

31

MAY 23 1940

JOURNAL
OF THE
CONVENTION

TO AMEND THE
CONSTITUTION OF PENNSYLVANIA:

CONVENED AT
HARRISBURG, NOVEMBER 12, 1872:

ADJOURNED NOVEMBER 27.

TO MEET AT
PHILADELPHIA, JANUARY 7, 1873.

*Call.
11-16-14*

IN TWO PARTS.
PART I.

HARRISBURG:
BENJAMIN SINGERLY, STATE PRINTER.
1873.

ALLEGHENY COUNTY,
Law Library,
PITTSBURGH. PA.

CONSTITUTION
OF THE
COMMONWEALTH OF PENNSYLVANIA,
AS AMENDED IN 1838;

WITH THE SUBSEQUENT AMENDMENTS ADOPTED IN 1850, 1857 AND 1864, AND
PROPOSED AMENDMENT OF 1871.

WE, the people of the Commonwealth of Pennsylvania, ordain and establish this Constitution for its government.

ARTICLE I.

OF THE LEGISLATURE.

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

OF THE ELECTION OF REPRESENTATIVES.

SECT. II. The Representatives shall be chosen annually by the citizens * * * † on the second Tuesday of October.

OF THE QUALIFICATIONS 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 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.

APPORTIONMENT OF REPRESENTATIVES.

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

OF THE ELECTION OF SENATORS.

SECT. V. The Senators shall be chosen for three years, by the citizens * * * † at the same time, in the same manner, and at the same places where they shall vote for Representatives.

OF THE RATIO OF REPRESENTATION 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

† Third amendment of 1857.

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—SENATORIAL DISTRICTS IN PHILADELPHIA.

SECT. 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 * * * and no * county shall be divided in forming a district: The city of Philadelphia shall be divided into single Senatorial districts of contiguous territory as nearly equal in taxable population as possible; but no ward shall be divided in the formation thereof.*

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; and no person elected as aforesaid shall hold said office after he shall have removed from such district.

OF CLASSING THE SENATORS.

SECT. 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.

MEETINGS OF THE GENERAL ASSEMBLY.

SECT. X. The General Assembly shall meet on the first Tuesday of January, 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 a 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.

OF CENSURE AND EXPULSION.

SECT. XIII. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, 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.

DIVORCES.

SECT. 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.

* From third amendment of 1857; which further provides with reference to sections IV and VII above, as follows:

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

OF JOURNALS—YEAS AND NAYS.

SECT. 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.

THE DOORS TO BE OPEN.

SECT. 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.

OF ADJOURNMENT.

SECT. 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.

OF THE COMPENSATION AND PRIVILEGES OF MEMBERS.

SECT. 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.

OF THE DISQUALIFICATION OF MEMBERS.

SECT. 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.

OF VACANCIES.

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

OF REVENUE BILLS.

SECT. XXI. 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. XXII. No money shall be drawn from the Treasury but in consequence of appropriations made by law.

OF BILLS RETURNED BY THE GOVERNOR WITH OBJECTIONS—OF BILLS NOT RETURNED.

SECT. 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 the persons voting for and 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, the same 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 reading.

OF ORDERS, RESOLUTIONS AND VOTES.

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

BANK INCORPORATIONS, HOW OBTAINED—CHARTERS LIMITED.

SECT. 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 of the same, in such manner as shall be prescribed by law; nor shall any charter for the purpose 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.

ALTERATIONS OR REVOCATION OF CHARTERS.

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

ARTICLE II.

OF THE GOVERNOR.

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

ELECTION OF 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.

CONTINUANCE IN OFFICE.

SECT. 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 this, in any term of nine years.

QUALIFICATIONS.

SECT. 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.

DISQUALIFICATIONS.

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

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.

* Fourth amendment of 1857.

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 actual service of the United States.

GENERAL POWERS AND DUTIES.

SECT. 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 the 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. [*The clause relating to the appointment of judges altered. See Art. V., Sect. 2.*]

PARDONS.

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

INFORMATION FROM OFFICERS OF THE EXECUTIVE DEPARTMENT.

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

INFORMATION TO THE LEGISLATURE.

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.

CONVENE AND ADJOURN 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.

EXECUTION OF LAWS.

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

VACANCY BY DEATH, &C., HOW SUPPLIED—CONTESTED ELECTION.

SECT. XIV. In case of the death or resignation of the Governor, or 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 to the second succeeding annual election of Representatives. And if the trial of 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.

OF THE SECRETARY OF THE COMMONWEALTH.

SECT. 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.

JOURNAL OF THE

ARTICLE III.

ON ELECTIONS.

SECT. 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.

HOW EXERCISED.

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

ELECTORS' PRIVILEGE.

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

RIGHT OF SOLDIERS TO VOTE.

SECT. IV.* Whenever any of the qualified electors of this Commonwealth shall be in any actual military service, under a requisition from the President of the United States, or by the authority of this Commonwealth, such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are, or shall be, prescribed by law, as fully as if they were present at their usual place of election.

ARTICLE IV.

ON IMPEACHMENTS.

SECT. 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 for 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 honor, 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 JUDICIARY.

SECT. I. The judicial power of this Commonwealth, shall be vested in the Supreme Court, in courts of oyer and terminer and general jail delivery, in a court of common pleas, orphans' court, registers' court, and a court of quarter sessions of the peace for each county; in justice of the peace, and in such other courts as the Legislature may from time to time establish.

ELECTION OF JUDGES—THEIR TENURE—HOW COMMISSIONED AND REMOVED—FIRST ELECTION—VACANCIES—COMPENSATION—RESIDENCE.

SECT. 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 elected by the qualified electors of the Commonwealth, in the manner following, to wit: The judges of the Supreme Court, by the qualified electors of

* Amendment of 1864.

† Amendment of 1850.

the Commonwealth at large: 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, by the qualified electors of the respective districts over which they are to preside or act as judges; and the associate judges of the courts of common pleas, by the qualified electors of the counties respectively. The judges of the Supreme Court shall hold their offices for the term of fifteen years, if they shall so long behave themselves well, (subject to the allotment hereinafter provided for, subsequent to the first election.) 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; all of whom shall be commissioned by the Governor; but for any reasonable cause which shall not be sufficient grounds of impeachment, the Governor shall remove any of them, on the address of two-thirds of each branch of the Legislature. The first election shall take place at the general election of this Commonwealth next after the adoption of this amendment, and the commissions of all the judges who shall then be in office, shall expire on the first Monday of December following, when the terms of the new judges shall commence. The persons who shall then be elected judges of the Supreme Court shall hold their offices as follows: One of them for three years, one for six years, one for nine years, one for twelve years, and one for fifteen years; the term of each to be decided by lot by said judges, as soon after the election as convenient, and the result certified by them to the Governor, that the commissions may be issued in accordance thereto. The judge whose commission will first expire shall be chief justice during his term, and thereafter each judge whose commission shall first expire shall in turn be the chief justice; and if two or more commissions shall expire on the same day, the judges holding them shall decide by lot which shall be the chief justice. Any vacancies happening by death, resignation, or otherwise, in any of the said courts, shall be filled by appointment by the Governor, to continue till the first Monday of December succeeding the next general election. 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, or under the government of the United States, or any other State of the Union. The judges of the Supreme Court, during their continuance in office, shall reside within this Commonwealth, and the other judges, during their continuance in office, shall reside within the district or county for which they were respectively elected.

COMMON PLEAS.

SECT. 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.

JURISDICTION OF THE SUPREME COURT.

SECT. 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.

JURISDICTION OF JUDGES OF COMMON PLEAS.

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 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.

CHANCERY POWERS VESTED IN COURTS.

SECT. VI. The Supreme Court, and the several courts of common pleas shall, besides the powers heretofore usually exercised by them, have the power of a

court of chancery, so far as relates to 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 compos 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.

QUARTER SESSIONS, ORPHANS' AND REGISTERS' COURTS.

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 registers' court of each county.

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.

CRIMINAL POWERS.

SECT. 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.

REGISTERS AND RECORDERS.

SECT. X. A registers' 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.

STYLE OF PROCESS.

SECT. 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.

OF SHERIFFS AND CORONERS.

SECT. I. Sheriffs and coroners shall, at the time 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.

OF THE MILITIA.

SECT. II. The freemen of this Commonwealth shall be armed, organized and disciplined for its defence, when, and in such a 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.

OF PUBLIC OFFICERS.

APPOINTMENT AND ELECTION.

SECT. 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, recorder of deeds and register 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.

LOCATION OF OFFICES.

SECT. IV. Prothonotaries, clerks of the peace and orphans' courts, recorder of deeds, register 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. V. All commissions shall be in the name and by the authority of the Commonwealth of Pennsylvania, and be sealed by the State seal, and signed by the Governor.

OF STATE TREASURER.

SECT. VI. A State Treasurer shall be elected annually, by joint vote of both branches of the Legislature.

OF JUSTICES OF THE PEACE AND ALDERMEN AND OTHER OFFICERS.

SECT. 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 manner 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.

OTHER OFFICES.—PROHIBITION.—INCOMPATIBLE OFFICES.

SECT. VIII. All officers whose election or appointment is not provided for in this Constitution, shall be elected or appointed as may 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, nor 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 officers 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.

OF MISBEHAVIOR IN OFFICE.

SECT. 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 misbehavior in office, or of any infamous crime.

DUELLING.

SECT. 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 honor or profit in this State, and shall be punished otherwise in such a manner as is, or may be prescribed by law; but the Executive may remit the said offence and all its disqualifications.

