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rience has demonstrated their inadequacy to protect the people against the evils intended to be remedied, and especially those of corporate power, and of special and local legislation. The pamphlet laws for the last four years shows that the general laws for each session made only about one hundred pages, whilst the local and the special legislation for the same period amount annually to about thirteen hundred and fifty. The resulting evils are manifold and aggravated; and prominent among the reasons and suggestions why a remedy should be applied, I respectfully submit the following:

First—Different systems of laws for roads, bridges, schools, elections, poor-houses, and many other things, are enacted for the several counties, townships and boroughs, on subjects which ought to be regulated by general laws, operating uniformly upon all.

Second—It is impossible for the citizens, judges of the courts or members of the legal profession, to acquire or retain an accurate knowledge of the varying systems of laws in their respective districts; and frequently on removal from one county to another, our people find themselves under almost entirely different codes.

Third—Practically, the whole theory of our Constitution and government is subverted and destroyed by the present system of local enactments. Representative government is based on the idea that the government is based on the idea that the laws shall be framed by, and be the result of, the collective wisdom of the people's representatives. But what are the actual facts? The minds and efforts of the members are so wholly absorbed by private and local bills that it is almost impossible to get a general or public act considered or passed. The special and local bills are usually drawn by the member representing the locality, or by some one from the district in which the proposed law. By what is called courtesy, it is considered a breach of etiquette for any member of the Senate or House to interfere with or oppose a merely private or local bill of any other member. The result is, the bills are passed as originally prepared, without examination or comparison of views—often crude and ill-digested, and without regard to constitutional requirements, or sound public policy.

Some of the worst of these hasty and badly considered enactments are arrested every year by Executive interposition; but in the nature of the case, the veto at best can only be made a partial restraint upon the evil; and nothing can eradicate it short of constitutional prohibition.

Fourth—Special legislation is the great and unique fountain of corruption, private speculations and public wrongs. It has become a reproach to republican government, and is one of the most alarming evils of the times. Judicious amendments to the Constitution would arrest and destroy the growing evil; and it is the duty of every patriotic citizen to co-operate in all lawful measures to effect so desirable a consummation. But in the enactment of laws a radical change is demanded. Every bill presented for adoption should be read, at least once in full, and the yeas and nays be recorded on its final passage.

Fifth—It is important that the State Constitution should be made to conform to the Constitution of the United States as recently amended.

Sixth—The subject of minority representation is now much agitated, and is receiving a large share of consideration among thoughtful and considerate men. Rendered, as the problem of good political government and its manifest justice commends it to public favor. Whilst some of the objects it proposes might be obtained by legislative enactments, the general principles involved are so elementary and radical, they should, if adopted, be incorporated into the fundamental law.

Seventh—The members of the General Assembly should be increased in number.

Eighth—There should be a fundamental limitation to the powers of corporations.

Ninth—There is absolute necessity for greater security for the public funds and for their proper distribution.

Tenth—The Secretary of State, Treasurer, Superintendent of Common Schools, and a Lieutenant Governor, the latter to preside over the Senate, and perform the duties of Governor, in case of his absence, sickness or death, should be elected by the people. The Attorney-General, Secretary of State and the Adjutant General should, for obvious reasons, continue to be appointed by the Executive.

Eleventh.—The day for holding the annual elections could, with propriety, and should be changed from the second Tuesday in October to the same day in November on which nearly all the surrounding States now hold theirs. This would dispense with one election every fourth year, and prevent invasion from other States, for the purpose of interfering with our elections, as the citizens of each State would be occupied with their own. The season too, would be more satisfactory to the people of the agricultural districts, as it would not interfere with the harvesting of their corn and other summer productions.

The necessity for Constitutional reform is appreciated and admitted by all who have reflected upon the subject, and without distinction of party, the press has been out-spoken, and has almost unanimously sanctioned the calling, at an early day, of a constitutional convention.

For these reasons and many others equally important which might be enumerated I earnestly recommend that the Legislature make provision for a convention to thoroughly revise and amend the Constitution of the State.

REVISION OF THE CIVIL CODE.

The Commissioners to revise the statutes have completed their work. The entire laws of the Commonwealth, including those of British origin, except such as relate to crime, have been revised, collated and systematically arranged in a volume of less than three hundred pages, or about one-third the size of Purdon's Digest, our laws are the accretions of more than seventy years.

