OLUME VII.

ONSTITUTION.

constitution proposed to the teens of this Commonwealth their approval or rejection, be Constitutional Convention.

hed by order of the Secretary of gished by order of the Secretary of etemmon wealth, in pursuance of the Section of an Act of the Gendassembly, entitled "An Act to ride for calling a Convention to end the tonstitution," approved lith day of April, A. D. 1872.

PREAMBLE.

neople of the Commonwealth of grateful to Almighty God for f civil and religious liberty, woking His guidance, do orhish this Constitution.

ARTICLE I. OUTABATION OF RIGHTS.

meral, great and essential prinand free government may and unalterably established.

All men are born equally free and defending life and term. iring, possessing and proand reputation, and of pur-

over is inherent in the peogovernments are founded and instituted for their happiness. For the adese ends they have at all able and indefeasible right or abolish their government as they may think proper, nen have a natural and indeworship Almighty God aclictates of their own conan can of right be compelled or support any place of worno human authority can, in ience, and no preference ven by law to any religious

modes or worship. son who acknowledges the shall, on account of his rebe disqualified to hold of trust or profit under

ions shall be free and equal: ivil or military, shall at any prevent the free exercise of

al by jury shall be as heretoright thereof remain inviolate. printing press shall be free to vho may undertake to examof government, and no law shall ade to restrain the right thereof. communication of thoughts and this Commonwealth. one of the invaluable rights of every citizen may freely speak I print on any subject, being refor the abuse of that liberty. on shall be had in any prosecution sublication of papers relating to the

that such publication was not maor negligently made shall be estabthe satisfaction of the jury; and in The people shall be secure in their ouses, papers and possessions.

asonable searches and seizures. rrant to search any place or to erson or things, shall issue withng them as nearly as may be, nor hable cause, supported by oath n, subscribed to by the affiant, all criminal prosecutions the a right to be heard by himself el, to demand the nature and accusation against him, to meet s face to face, to have compulor obtaining witnesses in his

speedy public trial by an imof the vicinage; he cannot be give evidence against himself. deprived of his life, liberty, or ess by the judgment of his operson shall for any indictareceeded against criminally. n. except in cases arising in aval forces, or in the militia,

service, in time of war or or by leave of the court, for misdemeanor in office. for the same offense be twice nly of life or limb; nor shall ty be taken or applied to pubfauthority of law, and withnsation being first made or

or an injury done him in his person, or reputation shall due course of law, and ce administered without sale. ay. Suits may be brought onwealth in such manner. and in such cases as the Legpower of suspending laws

sed unless by the Legislature ressive ball shall not be reveessive fines imposed, nor

s, unless for capital offenses, is evident or presumption privilege of the writ of shall not be suspended, unase of rebellion or invasion

piace.

may require it. imission of over and termery shall be is sued. person of a debtor, where og presumption of fraud. state for the benefit of his

le obligation of contracts, aide any grant of special mities, shall be passed.

son shall be attainted of v the Legislature. tainder shall work corrupexcept during the life of tre of estate to the Comestate of such persons as: own lives shall descend

no forfaiture by reason

soldier shall in time of peace to more than four representatives, and every

EBENSBURG, PA., FRIDAY, DECEMBER 5, 1873.

NUMBER 45.

be quartered in any house without the consent of the owner, nor in time of war but in

a manner to be prescribed by law. SEC. 24. The Legislature shall not grant any title of nobility or hereditary distinction, nor create any office the appointment of which shall be for a longer term than during good behavior.

SEC. 25. Emigration from the State shall not be prohibited. Sec. 26. To guard against transgressions

of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government, and shall forever remain in

ARTICLE II. THE LEGISLATURE.

SECTION 1. The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.

SEC. 2. Members of the General Assembly shall be chosen at the general election every second year. Their term of service shall begin on the first day of December next | than one subject, which shall be clearly exafter their election. Whenever a vacancy shall occur in either House, the presiding and have certain inherent officer thereof shall issue a writ of election rights, among which are to fill such vacancy for the remainder of the

> SEC. 3. Senators shall be elected for the term of four years and Representatives for the term of two years.

SEC. 4. The General Assembly shall meet at twelve o'clock noon, on the first Tuesday of January every second year, and at other times when convened by the Governor, but shall hold no adjourned annual session after the year one thousand eight hundred and seventy-eight. In case of a vacancy in the office of United States Senator from this Commonwealth, in a recess between sessions, the Governor shall convene the two houses by proclamation on notice not exceeding sixty days to fill the same.

