THE NEW CONSTITUTION.

THE CONSTITUTION

OF THE

COMMONWEALTH OF PENNSYLVANIA,

AS AMENDED BY THE CONVENTION OF ONE THOUSAND EIGHT HUNDRED AND THIRTY-SEVEN—THIRTY-EIGHT.

WE, The People of the Commonwealth of Pennsylvania, ordain and establish this Constitution for its Government.

ARTICLE I.

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

Section II. The representatives shall be chosen annually by the citizens of the city of Philadelphia and of each county respectively on the second Tuesday of October.

Section III. No person shall be a representative who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the State three years next preceding his election, and the last year thereof an inhabitant of the *district* in *and for* which he shall be chosen *a representative*, unless he shall have been absent on the public business of the United States or of this State.

Section IV. Within three years after the first meeting of the General Assembly, and within every subsequent term of seven years, an enumeration of the taxable inhabitants shall be made in such manner as shall be directed by law. The number of representatives shall, at the several periods of making such enumeration, be fixed by the Legislature, and apportioned among the city of Philadelphia and the several counties, according to the number of taxable inhabitants in each: and shall never be less than sixty nor greater than one hundred. Each county shall have at least one representative, but no county hereafter erected shall be entitled to a separate representation until a sufficient number of taxable inhabitants shall be contained within it, to entitle them to one representative agreeably to the ratio which shall then be established.

Section V. The senators shall be chosen for *three* years by the citizens of Philadelphia and of the several counties at the same time, in the same manner, and at the same places where they shall vote for representatives.

Section VI. The number of Senators shall, at the several periods of making the enumeration before mentioned, be fixed by the Legislature and apportioned among the districts formed as hereinafter directed, according to the number of taxable inhabitants in each; and shall never be less than one-fourth, nor greater than one-third, of the number of representatives.

Section VII. The senators shall be chosen in districts, to be formed by the legislature; *but no district shall be so formed as to entitle it to elect more than two senators, unless the number of taxable inhabitants in any city or county shall, at any time, be such as to entitle it to elect more than two, but no city or county shall be entitled to elect more than four senators;* when a district shall be composed of two or more counties, they shall be adjoining; neither the city of Philadelphia nor any county shall be divided in forming a district.

Section VIII. No person shall be a senator, who shall not have attained the age of twenty-five years, and have been a citizen and inhabitant of the State four years next before his election, and the last year thereof an inhabitant of the district for which he shall be chosen, unless he shall have been absent on the public business of the United States or of this State; *and no person elected as aforesaid, shall hold said office after he shall have removed from such district.*

Section IX. *The senators who may be elected at the first general election after the adoption of the amendments to the constitution, shall be divided by lot into three classes. The seats of the senators of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year; and of the third class at the expiration of the third year; so that thereafter one-third of the whole number of senators may be chosen every year. The senators elected before the amendments to the constitution shall be adopted, shall hold their offices during the terms for which they shall respectively have been elected.*

Section X. The General Assembly shall meet on the first Tuesday of *January*, in every year, unless sooner convened by the Governor.

Section XI. Each house shall choose its Speaker and other officers; and the Senate shall also choose a Speaker pro tempore, when the Speaker shall exercise the office of Governor.

Section XII. Each house shall judge of the qualifications of its members. Contested elections shall be determined by a committee to be selected, formed and regulated in such manner as shall be directed by law. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized by law to compel the attendance of absent members, in such manner and under such penalties as may be provided.

Section XIII. Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free State.

Section XIV. *The legislature shall not have power to enact laws annulling the contract of marriage in any case where, by law, the courts of this Commonwealth are or may hereafter be empowered to decree a divorce.*

Section XV. Each house shall keep a journal of its proceedings, and publish them weekly, except such parts as may require secrecy: and the yeas and nays of the members on any question shall, at the desire of any two of them, be entered on the journals.

Section XVI. The doors of each house and of committees of the whole shall be open, unless when the business shall be such as ought to be kept secret

Section XVII. 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.

Section XVIII. The Senators and representatives shall receive a compensation for their services to be ascertained by law, and paid out of the treasury of the Commonwealth. They shall in all cases, except treason, felony and breach or surety of the peace, be privileged from arrest during their attendance at the session 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 place.

Section XIX. No Senator or representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth which shall have been created, or the emoluments of which shall have been increased during such time: and no member of Congress or other person holding any office (except of attorney at law and in the militia) under the United States or this Commonwealth, shall be a member of either house during his continuance in Congress or in office.

Section XX. When vacancies happen in either house, the Speaker shall issue writs of election to fill such vacancies.

Section XXI. All bills for raising revenue shall originate in the house of representatives, but the Senate may propose amendments as in other bills.

