RESOLUTION

Proposing Amendments to the Constitution of the Commonwealth.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met: That the following amendments are proposed to the constitution of the commonwealth, in accordance with the provisions of the tenth article thereof.

FIRST AMENDMENT.

There shall be an additional article to said constitution to be designated as article eleven, as follows :—

ARTICLE XI.

OF PUBLIC DEBTS.

SECTION 1. The state may contract debts, to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars, and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

SECTION 2 In addition to the above limited power, the state may contract debts to repel invasion, suppress insurrection, defend the state in war, or to redeem the present outstanding indebtedness of the state; but the money arising from the contracting of such debts, shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

SECTION 3. Except the debts above specified, in sections one and two of this article, no debt whatever shall be created by, or on behalf of the state.

SECTION 4. To provide for the payment of the present debt, and any additional debt contracted as aforesaid, the legislature shall, at its first session, after the adoption of this amendment, create a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; which sinking fund shall consist of the net annual income of the public works, from time to time owned by the state, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of sale of stocks owned by the state, together with other funds, or resources, that may be designated by law. The said sinking fund may be increased, from time to time, by assigning to it any part of the taxes, or other revenues of the state not required for the ordinary and current expenses of government, and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars.

SECTION 5. The credit of the commonwealth shall not in any manner, or event, be pledged, or loaned to, any individual, company, corporation, or association; nor shall the commonwealth hereafter become a joint owner, or stockholder, in any company, association or corporation.

SECTION 6. The commonwealth shall not assume the debt, or any part thereof, of any county, city, borough or township; or of any corporation, or association; unless such debt shall have been contracted to enable the state to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the state in the discharge of any portion of its present indebtedness.

SECTION 7. The legislature shall not authorize any county, city, borough, township, or incorporated district, by virtue of a vote of its citizens, or otherwise, to become a stockholder in any company, association, or corporation; or to obtain money for, or loan its credit to, any corporation, association, institution, or party.

SECOND AMENDMENT.

There shall be an additional article to said constitution, to be designated as article XII, as follows :

ARTICLE XII.

OF NEW COUNTIES.

No county shall be divided by a line cutting off over one-tenth of its population, (either to form a new county or otherwise,) without the express assent of such county, by a vote of the electors thereof; nor shall any new county be established containing less than four hundred square miles.

THIRD AMENDMENT.

From section two of the first article of the constitution, strike out the words, *"of the city of Philadelphia, and of each county respectively ;"* from section five, same article, strike out the words, *"of Philadelphia and of the several counties ;"* from section seven, same article, strike out the words, *"neither the city of Philadelphia nor any,"* and insert in lieu thereof the words, *"and no;"* and strike out *"section four, same article,"* and in lieu thereof insert the following :

"SECTION 4. In the year one thousand eight hundred and sixty-four, and in every seventh year thereafter, representatives to the number of one hundred, shall be apportioned and distributed equally, throughout the state, by districts, in proportion to the number of taxable inhabitants in the several parts thereof; except that any county containing at least three thousand five hundred taxables, may be allowed a separate representation; but no more than three counties shall be joined, and no county shall be divided, in the formation of a district. Any city containing a sufficient number of taxables to entitle it to at least two representatives shall have a separate representation assigned to it, and shall be divided into convenient districts of contiguous territory, of equal taxable population as near as may be, each of which districts shall elect one representative."

At the end of section seven, same article, insert these words, *"the city of Philadelphia shall be divided into single senatorial districts, of contiguous territory as nearly equal in taxable population as possible ; but no ward shall be divided in the formation thereof."*

The legislature, at its first session, after the adoption of this amendment, shall divide the city of Philadelphia into senatorial and representative districts, in the manner above provided ; such districts to remain unchanged until the apportionment in the year one thousand eight hundred and sixty-four.

FOURTH AMENDMENT.

There shall be an additional section to the first article of said constitution, which shall be numbered and read as follows :

SECTION 26. The legislature shall have the power to alter, revoke, or annul, any charter of incorporation hereafter conferred by, or under, any special, or general law, whenever in their opinion it may be injurious to the citizens of the commonwealth ; in such manner, however, that no injustice shall be done to the corporators.

IN SENATE, *March* 27, 1857.

