Constitution

Of

The British Isles

Or

An Act Declaring the Civil and Religious Liberty of Freeborn Subjects of the Crown, and to secure and render more effectual certain acts of the reign of King Alfred, and of the   
fifteenth year of the reign of King John, and of the first   
year of the reign of King Edward the First, and of the fourth   
year of the reign of King Charles the First, and of the fifteenth   
year of the reign of King Charles the Second, and of the   
first year of the reign of King William the Third,   
and to prohibit their encroachment and extirpation

And

An Act to Consolidate the laws and customs of the   
Constitution relating to the Frame of Government,   
Amend the Representation of the People, Secure the independence of the House of Commons from the encroachments of the Crown, and render independent the Judiciary

CONTAINS

A Description of Subject Territories of the Government – Liberty and   
Security of Freeborn Subjects – Parliament, its Composition, Subjects Eligible, Election, Grand Divisions and their Demarcation, and a Description of its Acts – The Crown, its Selection, his Privy Council and its Composition, and his Protection of the Established Churches – A Description of   
the Judiciary, its Head, and its Independence – Procedures of Amendment

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# Charter of Liberty and Security of Freeborn Subjects

*Intituled, an Act Declaring the Civil and Religious Liberty of Freeborn Subjects of the Crown, and to secure and render more effectual certain acts of the reign of King Alfred, and of the fifteenth year of the reign of King John, and of the first year of the reign of King Edward the First, and of the fourth year of the reign of King Charles the First, and of the fifteenth year of the reign of King Charles the Second, and of the first year of the reign of King William the Third, and to prohibit their encroachment and extirpation.*

WHEREAS civil and religious liberty, security, and preservation of property is necessary for the prosperity of the governed;

And WHEREAS the liberty of freeborn subjects ought to be made secure to prohibit their encroachment and extirpation;

And WHEREAS governments which ignored the liberty of freeborn subjects did extirpate the life, liberty, and property of their subjects, terrorize the people, and form tyrannies of the sword;

And WHEREAS by the dooms made in the reign of King Alfred and the witan of all the realm, the man in every hundred shall find twelve jury;

And WHEREAS by an act made in the fifteenth year of the reign of King John intituled 'The Great Charter of the Liberties of England,' it is declared and enacted the rights and liberties of all the Freemen of our Realm;

And WHEREAS by Cap. V of the acts made in the first year of the reign of King Edward the First in the first Parliament general after his coronation, no man shall disturb any to make free election;

And WHEREAS by an act made in the fourth year of King Charles the First intituled “The Petition Exhibited to His Majesty by the Lords Spiritual and Temporal and Commons in this present Parliament assembled concerning divers Rights and Liberties of the Subjects , with the King's Majesty's royal answer thereunto in full Parliament” sundry unlawful acts were condemned and divers rights and liberties were upheld, according to the laws and statutes of the realm;

And WHEREAS by an act made in the fifteenth year of King Charles the Second intituled “An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonment beyond the Seas” the security of the person from arbitrary government was assured, except in cases of emergency declared by Parliament;

And WHEREAS by an act made in the first year of the reign of King William and Queen Mary intituled “An Act declaring the Rights and Liberties of the Subject and settling the Succession of the Crown”, subjects were vindicated and assured their rights and liberties;

And WHEREAS by an act made in the first year of the reign of King William and Queen Mary intituled “An Act for Exempting their Majesties Protestant Subjects dissenting from the Church of England from the Penalties of certain Laws”, the restraints of the governors on the ability of a person to instruct his fellow persons on religious duties were removed;

And WHEREAS the expiration of an act made in the fourteenth year of the reign of King Charles the Second intituled “An Act for preventing the frequent Abuses in printing seditious treasonable and unlicensed Books and Pamphlets and for regulating of Printing and Printing Presses” did confirm the ancient right of the liberty of the press;

And WHEREAS divers Rights and Liberties are granted by the Forces of the Common Law and Custom of Time Immemorial;

And WHEREAS the civil and religious Liberty of freeborn Subjects ought to be consolidated into a single Charter and be rendered more effectual and secured against encroachment and extirpation;

Be it therefore enacted, by the Parliament of the British Isles upon the twenty-fourth day of January in the year of our Lord eighteen hundred twenty-nine, by and with the advice and consent of the Crown and Lords and Commons, that as follows:

## Definition of Scope

1. Definition of Citizenship

All persons born in the British Isles and her overseas colonies and holdings; by which is meant Great Britain, Ireland, Jersey, Guernsey, the Isle of Mann, Scilly, and any other place under the authority of the Crown, or any Titles dependent therein, and such overseas Colonies and Holdings organized by Act of Parliament, or otherwise within the dominion of the laws of this country; or their children, or naturalised by Act of Parliament, are Freeborn Subjects, and they shall all have full ownership of the liberty thereof, as this Act may expound, provided always, that such persons that are attainted, or convicted for High Treason, or in the service of a current Enemy, may have such status revoked by Act of Parliament.

1. Full definition of scope

All persons anywhere in the jurisdiction of the British Isles and her overseas colonies and holdings, or within such areas, garrisons, or places which are under the control of the Army or Navy, or within the jurisdiction of an agent of the Crown or a Court of Judicature, or under the rule or suzerainty of a Corporation under a Charter authorized by the Crown or Parliament, shall likewise enjoy the benefits of the Liberty of the British Subject, as this Charter may expound.

## Right to Life, Liberty, and Property

1. General Right

All persons have the right to life, liberty and property, and no person shall be deprived of either but by the due process of law and the judgement of his peers.

1. Habeas Corpus

All persons shall be allowed the right to Habeas Corpus as declared by Acts of Parliament unless duly convicted for High Treason, and this right shall not be suspended except by Act of Parliament in such time as there is actual invasion or rebellion on the soil of the British Isles, and no such suspension shall have continuance for more than one year.

1. Right to Work only with Consent

By no one shall service in any shape be exacted of any person, without giving him in writing a sufficient acknowledgment thereof, and the consent of the person to the statement so contained, except for punishment for crime whereof the party has been duly convicted, or desertion from the Army or Navy under such terms as Parliament may provide.