Section XXII. No money shall be drawn from the treasury but in consequence of appropriations made by law.

Section XXIII. Every bill which shall have passed both houses shall be presented to the Governor. If he approve he shall sign it, but if he shall not approve he shall return it with his objections to the house in which it shall have originated, who shall enter the objections at large upon their journals and proceed to re-consider it. If, after such re-consideration, two-thirds of that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which likewise it shall be re-considered, and if approved by two-thirds of that house, it shall be a law. But in such cases the votes of both houses shall be determined by yeas and nays, and the names of persons voting for or against the bill shall be entered on the journals of each house respectively. If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, it shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall be a law, unless sent back within three days after their next meeting.

Section XXIV. Every order, resolution or vote to which the concurrence of both houses may be necessary (except on a 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.

Section XXV. *No corporate body shall be hereafter created, renewed or extended, with banking or discounting privileges, without six months previous public notice of the intended application for the same in such manner as shall be prescribed by law. Nor shall any charter for the purposes aforesaid, be granted for a longer period than twenty years, and every such charter shall contain a clause reserving to the legislature the power to alter, revoke or annul the same 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. No law hereafter enacted, shall create, renew or extend the charter of more than one corporation.*

ARTICLE II.

Section I. The Supreme Executive power of this Commonwealth shall be vested in a Governor.

Section II. The Governor shall be chosen on the second Tuesday of October, by the citizens of the Commonwealth, at the places where they shall respectively vote for representatives. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the Senate, who shall open and publish them in the presence of the members of both houses of the legislature. The person having the highest number of votes shall be Governor. But if two or more shall 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 legislature, and formed and regulated in such manner as shall be directed by law.

Section III. The Governor shall hold his office during three years from the third Tuesday of *January* next ensuing his election, and shall not be capable of holding it longer than *six* in any term of *nine* years.

Section IV. He shall be at least thirty years of age, and have been a citizen and an inhabitant of this State seven years next before his election; unless he shall have been absent on the public business of the United States or of this State.

Section V. No member of Congress or person holding any office under the United States or this State shall exercise the office of Governor.

Section VI. The Governor shall at stated times receive for his services a compensation, which shall be neither increased nor diminished during the period for which he shall have been elected.

Section VII. He shall be commander-in-chief of the army and navy of this Commonwealth, and of the militia, except when they shall be called into the actual service of the United States.

Section VIII. *He shall appoint a Secretary of the Commonwealth during pleasure, and he shall nominate and by and with the advice and consent of the Senate appoint all judicial officers of courts of record, unless otherwise provided for in this Constitution. He shall have power to fill all vacancies that may happen in such judicial offices during the recess of the Senate, by granting commissions which shall expire at the end of their next session: Provided, that 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.*

Section IX. He shall have power to remit fines and forfeitures, and grant reprieves and pardons except in cases of impeachment.

Section X. He may require information in writing, from the officers in the executive department upon any subject relating to the duties of their respective offices.

Section XI. 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 shall judge expedient.

Section XII. 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.

Section XIII. He shall take care that the laws be faithfully executed.

Section XIV. In case of the death or resignation of the Governor, or of his removal from office, the Speaker of the Senate shall exercise the office of Governor, until another Governor shall be duly qualified; *but in such case another Governor shall be chosen at the next annual election of representatives, unless such death, resignation or removal, shall occur within three calendar months immediately preceding such next annual election, in which case a Governor shall be chosen at the second succeeding annual election of representatives.* And if the trial of a contested election shall continue longer than until *the third Monday of January* next ensuing the election of Governor, the Governor of the last year or the Speaker of the Senate who may be in the exercise of the executive authority, shall continue therein until the determination of such contested election, and until a Governor shall be *duly* qualified as aforesaid.

Section XV. *The Secretary of the Commonwealth* shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same and all papers, minutes and vouchers relative thereto, before either branch of the legislature, and shall perform such other duties as shall be enjoined him by law.

ARTICLE III.

Section I. *In elections by the citizens every white freeman of the age of twenty-one years, having resided in this state one year, and in the election district where he offers to vote, ten days immediately preceding such election, and within two years paid a State or County tax, which shall have been assessed at least ten days before the election, shall enjoy the rights of an elector. But a citizen of the United States who had previously been a qualified voter of this State, and removed therefrom and returned, and who shall have resided in the election district, and paid taxes as aforesaid, shall be entitled to vote, after residing in the state six months. Provided, that white freemen, citizens of the United States, between the ages of twenty-one and twenty-two years, and having resided in the State one year, and in the election district ten days as aforesaid, shall be entitled to vote, although they shall not have paid taxes.*

Section II. All elections shall be by ballot, except those by persons in their representative capacities, who shall vote viva voce.

