

# CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA [1790]

WE, the People of the Commonwealth of PENNSYLVANIA, ordain and establish this CONSTITUTION for its Government.

## ARTICLE I

Of the legislative power.

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

Of the election of Representatives.

Sect. 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.

Of the qualification of Representatives.

Sect. 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 city or county in which he shall be chosen; unless he shall have been absent on the public business of the United States, or of this state. No person, residing within any city, town or borough, which shall be entitled to a separate representation shall be elected a member for any county; nor shall any person, residing without the limits of any such city, town or borough, be elected a member therefor.

Of the periods of enumeration and the ratio of representation.

Sect. 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 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.

Of the election of Senators.

Sect. V. The Senators shall be chosen, for four 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.

Of the ratio of representatives in the Senate.

Sect. 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.

Of districts for electing Senators.

Sect. VII. The Senators shall be chosen in districts, to be formed by the legislature, each district containing such a number of taxable inhabitants as shall be entitled to elect not 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.

Of the qualification of Senators.

Sect. 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.

Of classing the Senators.

Sect. IX. Immediately after the Senators shall be assembled, in consequence of the first election, subsequent to the first enumeration, they shall be divided, by lot, as equally as may be, into four 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, of the third class at the expiration of the third year, and of the fourth class at the expiration of the fourth year; so that one fourth may be chosen every year.

Of the meeting of the General Assembly.

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

Of the officers of each House.

Sect. 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.

Of the powers of each House.

Sect. 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 authorised, by law, to compel the attendance of absent members, in such manner, and under such penalties, as may be provided.

Of censure and expulsion.

Sect. 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. Of journals.

Sect. XIV. 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. The doors to be kept open.

Sect. XV. 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.

Of adjournments.

Sect. XVI. 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.

Of the compensation and privileges of members.

Sect. XVII. 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.

Of the disqualifications of members.

Sect. XVIII. 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.

Of vacancies.

Sect. XIX. When vacancies happen in either House, the Speaker shall issue writs of election to fill such vacancies.

Of revenue bills.

Sect. XX. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose amendments, as in other bills.

Of the treasury.

Sect. XXI. No money shall be drawn from the treasury, but in consequence of appropriations made by law.

Of the proceedings upon bills.

Sect. XXII. 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 the 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.

Orders, resolutions, and votes.

Sect. XXIII. 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 re-passed by two thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

## ARTICLE II

Of the executive power.

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

Of the election of the Governor.

Sect. 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.

Of his continuance in office.

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

Of his qualifications.

Sect. IV. He shall be, at least, thirty years of age, and have been a citizen and 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 this state.

Of persons disqualified to be Governor.

Sect. V. No member of Congress, or person holding any office under the United States, or this state, shall exercise the office of Governor.

Of his compensation.

Sect. 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.

Of his military power.

Sect. 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.

Of his general powers and duties.

Sect. VIII. He shall appoint all officers, whose offices are established by this Constitution, or shall be established by law, and whose appointments are not herein otherwise provided for; but no person shall be appointed to an office within any county, who shall not have been a citizen and 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, nor any person holding or exercising any office of trust or profit under the United States, shall, at the same time, hold or exercise the office of Judge, Secretary, Treasurer, Prothonotary, Register of wills, Recorder of deeds, Sheriff, or any office in this state, to which a salary is by law annexed, or any other office, which future legislatures shall declare incompatible with offices or appointments under the United States.

Of pardons, &c.

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

Of obtaining information.

Sect. 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.

Of giving information of the state of the commonwealth.

Sect. 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.

Of convening and adjourning the legislature.

Sect. 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.

Sect. XIII. He shall take care that the laws be faithfully executed. In case of death, the Speaker of the Senate shall exercise his office.

Of a contested election.

Sect. 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. And if the trial of a contested election shall continue longer than until the third Tuesday in December next ensuing the election of a 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 qualified as aforesaid.

Of the Secretary of the commonwealth.

Sect. XV. A Secretary shall be appointed and commissioned during the Governor's continuance in office, if he shall so long behave himself well: He 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

Of elections.

