselves, their houses, papers, and possessions free from search and seizure...”

Section 11

“...right to trial by jury, which ought to be held sacred.”

Section 12

“...people have a right to freedom of speech, and of writing, and publishing their sentiments; therefore the freedom of the press ought not to be restrained.”

Section 13

“...the people have a right to bear arms for the defense of themselves and the state...”

Section 15

“...all men have a natural inherent right to emigrate from one state to another...”

Section 16

“...the people have a right to assemble together...”

STATE DOCUMENT

Constitution of Massachusetts, 1780

PART THE FIRST

Article 2

“...no subject 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; or for his religious profession or sentiments...”

Article 10

“...no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent...”

Article 11

“No subject shall be held to answer for any crimes or offence, until... described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defense by himself, or his council... And no subject shall be arrested, imprisoned..., but by the judgment of his peers, or the law of the land.”

Article 14

“Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions.”

Article 15

“In all controversies concerning property, and in all suits between two or more persons...the parties have a right to a trial by jury”

Article 16

“The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.”

Article 17

“The people have a right to keep and to bear arms for the common defence.”

Article 19

The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good...and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.”

Article 21

“The freedom of deliberation, speech and debate, in either house of the legislature, is so essential to the rights of the people...”

Article 26

“No magistrate or court of law, shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.”

Article 27

“...no soldier ought to be quartered in any house without the consent of the owner...”