Section III. Electors shall in all cases, except treason, felony, and breach or surety of the peace, be privileged from arrest, during their attendance on elections, and in going to and returning from them.

ARTICLE IV.

Section I. The House of Representatives shall have the sole power of impeaching.

Section II. 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 concurrence of two-thirds of the members present.

Section III. The Governor, and all other civil officers under this Commonwealth, shall be liable to impeachment for any misdemeanour in office; but judgment, in such cases, shall not extend further than to removal from office, and disqualification to hold any office of honour, trust or profit, under this Commonwealth: The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

ARTICLE V.

Section I. The judicial power of this Commonwealth shall be vested in a Supreme Court, in Courts of Oyer and Terminer and General Jail Delivery, in a Court of Common Pleas, Orphans' Court, Register's Court, and a Court of Quarter Sessions of the Peace, for each county; in Justices of the Peace, and in such other Courts as the legislature may from time to time establish.

Section II. *The judges of the Supreme Court, of the several Courts of Common Pleas, and of such other Courts of Record as are or shall be established by law, shall be nominated by the Governor, and by and with the consent of the Senate appointed and commissioned by him. The judges of the Supreme Court shall hold their offices for the term of fifteen years if they shall so long behave themselves well. The president judges of the several Courts of Common Pleas and of such other Courts of Record as are or shall be established by law, and all other judges required to be learned in the law, shall hold their offices for the term of ten years if they shall so long behave themselves well. The Associate judges of the Courts of Common Pleas shall hold their offices for the term of five years if they shall so long behave themselves well. But for any reasonable cause which shall not be sufficient ground of impeachment, the Governor may remove any of them on the address of two-thirds of each branch of the legislature. The judges of the Supreme Court and the presidents of the several Courts of Common Pleas shall at stated times receive for their services an adequate compensation to be fixed by law, which shall not be diminished during their continuance in office, but they shall receive no fees or perquisites of office, nor hold any other office of profit under this Commonwealth.*

Section III. *Until otherwise directed by law, the Courts of Common Pleas shall continue as at present established. Not more than five counties shall at any time be included in one judicial district organized for said Courts.*

Section IV. The jurisdiction of the Supreme Court shall extend over the State; and the judges thereof, shall by virtue of their offices, be justices of Oyer and Terminer and General Jail Delivery, in the several counties.

Section V. The judges of the Court of Common Pleas, in each county, shall by virtue of their offices, be justices of Oyer and Terminer and General Jail Delivery, for the trial of capital and other offenders therein; any two of the said judges, the president being one, shall be a quorum: but they shall not hold a court of oyer and terminer, or jail delivery, in any county, when the judges of the Supreme Court, or any of them, shall be sitting in the same county. The party accused, as well as the Commonwealth, may, under such regulations as shall be prescribed by law, remove the indictment and proceedings, or a transcript thereof, into the Supreme Court.

Section VI. The Supreme Court, and the several courts of common pleas, shall, beside the powers heretofore usually exercised by them, have the power of a court of Chancery, so far as relates to the perpetuating of testimony, the obtaining of evidence from places not within the State, and the care of the persons and estates of those who are non compotes mentis. And the legislature shall vest in the said courts such other powers to grant relief in equity, as shall be found necessary: and may, from time to time, enlarge or diminish those powers or vest them in such other courts as they shall judge proper, for the due administration of justice.

Section VII. The judges of the court of common pleas of each county, any two of whom shall be a quorum, shall compose the court of Quarter Sessions of the peace, and orphans' court thereof; and the register of wills, together with the said judges, or any two of them, shall compose the register's court of each county.

Section VIII. The judges of the courts of common pleas shall, within their respective counties, have the like powers with the judges of the Supreme Court, to issue writs of certiorari to the justices of the peace, and to cause their proceedings to be brought before them, and the like right and justice to be done.

Section IX. The president of the court in each circuit within such circuit, and the judges of the court of common pleas within their respective counties, shall be justices of the peace, so far as relates to criminal matters.

Section X. A register's office, for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each county.

Section XI. The style of all process shall be "The Commonwealth of Pennsylvania." All prosecutions shall be carried on in the name and by the authority of the Commonwealth of Pennsylvania, and conclude "against the peace and dignity of the same."

ARTICLE VI.

Section I. Sheriffs and coroners shall, at the times and places of election of representatives, be chosen by the citizens of each county. *One person shall be chosen for each office, who* shall be *commissioned* by the Governor. They shall hold their offices for three years, if they shall so long behave themselves well, and until a successor be duly qualified; but no person shall be twice chosen or appointed sheriff, in any term of six years. Vacancies in either of the said offices shall be filled by *an* appointment, to be made by the Governor, to continue until the next general election, and until a successor shall be chosen and qualified as aforesaid.