1. Right against Unreasonable Searches

All persons have the right to be secure from all unreasonable Searches, in their Person, House, Paper, and Possessions; and all Warrants shall therefore be supported by Oath or Affirmation, and shall have cause or foundation, accompanied by a special designation of the persons or objects of search, arrest or seizure, and shall be only issued by a Judge in cases and formalities prescribed by the law.

1. Right to Bear Arms

All subjects of the British Isles have the right to use, carry, practice, and train in the use of arms as allowed by law for their individual and mutual security, so that the public peace may not be disturbed.

1. Right against Forced Quartering

No person shall be required, without their consent, to receive soldiers in their houses, except in times of rebellion or invasion by order of a civil magistrate, in a manner prescribed by Parliament.

## Rights of the Accused

1. General right

In all capital or criminal prosecution a person has 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 favour, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, except in cases of impeachments.

1. Access to Justice

To no one will we sell, to no one will we deny or delay right or justice.

1. Innocent until proven guilty

Every person is by the law deemed innocent until convicted by the judgement of his peers and the law of the land, except in cases of impeachments.

1. Double Jeopardy

No person shall be subject for the same offence to be twice put in jeopardy of life and limb.

1. Right against Self-Incrimination

No court of law shall punish, or cause to be punished, any person or persons for refusing to answer questions against themselves in criminal cases.

1. Right to Counsel

All persons accused of a crime shall have the right to assistance of counsel for their defence, and all indictments shall be presented to the accused.

1. Right against Retroactive Punishment

No person shall be convicted for any offense except for violation of a law passed before the offense was committed.

1. Right to Grand Juries in Crimes

No person shall be held to bail before the indictment of a Grand Jury except in impeachments, or in cases arising in land and naval forces, or in times of public danger.

## Rights of the Imprisoned

1. Right to fair Punishment

Excessive Bail ought not to be required nor excessive Fines imposed nor cruel and unusual Punishments inflicted.

1. Investigation of Mistreatment

All courts of law, and all magistrates, shall investigate gaols in their jurisdiction for mistreatment, and their findings shall be published in a freely distributed register.

## Right to Trial by Jury

1. General Right

All Persons shall have the right to a jury of twelve persons in his vicinage, duly impaneled and returned by ballot from all persons eligible by law, to determine culpability for all cases, whether they be civil, criminal, or capital, save for impeachment, and juries are judges of law as well as fact, and no judge may rule contrary to their verdict.

1. Prohibition on packing of juries

The packing of juries, whereby, standing bodies of jurymen are corrupted such that they manifest obsequiousness, is hereby abolished in all trials.

1. Criminality of Interference in a Jury

The interference of a judge, magistrate, or any other functionary, or any other person, in the matters of a jury by punishment, or intimidation, or otherwise, is an offence.

1. Consecutive Restriction

Jurymen shall serve for no more than four consecutive juries.

## Rights of Parliament

1. Holding of Parliament

For redress of all Grievances, and for the amending, strengthening, and preserving of Laws, Parliaments ought to be held frequently.

1. Summoning of Parliaments

When a Proclamation of the Crown calls a meeting of Parliament, nothing should prevent or obstruct their meeting, and any returning-officer, bailiff, sheriff, or magistrate so guilty shall be punished by the law of the land.

1. Freedom of Election

Elections ought to be free, without the interference of all undue influences from power, bribery, tumult, or other improper conduct, and no person by force of arms, malice, menacing, or otherwise, shall disturb any elector in their exercise of suffrage, and all hindrance is an offence against the law and constitution.

1. Law and Custom of Parliament

Parliament subsists according to its own laws and customs for its directions; and it is the Law and Custom of Parliament, that all matters in any parliament moved, concerning the realm, ought to be determined, adjudged, and discussed, by the course of the parliament.

1. Self-regulation

Parliament shall regulate its own Debates and Proceedings without any interference whatsoever.

1. Freedom of Speech in Parliament

The making and maintenance of laws, and redress of mischiefs, and grievances which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament, and in the handling and proceeding of those businesses, every Member of the Parliament has, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same.

1. Non-prosecution nor questioning of MPs

The freedom of speech and debates and proceedings in Parliament ought not to be impeached or questioned in any Court or Place out of Parliament.

1. Right to investigate

Parliament has the right to inquire in all matters of the Realm, to order the production of Documents, and to summon Witnesses to be examined under Oath.

1. Freedom from molestation by executive and judiciary

Every member of Parliament has freedom from all impeachment, imprisonment, and molestation other than, by the censure of the house of Parliament itself, for or concerning any bill, speaking, reasoning, or declaring of any matter or matters, touching the parliament or parliament business.

1. Non-punishment of Members of Parliament

All suits, accusements, condemnations, executions, fines, amercements, punishments, corrections, charges, and impositions at any time put, or had upon any member of Parliament, for any Bill, speaking, reasoning, or declaring of any matter or matters concerning the Parliament, are communed, or treated of, utterly void and of none effect, unless by the censure of the house of Parliament itself.

1. Parliamentary Immunity

No Member of Parliament shall be required to attend before a Court or Tribunal, and no Member of Parliament shall be imprisoned or restrained without sentence or order of the House of Parliament.

1. Freedom of access

Every Member of Parliament shall have freedom of access to the Crown whenever occasion shall require.

1. Favourable construction

The most favourable construction shall be placed upon the deliberations of Parliament.

1. Expulsion of Members of Parliament

Only the House of Commons has the right to expel its Membership.

1. Contempt of Parliament

Only Parliament has the right to rule members or strangers in contempt and punish contemptuous persons as it sees fit for the duration of the session.

1. Powers of Taxation

No tax shall be imposed, unless by the general council of the kingdom.

1. Raising a Standing Army

The raising or keeping a standing army within the kingdom, unless with the consent of Parliament, is against law.