JOURNAL OF THE

ARTICLE VII.

EDUCATION.

PUBLIC SCHOOLS.

SECT. 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.

ARTS AND SCIENCES.

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

RELIGIOUS SOCIETIES AND CORPORATIONS.

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

CORPORATE RESTRICTIONS.

SECT. 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.

OF THE 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.

DECLARATION OF RIGHTS.

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

RIGHTS OF LIFE, LIBERTY, PROPERTY, ETC.

SECT. 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.

POWER AND 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 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.

RIGHTS OF CONSCIENCE.

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; 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.

RIGHTS OF CITIZENS.

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 profit or trust, under this Commonwealth.

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.

THE PRESS--LIBELS.

SECT. VII. That the printing press shall be free to every person who undertakes to examine the proceedings of the Legislature, or any branch of the 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 publications of papers investigating the official conduct of officers, or men in public capacities, 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.

SEARCHES AND SEIZURES.

SECT. VIII. That the people shall be secure in their persons, houses, papers and professions, 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.

RIGHTS OF ACCUSED IN CRIMINAL PROSECUTIONS.

SECT. IX. That 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 favor; and in prosecution 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.

CRIMINAL INFORMATION, &C.--PROTECTION OF LIFE, &C.--IMMUNITY OF PROPERTY.

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 or 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.

COURTS OF JUSTICE OPEN--SUITS AGAINST 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.

SUSPENDING LAWS.

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

BAIL.

SECT. XIII. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishment inflicted.

PRISONERS.--HABEAS CORPUS.

SECT. XIV. That 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.

OYER AND TERMINER, &C.

SECT. XV. That no commission of oyer and terminer or jail delivery shall be issued.

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.

EX POST FACTO LAWS.

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

TREASON AND FELONY.

SECT. XVIII. That no person shall be attainted of treason or felony by the Legislature.

ATTAINDER, &C.

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 cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

RIGHTS OF CITIZENS TO ASSEMBLE.

SECT. XX. That 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.

TO BEAR ARMS.

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

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.

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.

TITLES AND OFFICES.

SECT. XXIV. That 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 behavior.

EMIGRATION.

SECT. XXV. The emigration from the State shall not be prohibited.

EXCEPTIONS FROM THE GENERAL POWERS OF GOVERNMENT.

SECT. XXVI. To guard against transgressions of the high powers which we have delegated, WE DECLARE, that everything in this article is excepted out of the general powers of government, and shall forever remain inviolate.

ARTICLE X.

OF AMENDMENTS.

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 the 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.

ARTICLE XI.*

OF PUBLIC DEBTS.

FOR WHAT THE STATE MAY CONTRACT DEBTS.—AMOUNT OF SUCH DEBTS LIMITED.—HOW THE MONEY RAISED MUST BE APPROPRIATED.

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

WAR DEBTS MAY BE CONTRACTED.—APPROPRIATION OF THE MONEY RAISED.

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

OTHER DEBTS PROHIBITED.

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

A SINKING FUND TO BE CREATED.—OF WHAT IT SHALL CONSIST.

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

* First amendment of 1857.

THE CREDIT OF THE COMMONWEALTH NOT TO BE LOANED TO INDIVIDUALS OR COMPANIES.

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

THE COMMONWEALTH PROHIBITED FROM ASSUMING DEBTS.

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

COUNTIES, &C., PROHIBITED FROM BEING STOCKHOLDERS, &C., IN CORPORATIONS.

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

LIMITATION OF PRIVILEGES.

SECT. VIII.* No bill shall be passed by the Legislature containing more than one subject, which shall be clearly expressed in the title, except appropriation bills.

SECT. IX.† No bill shall be passed by the Legislature granting any powers or privileges in any case where the authority to grant such powers or privileges has been, or may hereafter be conferred upon the courts of this Commonwealth.

ARTICLE XII.‡

NEW COUNTIES.

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

SCHEDULE

TO THE AMENDMENTS OF 1838.

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 herewith declared are ordained that

FORMER LAWS.

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.

AMENDMENTS, WHEN TO TAKE EFFECT.

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

ARTICLES UNALTERED TO REMAIN AS HERETOFORE.

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.

*First amendment of 1864.

† Amendment of 1864.

‡Second amendment of 1867.

FIRST GENERAL ASSEMBLY.

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

EXECUTIVE INAUGURATION.

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.

EXPIRATION OF COMMISSIONS OF JUDGES OF SUPREME COURT.

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.

EXPIRATION OF COMMISSIONS OF PRESIDENT JUDGES.

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.

RECORDERS' AND MAYORS' COURTS, &C.

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 the others every two years thereafter, according to their respective dates; those oldest in date expiring first.

CLASSIFICATION OF ASSOCIATE JUDGES.

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. The said classes, from the first to the fourth, shall be arranged according to the seniority of the commissions of the several judges.

ELECTION OF PUBLIC OFFICERS.

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.

APPOINTING POWER AS HERETOFORE.

XI. The appointing power shall remain as heretofore, and all offices 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.

FIRST ELECTION OF ALDERMEN AND JUSTICES OF THE PEACE.

XII. The first election of 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.

JOINT RESOLUTION proposing an amendment to the Constitution of Pennsylvania.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the following amendment of the Constitution of this Commonwealth be proposed to the people for their adoption or rejection, pursuant to the provisions of the tenth article thereof, to wit:

AMENDMENT.

Strike out the sixth section of the sixth article of the Constitution, and insert in lieu thereof the following: "A State Treasurer shall be chosen by the qualified electors of the State, at such time and for such term of service as shall be prescribed by law."—*Adopted by Legislature of 1871.*

AN ACT to authorize a popular vote upon the question of calling a convention to amend the Constitution of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the question of calling a convention to amend the Constitution of this Commonwealth be submitted to a vote of the people at the general election, to be held on the second Tuesday of October next, the said question to be voted upon in manner following, to wit: In counties and cities in which slip ticket voting is authorized by law, votes for and against a convention may be expressed and given upon the ticket, headed or endorsed with the word "State," and not otherwise; and the words used shall be "Constitutional Convention," and underneath "for a convention" or "against a convention;" and in counties or districts in which slip ticket voting shall not be authorized by law, each elector voting upon said question shall cast a separate ballot, endorsed on the outside "Constitutional Convention," and containing on the inside the words "for a convention," or "against a convention;" and all votes cast as aforesaid shall be received, counted and returned by the proper election officers and return judges, as votes for Governor are received, counted and returned under existing laws.*

SECTION 2. *That the election aforesaid shall be held and be subject to all the provisions of law which apply to general elections; the sheriffs of the several counties shall give notice of this act in their election proclamation the present year, and the Governor shall cause all the returns of the said election, as received by the Secretary of the Commonwealth, to be laid before the Legislature at its next annual session.*

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

CONSTITUTIONAL CONVENTION

OFFICIAL VOTE for calling Constitutional Convention:

COUNTIES.	For a Convention.	Against a Convention.
Adams.....	3,525	1,925
Allegheny.....	22,044	359
Armstrong.....	6,033	39
Beaver.....	4,524	33
Bedford.....	5,016	554
Berks.....	5,269	10,905
Blair.....	6,214	16
Bradford.....	8,897	222
Bucks.....	11,181	2,135
Butler.....	2,981	1,164
Cambria.....	4,604	196
Cameron.....	566	.....
Carbon.....	3,815	105
Centre.....	6,155	233
Chester.....	9,472	2,030
Clarion.....	3,468	245
Clearfield.....	2,587	1,012
Clinton.....	2,891	308
Columbia.....	2,885	38
Crawford.....	5,258	18
Cumberland.....	5,701	2,465
Dauphin.....	7,043	799
Delaware.....	5,787	29
Elk.....	571	1
Erie.....	6,284	276
Fayette.....	2,183	2,054
Forest.....	269	1
Franklin.....	6,588	1,574
Fulton.....	1,789	62
Greene.....	1,433	2,725
Huntingdon.....	5,453	5
Indiana.....	5,679	13
Jefferson.....	2,394	925
Juniata.....	2,591	345
Lancaster.....	16,862	116
Lawrence.....	3,325	378
Lebanon.....	4,010	1,696
Lehigh.....	5,836	4,020
Luzerne.....	7,293	739
Lycoming.....	8,211	9
M'Kean.....	1,620	11
Mercer.....	5,419	1,689
Mifflin.....	2,766	703
Monroe.....	1,645	1,328
Montgomery.....	7,000	6,827
Montour.....	951	67
Northampton.....	5,491	3,784
Northumberland.....	5,596	196
Perry.....	3,697	593
Philadelphia.....	.....	.....
Pike.....	549	431
Potter.....	1,259	29
Schuylkill.....	7,332	2,600
Snyder.....	1,863	1,213
Somerset.....	4,809	14
Sullivan.....	958	16
Susquehanna.....	4,431	489
Tioga.....	419	3
Union.....	1,896	346
Venango.....	6,059	597
Warren.....	4,540	36
Washington.....	6,248	2,786
Wayne.....	4,452	9
Westmoreland.....	6,825	3,727
Wyoming.....	1,068	848
York.....	11,458	1,104
Total.....	316,097	69,715.