Section II. The freemen of this commonwealth shall be armed, *organized* and disciplined for its defence, *when and in such manner as may be directed by law.* Those who conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.

Section III. *Prothonotaries of the Supreme Court shall be appointed by the said Court for the term of three years if they so long behave themselves well. Prothonotaries and clerks of the several other courts, Recorders of deeds, and Registers of wills, shall at the times and places of election of representatives, be elected by the qualified electors of each county, or the districts over which the jurisdiction of said courts extends, and shall be commissioned by the Governor. They shall hold their offices for three years if they shall so long behave themselves well, and until their successors shall be duly qualified. The legislature shall provide by law, the number of persons in each county who shall hold said offices, and how many and which of said offices shall be held by one person. Vacancies in any of the said offices shall be filled by appointments to be made by the Governor, to continue until the next general election, and until successors shall be elected and qualified as aforesaid.*

Section IV. Prothonotaries, clerks of the peace and orphans' courts, recorders of deeds, registers of wills, and sheriffs, shall keep their offices in the county town of the county in which they, respectively, shall be officers, unless when the Governor shall, for special reasons, dispense therewith, for any term not exceeding five years after the county shall have been erected.

Section V. All commissions shall be in the name and by the authority of the Commonwealth of Pennsylvania, and be sealed with the State seal, and signed by the Governor.

Section VI. *A* State Treasurer shall be *elected* annually, by joint vote of *both branches of the legislature.*

Section VII. *Justices of the peace or aldermen shall be elected in the several wards, boroughs, and townships at the time of the election of constables by the qualified voters thereof, in such number as shall be directed by law, and shall be commissioned by the Governor for a term of five years; but no township, ward or borough shall elect more than two justices of the peace or aldermen without the consent of a majority of the qualified electors within such township, ward or borough.*

Section VIII. *All officers whose election or appointment is not provided for in this constitution, shall be elected or appointed as shall be directed by law. No person shall be appointed to any office within any county who shall not have been a citizen and an inhabitant therein one year next before his appointment, if the county shall have been so long erected; but if it shall not have been so long erected, then within the limits of the county or counties out of which it shall have been taken. No member of Congress from this state, or any person holding or exercising any office or appointment of trust or profit under the United States, shall at the same time hold or exercise any office in this state, to which a salary is, or fees or perquisites are by law, annexed; and the legislature may by law declare what State offices are incompatible. No member of the Senate or of the house of representatives shall be appointed by the Governor to any office during the term for which he shall have been elected.*

Section IX. *All officers for a term of years shall hold their offices for the terms respectively specified, only on the condition that they so long behave themselves well; and shall be removed on conviction of misbehaviour in office or of any infamous crime.*

Section X. *Any person who shall, after the adoption of the amendments proposed by this Convention to the Constitution, fight a duel or send a challenge for that purpose, or be aider or abettor in fighting a duel, shall be deprived of the right of holding any office of honour or profit in this State, and shall be punished otherwise in such manner as is, or may be prescribed by law; but the executive may remit the said offence and all its disqualifications.*

ARTICLE VII.

Section I. The legislature shall, as soon as conveniently may be, provide by law, for the establishment of schools throughout the State, in such manner that the poor may be taught gratis.

Section II. The arts and sciences shall be promoted in one or more seminaries of learning.

Section III. The rights, privileges, immunities and estates of religious societies and corporate bodies, shall remain as if the constitution of this State had not been altered or amended.

Section IV. *The legislature shall not invest any corporate body or individual with the privilege of taking private property for public use, without requiring such corporation or individual to make compensation to the owners of said property, or give adequate security therefor, before such property shall be taken.*

ARTICLE VIII.

Members of the General Assembly, and all officers, executive and judicial, shall be bound by oath or affirmation, to support the constitution of this Commonwealth, and to perform the duties of their respective offices with fidelity.

ARTICLE IX.

That the general, great and essential principles of liberty and free government may be recognised and unalterably established, WE DECLARE, THAT

Section I. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.

Section II. All power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; For the advancement of these ends, they have, at all times, an unalienable and indefeasible right to alter, reform or abolish their government, in such manner as they may think proper.

Section III. All men have a natural and indefeasible right to worship Almighty God, according to the dictates of their own consciences; no man can, of right, be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience; and no preference shall ever be given, by law, to any religious establishments or modes of worship.

Section IV. No person who acknowledges the being of a God and a future state of rewards and punishments, shall on account of his religious sentiments be disqualified to hold any office or place of trust or profit under this Commonwealth.

Section V. Elections shall be free and equal.