Resolved, That this resolution pass. On the first amendment, yeas 24, nays 7 ; on the second amendment, yeas 23, nays 8 ; on the third amendment, yeas 24, nays 4 ; on the fourth amendment, yeas 23, nays 4.

[Extract from the Journal.]
GEO. W. HAMERSLY, *Clerk.*

IN THE HOUSE OF REPRESENTATIVES, *April* 26, 1857.

That this resolution pass. On the first, yeas 57, nays 34; on the third, yeas 72, nays 22 ; on the fourth, yeas 83, nays 7.

[Extract from the Journal.]
JACOB ZEIGLER, *Clerk.*

Filed in Secretary's office, May 2, 1857.
A. G. CURTIN,
Secretary of the Commonwealth.

SECRETARY'S OFFICE,
HARRISBURG, *June* 22, 1857.

PENNSYLVANIA, ss:

I do certify that the above and foregoing is a true and correct copy of the original "Resolution proposing amendments to the Constitution of the Commonwealth," with the vote in each branch of the Legislature upon the final passage thereof, as appears from the originals on file in this office.

In testimony whereof I have hereunto set my hand and caused to be affixed the seal of the Secretary's Office, the day and year above written.
[L. S.]
A. G. CURTIN,
Secretary of the Commonwealth.

IN SENATE, *March* 27, 1857.

The resolution proposing amendments to the Constitution of the Commonwealth being under consideration,

On the question,

Will the Senate agree to the first amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Brewer, Browne, Coffey, Ely, Evans, Fetter, Flenniken, Frazer, Ingram, Jordon, Killinger, Knox, Laubach, Lewis, Myer, Scofield, Sellers, Shuman, Steele, Straub, Welsh Wilkins, Wright and Taggart, *Speaker*—24.

NAYS—Messrs. Crabb, Cresswell, Finney, Gregg, Harris, Penrose and Souther—9.

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the second amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Brewer, Browne, Cresswell, Ely, Evans, Fetter, Finney, Flenniken, Ingram Jordan, Knox, Laubach, Lewis, Myer, Sellers, Shuman, Souther, Steele, Straub, Welsh, Wilkins, Wright and Taggart, *Speaker*—23.

NAYS—Messrs. Coffey, Crabb, Frazer, Gregg Harris, Killinger, Penrose and Scofield—8.

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the third amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Brewer, Browne, Cresswell, Crabb, Ely, Evans, Flenniken, Frazer, Ingram, Jordan, Killinger, Knox, Laubach, Lewis, Myer, Scofield, Sellers, Shuman, Souther, Steele, Straub, Welsh, Wilkins and Wright—24.

NAYS—Messrs. Coffey, Gregg, Harris and Penrose—4.

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the fourth amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Brewer, Browne, Coffey, Cresswell, Ely, Evans, Flenniken, Frazer, Ingram, Killinger, Knox, Laubach, Lewis, Myer, Scofield, Sellers, Shuman, Souther, Steele, Straub, Welsh, Wilkins and Wright—23.

NAYS—Messrs. Crabb, Finney, Jordan and Penrose—4.

So the question was determined in the affirmative.

IN SENATE, *April* 29, 1857.

The resolution proposing amendments to the Constitution of the Commonwealth being under consideration,

On the question,

Will the House agree to the first amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Anderson, Arthur, Backhouse Ball, Beck, Bishop, Bower, Brown, Calhoun, Campbell, Chase, Cleaver, Crawford, Dickey, Ent, Eyster, Fausold, Foster, Gibboney, Gildea, Hamel, Harper, Heins, Hiestand, Hill, Hillegas, Hoffman, (Berks,) Imbrie, Innes, Jacobs, Jenkins, Johns, Johnson, Kauffman, Knight, Kerr, Leisenring, Longaker, Lovett, Manear, Maugle, M'Calmont, M'Ilvain, Moorhead, Mumma, Musselman, Nichols, Nicholson, Nunemacher, Pearson, Peters, Petrikin, Pownall, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Reed, Roberts, Rupp, Shaw, Sloan, Smith, (Cambria,) Smith, (Centre,) Stevenson, Tolan, Vail, Vanvoorhis, Vickers, Voeghley, Walter, Westbrook, Wharton, Williston, Witherow, Wright, Zimmerman and Getz, *Speaker*—78.