SEC. 5. Senators shall be at least twentytain any ministry against | five years of age, and Representatives twenhaman authority can, in ty-one years of age. They shall have been er, control or interfere with citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election (unless absent on the public business of the United States or of this State), and shall rea future state of rewards | side in their respective districts during their

erms of service Sec. 6, No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth, and no member of Congress or other person holding any office (except of attorney-at-law or in the militia) under the United States or this Commonwealth shall be a member of either house during his continuance in office.

SEC. 7. No person hereafter convicted of embezzlement of public moneys, briber perjury or other infamous crime, shall be eligible to the General Assembly, or capable of holding any office of trust or profit in

SEC. 8. The members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever, whether for service upon committee or otherwise. No member of either induct of officers or men in public house shall, during the term for which he or to any other matter proper for | may have been elected, receive any increase estigation or information where of salary, or mileage, under any law passed during such term.

SEC. 9. The Senate shall, at the beginning and close of each regular session and at ments for libels the jury shall have | such other times as may be necessary, elect to determine the law and the facts, one of its members president pro tempore, direction of the court, as in other | who shall perform the duties of the Lieutenant Governor, in any case of absence or disability of that officer, and whenever the said office of Lieutenant Governor shall be vacant. The House of Representatives shall elect one of its members as Speaker. Each house shall choose its other officers, and shall judge of the election and qualifications

of its members. SEC. 10. A majority of each House shall constitute a oporum, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

Sec. 11. Each house shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence. to enforce obedience to its process, to protect its members against violence, or offers of bribes or private solicitation, and with the concurrence of two-thirds, to expel a member, but not a second time for the same cause, and shall have all other powers necessarv for the legislature of a free State, A member expelled for corruption shall not thereafter be eligible to either house, and punishment for contempt or disorderly behavior shall not bar an indictment for the

same offense SEC. 12. Each house shall keep a journal of its proceedings, and from time to time publish the same, except such parts as require secrecy, and the yeas and mays of the members on any question shall, at the desire

of any two of them, be entered on the journal. Sec. 13. The sessions of each house and of committees of the whole shall be open, unless when the business is such as ought to be kept secret.

Sec. 14. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting. Sec. 15. The members of the General Assembly shall in all cases, except treason, felony, violation af their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other

Sec. 16. The State shall be divided into fifty Senatorial districts of compact and contiguous territory, as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio; but no county shall form a separate district unless it shall contain four-fifths of manner as shall be pre- a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than four-fifths, and exceeding one-half of a ratio, and no county shall be divided unless entitled to two or more Senators. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough, or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the

whole population of the State by the numes of natural death, and if ber fifty.

All be killed by casualty, Sec. 17. The members of the House of Representatives shall be apportioned among the several countles, on a ratio obtained by dividing the population of the State as asassemble together for certained by the most recent United States and to apply to those census by two hundred. Every county conpowers of government for taining less than five ratios shall have one es or other proper puraddress or remonstrance, additional representative when the surplus without previous authority of law. Ight of citizens to bear arms exceeds half a ratio; but each county shall stationery, printing, paper, therefor, be disqualified from holding any exceeds half a ratio; but each county shall of the legislative and other office or position of honor trust or profit in ves and the State shall have at least one representative. Every

inhabitants, shall be divided into districts district to elect its proportion of representatives according to its population, but no district shall elect more than four representa-

tives. Sec. 18. The General Assembly at its first session after the adoption of this constitution, and immediately after each United States decennial census, shall apportion the State into Senatorial and Representative districts agreeably to the provisions of the or appointment.

two next preceding sections. ARTICLE III. LEGISLATION.

Section 1. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house

as to change its original purpose. Sec. 2. No bill shall be considred unless, referred to a committee, returned therefrom and printed for the use of the members. Sec. 3. No bill, except general appropriation bills, shall be passed, containing more

pressed in its title. Sec. 4. Every bill shall be read at length on three different days in each house; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law unless on its final passage the vote be taken by yeas and navs, the names of the persons voting for and against the same be entered on the journal, and a ma-

ority of the members elected to each house e recorded thereon as voting in its favor. Sec. 5. No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority of the members elected thereto taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto,

taken by yeas and nays, and the names of those voting recorded upon the journal. Sec. 6. No law shall be revived, amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, extended, or conferred, shall be re-enacted and published at length.