Section I. In elections by the citizens, every freeman of the age of twenty-one years, having resided in the state two years next before the election, and within that time paid a state or county tax, which shall have been assessed at least six months before the election, shall enjoy the rights of an elector: Provided, that the sons of persons qualified as aforesaid, between the ages of twenty-one and twenty-two years, shall be entitled to vote, although they shall not have paid taxes.

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

Sect. 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 and returning from them.

### ARTICLE IV

Of impeachment.

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

Sect. III. The Governor, and all other civil officers, under this commonwealth, 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 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

Of the judicial power.

Section I. The Judicial power of this commonwealth shall be vested in a Supreme Court, in Courts of Oyer and Terminer and General Gaol Delivery, in a Court of Common Pleas, Orphan's 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.

Of the supreme court, its judges,

Sect. II. The Judges of the Supreme Court and of the several Courts of Common Pleas shall hold their offices during good behaviour: 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. and its jurisdiction.

Sect. III. 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 Gaol Delivery in the several counties.

Of courts of common pleas

Section IV. Until it shall be otherwise directed by law, the several Courts of Common Pleas shall be established in the following manner. The Governor shall appoint, in each county, not fewer than three, nor more than four, Judges, who, during their continuance in office, shall reside in such county: The state shall be divided by law into circuits, none of which shall include more than six, nor fewer than three, counties: A President shall be appointed of the courts in each circuit, who, during his continuance in office, shall reside therein: The President and Judges, any two of whom shall be a quorum, shall compose the respective Courts of Common Pleas. and the jurisdiction of its judges.

Sect. 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 Gaol 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 Gaol 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.

Of chancery powers vested in the courts.

Sect. 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.

Of the quarter sessions, orphans court and Register's court.

Sect. 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.

Of writs of certiorari.

Sect. 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.

Further powers of the judges of the common pleas.

Sect. IX. The President of the courts 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.

Of justices of the peace.

Sect. X. The Governor shall appoint a competent number of Justices of the Peace, in such convenient districts, in each county, as are or shall be directed by law: They shall be commissioned during good behaviour; but may be removed on conviction of misbehaviour in office, or of any infamous crime, or on the address of both Houses of the Legislature.

Of Registers and Recorders.

Sect. XI. 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.

Of the style of process, &c.

Sect. XII. 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

Of Sheriffs and Coroners.

Section I. Sheriffs and Coroners shall, at the times and places of elections of Representatives, be chosen by the citizens of each county: Two persons shall be chosen for each office, one of whom for each respectively shall be appointed 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 a new 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.

Of the militia.

Sect. II. The freemen of this commonwealth shall be armed and disciplined for its defence. Those who conscientiously scruple to bear arms, shall not be compelled to do so; but shall pay an equivalent for personal service. The militia officers shall be appointed in such manner, and for such time, as shall be directed by law.

Of the place of keeping public offices.

Sect. III. 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.

Of commissions.

Sect. IV. 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.

Of the appointment of the Treasurer, &c.

Sect. V. The State Treasurer shall be appointed, annually, by the joint vote of the members of both Houses. All other officers in the treasury department, attorneys at law, election officers, officers relating to taxes, to the poor and highways, constables, and

other township officers, shall be appointed in such manner as is or shall be directed by law.

## ARTICLE VII

Of public schools.

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.

Of literature,

Sect. II. The arts and sciences shall be promoted in one or more seminaries of learning, and the rights of corporate bodies.

Sect. 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.

## ARTICLE VIII

Of the political test and oath of office.

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 recognized and unalterably established, WE DECLARE,*

Of the equality and rights of men.

Section I. That all men are born equally free and independent, and have certain inherent and inalienable 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.

Of the origin of power, and the end of government.

Sect. II. That 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 those 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.

Of the rights of conscience, &c.

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

Of a disqualification on account of religion.

Sect. IV. That 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.

Of elections.

Sect. V. That elections shall be free and equal.

Trial by jury.

Sect. VI. That trial by jury shall be as heretofore, and the right thereof remain inviolate.

Of the liberty of the press.

Sect. VII. That 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.

Of security from searches and seizures.

Sect. VIII. That the people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures: And that 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.