Section VI. Trial by jury shall be as heretofore, and the right thereof remain inviolate.

Section VII. The printing presses shall be free to every person who undertakes to examine the proceedings of the legislature, or any branch of government: And no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man; and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty. In prosecutions for the publication of papers investigating the official conduct of officers, or men in a public capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence: And in all indictments for libels the jury shall have a right to determine the law and the facts, under the direction of the court, as in other cases.

Section VIII. The people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures: And no warrant to search any place, or to seize any person or things, shall issue, without describing them as nearly as may be, nor without probable cause supported by oath or affirmation.

Section IX. In all criminal prosecutions, the accused hath a right to be heard by himself and his counsel, to demand the nature and cause of the accusation against him, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favour, and, in prosecutions by indictment or information, a speedy public trial, by an impartial jury of the vicinage; he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty, or property, unless by the judgment of his peers or the law of the land.

Section X. No person shall, for any indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, or by leave of the court, for oppression and misdemeanour in office. No person shall, for the same offence, be twice put in jeopardy of life or limb; nor shall any man's property be taken or applied to public use, without the consent of his representatives, and without just compensation being made.

Section XI. All courts shall be open, and every man for an injury done him in his lands, goods, person or reputation, shall have remedy by the due course of law, and right and justice administered, without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts, and in such cases as the legislature may by law direct.

Section XII. No power of suspending laws shall be exercised, unless by the legislature, or its authority.

Section XIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Section XIV. All prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident or presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

Section XV. No commission of Oyer and Terminer or jail delivery shall be issued.

Section XVI. The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison, after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

Section XVII. No *ex post facto* law, nor any law impairing contracts shall be made.

Section XVIII. No person shall be attainted of treason or felony by the legislature.

Section XIX. No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the commonwealth; the estates of such persons as shall destroy their own lives, shall descend or vest as in case of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

Section XX. The citizens have a right, in a peaceable manner to assemble together, for their common good, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by petition, address or remonstrance.

Section XXI. The right of citizens to bear arms, in defence of themselves and the State, shall not be questioned.

Section XXII. No standing army shall, in time of peace, be kept up without the consent of the Legislature; and the military shall, in all cases, and at all times, be in strict subordination to the civil power.

Section XXIII. No soldier shall, in time of peace, 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.

Section XXIV. The legislature shall not grant any title of nobility or hereditary distinction, nor create any office the appointment to which shall be for a longer term than during good behaviour.

Section XXV. Emigration from the State shall not be prohibited.

Section XXVI. To guard against transgressions of the high powers which we have delegated, WE DECLARE, that every thing in this article is excepted out of the general powers of government, and shall for ever remain inviolate.

ARTICLE X.

Any amendment or amendments to this constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by a majority of the members elected to each House, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and the Secretary of the Commonwealth shall cause the same to be published three months before the next election, in at least one newspaper in every county in which a newspaper shall be published; and if in the legislature next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each house, the Secretary of the Commonwealth shall cause the same again to be published in manner aforesaid, and such proposed amendment or amendments shall be submitted to the people in such manner and at such time, at least three months, after being so agreed to by the two houses as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the qualified voters of this State voting thereon, such amendment or amendments shall become a part of the constitution; but no amendment or amendments shall be submitted to the people oftener than once in five years; Provided, that if more than one amendment be submitted, they shall be submitted in such manner and form, that the people may vote for or against each amendment separately and distinctly.

SCHEDULE.

That no inconvenience may arise from the alterations and amendments in the Constitution of this Commonwealth, and in order to carry the same into complete operation, it is hereby declared and ordained, That,

Section I. All laws of this Commonwealth in force at the time when the said alterations and amendments in the said Constitution shall take effect, and not inconsistent therewith, and all rights, actions, prosecutions, claims, and contracts as well of individuals as of bodies corporate, shall continue as if the said alterations and amendments had not been made.

Section II. The alterations and amendments in the said Constitution shall take effect from the first day of January, eighteen hundred and thirty-nine.

Section III. The clauses, sections, and articles of the said Constitution, which remain unaltered, shall continue to be construed and have effect as if the said Constitution had not been amended.

Section IV. The General Assembly which shall convene in December, eighteen hundred and thirty-eight, shall continue its session, as heretofore, notwithstanding the provision in the eleventh section of the first article, and shall at all times be regarded as the first General Assembly under the amended Constitution.

Section V. The Governor who shall be elected in October, eighteen hundred and thirty-eight, shall be inaugurated on the third Tuesday in January eighteen hundred and thirty-nine, to which time the present executive term is hereby extended.