Sec. 7. The General Assembly shall not pass any local or special law; Authorizing the creation, extension or impairing of liens

Regulating the affairs of counties, cities, townships, wards, boroughs, or school dis-Changing the names of persons or places;

Changing the venue in civil or criminal Authorizing the laying out, opening, al-

streets, or alleys; Relating to ferries or bridges, or incorporating ferry or bridge companies, except for regulating actions against natural persons, the erection of bridges crossing streams which form boundaries between this and any other State:

Vacating roads, town plats, streets or al-Relating to cemeteries, graveyards or pub-

ic grounds not of the State; Authorizing the adoption of or legitimation of children:

Locating or changing county seats, erectng new counties, or changing county lines; in the courts, to be exarcised in such man-Incorporating cities, towns, or villages, or changing their charters;
For the opening and conducting of elec-

voting; Granting divorces; Erecting new townships or boroughs,

changing township lines, borough limits, or school districts: Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts;

Changing the law of descent or succession; Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chancery, or other tribunals, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate ;

Regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates, or constables; Regulating the management of public chools, the building or repairing of school houses, and the raising of money for such

Fixing the rate of interest: Affecting the estates of minors or persons under disability, except after due notice to all parties in interest, to be recited in the

special enactment; Remitting fines, penalties and forfeitures. or refunding moneys legally paid into the

Exempting property from taxation: Regulating labor, trade, mining, or manufacturing;

Creating corporations, or amending, renewing, or extending the charters thereof; Granting to any corporation, association, or individual any special or exclusive privilege or immunity or to any corporation, association or individual the right to lay down a railroad track. Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law, but laws repealing local or special acts may be passed. Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law, nor where the courts have jurisdiction to grant the same or give the relief

SEC. 8. No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the or indirectly, offer, give, or promise any locality where the matter or the thing to be affected may be situated, which notice shall be at least thirty days prior to the introduc- tive or judicial officer or member of the Gention into the General Assembly of such bill, and in the manner to be provided by law; the evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.

SEC. 9. The presiding officer of each house shall, in the presence of the house over which tions passed by the General Assembly, after their titles have been publicly read immedishal! be entered on the journal.

SEC. 10. The General Assembly shall prescribe by law the number, duties and compensation of the officers and employees of authorized to any person, except to an acting officer or amployee elected or appointed in pursuance of law.

SEC. 11. No bill shall be passed giving any extra compensation to any public officer, servant, employee, agent or contractor, after services shall have been rendered or contract made, nor providing for the payment

and fuel used in the legisla county containing five ratios or more shall departments of government shall be furnish- this commonwealth. county containing five ratios or more shall be county shall, in time the same shall be county containing five ratios or more shall be county containing five ratios or more shall be county shall, in time the same shall be county shall, in time the same shall be county containing five ratios or more shall be county for every full ratio.

SEC. 33. A member who has a personal shall be cherted in each ward or district.

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county having over one hundred thousand performed under contract, to be given to the lowest responsible bidder below such maxiof compact and contiguous territory, each mum price and under such regulations as shall be prescribed by law; no member or officer of any department of the government shall be in any way interested in such contracts, and all such contracts shall be subject to the approval of the Governor, Audi-

tor General and State Treasurer. SEC. 13. No law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election

SEC. 14. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other bills. Sec. 15. The general appropriation bill

shall embrace nothing but appropriations for the ordinary expenses of the executive. legislative and judicial departments of the Commonwealth, interest on the public debt, and for public schools; all other appropriations shall be made by separate bills, each embracing but one subject.

SEC. 16. No money shall be paid out of the Treasury except upon appropriations made by law and on warrant drawn by the proper officer in pursuance thereof.

SEC. 17. No appropriations shall be made to any charitable or educational institution not under absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each house.

SEC. 18. No appropriations except for pensions or gratuities for military services shall be made for charitable, educational or benevolent purposes, to any person or community, nor to any denominational or sectarian institution, corporation or association. SEC. 19. The General Assembly may make appropriations of money to institutions wherein the widows of soldiers are support-

ed or assisted or the orphaus of soldiers are maintained and educated; but such appropriation shall be applied exclusively to the pport of such widows and orphans. SEC. 20. The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or

effects, whether held in trust or otherwise or to levy taxes or perform any municipal function whatever. SEC. 21. No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted; no act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes different from those fixed by general laws

and such acts now existing are avoided SEC. 22. No act of the General Assembly shall authorize the investment of trust funds by executors, administrators, guardians, or other trustees, in the bonds or stock of any private corporation, and such acts now exsting are avoided, saving investments here-

SEC. 23. The power to change the venue in civil and criminal cases shall be vested ner as shall be provided by law SEC. 24. No obligation or liability of any

railroad or other corporation, held or owned tions, or fixing or changing the place of by the Commonwealth, shall ever be exchanged, transferred, remitted, postponed, or in any way diminished by the General Assembly, nor shall such liability or obligagation be released, except by payment thereof into the State Treasury.