## Religious Liberty

1. Freedom of Worship

All persons are free to worship God in the manner most agreeable to their own conscience, and no person shall be troubled, molested, or discountenanced in any way for or in respect of his or her religious profession or sentiments, nor in the free practice of religion, provided always, that he or she does not disturb the public peace, or obstruct others in his or her religious worship.

1. Abolition of blasphemy

The trial of an indictment or information for the avowing and publishing of blasphemous and impious opinions contrary to the doctrines and principles of a religious order is hereby illegal.

1. Non-discrimination in Government

No person shall be prohibited for their religious sentiments, or required to swear or solemnly affirm a condemnation thereof, or be induced to follow the doctrine, discipline, or practice of a religious order to serve in Parliament, or as an agent of the Crown, or as an officer of the judiciary, or as any other functionary, or at any place, trust, or employment relating to the government of the realm or any city, county, town, burgh, or cinque port.

## Liberty of Speech and Conscience

1. General Right

The liberty of speech is among the great bulwarks of free government, and can never be restrained except by despotic governments; therefore, any person may freely speak, write, and publish his sentiments on all subjects.

1. Prohibition of violation of free speech right

No court of law, no magistrate, shall punish, or endeavour to contribute to the punishing of, any person for having given utterance, or giving expression, or transferring, or the seizing, detaining destruction or damaging of any paper or other substance, of any discourse.

1. Exceptions for Libel

Provided always, that for any great injury done to the reputation of any person by false imputations, every person concerned in the doing of such injury is responsible to the purpose of reparation at the suit and for the benefit of any injured, through the civil law of libel; and that, for anything which being so expressed, has for its object the exciting persons to the commission of an offence and has actually caused such an offence, any person shall be responsible as above, according to the nature of such offence.

1. Abolition of criminal, seditious, and blasphemous libel

The trial of an indictment or information for the making or publishing any libel, and all cases for the making or publishing of libel where an issue or issues are joined between the defendant or defendants and the Crown, or the Great Men of the Realm, or religious Orders, are hereby abolished; and for all cases for the making or publishing of libel, the jury sworn to try the issue may give a general verdict upon the whole matter put in issue upon such case; and shall not be required or directed, by the Court or Judge before whom such case shall be tried, to find the person or persons so sued merely on the proof by such person or persons of the evidence charged to be a libel, and of the sense ascribed to the same in such cases.

1. Security of Private Writings

No person shall have the security of his private writings infringed, except for the purposes, and on the occasions, and in the manner, determined and declared by the law.

1. Keeping writings from Owners

No writing shall, against the will, known or reasonably presumable of the owner, be carried or kept out of his custody or power, or be seized, destroyed, damaged, or inspected, by or by order of any person in authority: unless it be in pursuance of the order of a Magistrate in the manner prescribed by the law of the land.

1. Damages to writings

In case of such oppressive seizure, destruction, damnification, or inspection, any person concerned in the infliction of the injury shall be responsible to the purpose of pecuniary compensation, with or without ulterior punishment, as the case may require.

## Right to Censure the Government

1. General Right

All persons have the right to censure their Governors, to judge their Actions, and their judgements and grievances may be peaceably expressed as they see fit.

1. Right to examine governmental proceedings

All persons have the right to examine the proceedings of both Houses of Parliament and of the Courts, without restrictions except in cases of emergency mandating secrecy, and Parliament and the Courts shall allow free admittance of the Public to their Sessions with limits set by Law, and the Register of the Realm shall be published in a Gazette freely distributed to all Towns and Counties in the British Isles.

1. List of the Imprisoned

The names of all persons deprived of liberty by imprisonment shall be posted on the door of the court-house in which they were so sentenced, and on the door of the gaol in which they are detained, and in a freely distributed register.

1. Liberty of the Press

All persons are at liberty to distribute their judgements on the actions of the government freely through the press, without the imposition of licensing, or duties, or acts otherwise with the effect of National Gagging.

1. Abolition of taxes on knowledge

For the progress of science or art, of social improvement, and of knowledge, all taxes and duties on the manufacture of paper, and on pamphlets, or papers, parts, or numbers, are hereby abolished; and no stamp shall be imposed on the publication of the same.

1. Right to Petition

All persons have the right to petition the Crown or a Member of a House of Parliament for a redress of grievances.

## Right of Assembly

1. General Right

All persons have the right to assemble, except in cases endangering the public peace.

1. Prohibition of obstruction

No persons shall be obstructed by force, intimidation, or deceit, from meeting in any number, in any place in which they have individually any right to station themselves, particularly while in the act of making communication of such their observations, and the opinions and wishes suggested by them.

1. Cases for Dissolution

Provided always that if for the prevention of evil to person or property, in cases of unlawful, riotous, and tumultuous assembly, it shall be thought good by the magistrate, for limited time, by proclamation in exact form set by law in such manner as may be heard by the whole crowd, to prevent or inhibit persons at large from making assembly in numbers greater than are capable of hearing from beginning to end, the discourse of the same speaker at the same time.

1. Investigations

All deaths and serious injuries from the dispersal of an assembly shall be investigated by courts of law for unlawful action, and their findings shall be published in a freely distributed Register.

## Rights of Property

1. General Right

All persons have a sacred and inviolable right to their property, and no person shall have his property alienated for public use without just compensation established by Act of Parliament.

1. Sanctity of the Home

Every person’s house is a castle and fortress to defend against injury and violence, to ensure the security and safety of himself and resident inmates; and at no time shall an agent of the Crown, or an officer of the judiciary, or any other functionary, break or forcibly enter into a dwelling-house, except with a legal warrant issued by a judge as part of a criminal process.

1. Sanctity of Corporate Property

All corporate property vested in trust for public and general uses, and all possessions and which cannot be inherited, nor descend by right to specific successors, nor be alienated by deed or will, shall be regulated, controlled, and appropriated solely by Act of Parliament.

1. Illegality of violence to property

All injury and violence to property, for any cause whatsoever, is illegal and repugnant to the constitution.