AN ACT

TO PROVIDE FOR CALLING A CONVENTION TO AMEND THE CONSTITUTION.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October next, there shall be elected by the qualified electors of this commonwealth, delegates to a convention to revise and amend the constitution of this state; the said convention shall consist of one hundred and thirty-three members, to be elected in the manner following; Twenty-eight members thereof shall be elected in the state at large, as follows: Each voter of the state shall vote for not more than fourteen candidates, and the twenty-eight highest in vote shall be declared elected; ninety-nine delegates shall be apportioned to and elected from the different senatorial districts of the state, three delegates to be elected for each senator therefrom; and in choosing all district delegates, each voter shall be entitled to vote for not more than two of the members to be chosen from his district, and the three candidates highest in vote shall be declared elected, except in the county of Allegheny, forming the Twenty-third senatorial district, where no voter shall vote for more than six candidates, and the nine highest in vote shall be elected, and in the counties of Luzerne, Monroe and Pike, forming the Thirteenth senatorial district, where no voter shall vote for more than four candidates, and the six highest in vote shall be elected; and six additional delegates shall be chosen from the city of Philadelphia, by a vote at large in said city, and in their election no voter shall vote for more than three candidates, and the six highest in votes shall be declared elected.

SECTION 2. The following regulations shall apply to the aforesaid election to be held on the second Tuesday of October next, and to returns of the same:

First. The said election shall be held and conducted by the proper election officers of the several election districts of the commonwealth; and shall be governed and regulated in all respects by the general election laws of the commonwealth, so far as the same shall be applicable thereto, and not inconsistent with the provisions of this act.

Second. The tickets to be voted for members at large to this convention shall have on the outside the words, "delegates at large," and on the inside the names of the candidates to be voted for, not exceeding fourteen in number.

Third. The ticket to be voted for district members of the convention shall have on the outside the words, "district delegates," and on the inside the name or names of the candidates voted for, not exceeding the proper number limited as aforesaid; but any ticket which shall contain a greater number of names than the number for which the voter shall be entitled to vote, shall be rejected; and in the case of the delegates to be chosen at large in Philadelphia, the words "city delegates," shall be on the outside of the ticket.

Fourth. In the city of Philadelphia the return judges shall meet at the state house, at ten o'clock on the Thursday next following the election, and make out returns for said city, of the votes cast therein for delegates at large and city and district delegates, to be members of the convention; the return judges of the several election districts within each county of the state, excluding Philadelphia, shall meet on the Friday next following the election, at the usual place for the meeting of the return judges of their county, and shall make out full and accurate returns for the county, of the votes cast therein for members of the convention and for district members of the same; and the proceedings of the return judges of the said city of Philadelphia, and of the several counties of the commonwealth, in the making of their returns, shall be the same as those prescribed for return judges in the case of an election for governor, except that returns transmitted to the secretary of the commonwealth, shall be addressed to that officer alone, and not to the speaker of the senate.

Fifth. The prothonotary of Philadelphia, and the prothonotaries of the several counties shall, with reference to such returns, promptly and faithfully perform all the duties enjoined upon them by the eighty-fourth and eighty-fifth sections of the general election act of July second, one thousand eight hundred and thirty-nine.

Sixth. The secretary of the commonwealth shall, as soon as the returns of said election shall be received by him, and at all events within fifteen days after the election, in the presence of the governor and auditor general, open and compute all the returns received of votes given for members of the convention, and the

governor shall forthwith issue his proclamation, declaring the names of the persons who have been chosen members of the convention.

*SECTION 3. It shall be the duty of the delegates, elected as aforesaid, to assemble in convention in the hall of the house of representatives, at the state capitol, in Harrisburg, on the second Tuesday of November, one thousand eight hundred and seventy-two, at twelve o'clock M., that day, with general powers of adjournment as to the time and place; and it shall be the duty of the secretary of the commonwealth to call the convention to order at the time of its assembling, and to submit all the returns of election in his possession, and to read the aforesaid proclamation of the governor; and thereupon said convention shall proceed to organize by electing one of their number as president, and after the members are sworn in, such other officers as may be needed in the transaction of business.

SECTION 4. Said convention, so elected, assembled and organized, shall have power to propose to the citizens of this commonwealth, for their approval or rejection, a new constitution or amendments to the present one, or specific amendments to be voted for separately, which shall be engrossed and signed by the president and chief clerk, and delivered to the secretary of the commonwealth, by whom and under whose direction, it or they shall be entered on record in his office, and published once a week in at least two newspapers in each county, where two papers are published, for four weeks next preceding the day of election that shall be held for the adoption or rejection of the constitution or amendments so submitted: *Provided*, That one-third of all the members of the convention shall have the right to require the separate and distinct submission, to a popular vote, of any change and amendment proposed by the convention: *And provided further*, That nothing herein contained shall authorize the said convention to change the language, or alter in any manner the several provisions of the ninth article of the present constitution, commonly known as the declaration of rights, but the same shall be excepted from the powers given to said convention, and shall be and remain inviolate forever: *And provided further*, That the said convention shall not create, establish or submit any proposition for the establishment of a court or courts with exclusive equity jurisdiction.

SECTION 5. The convention shall submit the amendments agreed to by it, to the qualified voters of the state for their adoption or rejection, at such time or times, and in such manner as the convention shall prescribe, subject, however, to the limitation as to the separate submission of amendments contained in this act; and all amendments accepted by a majority vote of the electors voting thereon, shall become a part of the constitution.

SECTION 6. The election to decide for or against the adoption of the new constitution or specific amendments, shall be conducted as the general elections of this commonwealth are now by law conducted; and it shall be the duty of the return judges of the respective counties, first having ascertained the number of votes given for or against the new constitution or separate specific amendments, if any, to make out duplicate returns thereof, expressed in words at length, one of which returns so made shall be filed in the office of the prothonotary of the proper county, and the other sealed and directed to the secretary of the commonwealth; which said returns shall be opened, counted and published, as the returns for governor are now by law counted and published; and when the number of votes given for or against the new or revised constitution, or for or against separate specific amendments, if any, shall have been summed up or ascertained, and the duplicate certificates thereof delivered to the proper officers, the governor shall declare, by proclamation, the result of the election; and if a majority of the votes polled shall be for the new or revised constitution, or for any separate or specific amendments, such new or revised constitution and separate specific amendments shall be thenceforth the constitution of this commonwealth.

SECTION 7. The entire compensation and allowance to each member of the convention shall be as follows: For salary, one thousand dollars; for mileage, ten cents per mile circular, not to be allowed at more than two sessions; for postage, stationery and contingencies, fifty dollars; the clerks and other officers to be allowed such compensation as the convention shall direct. Warrants for compensation of members and officers, and for all proper expenses of the convention, shall be drawn by the president, and countersigned by the chief clerk, upon the state treasurer for payment.

SECTION 8. That in case of vacancies in the membership of said convention, the same shall be filled as follows: If such vacancy shall be of a member at large of the convention, those members at large who shall have been voted for by the same voters, or by a majority of the same voters who shall have voted for and

elected the member whose place is to be filled, shall fill such vacancy; if such vacancy shall be of a district or city member of the convention, those members at large of the convention who shall have been voted for by the same, or by a majority of the voters who shall have voted for such district or city member, shall fill such vacancy; in either case, the appointment to fill a vacancy shall be made by the members at large aforesaid, or by a majority of them, in writing; and all such written appointments shall be filed among the convention records.

SECTION 9. That the secretary of the commonwealth shall prepare a form of notice of the election to be held for the purpose of choosing members of the aforesaid convention, including such portions of this act as shall be necessary and proper for the information of voters and election officers at the said election as to their respective rights and duties in relation thereto; which said form so prepared, shall be transmitted by him to the sheriffs of the several counties, to be observed by them in making proclamation of the holding of said election in their respective jurisdictions.

SECTION 10. That the secretary of the commonwealth be authorized to obtain for said convention, prior to the meeting of the same, such publications relating to constitutional amendments and reform, and cause to be prepared such statistical information as may be convenient and useful to the convention in the performance of its duties; and the proper expense so incurred, not exceeding six hundred dollars, shall be paid at the treasury, upon settlement made in the office of the auditor general.

WILLIAM ELLIOTT,

Speaker of the House of Representatives.

JAMES S. RUTAN,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and seventy-two.

JOHN W. GEARY.

JOURNAL

OF THE

CONVENTION TO AMEND THE CONSTITUTION.

TUESDAY, NOVEMBER 12, 1872.

This being the day fixed by the act of the General Assembly, entitled "An Act to provide for calling a Convention to amend the Constitution," approved the eleventh day of April, Anno Domini one thousand eight hundred and seventy-two, for the persons chosen as delegates to assemble in Convention, a number of the said delegates, sufficient to constitute a quorum, being present, the Convention was called to order by the Secretary of the Commonwealth, who addressed the Convention as follows:

Gentlemen of the Convention:—

The third section of the act of the General Assembly, approved 13th April, 1872, and entitled "An Act to provide for calling a Convention to amend the Constitution," imposes upon the Secretary of the Commonwealth the duty of calling the Convention to order at twelve o'clock at noon on the second Tuesday of November, 1872, of submitting the official returns of election, and of reading the proclamation of the Governor, declaring the names of the persons chosen as members of the Convention. The day and hour designated by law for these purposes having arrived, I am here to perform the duties imposed. The other duties required by the Secretary of the Commonwealth by said act of Assembly have been discharged, and report thereof to the Convention will be made immediately after it shall have chosen a president. In the meantime I have designated my chief clerk, Thomas M'Camant, as temporary clerk, James L. Selfridge, clerk of the House of Representatives, and John A. Small, resident clerk of the House of Representatives, as temporary clerks, and A. M. Martin and H. J. Mason, as stenographic reporters, to act until the Convention shall supply their places.

The Convention will now please come to order.

These are the official returns of the election, and they are now submitted to the Convention; and, as directed, I will read the Governor's proclamation, after which the roll will be called.