SEC. 25. When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor, calling such session.

SEC. 26. Every order, resolution, or vote, to which the concurrence of both houses may be necessary (except on the question of adjournment) shall be presented to the Governor, and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both houses, according to the rules and limitations prescribed in case of a bill.

SEC. 27. No State office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity, but any county or municipality may appoint such officers when authorized bylaw. Sec. 28. No law changing the location of the capital of the State shall be valid until the same shall have been submitted to the qualified electors of the Commonwealth, at a general election, and ratified and approved

by them. SEC. 29. A member of the General Assembly who shall solicit, demand, or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation, or person, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote or official influence, or for withholding the same, or with an understanding, expressed or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit or demand any such money or other advantage, matter, or thing aforesaid for another, as the consideration of his vote or official influence, or for withholding the same, or shall give or withold his vote or influence in consideration of the payment or promise of such money, advantage, matter, or thing to another, shall be held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided thereby for said offense, and such additional punishment as is or

shall be provided by law, SEC. 30. Any person who shall, directly money or thing of value, testimonial, privilege, or personal advantage, to any execueral Assembly, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and be punished in such manner as shall be provi-

ded by law. SEC. 31. The offense of corrupt solicitation he presides, sign all bills and joint resolu- public officers of the State, or of any muni- other vacancy in the Senate. cipal division thereof, and any occupation or practice of solicitation of such members ately before signing, and the fact of signing or officers, to influence their official action,

ished by fine and imprisonment.

ARTICLE IV THE EXECUTIVE.

SECTION 1. The Executive Department of this Commonwealth shall consist of a Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs, and a Superintendent of Public Instruction.

Sec. 2. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed ; he shall be chosen on the day of the general election by the qualified electors of the Commonwealth, at the places where they shall vote for Representatives. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the President of the Senate, who shall open and publish them in the presence of the members of both houses of the General Assembly. The person having the highest number of votes shall be Governor, but if two or more be equal and highest in votes, one of them shall be chosen Governor by the joint vote of the members of both houses. Contested elections shall be determined by a committee, to be selected from both houses of the General Assembly, and formed and regulated in such manner as shall be directed by law.

Sec. 3. The Governor shall hold his office during four years from the third Tuesday of January next ensuing his election, and shall not be eligible to the office for the next succeeding term.

Sec. 4. A Lieutenant Governor shall be chosen at the same time, in the same manner, for the same term, and subject to the same provisions as the Governor; he shall be president of the Senate, but shall have no vote unless they be equally divided.

Sec. 5. No person shall be eligible to the office of Governor or Lieutenant Governor except a citizen of the United States, who shall have attained the age of thirty years, and have been seven years next proceding his election an inhabitant of the State, unless he shall have been absent on the public business of the United States or of this State. Sec. 6. No member of Congress or person holding any office under the United States or this State shall exercise the office of Gov-

ernor or Lieutenant Governor. Sec. 7. The Governor shall be commanderin-chief of the army and navy of the Com-monwealth, and of the militia, except when they shall be called into the actual vervice

of the United States. Sec. 8. He shall nominate, and by and with the advice and consent of two-thirds of all the members of the Senate, appoint a Secretary of the Commonwealth and an Attorney General during pleasure, a Superintendent of Public Instruction for four years, and such other officers of the Commonwealth as he is or may be authorized by the const tution or by law to appoint; he shall have power to fill all vacancies that may happen in offices to which he may appoint during the recess of the Senate by granting commissions which shall expire at the end of their next session; he shall have power to fill any vacancy that may happen during the recess of the Senate, in the office of Auditor General, State Treasurer, Secretary of Internal Affairs or Superintendent of Publie Instruction, in a judicial office, or in any other elective office which he is or may be

authorized to fill: If the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate, before their final adjournment, a proper person to fill said va-

But in any such case of vacancy, in any elective office, a person shall be chosen to said office at the next general election, unless the vacancy shall happen within three calecdar months immediately preceding such election, in which case the election for said office shall be held at the second suc-

ceeding general election; In acting on Executive nominations, the Senate shall sit with open doors, and in confirming or rejecting the nominations of the Governor, the vote shall be taken by yeas

and nays, and shall be entered on the journal. Sec. 9. He shall have power to remit fines and forfeitures, to grant reprieves, commutations of sentence and pardons, except in cases of impeachment, but no pardon shall be granted, nor sentence commuted, except upon the recommendation in writing of the Lieutenant Governor, Secretary of the Commonwealth, Attorney General and Secretary of Internal Affairs, or any three of them, after full hearing, upon due public notice and in open session, and such recommenda-tion, with the reasons therefor at length, shall be recorded and filed in the office of the Secretary of the Commonwealth.