ASSENTED by his Lordship Henry Vassal-Fox, Baron Holland, the Lawful Lord Chief Magistrate of the British Isles and her overseas Colonies and Holdings

SEALED by his Excellency Samuel Romilly, Keeper of the Great Seal of the British Isles.

# Frame of Government

*Intituled, an Act to Consolidate the laws and customs of the Constitution relating to the Frame of Government, Amend the Representation of the People, secure the independence of the Commons from the encroachments of the Crown, and render independent the Judiciary*

WHEREAS it is expedient to ameliorate the confusion on the principles and nature of the constitution by a consolidation of the laws and customs of the Constitution relating to the Frame of Government;

And WHEREAS the Prerogative and Influence of the Crown has as of late encroached upon the rights and privileges of the Commons and threatened to destroy the Constitution;

And WHEREAS it is expedient to take effectual Measures for correcting divers Abuses and encroachment of the Prerogative that have long prevailed in the Choice of Members to serve in the Commons House of Parliament, to apportion Members according to the respective Numbers of Persons among the several Counties, Cities, Burghs, Towns, and Cinque Ports from Grand Divisions therein, to extend the Elective Franchise, and to diminish the Expense of Elections;

And WHEREAS an independent judiciary, separate from the Crown, is necessary to secure good government;

Be it therefore enacted, by the Parliament of the British Isles in 1829, January 24, by and with the advice and consent of the Lords and Commons and the assent of the Crown, that as follows:

## Parliament

1. Legislative Function

The legislative power of the British Isles is at all times vested in a High and Most Honourable Court of Parliament consisting of the Crown and two distinct Houses, to wit, a House of Lords and a House of Commons.

1. Acts of Parliament

Parliament shall continue to have power to make Laws for Peace, Welfare, and good Government of the British Isles; by which is meant Great Britain, Ireland, the Isle of Mann, Guernsey, Jersey, Sark, and Scilly; and her overseas colonies and holdings, by which is meant any other place under the authority of the Crown, or any Titles dependent therein, and such Colonies or Provinces or Establishments organized by Act of Parliament, or otherwise within the dominion of the laws of this country.

Provided always, that no Act for levying Money or suspending Habeas Corpus shall have Effect for longer than one Year after its Passage; and no Act shall ever be made for levying Money in overseas Colonies and Holdings, for which Parliament shall make provision for the formation of a representative Assembly, without the common consent thereof, unless provision shall be made for their actual representation in the House of Commons.

All bills shall be read three times in each House and win majorities of members therein in sessions of not less than forty members, before they pass to the eyes of the Crown, and if not negatived they shall be considered Acts of Parliament.

1. Bills for Levying Money reserved to the Commons

All Bills for levying Money shall originate in the House of Commons, and the House of Lords may not negative, or propose or concur with Amendments, as on other Bills.

1. Composition of Houses of Parliament

The House of Lords is composed of the Lords Spiritual, to wit, the Archbishop of Canterbury, the Archbishop of York, twenty-four Bishops of the Church of England, one Archbishop and three Bishops of the Church of Ireland with the right of Sitting being regulated by a rotation of session by session; and the Lords Temporal, to wit, all Temporal Peers of England, sixteen Representative Peers elected for life by all Temporal Peers of Scotland, and twenty-eight Representative Peers elected for life by all Temporal Peers of Ireland, and shall be presided by a Lord Chancellor selected by the Crown.

The House of Commons shall be composed of Members, chosen by free election apportioned in number among Cities, Burghs, Towns, and Cinque Ports entitled to representation, and Counties so excluding them, divided therein so that each Grand Division shall be entitled to one Member; and the actual enumeration and division shall occur within every ten year term subsequent to the previous as the Commons shall by resolution direct; and until such enumeration is made, only the Cities, Burghs, Towns and Cinque Ports enumerated in Schedule (A) shall be entitled to representation.

1. Commons Vacancies

When vacancies happen in the House of Commons; by non-acceptance, election to divers seats, death, mental derangement, resignation, ennoblement or succession to a peerage, acceptance of an Office of Profit or otherwise of an honour, pension, grant, or emolument under or at the pleasure of the Crown, succession to a seat in the House of Lords, or by expulsion; the Crown shall issue writs of election to fill such vacancies in time not less than five months.

1. Member of the House of Commons requirements

Each Member of the House of Commons shall have usually resided in the County, City, Burgh, Town, or Cinque Port in which he is chosen for six months prior to his election, and shall possess, or shall have possessed, not less than fifty pounds in property, and shall not be a Peer of England, Scotland, or Ireland, or serve in an Office of Profit or otherwise hold a pension, grant, or emolument under or at the pleasure of the Crown, and shall have sworn an oath, or a solemn affirmation and declaration of the same, confirming acceptance of their seat.

Every Member of the House of Commons shall be paid a renumeration of one hundred pounds per month.

1. Nature of Commons representation

Members of the House of Commons are the representatives not of the Grand Division from which they are elected, nor of the County, City, Burgh, Town, or Cinque Port in which the Grand Division is located, but of the whole Commons.

1. Eligibility for the Vote

All male householders in the British Isles, of the age of twenty-one years, who have been inhabitants of the county in which they intend to cast the vote three months immediately preceding the day of any election, and paying rates, or have graduated a Chartered University, and are not peers, shall be entitled to a vote for the Member of the House of Commons for the Grand Division in which he resides.

1. Sessions of Parliament

The Lords and Commons shall meet in concurrent sessions with not less than forty members present, holden by Decree of the Crown every year or more often if need be.

1. Additional officers in the Commons

The Commons shall have the power to select a Speaker, a Serjeant-at-Arms, an Election Master-General, and other officers for itself from outside its membership; and be the judge of the elections, returns and qualifications of its own Members, sit upon their own adjournments from day to day, and prepare bills to be passed into laws.

Ministers of State shall have the privilege to sit in the House of Commons and participate in debates, provided always, that this privilege may be revoked by vote of the majority for any duration the House sees fit, and at no time shall they be present in the chamber during discussions on the censure of a Member or suspension of habeas corpus.