The Secretary of the Commonwealth then read the said proclamation, as follows, viz:

PENNSYLVANIA, SS:

In the Name and by the Authority of the Commonwealth of Pennsylvania, JOHN W. GEARY, Governor of the said Commonwealth.

A PROCLAMATION.

WHEREAS, It is provided in and by an act of the General Assembly of this Commonwealth, entitled "An Act to provide for calling a Convention to amend the Constitution," approved the eleventh day of April, A. D. 1872. "That the Secretary of the Commonwealth shall, as soon as the returns of said election shall

be received by him, and at all events within fifteen days after the election, in the presence of the Governor and Auditor General, open and compute all the returns received of votes given for members of the Convention; and the Governor shall forthwith issue his proclamation, declaring the names of the persons who have been chosen members of the Convention :”

And whereas, The Secretary of the Commonwealth did, on the twenty-first day of October, A. D. 1872, in the manner provided in the act of the General Assembly aforesaid, open and compute all the returns received of votes given for members of the Convention :

And whereas, It appears by the returns of the general election held on the second Tuesday of October instant, being the eighth day of said month, that the names of the persons who have been chosen members of the Convention, are as follows, viz: William M. Meredith, J. Gillingham Fell, Harry White, William Lilly, Lin Bartholomew, Hugh N. M’Allister, William Davis, James L. Reynolds, Samuel E. Dimmick, George V. Lawrence, William H. Armstrong, David N. White, William H. Ainey, John H. Walker, George W. Woodward, Jeremiah S. Black, Andrew G. Curtin, William J. Baer, William H. Smith, Franklin B. Gowen, John H. Campbell, Samuel H. Reynolds, James Ellis, Samuel C. T. Dodd, George M. Dallas, Robert A. Lambertson, Andrew A. Purman and William L. Corbett, delegates at large to said Convention.

Henry C. Carey, Edward C. Knight, John Price Wetherill, Lewis C. Cassidy, James H. Heverin and Theodore Cuyler, delegates at large from the city of Philadelphia.

From the First Senatorial district, in the city of Philadelphia, John Bardsley, James W. M. Newlin and George W. Biddle.

From the Second Senatorial district, in the city of Philadelphia, John E. Adicks, William B. Hanna and John R. Read.

From the Third Senatorial district, in the city of Philadelphia, M. Hall Stanton and William E. Littleton, and in this district the official return made to the Secretary of the Commonwealth by the return judges, shows the election of R. E. Shapley by a majority of two hundred and forty-one, over Benjamin L. Temple, whilst the certified copy of the returns filed in the office of the prothonotary shows the election of Benjamin L. Temple, by a majority of two hundred and forty-one over R. E. Shapley, and hence I am unable to proclaim or declare either of these two persons elected.

From the Fourth Senatorial district, in the city of Philadelphia, William D. Baker, J. Alexander Simpson and Edward R. Worrell.

From the Fifth Senatorial district, composed of the counties of Chester and Delaware, John M. Broomall and William Darlington and Joseph Hemphill.

From the Sixth Senatorial district, composed of the county of Montgomery, James Boyd, Charles Hunsicker and George N. Corson.

From the Seventh Senatorial district, composed of the counties of Bucks and Northampton, Charles Brodhead, George Ross and George Lear.

From the eighth Senatorial district, composed of the county of Berks, George G. Barclay, Henry W. Smith and Henry Van Reed.

From the Ninth Senatorial district, composed of the county of Lancaster, David W. Patterson, Henry Carter and Henry G. Smith.

From the Tenth Senatorial district, composed of the county of Schuylkill, Joel B. M’Camant, John M. Wetherill and Thomas R. Bannan.

From the Eleventh Senatorial district, composed of the counties of Lehigh and Carbon, Charles M. Runk, Zachariah Long and Edward Harvey.

From the Twelfth Senatorial district, composed of the counties of Dauphin and Lebanon, Josiah Funck, Wayne Mac Veagh and Hamilton Alricks.

From the Thirteenth Senatorial district, composed of the counties of Luzerne Monroe and Pike, Henry S. Mott, Gideon W. Palmer, Abraham R. Dunning, Daniel L. Rhone, Henry W. Palmer and Lewis Pughe.

From the Fourteenth Senatorial district, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, George F. Horton, William S. Turrell and Joseph G. Patton.

From the Fifteenth Senatorial district, composed of the counties of Columbia, Lycoming, Montour and Sullivan, John J. Metzger, John G. Freeze and Henry C. Parsons.

From the Sixteenth Senatorial district, composed of the counties of Cameron, M’Kean, Potter and Tioga, John S. Mann, Jerome B. Niles and Mortimer F. Elliott.

From the Seventeenth Senatorial district, composed of the counties of Snyder, Perry, Northumberland and Union, Joseph Baily, Levi Rooke and John P. Cronmiller.

From the Eighteenth Senatorial district, composed of the counties of Clinton, Cambria, Clearfield and Elk, George A. Achenbach, John G. Hall and Ashel C. Finney.

From the Nineteenth Senatorial district, composed of the counties of Cumberland and Franklin, Samuel M. Wherry, J. M'Dowell Sharpe and John Stewart.

From the Twentieth Senatorial district, composed of the counties of Adams, and York, William M'Lean, John Gibson and Thomas E. Cochran.

From the Twenty-first Senatorial district, composed of the counties of Bedford, Fulton, Blair and Somerset, Samuel L. Russel, Sames W. Curry and Augustus S. Landis.

From the Twenty-second Senatorial district, composed of the counties of Centre, Juniata, Mifflin and Huntingdon, John M. Bailey, Andrew Reed and John M'Culloch.

From the Twenty-third Senatorial district, composed of the county of Allegheny, Thomas MacConnel, Samuel A. Purviance, Thomas Ewing, John W. F. White, Matthew Edwards, Thomas Howard, Malcolm Hay, John B. Guthrie and Thomas H. B. Patterson.

From the Twenty-fourth Senatorial district, composed of the counties of Indiana and Westmoreland, Daniel S. Porter, Andrew M. Fulton and Silas M. Clark.

From the Twenty-fifth Senatorial district, composed of the counties of Fayette and Greene, Daniel Kane, Charles A. Black and John Collins.

From the Twenty-sixth Senatorial district, composed of the counties of Beaver, Butler and Washington, John N. Purviance, Thomas R. Hazzard and William Hopkins.

From the Twenty-seventh Senatorial district, composed of the counties of Clarion, Armstrong, Jefferson and Forest, George W. Andrews, John M'Murray and John Gilpin.

From the Twenty-eighth Senatorial district, composed of the counties of Lawrence, Mercer and Venango, David Craig, Manly C. Beebe and Robert M. De France.

From the Twenty-ninth Senatorial district, composed of the county of Crawford, Frank Mantor, Samuel Minor and Pearson Church.

From the Thirtieth Senatorial district, composed of the counties of Erie and Warren, Thomas Struthers, Charles O. Bowman and Russelas Brown.

Now, therefore, I, John W. Geary, Governor as aforesaid, have issued this my proclamation, hereby publishing and declaring that the persons hereinbefore named, have been returned as duly elected delegates from the State at large. Delegates at large from the city of Philadelphia, and as delegates from the different Senatorial districts of the State as hereinbefore recited, and are the names of the persons who have been chosen members of the Convention, to assemble in the hall of the House of Representatives, at the State Capitol in Harrisburg, on the second Tuesday, being the twelfth day of November, A. D. 1872, at twelve o'clock, M., on that day, to revise and amend the Constitution of this State, in accordance with the provisions of the aforesaid act of the General Assembly of this Commonwealth.

Given under my hand and the Great Seal of the State, at Harrisburg, this twenty-second day of October, in the year of our Lord one thousand eight hundred and seventy-two, and of the Commonwealth the ninety-seventh.

JNO. W. GEARY.

BY THE GOVERNOR :

FRANCIS JORDAN,

Secretary of the Commonwealth.

In conformity with precedent, and in recognition of the fact that this is a Christian Commonwealth, it is deemed proper the Convention should be formally opened with prayer; and the Rev. Dr. A. K. Strong, of this city, having been selected for that purpose, offered the following prayer, viz :

PRAYER.

Almighty and all merciful God, in Whom we live and move and have our being, we bow ourselves in Thy most holy presence, recognizing Thy presence, and humbly and gratefully make mention of Thy goodness and mercy, which

have followed us all the days of our lives, even to this hour. We seek Divine wisdom and Divine guidance in the opening of the sessions of this Convention, praying that the Lord, in his infinite mercy, will be pleased to preside over the deliberations of this body. Be pleased to grant successful results to its deliberation, so that the best interests of this Commonwealth, and the greatest good to the greatest number of our citizens may thereby be secured. Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain. So we gratefully and devoutly recognize our need of Thy guidance and of Thy aid, which Thou, the father of our mercies, the ruler of this universe, art pleased to give, and doth give, in answer to prayer. Be pleased, therefore, we beseech of Thee, to guide in the choice of the officers of this Convention; be pleased to guide in the rules which they may adopt; be pleased to guide in all that comes before them for decision, so that Thy name may be honored, and so that the interests of truth and justice and peace may be secured. These blessings we ask in the name of our Divine Lord and Saviour, Jesus Christ, who hath taught us to pray: Our Father which art in Heaven, hallowed be Thy name, Thy kingdom come, Thy will be done in earth as it is in Heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors, and lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory forever. Amen.

The Secretary of the Commonwealth then directed the roll of members to be called, when the following answered to their names, viz :

DELEGATES AT LARGE IN STATE.