Many of them are inconsistent, obsolete, and disjointed enactments, which have been increasing from time to time by fragmentary legislation, without any attempt at system, logical arrangement, or consistency of language. From the examination I have been able to give the revision, I am satisfied that in the discharge of their duty, the commissioners have exercised great diligence, ability and a conscientious desire for its successful accomplishment. It cannot be presumed that a work of such magnitude is perfect in every particular; and how far it may answer the purpose for which it was undertaken, remains to be determined. That it is an improvement upon what it is intended to supply there is no room for doubt. It embraces in the main the substance of existing laws, with occasional changes to meet present demands, but which were not needed when they were first enacted, and also additional provisions which the progress of the age requires. The work, as presented, might properly be adopted, without material changes, making it the basis for such amendments as time and necessity may suggest, or as may be recommended by the joint committee to which it was referred for examination by the Legislature of last year. It will be seen that some of its provisions have been framed with a view to throw much of our special legislation into the courts, where it may be disposed of with less inconvenience to interested parties, and a great saving in our annual expenditures.

WRITS OF ERROR IN CRIMINAL CASES.

At the last session of the Legislature an act was passed, entitled "An act to allow writs of error in cases of murder and voluntary manslaughter." The first section provides that a writ of error "shall be of right, and may be sued out upon the oath of the defendant or defendants, as in civil cases."

The second section makes it the duty of the judges of the Supreme Court, in all such cases, to review both the law and the evidence.

Before this enactment the law required the defendant to allege that some error had been committed by the court on the trial, and to do so, in cases, within thirty days, why the writ of error should be granted; but this law gives a writ, whether any error is alleged or not, and allows the defendant seven years in which to issue it, *according to the practice in civil cases*. Heretofore the Executive did not ordinarily issue the warrant for execution of any criminal until the expiration of the thirty days within which he was permitted to apply for his writ of error. That limitation of thirty days being now virtually repealed, and seven years substituted therefore, is it expected the warrant shall be withheld for the seven years? If not, when may it properly issue? And if issued at any time within the seven years, may not the criminal supersede it at any time it pleases by his writ of error? And may it not be reasonably expected that this will be the practical result in every such case? This would seem like trifling with very serious matters; and I respectfully submit whether the act of last session should not be repealed, or very materially modified, without delay. In my message of 10th February, 1859, returning the bill with my objections, I gave similar reasons why it should not be approved, and the views therein expressed remain unchanged; and in the case of Commonwealth vs. Foster, in the recent Schuylkill case, they express their opinion of the enactment as follows:

"It is not improper before closing to say a few words in reference to the act of 1870, to draw attention to some of its defects, and to the radical change in our criminal jurisprudence it will produce. It was passed for this case, but owing to the Governor's veto it came too late. It is another evidence that laws which are the offspring of feeling are seldom wisely framed. It comes unasked by any one to review the *evidence*, and to determine whether the ingredients to constitute murder in the first degree were proved to exist; and yet in tenderness of the former law it provides no means to *take, preserve*, and *bring up* the *evidence*. This, the first attempt to act under it, proves its inefficiency, the judge below returning to our *certiorari* that he was not able to make the return of the evidence. He is not bound by law to take the testimony or to certify to it. A bill of exceptions brings up only so much of the evidence as may be required to explain the point of law contained in the bill.

"The effect of this law seems not to have excited attention. It has changed the whole doctrine of the criminal law as to the speed and certainty of punishment, and left to the felon both the hope and a door of escape, not only from the law's delay, but by prison breach, and all the various means of avoiding retributive justice. At this moment, two cases occur to my memory of convictions of murder in Allegheny county, delayed by dilatory motions, where the prison doors opened by unknown means, and the prisoners escaped forever. Any murderer may, under this law—though like Frolist he may have murdered a whole family—take out his writ of error, without limitation of time or condition, whether in prison under sentence, or stepping upon the trap of the gallows, with cause, or without it, and suspend his case until the next term of the Supreme Court. No one could condemn him if, the death warrant not preventing, he should wait till the term of the Supreme Court be passed, and then take out his writ of error to delay the execution of his sentence for a whole year. That only of his sentence for a whole year. That only of his sentence for a whole year. That only