1. Appointment of a Legislation Minister

For the recommendation of amelioration of bills and conformity of style, the publication and organization of the whole law, the management of the Library of Parliament, and advisement of individual Members of Parliament, the House of Commons shall elect from outside its member a Legislation Minister as an officer to sit in its session.

1. Impeachment

The House of Commons shall continue to hold the right to charge, in the name of the House of Commons, and of all the Commons of the Realm, and impeach individuals for bribery, or neglect of duty, or other misconduct in office, or conspiracy to murder or outlaw or otherwise act against the law of the land, or subversion of the constitution, or treason, or other high crimes and misdemeanors; and a member shall thence be sent to the Lords and the Justice Minister to acquaint them with that this house will, in due time, exhibit particular articles against him, and make good the same; and the individual so impeached shall thence be remanded by an officer of Parliament and suspended from any offices they may hold, be they political, parliamentary, or chartered, unless so acquitted.

The Justice Minister shall draw up a list of Members of the House of Lords, and upon reception, the House of Commons shall strike one third of the names from the list; and from this the Minister shall select forty names by lot, and from this list the House of Commons shall strike ten names and the accused five; and the Justice Minister shall issue an order convening the twenty-five remaining Lords as a National Jury for the High Court for the Trial of Impeachment; and in the meantime the House of Commons shall draw up articles and appoint managers to prepare evidence and conduct proceedings on its behalf.

A trial shall thence be presided by the Justice Minister under the Law and Custom of Parliament, to come to a close not by prorogation or dissolution or any other action of the Crown, but only by Resolution of the House of Commons, and the managers shall not be bound by any Rules of Pleading, and shall be permitted to admit all evidence and proofs and append such new articles and charges as the Commons shall provide; and if a majority of the National Jury shall deem the accused guilty upon their honour of one or several of the articles in public session, at such time as the Commons demand on it, the Jury shall give judgement which no Prerogative shall touch.

1. Commons prosecution

The House of Commons shall additionally hold the right to charge, in the name of the House of Commons, and of all the Commons of the Realm, and accuse individuals for crimes, for the purpose of trial in courts ordinary which hold relevant jurisdiction therein, and shall draw up articles and appoint managers to prepare evidence and conduct proceedings on its behalf for the purposes of such trials.

1. Acts of Attainder and Pains and Penalties

Parliament shall continue to hold the ancient right to make Acts of Attainder and of Pains and Penalties, and the individuals so subjected to such Acts shall be admitted both Houses to defend themselves in like manner as to a Trial.

## The Crown

1. Vestment of the Crown

By ancient principle, the Crown is vested in an individual delegated in trust from the Sovereign Majesty of the People exercised by their representatives in Parliament through Act or Joint Declaration as the case may be; and is maintained not by divine Providence nor hereditary Descent, but only through adherence to the Law and Trust of the People; and the Crown is vacated by death, impeachment, abdication, and subversion of the Law and Constitution.

At no time shall the Crown be vested in a Catholic.

1. Prerogative of the Crown

The Prerogative of the Crown, by ancient law and custom, is inalienable and may not be controlled, modified, and limited except by will of Parliament, and consists only of the powers:

To give execution and effect to Acts of Parliament through decrees, orders, and proclamations under the Great Seal of the Realm, provided always that they are not repugnant to any Act of Parliament;

To call for Parliament to be dissolved and a next new one to be chosen, holden, and assembled to issue forth several and respective Writs to the several and respective Peers of England and Representative Peers of Scotland and Ireland commanding every such Peer that he personally be at the Parliament to be held at Westminster on a said date and shall also issue forth and send abroad several and respective Writs to the several and respective Election Clerks of the several and respective Grand Divisions to be directed for the electing of the Representatives of the Commons to appear and serve in Parliament to be held at Westminster on the said date, provided always that if it be the third year from the day of the last dissolution of Parliament, the present Parliament shall be considered dissolved and the Election Master-General shall issue forth such Writs under the Greal Seal of the Realm for the assembling at the third year from the day of last assembling following the dissolution of Parliament, or the Monday following such a day;

To make Decrees so that Sessions of Parliament shall be holden, provided always that if it be one Year since a Decree causing a Session of Parliament to be holden, the Election Master-General shall issue forth a Decree under the Great Seal of the Realm to cause a Session to be holden the following Monday;

To prorogue Parliament, provided always that no Prorogation shall have any effect whatsoever if Parliament has been prorogued more than fifty Days in the last Year;

To receive presentations of Bills of Parliament, and negative such Bills within fourteen Days if so disapproving, provided always that the negative shall be accompanied with an oath, or solemn affirmation of the same, that such exercise is in his wisdom the means of saving the Constitution, and Declaration of Reasons of the same;

To appoint Ministers of State and Privy Councillors, and direct executive administration through them and their subordinates, and make regulations for executive functionaries;

To prosecute persons guilty of such crimes as fall within Acts of Parliament through his Advocate-General and his subordinates;

To be the head of the army and navy;

To appoint and receive ministers Plenipotentiary, and manage this nation’s intercourse with foreign countries, through his Foreign Minister;

To make Peers of the Realm of subjects and denizens of foreign persons, or bestow honours, pensions, grants, and emoluments, provided always that every honour, pension, grant, and emolument from the Crown granted to a Member or Officer of the House of Commons or Officer of the Judiciary shall hold that position vacant, and they shall thence be ineligible to such positions until such time as such pension, grant, or emolument is revoked;

To appoint the Archbishop of Canterbury and other Bishops of the United Church of England and Ireland and make regulations relating to its administration, as its Supreme Governor, and send a High Commissioner to the General Assembly of the Church of Scotland;

To appoint sheriffs, coroners, justices of the peace, and lieutenants of the several counties, and gaolers, and other officers for like purposes;

To grant reprieves and pardons for offenses against the British Isles, except in cases of Impeachment;