Messrs. Wm. H. Ainey, Wm. A. Armstrong, Wm. J. Baer, Lin Bartholomew, Jeremiah S. Black, John H. Campbell, Wm. L. Corbett, Andrew G. Curtin, Geo. M. Dallas, Wm. Davis, Samuel E. Dimmick, Samuel C. T. Dodd, James Ellis, J. Gillingham Fell, Franklin B. Gowen, Robert A. Lamberton, George V. Lawrence, William Lilly, Hugh N. M'Alister, William M. Meredith, Andrew A. Purman, James L. Reynolds, Samuel H. Reynolds, William H. Smith, John H. Walker, David N. White, Harry White, George W. Woodward.

DELEGATES AT LARGE IN PHILADELPHIA CITY.

Messrs. Henry C. Carey, Lewis C. Cassidy, Theodore Cuyler, James H. Heverin, Edward C. Knight, John Price Wetherill.

DISTRICT DELEGATES.

Messrs. John E. Addicks, Hamilton Alricks, George W. Andrews, George A. Achenbach, John M. Bailey, Joseph Baily, Wm. D. Baker, Thomas R. Bannan, George G. Barclay, John Bardsley, Manly C. Beebe, George W. Biddle, Charles A. Black, Charles O. Bowman, James Boyd, Charles Brodhead, John M. Broomall, Rasselas Brown, Henry Carter, Pearson Church, Silas M. Clark, Thomas E. Cochran, John Collins, George N. Corson, David Craig, John P. Cronmiller, James W. Curry, Wm. Darlington, Robert M. De France, Abraham B. Dunning, Matthew Edwards, Mortimer F. Elliott, Thomas Ewing, Ashel C. Finney, John G. Freeze, Andrew M. Fulton, Josiah Funck, John Gibson, John Gilpin, John B. Guthrie, John G. Hall, William B. Hanna, Edward Harvey, Malcolm Hay, Thos. R. Hazzard, Joseph Hemphill, William Hopkins, George F. Horton, Thomas Howard, Charles Hunsicker, Daniel Kaine, Augustus S. Landis, George Lear, William E. Littleton, Zachariah H. Long, Joel C. M'Camant, William M'Lean, Thos. MacConnell, John M'Culloch, John M'Murray, Wayne MacVeagh, John S. Mann, Frank Mantor, John J. Metzger, Samuel Minor, Henry S. Mott, James W. M. Newlin, Jerome B. Niles, Gideon W. Palmer, Henry W. Palmer, Henry C. Parsons, David W. Patterson, Thomas H. B. Patterson, Joseph G. Patton, Daniel S. Porter, Lewis Pughe, John N. Purviance, Samuel A. Purviance, John R. Read, Andrew Reed, Daniel L. Rhone, Levi Rooke, George Ross, Charles M. Runk, Samuel L. Russell, J. M'Dowell Sharpe, J. Alexander Simpson, Henry G. Smith, Henry W. Smith, M. Hall Stanton, John Stewart, Thomas Struthers, William J. Turrel, Henry Van Reed, John M. Wetherill, Samuel M. Wherry, John W. F. White, Edward R. Worrell.

Mr. Darlington, of Chester county, and Mr. Purviance, of Allegheny county, nominated for President of the Convention the Hon. Wm. M. Meredith, of the city of Philadelphia.

A motion was made by M. Hays, of the county of Allegheny, That the Hon. W. M. Meredith be elected President of the Convention by acclamation.

Which was agreed to.

On motion of Mr. MacVeagh, of Dauphin, Messrs. Darlington, of Chester, and Woodward, of Philadelphia, were appointed a committee to escort the President elect to the chair.

That duty having been performed,

The following special appointment, to administer oaths, was then read, viz :

In the name and by the authority of the Commonwealth of Pennsylvania.

JOHN W. GEARY, Governor of the said Commonwealth, to all to whom these presents shall come sends greeting :

WHEREAS, In and by the third section of an act of the General Assembly, entitled "An Act to provide for calling a Convention to amend the Constitution," approved the 11th day of April, A. D. 1872, it is provided that the members of said Convention shall be sworn; but no person is designated, and no authority conferred to administer the necessary oaths and affirmations.

Now, therefore, in consideration of the premises, to supply this omission, and to facilitate the organization of said Convention, I, John W. Geary, Governor aforesaid, by virtue of the authority vested in me by the Constitution, do hereby authorize and empower Francis Jordan, Secretary of the Commonwealth, to administer to the President and members of said Convention the oaths and affirmations authorized and required by law.

Given under my hand and the great seal of the State, at Harrisburg, this eleventh day of November, in the year of our Lord, one thousand eight hundred and seventy-two, and of the Commonwealth the ninety-seventh,

By the Governor :

A. C. REINCEHL,
Deputy Secretary of the Commonwealth.

Mr. Kaine offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the following oath be administered by the Secretary of the Commonwealth to the President and members of this Convention :

You do swear (or affirm) that you will support the Constitution of the United States, and discharge your duties as a member of this Convention with fidelity.

Whereupon,

The Secretary of the Commonwealth administered the said oath or affirmation to the President and members of the Convention.

The President laid before the Convention the following communication from the Secretary of the Commonwealth, which was read, viz :

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
Harrisburg, November 12, 1872. }

To the Hon. WILLIAM M. MEREDITH,
President of the Constitutional Convention :

SIR :—The "Act to provide for calling a Convention to amend the Constitution," imposed sundry duties upon the Secretary of the Commonwealth, other than calling the Convention to order, submitting the returns and reading the Proclamation of the Governor; and it is deemed proper the Convention should be informed of the manner in which those duties have been performed.

The ninth section directed the preparation of a form of notice of the election to be held for the purpose of choosing members of the Convention, including such portions of the act as should be necessary and proper for the informaton of voters and election officers, respecting their rights and duties in relation thereto. This form was duly prepared, and on the 15th day of July, 1872, forwarded to the Sheriff's of the several counties, as will more fully appear by copies of the form, and letter of transmission, hereto attached, marked respectively A and B.

By the sixth paragraph of the second section of said act, the Secretary was required to open and compute the returns of the votes given for members of the Convention. The manner in which this duty was discharged is made to appear by the copy of a certified abstract of returns already submitted to the Convention, and a copy of the Governor's proclamation hereto attached, marked C.

The tenth section of the act requires the Secretary "to obtain for said Convention, prior to the meeting of the same, such publications relating to Constitutional amendments and reform, and cause to be prepared such statistical information as may be convenient and useful to the Convention in the performance of its duties."

This ample, but vague and indefinite authority, has occasioned no little embarrassment; increased by the fact that only six hundred dollars were appropriated by the Legislature for all these purposes. On diligent inquiry I could ascertain that but one book had been published on this subject, which came up to my ideal of the requirements of the law, and the wants of the Convention. It is a very recent publication by Weed, Parsons & Co., of Albany, New York; and so impressed me with its thoroughness, fitness and value, I at once procured a copy for each member of the Convention, notwithstanding its cost far exceeded the whole amount of my appropriation, confidently trusting the powers that be, will sanction the exercise of discretion. The book is in two large octavo volumes, of about nine hundred pages each; and its general character is clearly indicated by the following title page: "American Constitutions: comprising the Constitution of each State in the Union, and of the United States, with the declaration of Independence and articles of confederation; each accompanied by Historical Introduction and Notes, together with a classified analysis of the Constitutions according to their subjects, showing, by comparative arrangement, every constitutional provision now in force in the several States; with references to judicial divisions, and an analytical index—by Franklin Hough."

I had hoped to supply the Convention with some publication upon proportional representation—an important subject, and one on which information is not readily accessible. But the book selected is not yet ready, and can not be delivered before next week.

Under the authority to prepare statistics, I have compiled a small manual, the contents of which are indicated by the following table of contents:

- I. Act authorizing the Convention.
- II. List of delegates composing the Convention, with districts and post-office address.
- III. Population of Pennsylvania, by counties.
- IV. List of taxables by counties.
- V. Terms, districts and salaries of State Judiciary.
- VI. Amendments proposed for municipal corporations by Hon. Eli K. Price.
- VII. Evils of special legislation, and statistics thereon. Letter of Secretary of the Commonwealth.
- VIII. Lecture before the Social Science Association of Philadelphia, and Pittsburg Law Association, by Francis Jordan.
- IX. Constitution of the State of New York as adopted by convention of 1867-8,

Although but little of the Constitution of the State of New York, as formed by the convention of 1867-8, was finally adopted, much labor was bestowed upon it by some of the ablest and wisest men of that State, and many of its provisions are considered worthy of most respectful consideration.

The incorporation into this manual of the letter and lecture of the Secretary of the Commonwealth, may seem to some like egotism. But there is no better stand-point than the Secretary's office from which to observe the practical operations, merits and demerits, of the Constitution; and these papers embody such facts, statistics and suggestions, as will, it is hoped, be considered of sufficient value to justify the action taken in the premises.

In the latter part of the third section of the act, it is provided that the members of the Convention shall be sworn; but no person is designated, and no authority conferred to administer the necessary oaths and affirmations. To obviate this, the Governor has issued to the Secretary of the Commonwealth, a special commission of *Deimus po-testatum*, a copy of which is hereto attached, marked D.

It is believed the statistical information given in the manual, will be found adequate for the purposes of the Convention. Should it turn out otherwise, anything

additional which may be required will be cheerfully furnished, so far as practicable, on reasonable notice.

Most respectfully,

Your obedient servant,

FRANCIS JORDAN,
Secretary of the Commonwealth.

[A.]

CONSTITUTIONAL CONVENTION.