Sec. 10. He may require information in writing from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

Sec. 11. He shall, from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may judge expedient.

Sec. 12. He may, on extraordinary occasions, convene the General Assembly, and in case of disagreement between the two houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months. He shall have power to convene the Senate in extraordinary session, by proclamation, for the transaction of executive business.

Sec. 13. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the powers, duties, and emoluments of the office for the remainder of the term, or until the disability be removed, shall devolve upon the Lieutenant Governor. Sec. 14. In case of a vacancy in the office

of Lieutenant Governor, or when the Lieutenant Governor shall be impeached by the House of Representatives, or shall be unable to exercise the duties of his office, the powers, duties, and emoluments thereof for the remainder of the term, or until the disability be removed, shall devolve upon the President PRO TEMPORE of the Senate : and the President pro tempore of the Senate shall in like manner become Governor if a vacancy or disability shall occur in the office of Governor; his seat as Scuator shall become vacant whenever he shall become Govof members of the General Assembly or of ernor, and shall be filled by election as any

Sec. 15. Every bill which shall have pass.

ed both houses shall be presented to the Governor; if he approve, he shall sign it: shall be defined by law, and shall be pun- but if he shall not approve, he shall return it with his objections to the house in which SEC, 32. Any person may be compelled to it shall have originated, which house shall testify in any lawful investigation or judienter the objections at large upon their each house, and no payment shall be made cial proceeding, against any person who journal, and proceed to reconsider it. If, from the State Treasury, or be in any way may be charged with having committed the after such reconsideration, two-thirds of all offense of bribery or corrupt solicitation, or the members elected to that house shall practices of solicitation, and shall not be per- agree to pass the hill, it shall be sent with mitted to withhold his testimony upon the the objections to the other house, by which, ground that it may criminate himself or sub- likewise, it shall be reconsidered, and if apject him to public infamy; but such testi-mony shall not afterwards be used against elected to that house, it shall be a law; but him in any judicial proceeding, except for in such cases the votes of both houses shall perjury ingiving such testimony, and any be determined by years and nays, and the person convicted of either of the offenses names of the members voting for and aforesaid, shall, as part of the punishment against the bill shall be entered on the jouroffice or position of honor, trust or profit in | shall not be returned by the Governor within ten days after it shall have been pre- aldernian shall be elected in co

retary of the Commonwealth, and give notice thereof by public proclamation within thirty days after such adjournment. Sec. 16. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing dis-tinct items, and the part or parts of the bill ap-proved shall be the law, and the item or items

of appropriation disapproved shall be void, un-less repassed according to the rules and limita-tions prescribed for the passage of other bills over the executive. over the executive yeto.

SEC. IT. The Caief Justice of the Supreme Court shall preside upon the trial of any contested election of Governor or Lieutenant Governor, and shall decide questions regarding the admissibility of evidence, and shall, upon request of the committee, pronounce his opinion upon other questions of law involved in the trial. the trial. The Governor and Lieutenant Gov-ernor shall exercise the duties of their respect-ive offices until their successors shall be duly

Sec. 18. The Secretary of the Commonwealth shall keep a record of all official acts and proceedings of the Governor, and when required lay the same, with all papers, minutes and youchers relating thereto, before either branch of the General Assembly, and perform such other duties as may be enjoined upon him by law.

law.

SEC. 19. The Secretary of Internal Affairs shall exercise all the powers and perform all the duties of the Surveyor General, subject to such changes as shall be made by law. His department shall embrace a bureau of industrial statistics, and he shall discharge such duties relating to corporations, to the charitable in-stitutions, the agricultural, manufacturing, mining, mineral, timber, and other material or business interests of the State as may be prescribed by law. He shall annually, and at such other times as may be required by law, make report to the General Assembly.
SEC. 29. The Superintendent of Public Instruction shall excrete all the powers and perform all the duties of the Superintendent of

mmon Schools, subject to such changes as Sec. 21. The term of the Secretary of Internal Affairs shall be four years, of the Auditor General three years, and of the State Treasurer two years. These officers shall be chosen by the qualified electors of the State at general elections. No person elected to the office of Auditor General or State Treasurer shall be

Sec. 22. The present Great Seal of Pennsylvania shall be the seal of the State. All commissions shall be in the name and by authority of the Commonwealth of Pennsylva-nia, and be sealed with the State scal and signed by the Governor.

capable of holding the same office for two con-

ARTICLE V.