To maintain commerce in the seas and rivers over the jurisdiction of the British Isles and her overseas colonies and holdings, through reforming, preventing, and punishing any nuisances or obstructions, and erecting, superintending, and protecting ports and havens for public use, and erecting beacons, lighthouses, and sea-marks in such places as may be most convenient for the preservation of ships and mariners and the general interests of the public, provided always that Parliament, the several Courts of Judicature, and Counties, Cities, Burghs, Towns, and Cinque Ports (as the case may be) shall have jurisdiction over all establishments constructed for the maintenance of maritime commerce, as normal;

To coin money, under such value, denomination, and weight and measures as Parliament may provide;

To keep custody over the jewels and treasures of the Crown and the Great Seal, provided always that they may not be disposed or moved except as Parliament may provide, and Parliament may appoint such guards over such items as it seeks fit;

1. Restricted powers of the Crown

Certain powers, lately exercised as part of the Prerogative of the Crown, shall henceforth only be exercised by and with the advice and consent of both Houses of Parliament; and if the Crown shall declare intentions to the exercise of such a power while Parliament stands prorogued or adjourned without a Proclamation for the meeting of Parliament within fourteen days, the Election Master-General shall issue such a proclamation under the Great Seal of the Realm; and they shall consist of the powers:

To appoint the commanders of the Army and Navy;

To raise and enroll, or draw out and embody the supplementary Militia.

To appoint the Justice Minister;

To make war and peace, grant letters of marque and reprisals, make declarations of contraband in times of war, and levy embargoes for a limited time;

To make treaties, leagues, and alliances with foreign states;

To secure for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To grant or rescind Charters to Cities, Burghs, Towns, or Cinque Ports, or colleges, universities or other institutions for the increase or diffusion of knowledge, or hospitals or other eleemosynary institutions, or forests, parks, warrens, or other lands for the joint use of the people, or other corporations for the public good, provided always that every such Charter may be amended by Act of Parliament.

1. Relation to Acts of Parliament

It is illegal for the Crown to suspend or repeal Acts of Parliament or any other parts of the law, and any individual in any exercise of the Powers of the Crown claiming such a pretended power shall be immediately guilty of High Treason.

At no time shall the Crown interfere with the free operation of Parliament by private conspiracy to influence a House to negative a Bill, or avoid the Presentation of an Act of Parliament; and to report any opinion or pretended opinion of the person vested with the Crown upon any bill or other proceeding depending in either House of Parliament, with a view to influence the vote of the members, is a High Crime and Misdemeanor.

1. Surrender of Crown revenues, grants of Civil Lists

All excises or duties of any kind from the coasts or rivers, or the Droits of Admiralty, or revenues from lands, even if it be foreshore or riverbed, owned by the Crown, or by the Prince of Wales, or by any other titles or estates merged or tied to the Crown, anywhere within the British Isles and her overseas colonies or holdings, or collections of books, paintings, sculpture or like forms of art held in late persons vested with the Crown, shall hereby be surrendered to Parliament in perpetuity; and the Crown shall henceforth abandon all claim of ownership of whales, sturgeon, and any other fishes, and of swans or other estrays, who lie outside Crown Lands, or to flotsam, jetsam, ligan, or wrecks whose ownership is known; and all Counties palatine are abolished for-ever and placed under ordinary jurisdiction.

Parliament shall, from time to time, make provisions of Treasury funds to the Crown for performance of public duties, and the Crown shall take account of all expenditure to make public and surrender surplus funds to Parliament, and whenever it shall seem expedient to its wisdom, the House of Commons shall examine into and correct abuses in the expenditure of the Crown.

1. Standing Army

At no time shall the Crown raise and keep a Standing Army within the British Isles without the Consent of Parliament.

1. Condition of the Commonwealth address

The Crown shall, at the commencement of every year, in the form of a message, lay before a Joint Session of Parliament the general condition of the commonwealth, and provide measures for its melioration.

1. Protection of the Church

The Crown protects the United Church of England and Ireland and the Church of Scotland under law.

1. Privy Council

The Crown appoints and dismisses at their pleasure, with the consideration of the advice of Parliament, a Privy Council, which shall be headed by ministers of state.

The Privy Council shall have the power to issue orders giving effect to laws, subject to the regulation of Acts of Parliament and binding on functionaries and officers of the Crown.

1. Appointment of Ministers

The Crown appoints Ministers of State to officer the Ministries of the Treasury, Foreign Affairs, Interior, War, and the Navy, and provide advice and consent for Acts of the Crown; provided always, that the House of Commons has the ancient right to remove such Ministers from office as it does not confide in.

The Crown shall appoint an Advocate-General, learned in the law, for the purpose of providing advice and prosecuting the accused.

1. Ministries of State

The Ministry of the Treasury manages fabrication, receipt, and disposal of money of the state, and prepares budgets to present to the House of Commons as bills for levying Money.

The Ministry of Foreign Affairs manages the intercourse between the government of the British Isles and the governments or subjects of other states, subject to the regulation of Parliament.

The Ministry of the Interior manages the intercourse from one part of the British Isles to another, provides for the safe-keeping and maintenance of the Acts, Records, and Seals of the British Isles, communicates Acts of Parliament and decrees of the Crown, conducts the Census, and maintains the public peace, subject to the regulation of the same.

The Ministry of War manages the British Army and provides for the security of the shores, subject to the regulation of the same.

The Ministry of the Navy manages the British Navy, subject to the regulation of the same.

1. Regency

By ancient custom, if the Crown is incapable of being vested in an individual, the Powers of the Crown shall be vested in a Council of Regency, subject to regulation by Parliament.

It is hereby declared that a Council of Regency, consisting of the President of the Privy Council for the time being, the Justice Minister for the time being, the head for the Treasury Council for the time being, the Interior Minister for the time being, and the holder of the Great Seal for the time being, shall exercise the full power of the crown in times of vacancy.

## Judiciary

1. Judicial Function

The judicial power of the British Isles is vested in a Justice Minister, a Supreme Court of Judicature, and all inferior courts as Parliament may, from time to time, establish. The judges of all courts shall hold their offices for so long as they shall well conduct themselves, and shall, for their stated time, receive a renumeration which shall not diminish nor increase during their term in office.