Section VI. The commissions of the judges of the Supreme Court, who may be in office on the first day of January next, shall expire in the following manner: The commission which bears the earliest date shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-two; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-five; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-eight; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and fifty-one; and the commission last dated shall expire on the first day of January, Anno Domini one thousand eight hundred and fifty-four.

Section VII. The commissions of the President judges of the several judicial districts and of the associate law judges of the first judicial district shall expire as follows: The commissions of one-half of those who shall have held their offices ten years or more at the adoption of the amendments to the constitution, shall expire on the twenty-seventh day of February, one thousand eight hundred and thirty-nine; the commissions of the other half of those who shall have held their offices ten years or more at the adoption of the amendments to the constitution, shall expire on the twenty-seventh day of February, one thousand eight hundred and forty-two; the first half to embrace those whose commissions shall bear the oldest date. The commissions of all the remaining judges who shall not have held their offices for ten years at the adoption of the amendments to the constitution shall expire on the twenty-seventh day of February next after the end of ten years from the date of their commissions.

Section VIII. The Recorders of the several Mayors' Courts, and other criminal courts in this Commonwealth, shall be appointed for the same time, and in the same manner, as the president judges of the several judicial districts; of those now in office, the commission oldest in date shall expire on the twenty-seventh day of February, one thousand eight hundred and forty-one, and the others every two years thereafter according to their respective dates. Those oldest in date expiring first.

Section IX. The legislature at its first session under the amended constitution, shall divide the other associate judges of the State into four classes. The commissions of those of the first class shall expire on the twenty-seventh day of February, eighteen hundred and forty; of those of the second class on the twenty-seventh day of February, eighteen hundred and forty-one; of those of the third class on the twenty-seventh day of February, eighteen hundred and forty-two; and of those of the fourth class on the twenty-seventh day of February, eighteen hundred and forty-three. The said classes from the first to the fourth shall be arranged according to the seniority of the commissions of the several judges.

Section X. Prothonotaries, clerks of the several courts (except of the Supreme Court) recorders of deeds and registers of wills, shall be first elected under the amended Constitution, at the election of representatives in the year eighteen hundred and thirty nine, in such manner as may be prescribed by law.

Section XI. The appointing power shall remain as heretofore, and all officers in the appointment of the executive department shall continue in the exercise of the duties of their respective offices until the legislature shall pass such laws as may be required by the eighth section of the sixth article of the amended constitution, and until appointments shall be made under such laws; unless their commissions shall be superseded by new appointments, or shall sooner expire by their own limitations, or the said offices shall become vacant by death or resignation, and such laws shall be enacted by the first legislature under the amended constitution.

Section XII. The first election for aldermen and justices of the peace shall be held in the year eighteen hundred and forty, at the time fixed for the election of constables. The legislature at its first session under the amended constitution shall provide for the said election and for subsequent similar elections. The aldermen and justices of the peace now in commission, or who may in the interim be appointed, shall continue to discharge the duties of their respective offices, until fifteen days after the day which shall be fixed by law for the issuing of new commissions, at the expiration of which time, their commissions shall expire.

In testimony that the foregoing is the amended constitution of Pennsylvania, as agreed to in convention, We the officers and members of the convention have hereunto signed our names at Philadelphia, the twenty-second day of February, Anno Domini one thousand eight hundred and thirty-eight, and of the Independence of the United States of America the sixty-second.

JOHN SERGEANT, President.