THE JUDICIARY. Section 1. The judicial power of this Com-monwealth shall be vested in the Supreme Court, in courts of common pleas, courts of over and terminer and general jail delivery, courts of quarter sessions of the peace, or phans' courts, magistrates' courts, and in such other

ourts as the General Assembly may from time o time establish. SEC. 2. The Supreme Court shall consist of seven judges, who shall be elected by the qual-ified electors of the State at large. They shall hold their offices for the term of twenty-one years, if they so long behave themselves well, but shall not be again eligible. The judge whose commission shall first expire shall be chief justice, and thereafter each indee whose commison shall first expire shall in turn be chief jus-

SEC. 3. The jurisdiction of the Supreme Court. shall extend over the State, and the judges thereof shall, by virtue of their offices, be jus-tices of over and terminer and general jail dolivery in the several counties; they shall have original jurisdiction in cases of injunction, and where a corporation is a party defendant, of habeas corpus, of MANDAMUS to courts of infe-rior jurisdiction; and of QUO WARRANTO BE to all officers of the Commonwealth whose juria-diction extends over the State, but shall not exercise any other original jurisdiction; they shall have appellate jurisdiction by appeal, CRETIGRARI or writ of error in all cases, as is now or may hereafter be provided by law,
SEC. 4. Until otherwise directed by law, the
courts of common pleas shall continue as at
present established, except as herein changed;

ot more than four counties shall, at any fime, e included in one judicual district organized for said courts.

SEC. 5. Whenever a county shall contain forty thousand inhabitants it shall constitute a separate judicial district, and shall clost one judge learned in the law; and the General Assembly shall provide for additional judges, as the business of the said districts may require. Counties containing a regularine less than is sufficient or the said districts of the said districts o for said courts. ties containing a population less than is sufficient to constitute separate districts shall be formed into convenient single districts, or, if necessary, may be attached to contiguous districts as the General Assembly may provide. The office of associate judge, not learned in the law, is abolished in counties forming separate

districts; but the several associate

office when this Constitution shall be adopted shall serve for their unexpired terms. SEC. 6. In the counties of Philadelphia and Allegheny, all the jurisdiction and powers now vested in the District Courts and Courts of lommon Pleas, subject to such changes as may be made by this constitution or by law, shall be in Philadelphia vested in four, and in Allegheny in two distinct and separate courts of equal and co-ordinate jurisdiction, composed of three judges each; the said courts in Philadelphia shall be designated respectively as the Court of shall be designated respectively as the Court of Common Pleas number one, number two, number three and number four, and in Allegheny as the Court of Common Pleas number one and number two, but the number of said courts may be by law increased, from time to time, and shall be in like manner designated by successive numbers; the number of judges in any of said courts, or in any county where the establishment of an additional court may be authorized by law may be increased from time thorized by law, may be increased from time to time; and whenever such increase shall amount in the whole to three, such three judges shall compose a distinct and separate court as aforesaid, which shall be numbered as aforesaid. In Philadelphia all suits shall be instituted in the shall cover of Common Pleas with ted in the said Courts of Common Pleas, with-out designating the number of said Court, and the several courts shall distribute and apportion the business among them in such manner as shall be provided by rules of court, and each court to which any suit shall be thus assigned shall have exclusive jurisdiction thereof, sun-ject to change of venue, as shall be provided by law. In Alleghen, each court shall have exclusive jurisdiction of all proceedings at law and in equity commenced therein, subject to change of venue as may be provided by law. SEC. 7. For Philadelphia there shall be one Prothonotary's office, and one Prothonotary for all said courts, to be appointed by the judges of said courts and to hold office for three judges of said courts, and to hold office for three years, subject to removal by a majority of the said Judges; the said Prothonotary shall appoint such assistants as may be necessary and authorized by said courts, and he and his assistants shall receive fixed salaries, to be determined by law and paid by said county; all fees collected in said office, except such as may be by law'due to the Commonwealth, shall be paid by the Prothonotary late the county treasury. Each court shall have its separate docket, which shall courts, as is or may be directed by law.

SEC, S. The said courts in the counties of Philsaid courts, as is or may be directed by law,
SEC, S. The said courts in the counties of Philadelphia and Allegheny respectively shall, from
time to time, in turn, detail one or more of
their judges to hold the courts of Oyer and
Terminar and the courts of Quarter Sessions of
the Peace of said counties in such manner as
may be directed by law.

may be directed by law.