1. Extension of the Judicial Power

The judicial power extends to all cases, penal and civil, arising in the British Isles and her overseas colonies and holdings, to all cases affecting ministers plenipotentiary, to all cases of admiralty and maritime jurisdiction, to all cases of marital dispute, to cases in which the Crown shall be a party, to all cases between a freeborn subject and foreign states or subjects.

1. Parliamentary Supremacy

The Charter of Liberty and Security, this Frame of Government, and all other Statutes of Parliament, shall be the Law of the Land; and the Judges in the British Isles and its Establishments, Factories, and Colonies shall be bound thereby, anything in the decrees, orders, and proclamations of the Crown, or Ordinances of Municipalities, notwithstanding.

1. Headship of the Judiciary

The judiciary of this Realm is headed by the Justice Minister, who shall appoint the judges and manage the courts of the British Isles and issue reports to Parliament on the functioning of the courts and the law, and propose measures on their melioration as he sees fit; and he shall dismiss judges, including himself, from office upon the Joint Address of both Houses of Parliament.

1. Supreme Court of Judicature

The Supreme Court of Judicature shall consist of the Justice Minister and ten puisne judges, of which six judges including the Minister shall be a quorum; and shall sit for two sessions a year, one commencing with the opening of a session of Parliament, and one commencing at such date as the Justice Minister may declare; and the decision of the Justice Minister shall be binding for all Rulings of the Court; and it shall have original jurisdiction over all cases affecting ministers plenipotentiary, appellate jurisdiction over every other case whatsoever in the British Isles and her overseas colonies and holdings, both as to Law as Fact.

1. Juries

Trial of cases in courts of justice, except impeachment, shall be by jury, which shall proceed as follows:

The local magistrate shall compose and frame Qualified Lists, of all subjects whose habitation is in the jurisdiction of the court, without those persons disqualified by Act of Parliament, or by connexion to the Parties of the Trial, or excluded by peremptory challenge; and the sheriff or depute serving therein shall select veniremen by lot; and juries shall be selected by lot from the veniremen, and summoned to a court of law by the local magistrate.

Juries meet secretly in conference without the presence of any person not a juryman, and during such conference the judge and jury shall suffer none to speak to them, neither shall judge or official of the court speak to them themselves; and juries shall only be released from conferences upon returning a verdict, unless the court has ordered the jury conference adjourned.

In order to prevent intemperance or causeless debate, jurymen are to be kept without meat, drink, fire, or candle, except in such amounts as set by law, until they reach a verdict.

To insure a fair compensation for time spent, jurymen shall be paid an appropriate renumeration, consisting of demurrage-money the same to all and journey-money proportioned to the distance between the place of trial and each juryman’s place of residence.

1. Grand Juries and Juries of Inquest

Grand Juries are selected by the local magistrate from the Qualified Lists of the jurisdiction, and are summoned to a court of law by the local magistrate to find evidence for a case and accuse a person of a crime.

In cases where a person is found dead and the manner of death is unknown, the Coroner shall convene a Jury, in like manner as a Grand Jury, for the purposes of Inquest.

1. Providing for issuing of writs

The Supreme Court of Judicature, and all other courts of the British Isles shall have the power to issue writs of habeas corpus, review, mandate, prohibition, remand, lawful authority, record release, and all other writs not specially provided for by statute, under the authority of the Great Seal, which may be necessary for the exercise of their respective jurisdictions.

## Administration of Elections

1. Election Offices

The Election Master-General shall direct the National Election Office to distribute Election Writs, receive returns, and direct and superintend all elections to the House of Commons.

The Election Master-General shall appoint an Election Clerk for each Grand Division to direct an Election Office.

Each Election Clerk shall in turn appoint Polling Clerks for every parish or extra-parochial place, or several such places provided always that their population does not exceed six hundred electors, to establish a Polling Office so located to conduct the business of elections.

1. Electoral registers

The several Polling Clerks shall frame, or cause to be framed, a register of Persons entitled to vote in their polling District every Year, and shall transmit such registers to the Election Clerk for the Grand Division, for publication.

No Person whose name is not on the register of Persons entitled to vote in their Grand Division shall be allowed to give their vote.

1. Election nomination

At such dates as declared by the Election Clerk for the Grand Division thereof following the reception of Writs of Election from the Election Master-General, the Election Office shall hold hustings where such Persons shall be nominated as Candidates for Election by the presentment of such proof that they are eligible for becoming a Member of the House of Commons for the Grand Division thereof, and a recommendatory petition signed by no less than thirty inhabitants of the Grand Division thereof, and the presentmen shall accompany such proof and petition with an oath, or solemn affirmation of the same, that it is true; and such proof and petition shall be displayed on the Election Office and published in the Gazette for the Register; and the Election Office shall thence hold hustings where that such Persons as have true proof and petition and do not withdraw shall, upon an oath, or solemn affirmation of the same, that such proof and petition is true, be declared candidates.

1. Election procedure

Upon the Dissolution of Parliament, all elections to office shall be held in a singular day by the National Election Office, and each Polling Office shall hold hustings for the purposes of proper election.

After the election, votes shall be counted by each Polling Office in such records that are sealed by the Polling Clerk and the totals taken to the Election Office for the Grand Division, where they shall thence be aggregated into sum-totals; and the Election Clerk for the Grand Division thereof shall hold hustings at the Election Office with candidates assembled for the purposes of declaring the sum-totals of each candidate and thence declare the candidate with the highest sum-total the duly elected Member of the House of Commons.