Of the rights of the accused in criminal prosecutions.

Sect. IX. That, in all criminal prosecutions, the accused hath a right to be heard by himself and his council, 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: That 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.

Of informations, &c.

Sect. X. That 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 misdemeanor 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.

Of the courts of justice, and suits against the state.

Sect. XI. That 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.

Of suspending laws.

Sect. XII. That no power of suspending laws shall be exercised, unless by the legislature, or its authority.

Of bail, fines, and punishments.

Sect. XIII. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Of the habeas corpus.

Sect. XIV. That all prisoners shall beailable 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.

Of oyer and terminer, &c.

Sect. XV. That no commission of oyer and terminer or gaol delivery shall be issued.

Of insolvent debtors.

Sect. XVI. That 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.

Of ex post facto laws.

Sect. XVII. That no ex post facto law, nor any law impairing contracts, shall be made.

Of attainder of treason and felony.

Sect. XVIII. That no person shall be attainted of treason or felony by the legislature.

Of attainder, felo de se, and deodand.

Sect. XIX. That no attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the commonwealth; that 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.

Of the right to assemble, petition, &c.

Sect. XX. That the citizens have 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.

To bear arms.

Sect. XXI. That the right of the citizens to bear arms, in defence of themselves and the state, shall not be questioned.

Of the military.

Sect. XXII. That 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.

Of quartering troops.

Sect. XXIII. That 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.

Of titles and offices.

Sect. XXIV. That 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.

Of emigration.

Sect. XXV. That emigration from the state shall not be prohibited.

Exception from the general powers of government.

Sect. XXVI. To guard against the 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 for ever remain inviolate.

## 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,*

Of former laws, proceedings and contracts.

I. That all laws of this commonwealth, in force at the time of making the said alterations and amendments in the said Constitution, 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.

Of the Executive Council.

II. That the President and Supreme Executive Council shall continue to exercise the executive authority of this commonwealth, as heretofore, until the third Tuesday of December next; but no intermediate vacancies in the Council shall be supplied by new elections.

Officers in their appointment,

III. That all officers in the appointment of the executive department shall continue in the exercise of the duties of their respective offices until the first day of September, one thousand seven hundred and ninety-one, unless their commissions shall sooner expire by their own limitations, or the said offices become vacant by death or resignation, and no longer, unless reappointed and commissioned by the Governor; except that the judges of the supreme court shall hold their offices for the terms in their commissions respectively expressed.

IV. That justice shall be administered in the several counties of the state, until the period aforesaid, by the same justices, in the same courts, and in the same manner as heretofore.

Of Sheriffs in commission.

V. That no person now in commission as Sheriff shall be eligible at the next election for a longer term, than will, with the time which he shall have served in the said office, complete the term of three years.

Of the present ratio of representation.

VI. That, until the first enumeration shall be made, as directed in the fourth section of the first article of the Constitution established by this Convention, the city of Philadelphia and the several counties shall be respectively entitled to elect the same number of Representatives as is now prescribed by law.

Of the present districts for electing Senators.

VII. That the first Senate shall consist of eighteen members, to be chosen in districts formed as follows, to wit: The city of Philadelphia and the counties of Philadelphia and Delaware shall be a district, and elect three Senators: The county of Chester shall be a district, and shall elect one Senator: The county of Bucks shall be a district, and shall elect one Senator: The county of Montgomery shall be a district, and shall elect one Senator: The county of Northampton shall be a district, and shall elect one Senator: The counties of Lancaster and York shall be a district, and shall elect three Senators: The counties of Berks and Dauphin shall be a district, and shall elect two Senators: The counties of Cumberland and Mifflin shall be a district, and shall elect one Senator: The counties of Northumberland, Luzerne and Huntingdon shall be a district, and shall elect one Senator: The counties of Bedford and Franklin shall be a district, and shall elect one Senator: The counties of Westmoreland and Allegheny shall be a district, and shall elect one Senator: And the counties of Washington and Fayette shall be a district, and shall

elect two Senators: Which Senators shall serve until the first enumeration before mentioned shall be made, and the representation in both Houses of the legislature shall be established by law, and chosen as in the Constitution is directed. Any vacancies which shall happen in the Senate, within the said time, shall be supplied as prescribed in the nineteenth section of the first article.