At the same time and places, also, an election will be held for delegates to the Convention to amend the Constitution of the State, in conformity with the act, entitled "An Act to provide for calling a Convention to amend the Constitution," approved April 11, 1872. As prescribed by said act, the following rules and regulations shall apply to said election, and the returns of the same:

First. At the general election to be held on the second Tuesday of October next, there shall be elected by the qualified electors of this Commonwealth, delegates to a Convention to revise and amend the Constitution of this State; the said Convention shall consist of one hundred and thirty-three members, to be elected in the manner following: Twenty-eight members thereof shall be elected in the State at large, as follows: Each voter of the State shall vote for not more than fourteen candidates, and the twenty-eight highest in vote shall be declared elected; ninety-nine delegates shall be appointed to and elected from the different Senatorial districts of the State, three delegates to be elected for each Senator therefrom; and in choosing all district delegates, each voter shall be entitled to vote for not more than two of the members to be chosen from his district, and the three candidates highest in vote shall be declared elected, except in the county of Allegheny, forming the Twenty-third Senatorial district, where no voter shall vote for more than six candidates, and the nine highest in vote shall be elected, and in the counties of Luzerne, Monroe and Pike, forming the Thirteenth Senatorial district, where no voter shall vote for more than four candidates, and the six highest in vote shall be elected; and six additional delegates shall be chosen from the city of Philadelphia, by a vote at large in said city, and in their election no voter shall vote for more than three candidates, and the six highest in vote shall be declared elected.

Second. The judges and inspectors for each election district shall provide two suitable boxes for each poll, one in which to deposit the tickets voted for delegates at large, and the other in which to deposit the tickets voted for district delegates; which boxes shall be labelled, respectively, "delegates at large," and "district delegates;" and in each district in the city of Philadelphia an additional box shall be provided for each poll, in which to deposit the tickets voted for city "delegates;" and said last mentioned boxes must each be labelled "city delegates."

Third. The said election shall be held and conducted by the proper election officers of the several election districts of the Commonwealth, and shall be governed and regulated in all respects by the general election laws of the Commonwealth, so far as the same shall be applicable thereto, and not inconsistent with the provisions of said act.

Fourth. The tickets to be voted for members at large of the Convention shall have on the outside the words, "delegates at large," and on the inside the names of the candidates to be voted for, not exceeding fourteen in number.

Fifth. The tickets to be voted for district members of the Convention shall have on the outside the words "district delegates," and on the inside the name or names of the candidates voted for, not exceeding the proper number limited as aforesaid; but any ticket which shall contain a greater number of names than the number for which the voter shall be entitled to vote, shall be rejected; and in case of the delegates to be chosen at large in Philadelphia, the words "city delegates," shall be on the outside of the ticket.

Sixth. In the city of Philadelphia the return judges shall meet at the State House, at ten o'clock on the Thursday next following the election, and make out the returns for said city, of the votes cast therein for delegates at large, and city and district delegates, to be members of the Convention; the return judges of the several election districts within each county of the State, excluding Philadelphia, shall meet on Friday next following the election, at the usual place for the meeting of the return judges of their county, and make out full and accurate returns of the county, of the votes cast therein for members of the Convention and for district members of the same; and the proceedings of the return judges

of the said city of Philadelphia, and of the several counties of the Commonwealth, in the making of their returns, shall be the same as those prescribed for return judges in the case of an election for Governor, except that returns transmitted to the Secretary of the Commonwealth, shall be addressed to that officer alone, and not to the Speaker of the Senate.

Prepared and forwarded in compliance with the ninth section of the act of Assembly herein referred to, July 15, 1872.

F. JORDAN,

Secretary of the Commonwealth.

(The last paragraph above not to go in proclamation.)

[B.]

STATE OF PENNSYLVANIA :

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
Harrisburg, Pa., July 15, 1872. }

_____ Esq.,

Sheriff of the county of _____

In compliance with the ninth section of the act, entitled "An Act to provide for the calling a Convention to amend the Constitution," I have prepared a form of notice of the election for the choosing of delegates to the Constitutional Convention, and herewith transmit a copy of the same to you, to be inserted in your proclamation for the general election to be held on the Second Tuesday of October next.

Please acknowledge receipt of the papers, and be careful to give both subjects timely and proper attention.

Most respectfully,

Your obedient servant,

F. JORDAN,

Secretary of the Commonwealth.

[C.]

PENNSYLVANIA, SS :

In the Name and by the Authority of the Commonwealth of Pennsylvania, JOHN W. GEARY, Governor of the said Commonwealth.

A PROCLAMATION.

WHEREAS, It is provided in and by an act of the General Assembly of this Commonwealth, entitled "An Act to provide for calling a Convention to amend the Constitution," approved the eleventh day of April, A. D. 1872. "That the Secretary of the Commonwealth shall, as soon as the returns of said election shall be received by him, and at all events within fifteen days after the election, in the presence of the Governor and Auditor General, open and compute all the returns received of votes given by members of the Convention; and the Governor shall forthwith issue his proclamation, declaring the names of the persons who have been chosen members of the Convention:"

And whereas, The Secretary of the Commonwealth did, on the twenty-first day of October, A. D. 1872, in the manner provided in the act of the General Assembly aforesaid, open and compute all the returns received of votes given for members of the Convention.

And whereas, It appears by the returns of the general election held on the second Tuesday of October instant, being the eighth day of said month, that the names of persons who have been chosen members of the Convention, are as follows, viz: William M. Meredith, J. Gillingham Fell, Harry White, William Lilly, Lin Bartholomew, Hugh N. M'Allister, William Davis, James L. Reynolds, Samuel E. Dimmick, George V. Lawrence, William H. Armstrong, David N. White, William H. Ainey, John H. Walker, George W. Woodward, Jeremiah S. Black, Andrew G. Curtin, William J. Baer, William H. Smith, Franklin B. Gowen, John H. Campbell, Samuel H. Reynolds, James Ellis, Samuel C. T. Dodd,

George M. Dallas, Robert A. Lamberton, Andrew A. Purman, and William L. Corbett, delegates at large to said Convention.

Henry C. Carey, Edward C. Knight, John Price Wetherill, Lewis C. Cassidy, James H. Heverin and Theodore Cuyler, delegates at large from the city of Philadelphia.

From the First Senatorial district, in the city of Philadelphia, John Bardsley, James W. M. Newlin and George W. Biddle.

From the Second Senatorial district, in the city of Philadelphia, John E. Adicks, William B. Hanna and John R. Read.

From the Third Senatorial district, in the city of Philadelphia, M. Hall Stanton and William E. Littleton, and in this district the official return made to the Secretary of the Commonwealth by the return judges, shows the election of R. E. Shapley by a majority of two hundred and forty-one over Benjamin L. Temple, whilst the certified copy of the returns, filed in the office of the prothonotary, shows the election of Benjamin L. Temple by a majority of two hundred and forty-one over R. E. Shapley; and hence I am unable to proclaim or declare either of these two persons elected.

From the Fourth Senatorial district, in the city of Philadelphia, William D. Baker, J. Alexander Simpson and Edward R. Worrell.

From the Fifth Senatorial district, composed of the counties of Chester and Delaware, John M. Broomall, William Darlington and Joseph Hemphill.

From the Sixth Senatorial district, composed of the county of Montgomery, James Boyd, Charles Hunsicker and George N. Corson.

From the Seventh Senatorial district, composed of the counties of Bucks and Northampton, Charles Brodhead, George Ross and George Lear.

From the Eighth Senatorial district, composed of the county of Berks, George G. Barclay, Henry W. Smith and Henry Van Reed.

From the Ninth Senatorial district, composed of the county of Lancaster, David W. Patterson, Henry Carter and Henry G. Smith.

From the Tenth Senatorial district, composed of the county of Schuylkill, Joel B. M'Camant, John M. Wetherill and Thomas R. Bannan.

From the Eleventh Senatorial district, composed of the counties of Lehigh and Carbon, Charles M. Runk, Zachariah Long and Edward Harvey.

From the Twelfth Senatorial district, composed of the counties of Dauphin and Lebanon, Josiah Funck, Wayne MacVeagh and Hamilton Alricks.

From the Thirteenth Senatorial district, composed of the counties of Luzerne, Monroe and Pike, Henry S. Mott, Gideon W. Palmer, Abraham B. Dunning, Daniel L. Rhone, Henry W. Palmer and Lewis Pughe.

From the Fourteenth Senatorial district, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, George G. Horton, William J. Turrell and Joseph G. Patton.

From the Fifteenth Senatorial district, composed of the counties of Columbia, Lycoming, Montour and Sullivan, John J. Metzger, John G. Freeze and Henry C. Parsons.

From the Sixteenth Senatorial district, composed of the counties of Cameron, M'Kean, Potter and Tioga, John S. Mann, Jerome B. Niles and Mortimer F. Elliott.

From the Seventeenth Senatorial district, composed of the counties of Snyder, Perry, Northumberland and Union, Joseph Baily, Levi Rooke and John P. Cronmiller.

From the Eighteenth Senatorial district, composed of the counties of Clinton, Cambria, Clearfield and Elk, George A. Achenbach, John G. Hall and Ashel C. Finney.

From the Nineteenth Senatorial district, composed of the counties of Cumberland and Franklin, Samuel M. Wherry, J. M'Dowell Sharpe and John Stewart.

From the Twentieth Senatorial district, composed of the counties of Adams and York, William M'Lean, John Gibson and Thomas E. Cochran.

From the Twenty-first Senatorial district, composed of the counties of Bedford, Fulton, Blair and Somerset, Samuel L. Russell, James W. Curry and Augustus S. Landis.