SEC. 9. Judges of the Courts of Common Pleas
learned in the law shall be judges of the courts of Oyer and Terminer, Quarter Sessions of the Peace, and General Jail Delivery, and of the Orphans' Court, and within their respective districts shall be justices of the peace as to

rininal matters.
SEC. 19. The judges of the courts of Common Pleas, within their respective counties, shall have power to issue writs of CERTION to Justices of the peace and other inferiorcourts not of re ord, and to cause their proceeding to be brought before them and right and justice to

SEC. II. Except as otherwise provided in this Constitution, justices of the peace of aldermen shall be elected in the several wards, districts, beroughs and townships at the time of the election of constables, by the qualified elector; therefore, in such manner as shall be directed by law and shall be commissioned by the directed by law and shall be commissioned by the directed by law and shall be commissioned by the directed by law and shall be commissioned by the directed by law and of five yours. No township, ward, district or borough shall elected more than two justices of the peace or aldermen without the consens of a majority of the qualified electers within such township, berough, ward or district for one year next preceding his election. In cities containing aver lifty thousand inhaldmants, not more than one aldermen shall be elected in each ward or district.

Sec 12. In Philadelphia ti, ere shall be establish-SEC. II. Except as otherwise provided in this

and in the election of the said magistrates no voter shall vote for more than two-thirds of the numher of persons to be else'ted, when more than one
are to be chosen; they shall be compensated only
by fixed salaries, to be paid by said county; and
stall exercise such jurisdiction, civic and criminal except as horein provided, as is now exercised
by aldorner, subject to such changes, not involving an increase of civil jurisdiction or conferring
political daties, as may be made by law. In this
adopting the office of alderman is aboil-hed.

Sec. 18. All fees, fines and penalties in said courts
shall be paid into the county treasury.

Sec. 14. In all on es of summary conviction in
this Commonwealth, or of judgment i suit for a
penalty before a magistrate, or court not of record,
either party may appeal to such court of record as
may be prescribed by haw, upon allowance of the
appellate court or judge thereof, upon cause shown. and in the election of the said magistrates no vo-

ancellate court or judge thereof, upon cause shown. SEC 15. All judges required to be legrated in the law, except the judges of the Supreme Court, shall be ejected by the qualified electors of the respective d stricts over which they are to preside and shall hold their offices for the period of ten years, if they shall so long behave themselves well, but for any reasonable, cause, which shall not be but for any reasonable cause, which shall not be sufficient ground for impeachment, the Governor may remove any of them on the address of two-thirds of each house of the General Assembly.

SEC 10. Whenever two judges of the Suprema Court are to be chosen for the same term of sortive, each voter shall vote for one only, and when three are to be chosen, he shall vote for no more than two; candidates highest in vote shall be described elected.

clered elected.

SEC. 17. Should any two or more judges of the Supreme court, or any two or more ludges of the Court of Common Pieus for the same district be elected at the same time, they shall, as soon after the election as convenient, cast lots for priority of commission and certify the result to the Governor who shall have the

crinor, who shall issue their commissions in apcordance therewith.

SEC 18. The judges of the Supreme Court and
the judges of the several Courts of Common Flexs,
and all other judges required to be learned in the
law, shall, at stated times, receive for their services an adequate compensation, which shall be
fixed by law, and paid by the State. They shall
repeive no other compensation, fees or percubites
of office for their services from any source, nor
hold any other office of profit under the United
States, this State, or any other Stata.

SEC 19. The judges of the Supreme Court, during their continuance in office, shall reside within
this Commonwealth, and the other judges, during
their continuance in office, shall reside within
the districts for which they shall be respectively
elected.

Sec 20. The governit Court of Common View ernor, who shall issue their commissions in ac-

SEC. 20. The several Courts of Common Fleas besides the powers herein conferred, shall have and exercise within their respective districts, subject to such changes as may be made by law, such changer powers as age now vested by law in the several Courts of Common Pleas of this Common, wealth, or as may hereafter be conferred upon there by law.

SEC. 21. No duties shall be imposed by law upon SEC. 21. No duties shall be imposed by law upon the suprame Court or any of the judges thereof, except such as are judicial nor shall any of the judges thereof exercise any power of appointment, except as herein provided. The Court of Nisi Prius is hereby abolished, and no court of original jurisdiction to be presided over by any one or more of the judges of the Supreme Court shall be established.