Of the mode of proceeding in the election of Senators,

VIII. That the elections of Senators shall be conducted, and the returns thereof made to the Senate, in the same manner as is prescribed by the election laws of the state, for conducting and making return of the election of Representatives. In those districts, which consist of more than one county, the Judges of the district elections within each county, after having formed a return of the whole election within that county, in such manner as is directed by law, shall send the same, by one or more of their number, to the place herein after mentioned within the district, of which such county is a part, where the Judges so met shall compare and cast up the several county returns, and execute, under their hands and seals, one general and true return for the whole district, that is to say; the Judges of the district composed of the city of Philadelphia and the counties of Philadelphia and Delaware shall meet in the State-house in the city of Philadelphia; the Judges of the district composed of the counties of Lancaster and York shall meet at the Court-house in the county of Lancaster; and the Judges of the district composed of the counties of Berks and Dauphin shall meet at Middletown, in the county of Berks; the Judges of the district composed of the counties of Cumberland and Mifflin shall meet in Greenwood township, county of Cumberland, at the house now occupied by David Miller; the Judges of the district composed of the counties of Northumberland, Luzerne and Huntingdon shall meet in the town of Sunbury; the Judges of the district composed of the counties of Bedford and Franklin shall meet at the house now occupied by John Dickey, in Air township, Bedford county; the Judges of the district composed of the counties of Westmoreland and Allegheny shall meet in Westmoreland County, at the Court-house in the town of Greensborough; and the Judges of the district composed of the counties of Washington and Fayette shall meet at the Court-house in the town of Washington, in Washington county, on the third Tuesday in October, respectively, for the purposes aforesaid. and of the Governor.

IX. That the election of the Governor shall be conducted in the several counties, in the manner prescribed by the laws of the state for the election of Representatives; and the returns in each county shall be sealed by the Judges of the elections, and transmitted to the President of the Supreme Executive Council, directed to the Speaker of the Senate, as soon after the election as may be.

THOMAS MIFFLIN

James Wilson,  
Hilary Baker,  
William Lewis,  
Thomas M'Kean,  
George Gray,

Paul Groscop,  
Baltzer Gehr,  
Samuel Sitgreaves,  
John Arndt,  
Peter Rhoads,

William Robinson, jun.  
Robert Hare,  
Enoch Edwards,  
Samuel Ogden,  
Thomas Jenks, jun.  
John Barclay,  
Abraham Stout,  
William Gibbons,  
Thomas Bull,  
James Boyd,  
Edward Hand,  
Robert Coleman,  
Sebastian Graff,  
John Hubley,  
John Breckbill,  
Henry Miller,  
Henry Slagle,  
William Reed,  
Benjamin Tyson,  
Benjamin Pedan,  
Matthew Dill,  
William Irvine,  
James Power,  
Joseph Heister,  
Christian Lower,  
Abraham Lincoln,

Joseph Powell,  
John Piper,  
Charles Smith,  
Simon Snyder,  
William Findley,  
William Todd,  
Alexander Addison,  
John Hoge,  
David Reddick,  
James Ross,  
John Smilie,  
Albert Gallatin,  
James M'Lene,  
George Matthews,  
James Morris,  
Lindsay Coats,  
Jonathan Shoemaker,  
John Gloninger,  
William Brown,  
Alexander Graydon,  
Timothy Pickering,  
Andrew Henderson,  
John Gibson,  
Thomas Beale,  
John Sellers,  
Nathaniel Newlin.

Attest: Joseph Redman, Secretary.  
J. Shallus, Assistant Secretary.

SOURCE: Laws of the Commonwealth of Pennsylvania, From the Seventh Day of December One Hundred and Ninety, to the Twentieth Day of April, One Thousand Seven Hundred and Ninety Five. Published Under the Authority of the Legislature, By Alexander James Dallas. Vol. III. Philadelphia: Printed by HALL and SELLERS, MDCCXCV. Pp. xxii-xxxix.