Daniel Agnew,	Ezra S. Hayhurst,
Wm. Ayres,	Wm. Hays,
M. W. Baldwin,	Abm. Helffenstein
Ephraim Banks,	M. Henderson,
John Y. Barclay,	Wm. Henderson,
Jacob Barndolar,	Wm. Hiester,
Chas. A. Barnitz,	William High,
Andrew Bedford,	Jos. Hopkinson,
Thos. S. Bell,	John Houpt,
James Cornell Biddle,	Jabez Hyde,
Lebbeus L. Bigelow,	Charles Jared Ingersoll,
Saml. C. Bonham,	Phs. Jenks,
Chas. Brown,	George M. Keim,
Jeremiah Brown,	James Kennedy,
William Brown,	Aaron Kerr,
Pierce Butler,	Jos. Konigmacher,
Samuel Carey,	Jacob Krebs,
John Cummin,	H. G. Long,
Thomas S. Cunningham,	David Lyons,
William Curll,	Alex. Magee,
Wm. Darlington,	Joel K. Mann,
George Chambers,	W. M. Meredith,
John Chandler,	James Merrill,
Jos. R. Chandler,	Levi Merkel,
Ch. Chauncey,	Wm. L. Miller,
Nathaniel Clapp,	James Montgomery,
James Clarke,	Christian Meyers
John Clarke,	D. Nevin,
William Clark,	Wm. Overfield,
A. J. Cline,	Hiram Payne,
Lindley Coates,	Matthias Pennypacker,
R. E. Cochran,	James Porter,
Thos. P. Cope,	James Madison Porter,
Joshua F. Cox,	Saml. A. Purviance,
Walter Craig,	E. C. Reigart,
Richd. M. Crain,	A. H. Read,
Geo. T. Crawford,	Geo. W. Riter,
Cornelius Crum,	Jno. Ritter,
Benjn. Martin,	H. Gold Rogers,
John J. M'Cahen,	Samuel Royer,
E. T. M'Dowell,	James M. Russell,
James M'Sherry	Daniel Saeger,
Mark Darrah,	John Morin Scott,
Harmar Denny,	Tobias Sellers,
John Dickey,	G. Seltzer,
Joshua Dickerson,	Geo. Serrill,
Jacob Dillinger,	Henry Scheetz,
Jas. Donagan,	George Shilleto,
J. R. Donnell,	Thomas H. Sill,
Joseph M. Doran,	Geo. Smith,
James Dunlop,	Wm. Smyth,
Thomas Earle,	Joseph Snively,
D. M. Farrelly,	Jno. B. Sterigere,
Robt. Fleming,	Jacob Stickel,
Walter Forward,	Ebenezer W. Sturdevant
John Foulkrod,	Thomas Taggart,
Joseph Fry, Jr.	Morgan J. Thomas,
John Fuller,	James Todd,
John A. Gamble,	Thomas Weaver,
William Gearhart,	Jacob B. Weidman
David Gilmore,	R. G. White,
Virgil Grenell,	Geo. W. Woodward,
William L. Harris,	R. Young.
Thomas Hastings,	

(Attest,) S. SHOCH, Secretary.

G. L. FAUS, J. WILLIAMS, } Assistant Secretaries.

SECRETARY'S OFFICE,
HARRISBURG, FEBRUARY 28, 1838.

I certify, that the foregoing is an exact and literal copy of "the Constitution of the Commonwealth of Pennsylvania as amended by the Convention of one thousand eight hundred and thirty-seven—thirty-eight," deposited in this office on the 26th day of February, 1838; the *amendments* being in *italic*, and the retained portions of the present Constitution in *roman* letter.

THO. H. BURROWES,
Sec'y of the Commonwealth.

March 27, 1838. te—52

☞To Parents.

DR. STOUSE'S INFANT DROPS, a safe, effectual and speedy remedy for the diseases of young children, such as colic, convulsions, restlessness, griping, disordered bowels, green stools, sour vomiting, flatulency, &c. This article is not a new invention, but one whose merits have been tested by time, and found fully adequate to the purposes for which they are recommended.

Price 25 cents a bottle, and for sale at the Drug Store of

Dr. J. GILBERT.

Feb. 6, 1838. tf—45

PUBLIC NOTICES.

A **BEAUTIFUL HEAD OF HAIR** is the grandest ornament belonging to the human frame. How strangely the loss of it changes the countenance and prematurely brings on the appearance of old age, which causes many to recoil at being uncovered, and sometimes even to shun society to avoid the jests and sneers of their acquaintance; the remainder of their lives are consequently spent in retirement. In short, not even the loss of property fills the generous thinking youth with that heavy sinking gloom as does the loss of his hair. To avert all these unpleasant circumstances, OLDRIDGE'S BALM OF COLUMBIA stops the hair from falling off on the first application and a few bottles restores it again. It likewise produces eyebrows and whiskers; prevents the hair from turning grey, makes it curl beautifully, and frees it from scurf. Numerous certificates of the first respectability in support of the virtues of Oldridge's Balm, are shown by the proprietors.

☞Read the following:

ROBERT WHARTON, Esq. late Mayor of Philadelphia, has certified, as may be seen below, to the high character of the following gentlemen.

The undersigned do hereby certify that we have used the Balm of Columbia discovered by J. Oldridge, and have found it highly serviceable not only as a preventive against the falling off of hair, but also a certain restorative.

WM. THATCHER, senior,
Methodist Minister in St. George charge,
No. 86 North Fifth street.
JOHN P. INGLIS, 331 Arch street.
JOHN D. THOMAS, M. D. 163 Race st.
JOHN S. FUREY, 101 Spruce st.
HUGH McCURDY, 243 South 2d st.
JOHN GARD, Jr. 123 Arch st.

The aged, and those who persist in wearing wigs, may not always experience its restorative qualities, yet it will certainly raise its virtues in the estimation of the public, when it is known that, three of the above signers are more than 50 years of age, and the others not less than 30.