## Oaths and Subscriptions; Incompatibility of and Exclusion of Offices, etc.

1. General Oaths of Office

Any person chosen Privy Councillor, Minister of State, Lord Spiritual or Temporal, Member of Parliament, Judge or Officer of a Court of Judicature, officer of an Election or Polling Office, or Keeper or Keepers of the Great Seal, shall, before he proceeds to execute the duties of his place or office, make and subscribe the following declarations, viz.--

“I, A.B., do sincerely promise and swear, that I will support and defend, to the utmost of my power, the Constitution, as expounded in two Acts, entitled, “An Act Declaring the Civil and Religious Liberty of Freeborn Subjects of the Crown, and to secure and render more effectual certain acts of the reign of King Alfred, and of the fifteenth year of the reign of King John, and of the first year of the reign of King Edward the First, and of the fourth year of the reign of King Charles the First, and of the fifteenth year of the reign of King Charles the Second, and of the first year of the reign of King William the Third, and to prohibit their encroachment and extirpation”, and “An Act to Consolidate the laws and customs of the Constitution relating to the Frame of Government, Amend the Representation of the People, secure the independence of the House of Commons from the encroachments of the Crown, and render independent the Judiciary”. And I do solemnly swear, that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the government or established religion in the British Isles. And I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever. So help me God.”

And any person chosen to either of the places or offices aforesaid, and also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, make and subscribe the following declaration, and oaths or affirmations, viz.--

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the government of the British Isles, and will support the declared liberty and security, Frame of Government, and Constitution thereof. And I do solemnly swear that I renounce and abjure all allegiance, subjection and obedience to the individual holding the title of Elector of Hanover (as the case may be) or the family thereof, or to the individual holding the title of Duke of Freiburg (as the case may be) or the family thereof, and I recognize no other principle in the Succession of the Crown than the Sovereign Majesty of the People exercised by their representatives in Parliament. So help me God.”

1. Election Master-General’s Oath

And any person chosen Election Master-General shall, before he enters on the discharge of the business of his place or office, make and subscribe the following declaration, and oaths or affirmations, viz.--

“I, A. B., do solemnly swear, that I will protect the freedom of election, from the interference of all undue influences from power, bribery, tumult, or other improper conduct, so that no person by force of arms, malice, menacing, or otherwise, shall disturb any elector in their exercise of suffrage. And I do solemnly swear that, if it be the third year from the day of the last dissolution of Parliament, I will issue forth several and respective Writs to the several and respective Peers of England and Representative Peers of Scotland and Ireland commanding every such Peer that he personally be at the Parliament to be held at Westminster on the third year from the day of last assembling following the dissolution of Parliament, or the Monday following such a day, and shall also issue forth and send abroad several and respective Writs to the several and respective Election Clerks of the several and respective Grand Divisions to be directed for the electing of the Members of the House of Commons to appear and serve in Parliament to be held at Westminster on the said date. And I do solemnly swear that if it will be one Year since a Decree causing Session of Parliament to be holden, I will issue forth a Decree under the Great Seal of the Realm to cause a Session to be holden the following Monday. So help me God.”

1. Oaths of Keepers of the Great Seal

And any person chosen Keeper or Keepers of the Great Seal (as the case may be) shall, before he enters on the discharge of the business of his place or office, make and subscribe the following declaration, and oaths or affirmations, viz.--

“I, A. B., do solemnly swear, that I will protect the Great Seal of the Realm. And I do solemnly swear that, if it be required to the Crown or the Election Master-General (as the case may be) under such terms as Parliament may provide, I will grant temporary use to the official so requiring it. So help me God.”

1. Oath of the Crown

Any person chosen by Declaration or Act of Parliament to exercise the powers of the Crown shall, before he or she proceeds to exercise the duty of his office, unarmed, in the presence of a Joint Session of Parliament, make and subscribe the following declarations, viz.--

“I, A. B., do solemnly promise and swear to govern the people of the commonwealth of the British Isles according to the Statutes in Parliament agreed on and the Laws and Customs of the same. And I will by my power cause law and justice in mercy to be executed in all my judgements. And I do solemnly swear, that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Parliament of the Realm, or exceed such powers of the Crown as defined in an Act, entitled, “An Act to Consolidate the laws and customs of the Constitution relating to the Frame of Government, Amend the Representation of the People, secure the independence of the House of Commons from the encroachments of the Crown, and render independent the Judiciary”. And I will to the utmost of my power maintain the Protestant Reformed Religion established by law. And I will preserve unto the bishops and clergy of this realm and to the churches committed to their charge all such rights and privileges as by law do or shall appertain unto them or any of them. So help me God.”

1. Option to affirm oaths

Provided always, that every person upon objecting to being sworn, and stating, as the ground of such objection, that the taking of an oath is contrary to his religious belief, shall be permitted to make his solemn affirmation in the foregoing form, and subscribing the same, omitting the words “do solemnly swear” and “So help me God” and subjoining thereof “do solemnly, sincerely, and truly declare and affirm” and “This I do under the pains and penalties of perjury”.

1. Incompatibility and Exclusion from Offices

No holder of the Crown, or Privy Councillor, or Minister of State, or judge of a Court, shall hold any other office or place save for membership in the Peerage, or receive any pension or salary from any other state or government or power whatever.

No Member of the House of Commons shall hold any office under the Crown or at pleasure of the Crown, or office in the appointment of public offices, or office or pension under grant from the Crown, or office under appointment from a court of judicature, or office chiefly executed by a deputy under grants from the Crown, or office on the pay of the Army, or Navy, or Militia, or Yeomanry, or Police.

1. Declaration of the Act

This Frame of Government of the British Isles, and the Act declaring the Liberty and Security of the same, shall be part of the Law of the Land – and printed copies thereof shall be prefixed to the book containing the laws of the realm, in all future editions of said laws.

## Amendments to the Frame of Government

Parliament shall have power to propose, approve, and ratify Amendments to the Frame of Government, as with any other Acts.

## Schedules to which the Foregoing Act Refers to

1. Schedule (A)

ENGLAND

[…]

SCOTLAND

[…]

IRELAND

[…]

ASSENTED by his Lordship Henry Vassal-Fox, Baron Holland, the Lawful Lord Chief Magistrate of the British Isles and her overseas Colonies and Holdings

SEALED by his Excellency Samuel Romilly, Keeper of the Great Seal of the British Isles.