NAYS—Messrs. Backus, Benson, Dock, Hamilton, Hancock, Hine, Hoffman, (Lebanon) Lebo, Struthers, Thorn, Warner and Wintrode—12.

So the question was determined in the affirmative.

On the question,

Will the House agree to the second amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Anderson, Backhouse, Ball, Beck, Bower, Calhoun, Campbell, Carty, Ent, Fausold, Foster, Gildea, Hamel, Harper, Heins Heistand, Hillegas, Hoffman, (Berks,) Housekeeper, Imbrie, Innes, Jenkins, Johns, Johnson Kauffman, Knight, Leisenring, Longaker, Lovett, Manear, Maugle, M'Ilvain, Moorhead, Musselman, Nichols, Nicholson, Nunnemacher, Pearson, Peters, Petrikin, Pownall, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Roberts, Rupp, Shaw, Sloan, Tolan, Vail, Voeghley, Walter, Westbrook, Wharton, Zimmerman and Getz, *Speaker*—57.

NAYS—Messrs. Arthur, Augustine, Backus, Benson, Bishop, Brown, Chase, Cleaver, Crawford, Eyster, Gibboney, Hamilton, Hancock, Hill, Hine, Hoffman, (Lebanon,) Jacobs, Kerr, Lebo, M'Calmont, Mumma, Reed, Smith, (Cambria,) Smith, (Centre,) Stevenson, Struthers, Thorn, Vanvoorhis, Vickers, Wagonseller, Warner, Wintrode, Witherow and Wright—34.

So the question was determined in the affirmative.

On the question,

Will the House agree to the third amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Anderson, Backhouse, Ball, Beck, Benson, Bower, Brown, Calhoun, Campbell, Chase, Cleaver, Crawford, Dickey, Eyster, Ent, Fausold, Foster, Gibboney, Hamel, Harper, Heins, Hiestand, Hill, Hillegas, Hoffman, (Berks,) Hoffman, (Lebanon,) Housekeeper, Imbrie, Innes, Jacobs, Johns, Johnson, Kauffman, Kerr, Lebo, Longaker, Lovett, Manear, Maugle, M'Calmont, Moorhead, Mumma, Musselman, Nichols, Nicholson, Nunnemacher, Pearson, Peters, Petrikin, Pownall, Purcell, Ramsey, (York,) Reamer, Reed, Rupp, Shaw, Sloan, Smith, (Cambria,) Smith, (Centre,) Stevenson, Tolan, Vail, Vanvoorhis, Voeghley, Vickers, Wagonseller, Westbrook, Williston, Witherow, Wright, Zimmerman and Getz, *Speaker*—72.

NAYS—Messrs. Arthur, Augustine, Backus, Bishop, Carty, Dock, Gildea, Hamilton, Hancock, Hine, Jenkins, Knight, Leisenring, M'Ilvain, Ramsey, (Philadelphia,) Roberts, Struthers, Thorn, Walter, Warner, Wharton and Wintrode—22.

So the question was determined in the affirmative.

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So the question was determined in the affirmative.

On the question,

Will the House agree to the second amendment ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—Messrs. Anderson, Backhouse, Ball, Beck, Bower, Calhoun, Campbell, Carty, Ent, Fausold, Foster, Gildea, Hamel, Harper, Heins Heistand, Hillegas, Hoffman, (Berks,) Housekeeper, Imbrie, Innes, Jenkins, Johns, Johnson Kauffman, Knight, Leisenring, Longaker, Lovett, Manear, Maugle, M'Ilvain, Moorhead, Musselman, Nichols, Nicholson, Nunnemacher, Pearson, Peters, Petrikin, Pownall, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Roberts, Rupp, Shaw, Sloan, Tolan, Vail, Voeghley, Walter, Westbrook, Wharton, Zimmerman and Getz, *Speaker*—57.

NAYS—Messrs. Arthur, Augustine, Backus, Benson, Bishop, Brown, Chase, Cleaver, Crawford, Eyster, Gibboney, Hamilton, Hancock, Hill, Hine, Hoffman, (Lebanon,) Jacobs, Kerr, Lebo, M'Calmont, Mumma, Reed, Smith, (Cambria,) Smith, (Centre,) Stevenson, Struthers, Thorn, Vanvoorhis, Vickers, Wagonseller, Warner, Wintrode, Witherow and Wright—34.

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