COMMONWEALTH OF PENNSYLVANIA, City of Philadelphia. }

I, ROBERT WHARTON, Mayor of said city of Philadelphia, do hereby certify that I am well acquainted with Messrs. J. P. Inglis, John S. Furey, and Hugh McCurdy, whose names are signed to the above certificate, that they are gentlemen of character and respectability, and as such full credit should be given to the said certificate.

In witness whereof, I have hereunto set my hand, and caused the seal of the city to be affixed, [L. S.] this sixth day of December, &c.

ROBERT WHARTON, Mayor.

OBSERVE that each bottle of the Genuine Balm has a splendid engraved wrapper, on which is represented the Falls of Niagara, &c. &c.

For sale at wholesale by COMSTOCK, & Co. Sole Agents for America, New-York, and by most druggists throughout America.

Piles or Hæmorrhoids.

☞TO THE AFFLICTED PUBLIC.

IT is considered of great importance for the public to know the following facts:

About four years ago, Solomon Hays, the person to whom the celebrated Dr. Gridley had, on his death bed, imparted the secret of making a Liniment to cure the Piles, authorized it to be put up and sold under the name of Hays' Liniment, and enjoined that all who would use one bottle for the Piles, and return the empty bottle, should have the price refunded.

Since that time, upwards of fifty thousand bottles have been sold, out of which, not ten have been returned, and those only because the persons did not use it properly!! Such wonderful success, probably, never attended any other article. It is now determined by the proprietor, that the public shall be made more fully acquainted with its virtues, so that those suffering with that dreadful complaint may avail themselves of its use.

There are many thousand certificates of the most respectable and authentic character, many of which may be examined where the article is sold.

It is used as an external application, and for many other complaints enumerated in the wrapper, is considered remarkably effective; but for the PILES it has no equal, and the agents are now bound to refund in all cases where it does not cure.

It is being used in Hospitals in our principal cities with great effect.

NO FICTION.—This extraordinary chemical composition, the result of science and the invention of a celebrated medical man, the introduction of which to the public was invested with the solemnity of a death-bed bequest, has since gained a reputation unparalleled, fully sustaining the correctness of the lamented Dr Gridley's last confession, that "he dared not die without giving to posterity the benefit of his knowledge on this subject," and he therefore bequeathed to his friend and attendant S. Hays, the secret of his discovery.

It is now used in the principal hospitals, and the private practice in our country, first and most certainly for the cure of the PILES, and also so extensively and effectually as to baffle credulity, unless where its effects are witnessed. *Externally* in the following complaints:

For Dropsy.—Creating extraordinary absorption at once.

All Swellings.—Reducing them in a few hours.

Rheumatism Acute or Chronic, giving quick ease

Sore Throat.—By cancers, ulcers or colds.

Croup and Whooping Cough—Externally and over the chest.

All Bruises, Sprains, and Burns, curing in a few hours.

Sores and Ulcers.—Whether fresh or long standing, and Fever sores.

Its operation upon adults and children in reducing rheumatic swellings, and loosening coughs and tightness of the chest by relaxation of the parts, has been surprising beyond conception.—The common remark of those who have used it in the PILES, is, "it acts like a charm."

It is used only as an external application, and as sovereign power in curing the above named complaints, is justified by scientific principles.

CAUTION.—Observe that each bottle of the genuine has a splendid engraved wrapper with the name of Mr. Hays and Comstock & Co. on it.

☞For Sale at the Drug Store of
SAMUEL H. BUEHLER.

Gettysburg, Oct. 13, 1837. eowly—28

Dr. Peters' Vegetable Pills.

THE immense and increasing popularity of these pills is another proof of the infallibility of the old adage that "truth is powerful and will prevail." Other pills are only puffed, but Dr. Peters' are purchased and praised, & recommended until the demand for them has become almost universal.

Dr. Peters would impress this fact upon the public, that his pills are not a quack medicine, but a scientific compound of simples which has been the result of many years intense application to a profession in which he was regularly bred, and hence it is as popular with the regular faculty as with the people at large.

One of the many peculiar virtues of the Vegetable Pills is, that while very powerful in its effects, it is particularly mild and gentle in its action.—Unlike the generality of medicines, its application is never attended with nausea or griping.

For sale at the Drug Store of
Dr. J. GILBERT, Agent.

Gettysburg, Jan. 5, 1838. 9m—40

VAUGHAN & PETERSON'S RED LINIMENT, an article superior to all other applications for Rheumatism, chilblains, sprains, numbness of the limbs, weakness and stiffness of the joints, sore throat, &c., which has effected cures in several cases which had baffled the most respectable medical aid.

Price 50 cents a bottle, to be had at the Drug Store of

Dr. J. GILBERT, Gettysburgh.

May 1, 1838. tf—5