

Part I: The Transcription

Transcribed by: Elizabeth Ann Naismith Picciani<sup>1</sup>

Pennsylvania Declaration of Rights, 1776 edited by: Benjamin Franklin

An ESSAY of a DECLARATION of RIGHTS,

Brought in by the Committee appointed for that Purpose, and now under the Consideration of the CONVENTION of the State of Pennsylvania.

1. THAT all Men are born equally free and independant, and have certain natural, inherent and unalienable Rights, amongst which are the enjoying and defending Life and Liberty, acquiring, possessing and protecting Property, and pursuing and obtaining Happiness and Safety.

2. That all Men have a natural and unalienable Right to worship almighty GOD according to the Dictates of their own Consciences and Understandings: And that no Man ought or of Right can be compelled to attend ~~any Place of~~<sup>any</sup> Religious Worship, or <sup>erect or</sup> support ~~or maintain any~~ ~~Worship Place or~~ [Right Margin: *any place of Wor[ship] or maintain any*] [Left Margin: *Place of Worship + religious sentiments*] Ministry, contrary to, or against his own free Will and Consent. Nor can any Man <sup>who acknowledges the Being of a God</sup> be justly deprived or abridged of any Civil Right as a Citizen, on account of his <sup>religious sentiments or</sup> peculiar Mode of religious Worship. And that no Authority can or ought to be vested in, or assumed by, any Power whatever that shall in any Case interfere with, or in any Manner controul, the Right of Conscience in the free Exercise of religious Worship.

---

<sup>1</sup> Highlighted terms denote words that were difficult to read, often due to crossing-out. All capitalization and punctuation was maintained as well as fidelity to Franklin's own notation, which is in italics. Those phrases placed within brackets were found in the margins.

3. That the People of this State have the sole exclusive and inherent Right of governing and regulating the internal Police of the same.

4. That all Power being originally inherent in, and consequently derived from, the People, therefore all Officers of Government, whether Legislative or Executive, are their Trustees and Servants, and at all Times accountable to them.

5. That Government is or ought to be instituted for the common Benefit, Protection and Security of the People, Nation or Community,\* [Right Margin: \**And not*] and that a Majority of the Community hath [Margin Left: *Government*] an indubitable, unalienable and indefeasible Right to reform, alter or abolish ^ in such a Manner as shall be by that Majority <sup>community</sup> judged most conducive to the Public Weal.

6. That those who are employed in the Legislative and Executive Business of the State may be refrained from Oppression, ~~by feeling and participating the common Burthens~~, the People have a Right, at such Periods as they may think proper, to reduce their Public Officers to a private Station, ~~return them into that Body from which they were originally taken~~, and supply the Vacancies by certain and regular Elections: ~~But that the having served in any Office, ought not in all Cases to disqualify the Person from being — elected.~~ <sup>a sussicio</sup>

7. That all Elections ought to be free, and that all ^ Men having an evident, & permanent and common Interest with, and Attachment to, the Community, have a Right to elect Of^ficers, or be elected into Office. [Right Margin: *sufficient* ^free]

8. That all private Property, being protected by the State, ought to pay its just Proportion towards the Expence of that Protection; but ~~that~~ no Part of a Man's Property can be ^ [Right Margin: *Justly*] taken from him, or applied to Public Uses, without his own Consent, or that of his legal

Representatives: Nor are the People bound by any Laws but such as they have, in like Manner, assented to, for their common Good.

9. That in all ~~Criminal~~ Prosecutions <sup>^ for Criminal Offences</sup> a Man hath a Right to be heard by <sup>^ himself and</sup> <sup>his</sup> Council, to demand the Cause and Nature of his Accusation, to be confronted with the ~~Accusers or~~ Witnesses, to call for Evidence in his Favour, and a speedy public trial by an impartial Jury of the Country, without ~~whole~~ <sup>the</sup> unanimous Consent <sup>^ of which jury</sup> he cannot be found guilty, nor can he be compelled to give Evidence against himself, nor can any Man be justly deprived of his Liberty, except by the Laws of the Land, or the Judgment of his Peers.

10. that the People have a Right to hold themselves, their Houses, Papers and Possessions free from Search or Seizure, and therefore

~~10.~~ That Warrants without Oaths or Affirmations first made, affording a sufficient Foundation for them, and whereby any Officer or Messenger may be commanded or required to search suspected Places, or to seize any person or Persons his or their Property not particularly described, are contrary to that Right, and ought not to be granted.

11. That in Controversies respecting Property, and in Suits between Man and Man, the Parties have a Right to Trial by Jury, which ought to be held sacred.

12. That the People have a Right to Freedom of Speech, and <sup>^ of</sup> writing and publishing their Sentiments, therefore the Freedom of the Press ought not to be restrained.

13. That the People have a Right to bear Arms for the Defence of themselves and the State, and as standing Armies in the Time of Peace are dangerous to Liberty, they ought not to be kept up: And that the Military should be kept under strict Subordination to, and governed by, the Civil Power.

14. That a frequent Recurrence to fundamental Principles, and a firm Adherence to Justice, Moderation, Temperance <sup>^ Industry</sup> and Frugality are absolutely necessary to preserve the Blessings of Liberty, and keep a Government free the People have therefore a Right to exact a due and constant Regard to these Points from their <sup>^Legislatures officers</sup> ~~Officers and Representatives~~  
[Into Right Margin: *in the making & executing such Laws as are necessary for the good Gov. of the State*]

15. That all Men have a natural inherent Right <sup>to</sup> Emigration<sup>e</sup> ~~of~~ from one State to any other that will receive them, or ~~for the~~ <sup>to</sup> Forming a new State in ~~vacant or purchased Countries~~, whenever they find that thereby they may promote their own Happiness.

16. That an enormous Proportion of Property vested in a few Individuals is dangerous to the Rights, and destructive of the Common Happiness, of Mankind; and therefore every free State hath a Right by its Laws to discourage the Possession of such Property.

[Bottom Margin: *vacant Countries* <sup>in</sup> or <sup>^</sup> *such* <sup>^ Countries</sup> *as they can purchase,*]