From the Twenty-second Senatorial district, composed of the counties of Centre, Juniata, Mifflin and Huntingdon, John M. Bailey, Andrew Reed and John M'Culloch.

From the Twenty-third Senatorial district, composed of the county of Allegheny, Thomas MacConnel, Samuel A. Purviance, Thomas Ewing, John W. F. White, Matthew Edwards, Thomas Howard, Malcolm Hay, John B. Guthrie and Thomas H. B. Patterson.

From the Twenty-fourth Senatorial district, composed of the counties Indiana and Westmoreland, Daniel S. Porter, Andrew M. Fulton and Silas M. Clark.

From the Twenty-fifth Senatorial district, composed of the counties of Fayette and Greene, Daniel Kaine, Charles A. Black and John Collins.

From the Twenty-sixth Senatorial district, composed of the counties of Beaver, Butler and Washington, John N. Purviance, Thomas R. Hazzard and William Hopkins.

From the Twenty-seventh Senatorial district, composed of the counties of Clarion, Armstrong, Jefferson and Forest, George W. Andrews, John M'Murray and John Gilpin.

From the Twenty-eighth Senatorial district, composed of the counties of Lawrence, Mercer and Venango, David Craig, Manly C. Beebe and Robert M. De France.

From the Twenty-ninth Senatorial district, composed of the county of Crawford, Frank Mantor, Samuel Minor and Pearson Church.

From the Thirtieth Senatorial district, composed of the counties of Erie and Warren, Thomas Struthers, Charles O. Bowman and Basselas Brown.

Now, therefore, I, John W. Geary, Governor as aforesaid, have issued this my proclamation, hereby publishing and declaring that the persons hereinbefore named, have been returned as duly elected delegates from the State at large. Delegates at large from the city of Philadelphia, and as delegates from the different Senatorial districts of the State as hereinbefore recited, and are the names of the persons who have been chosen members of the Convention, to assemble in the hall of the House of Representatives, at the State Capitol in Harrisburg, on the Second Tuesday, being the twelfth day of November, A. D. 1872, at twelve o'clock M., on that day, to revise and amend the Constitution of this State, in accordance with the provisions of the aforesaid act of the General Assembly of this Commonwealth.

Given under my hand and the great seal of the State, at Harrisburg, this twenty-second day of October, in the year of our Lord one thousand eight hundred and seventy-two, and of the Commonwealth the ninety-seventh.

JNO. W. GEARY.

By the Governor:

FRANCIS JORDAN,
Secretary of the Commonwealth.

[D.]

In the name and by the authority of the Commonwealth of Pennsylvania.

JOHN W. GEARY, Governor of the said Commonwealth, to all to whom these presents shall come sends greeting:

WHEREAS, In and by the third section of an act of the General Assembly, entitled "An Act to provide for calling a Convention to amend the Constitution," approved the 11th day of April, A. D. 1872, it is provided that the members of said Convention shall be sworn, but no person is designated, and no authority conferred to administer the necessary oaths and affirmations:

Now, therefore, in consideration of the premises, to supply this omission, and to facilitate the organization of said Convention, I, John W. Geary, Governor as aforesaid, by virtue of the authority vested in me by the Constitution and laws, do hereby authorize and empower Francis Jordan, Secretary of the Commonwealth, to administer to the president and members of said Convention the oaths and affirmations authorized or required by law.

Given under my hand and the great seal of the State, at Harrisburg, this eleventh day of November, in the year of our Lord one thousand eight hundred and seventy-two, and of the Commonwealth the ninety-seventh.

By the Governor:

A. C. REINCEHL,
Deputy Secretary of the Commonwealth.

Mr. Hopkins offered the following resolution, which was twice read, viz :

Resolved, That the rules of the Convention of 1837, until otherwise ordered, be adopted for the government of this Convention, and that 200 copies of the same be printed for the use of the members.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,

To amend the same, by adding thereto the following words: "But so much of said rules as refer to the appointment of standing committees, shall not be included as part of the rules of this Convention."

On the question,

Will the Convention agree to the amendment ?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof the following words, viz: "And the Chair shall appoint a committee of seven, to report to the Convention rules for the government of its proceedings."

On the question,

Will the Convention agree to the amendment to the amendment ?

A motion was made by Mr. Boyd,

That the whole subject be laid on the table.

Which was agreed to.

Mr. Simpson offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the delegates at large, last named in the Governor's proclamation, be appointed to inquire into and report to this Convention whether R. E. Shapley, or Benjamin L. Temple, is entitled to the seat in the Convention for the Third Senatorial district.

Mr. Littleton presented the following resolution of the Select and Common Councils of the city of Philadelphia, which was read, viz :

CLERK'S OFFICE, SELECT COUNCIL, }
Philadelphia, Nov. 5, 1872.

To the President of the Constitutional Convention of Pennsylvania :

SIR:—This is to certify that the following is a true and correct copy of the original resolution approved by his Honor the Mayor, the twenty-sixth day of October, A. D. 1872, entitled "Resolution in reference to the Constitutional Convention."

Resolved by the Select and Common Councils of the City of Philadelphia, That the Convention to assemble on the second Tuesday of November next, to revise the Constitution of this Commonwealth, be and it is hereby respectfully and cordially invited to hold its sessions in this city, and a hearty welcome is hereby tendered to its members and officers.

Resolved, That upon fifteen days' notice of the intention of said Convention to meet and remain in Philadelphia, a suitable hall, properly furnished and arranged, will be provided for the use of the Convention at the expense of this city.

Resolved, That a copy of the foregoing resolutions be delivered to the President of the Convention, immediately upon its organization.

Attest :

JOSEPH H. PAIST,
Assistant Clerk Select Council.

Mr. Bartholomew offered the following resolution, which was twice read, viz :

Resolved, That the invitation of Philadelphia to this Convention to hold its permanent sessions in that city, be accepted; and that its councils be forthwith notified hereof, and that the permanent sessions of the Convention will be held in such hall, in that city, as the authorities may provide for the purpose.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Cochran,

That the further consideration of the same be postponed for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. White, D. N., and Mr. Stanton, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Alricks, Achenbach, Baer, Baily, (Perry,) Black, Charles A., Curtin, Cochran, Craig, Cronmiller, Darlington, De France, Elliott, Freeze, Fulton, Funk, Hall, Hazzard, Hopkins, Howard, Kaine, Lambertson, Lawrence, Landis, M'Allister, M'Clean, M'Culloch, MacVeagh, Mann, Mantor, Metzger, Minor, Mott, Niles, Purman, Patterson, T. H. B., Patterson, D. W., Porter, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Reed, Andrew, Rooke, Runk, Russell, Smith, Henry W., Smith, H. G., Struthers, Van Reed, Walker, White, Harry, White, David N., Wherry, White J. W. F.—53.

N A Y S .

Messrs. Ainey, Andrews, Addicks, Bartholomew, Black, J. S., Bailey, (Huntingdon,) Baker, Bannan, Bardsley, Beebe, Biddle, Bowman, Boyd, Brodhead, Broomall, Brown, Barclay, Campbell, Corbett, Carey, Carter, Cassidy, Church, Clark, Collins, Corson, Curry, Cuyler, Davis, Dimmick, Dodd, Dallas, Dunning, Ellis, Edwards, Ewing, Fell, Finney, Gowen, Gilpin, Guthrie, Hanna, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Knight, Lilly, Lear, Littleton, Long, M'Camant, M'Connell, M'Murray, Newlin, Palmer, H. W., Palmer, G. W., Parsons, Patton, Pughe, Reynolds, S. H., Read, John R., Rhone, Ross, Smith, William H., Sharpe, Simpson, Stanton, Stewart, Stewart, Woodward, Wetherill, J. Preece, Wetherill, J. M., Worrell, Meredith, *President*—78.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hopkins,

That the Convention do now adjourn.

Which was not agreed to.

A motion was then made by Mr. Alricks,

To amend the resolution by striking therefrom all after the word "Resolved," and insert in lieu thereof the following words, viz : "That when the Convention adjourns, it will adjourn to meet in this hall to-morrow morning at 10 o'clock."

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. Hopkins and Mr. Alricks, and were as follow, viz :

Y E A S .

Messrs. Alricks, Baer, Black, J. S., Baily, (Perry,) Black, Charles A., Bowman, Church, Cochran, Cronmiller, Dimmick, Dodd, DeFrance, Elliott, Finney, Freeze, Fulton, Funk, Hall, Hazzard, Hopkins, Howard, Kaine, Lambertson, Lawrence, Landis, M'Allister, M'Clean, M'Connell, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Metzger, Minor, Mott, Niles, Patterson, T. H. B., Patterson, D. W., Porter, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Reed, Andrew, Rooke, Russel, Sharpe, Smith, Henry W., Smith, H. G., Stewart, Walker, White, Harry, White, David N., Woodward, Wherry and White, J. W. F.—56.

N A Y S.

Messrs. Armstrong, Ainey, Andrews, Addicks, Achenbach, Bartholomew, Bailey, Baker, Bannan, Bardsley, Beebe, Biddle, Boyd, Brodhead, Broomall, Brown, Barclay, Curtin, Campbell, Corbett, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Curry, Cuyler, Davis, Dallas, Darlington, Dunning, Ellis, Edwards, Ewing, Fell, Gowen, Gilpin, Guthrie, Hanna, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Knight, Lilly, Lear, Littleton, Long, M'Camant, Newlin, Purman, Palmer, H. W., Palmer, G. W., Parsons, Patton, Pughe, Reynolds, S. H., Read, John R., Rhone, Ross, Runk, Smith, William H., Simpson, Stanton, Struthers, Turrell, Wetherill, J. Price, Wetherill, J. M., Worrell and Meredith, *President*—73.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. MacVeagh,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof, the following words, viz: "That the communication be received, and that it be taken into consideration next Tuesday, the 19th instant, upon the assembling of the Convention."