Sec. 22. In every county wherein the population shall exceed one hundred and fifty thousand the General Assembly shall, and in any other county may, cstablish a separate Orphans' Court, to censist of one or more judges who shall be learned in the law, which court who shall exercise all the jurisdiction and powers now vested in, or which may bereafter be con-ferred upon, the Orphans' Courts, and there-upon the jurisdiction of the judges of the Court of Common Pleas within such county, in Or-phans Court proceedings, shall cease and de-termine: in any county in which a separate Orphans Court shall be established, the Regis-ter of Wills shall be clerk of such court, and subject to its direction in all matters pertain-ing to his office; he may appoint assistant cierks, but only with the consent and approval of said court. All accounts filed with him as register or as cierk of the said separate Orphans' Court shall be audited by the court without expense to parties, except where all parties in interest in a pending proceeding shall nominate an au-ditor whom the court may, in its discretion, appoint. In every county Orphans' Courts shall possess all the powers and jurisdiction of a Register's Court, and separate Registers' Courts are hereby abolished.

Szc. 23. The style of all process shall be "The Commonwealth of Pennsylvania." All prosecutions shall be carried on in the came and by

the authority of the Commonwealth of Penn-sylvania, and conclude against the peace and dignity of the same. SEC. 24. In all cases of felonious homicide, and in such other criminal cases as may be pro-vided for by law, the accused, after conviction and sentence, may remove the indictment, record, and all proceedings to the Supreme Court for review. SEC. 25. Any vacancy happening by death, resignation, or otherwise, in any court of re-cord, shall be filled by appointment by the Gov-ernor, to continue till the first Monday of Jan-

uary next succeeding the first general election, which shall occur three or more mouths after the happening of such vacancy. SEC. 26, All laws relating to courts shall be general and of uniform operation, and the or-ganization, jurisdiction and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts shall be uniform and the General Assembly is hereby prohibited from creating other courts to exercise the powers vested by this Constitution in the judg-es of the Courts of Common Pleasand Orphans'

Courts.
SEC. 27. The parties, by agreement filed, may, in any civil case, dispense with trial by jury, and submit the decision of such case to the court having jurisdiction thereof, and such court shall hear and determine the same; and of error as in other cases,

ARTICLE VI.

IMPEACHMENT AND REMOVAL FROM OFFICE, SECTION 1. The House of Representatives shall have the sole power of impeachment. SEC. 2. All impeachments shall be tried by the Senate: when sitting for that purpose, the Senators shall be upon oath or affirmation; no person shall be convicted without the concur-rence of two-thirds of the members present, SEC. 3. The Governor and all other civil offi-cors shall be liable to impeachment for any misdemeanor in office, but judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of trust or profit under this Commonwealth; the

person accused, whether convicted or acquit-ted, shall nevertheless be liable to indictment, trial, judgment and punishment according to Sac. 4. All officers shall hold their offices on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office or of any infa-

tion of misbehavlor in office or of any infamous crime.

Appointed officers other than judges of the
courts of record and the Superintendent of
Public Instruction, may be removed at the
pleasure of the power by which they shall have
been appointed. All officers elected by the
people, except Governor, Lieutenant Governor, members of the General Assembly, and
judges of the opurts of record, learned in the
law, shall be removed by the Governor for realaw, shall be removed by the Governor for reasomable cause, after due notice and full hear-ing, on the address of two thirds of the Senate,

OATH OF OFFICE. Secretors 1. Senators and Representatives and all judicial, State, and county officers, shall, be-fore entering on the duties of their respective offices, take and subscribe the following oath

or affirmation:
"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this the United States and the Constitution of this Commonwealth, and that I will discharge the duries of my office with fidelity; that I have not paid or contributed, or produced to pay on contribute, either directly or hadirectly, any money or other valuable thing, to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not knowlagly violated any election law of this Cammonwealth, or procured it to be done by others in my behalf; that I will not knowlarly receive, directly or indirectly, any money or other valueble thing for the performance of non-performance of any act or duty hert inin ce, other than the compensation al-

to my office, o lowed by law." some person authorized to administered by some person authorized to administer ouths, and in the case of State officers and Judges of the Supreme Court, shall be filed in the office of the Secretary of the Commonwealth, and in the case of other judicial and county officers, in the office of the Prothonotary of the county in which the same is taken; any person relig-log to take said oath or affirmation - ball purfeit his office, and any person who shall be con-victed of having sworn or affirmed folsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever sis-qualified from holding any office of trust of profit within this Commonwealth. The oath to the members of the Senate and