On the question,

Will the Convention agree to the amendment ?

A motion was made by Mr. Landis,

That further consideration of the whole subject be indefinitely postponed.

Which was not agreed to, and the question recurring,

Will the Convention agree to the amendment ?

Mr. Henry W. Smith rose to a point of order, and submitted the following question :

That no business is in order until the Convention shall be fully organized by the election of officers.

The Chair submitted the question to the Convention for its decision.

And on the question,

Is the point of order well taken ?

The yeas and nays were required by Mr. Henry W. Smith and Mr. MacVeagh, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Baily, (Perry,) Beebe, Bowman, Broomall, Barclay, Church, Craig, Dimmick, Darlington, DeFrance, Dunning, Elliott, Fell, Finney, Freeze, Fulton, Funck, Guthrie, Hazzard, Hopkins, Howard, Kaine, Lamberton, Lawrence, Landis, M'Culloch, M'Murray, MacVeagh, Metzger, Mott, Niles, Patterson, T. H. B., Patterson, D. W., Purviance, John N., Reynolds, James L., Rooke, Russel, Sharpe, Smith, Henry W., Stewart, Struthers, Van Reed, Woodward, Wetherill, J. M., Wherry and White, J. W. F.—48.

N A Y S.

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baer Black, J. S., Baily, (Huntingdon,) Baker, Bannan, Bardsley, Biddle, Black, Charles A., Boyd, Brodhead, Brown, Curtin, Campbell, Corbett, Carey, Carter, Cassidy, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Dallas, Ellis, Edwards, Ewing, Gowen, Gilpin, Hall, Hanna, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Knight, Lilly, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, M'Connell, Mann, Mantor, Minor, Newlin, Purman, Palmer, H. W., Palmer, G. W., Parsons, Patton, Porter, Pughe, Purviance, Samuel A., Reynolds, S. H., Read, John R., Reed, Andrew, Rhone, Ross, Runk, Smith, William H.,

Simpson, Smith, H. G., Stanton, Turrell, Walker, White, Harry, White, David N., Wetherill, J. Price, Worrell and Meredith, *President*—83.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the amendment proposed by Mr. MacVeagh?

A motion was made by Mr. Turrell,

To amend the same, by striking therefrom the words proposed to be inserted, and inserting in lieu thereof the following words, viz :

Resolved, That the invitation of Philadelphia to hold our sessions in that city be accepted, and that upon information that a suitable hall is in readiness, this Convention will appoint a committee to examine the same, and report thereon to this body; and upon such report the Convention will then determine the time or date of removal thither, and notify the city authorities of Philadelphia accordingly.

Which was not agreed to.

A motion was then made by Mr. Gowen, to amend the amendment, by striking therefrom the words proposed to be inserted, and inserting in lieu thereof the following words, viz :

“ That the invitation of the Councils of the city of Philadelphia be accepted, and that all the sessions of this Convention, after the first day of January, A. D. 1873, be held in the city of Philadelphia.

Which was agreed to.

And the amendment as amended was agreed to.

And on the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. D. W. Patterson and Mr. D. N. White, and were as follow, viz :

Y E A S.

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baer, Black, J. S., Bailey, (Huntingdon,) Baker, Bannan, Bardsley, Beebe, Biddle, Black, Chas. A., Bowman, Boyd, Brodhead, Broomall, Brown, Barclay, Curtin, Campbell, Corbett, Carey, Carter, Cassidy, Church, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis Dodd, Dallas, Darlington, Ellis, Edwards, Elliott, Ewing, Fell, Finny, Freeze, Gowen Gilpin, Guthrie, Hall, Hanna, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Knight, Lilly, Landis, Lear, Littleton, Long, M'Camant, M'Connell, M'Murray, Mantor, Minor, Mott, Newlin, Purman, Palmer, H. W., Palmer, G. W. Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Reynolds, S. H., Read, John R., Rhone, Rook, Ross, Runk, Smith, William H., Sharpe, Simpson, Stanton, Stewart, Turrell, Woodward, Wetherill, J. Price, Wetherill, J. M., Worrell and Meredith, *President*—93.

N A Y S.

Messrs. Alricks, Achenbach, Baily, (Perry,) Cochran, Craig, DeFrance, Fulton, Funck, Hazzard, Hopkins, Howard, Kaine, Lamberton, Lawrence, M'Allister, M'Clean, M'Culloch, MacVeagh, Mann, Metzger, Niles, Patterson, D. W., Purviance, Samuel A., Purviance, John N., Reynolds, James L., Reed, Andrew, Russell, Smith, Henry W., Smith, H. G., Struthers, Van Reed, Walker, White, Harry, White, David N., Wherry and White, J. W. F.—36.

So the question was determined in the affirmative.

Mr. MacVeagh offered the following resolution, which was twice read, viz :

Resolved, That a committee of nine be appointed to consider and report to this Convention, what other officers are necessary to transact its business, and what compensation it is proper for them to receive.

On the question,
Will the Convention agree to the resolution ?

A motion was made by Mr. Gowen,

To amend the same by striking therefrom the words proposed to be inserted, and inserting in lieu thereof the following words, viz :

Resolved, That the President appoint a committee of ten, of which he shall be one, and be chairman, to report the designation and number of such officers as, in their opinion, are needed in the transaction of the business of the Convention, and to report the names of persons to fill said offices, and the amounts of the respective salaries to be paid to each.

Which was not agreed to, and the resolution was agreed to.

Whereupon,

The President appointed Messrs. MacVeagh, J. S. Black, Armstrong, Hopkins, Harry White, Kaine, Dimmick, Alricks and Stanton, the committee.

A motion was made by Mr. Lamberton,

That when the Convention adjourn, it will adjourn to meet to-morrow morning at ten o'clock.

Which was agreed to.

Mr. Ainey offered the following resolution, which was read, viz :

Resolved, That we now proceed to nominate candidates for Chief Clerk of the Convention.

On the question,

Shall the resolution be read the second time ?

It was determined in the negative.

On motion of Mr. Woodward,

The President adjourned the Convention until to-morrow morning at ten o'clock.

JAS. L. SELFRIDGE,
JOHN A. SMULL,
Temporary Clerks.

Attest:
THOS. McCAMANT.

WEDNESDAY, NOVEMBER 13, 1872.

Mr. John Gibson, elected a member of the Convention from the Twentieth Senatorial district appeared, and was duly qualified.

Mr. Woodward, from the select committee upon the subject, made the following report, which was read, viz :

To the Constitutional Convention of Pennsylvania :

The undersigned, the committee to whom was referred the claims of Benjamin L. Temple and Rufus E. Shapley, respectively, to a seat in this Convention, from the Third Senatorial district, respectively report : That having examined the returns and accompanying documents submitted to them, and having heard the statements of the parties interested, they offer the following :

Resolved, That Benjamin L. Temple is, *prima facie*, entitled to a seat in this Convention from the Third Senatorial district, without prejudice to the right of Rufus E. Shapley, to contest.

GEORGE W. WOODWARD,
SAMUEL H. REYNOLDS,
R. A. LAMBERTON,
FRANKLIN B. GOWEN,
ROBERT M. DALLAS,
WILLIAM L. CORBETT,
S. C. T. DODD,
JAMES ELLIS,
J. S. BLACK,
A. G. CURTIN,
ANDREW A. PURMAN,
WILLIAM H. SMITH,
JOHN H. CAMPBELL,
WILLIAM J. BAER,

Whereupon,

Mr. Benjamin L. Temple appeared and was duly qualified.

Mr. David N. White presented the following communication from the Select and Common councils of the city of Pittsburg, which was read as follows, viz:

PITTSBURG, November 12, 1872.

At a meeting of the Select and Common councils, held November 11, 1872, the following resolutions were read three times, and finally passed:

Resolved by the Select and Common Councils of the City of Pittsburg, That the delegates to the Constitutional Convention from Allegheny county, be and they are hereby requested and authorized to extend an invitation to that body to hold its sessions, or any portion of them, in the city of Pittsburg.

Resolved, That in the event of the acceptance of this invitation by the Constitutional Convention, the committee on city property be directed to make arrangements for a hall in which the Convention may hold its sessions, and for the proper committee rooms for the use of the delegates.

From the record.

Attest:

E. S. MONNAN, Clerk.

Mr. Darlington offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the thanks of the Convention be tendered to the city of Pittsburg.

Mr. MacVeagh, from the select committee upon the subject, made report, which was read as follows, viz:

The committee appointed to consider and report to this Convention what other officers are necessary to transact its business, and what compensation it is proper for them to receive, beg leave to report: That they have given as mature deliberation as the adjournment of the Convention permitted, to the subject committed to them, and they are unanimously of opinion that the following list of officers embraces all that are necessary to transact the business of this Convention, and the sums set opposite their respective names represent the compensation it would be proper for them to receive for their services during the sessions of this Convention:

One Chief Clerk.....	\$1,500
One First Assistant Clerk.....	1,200
One Second Assistant Clerk.....	1,200
Two Transcribing Clerks, who shall be designated to act as clerks to committees by the Chief Clerk, as occasion demands, or to perform any other clerical services required, each.....	1,000
One Sergeant-at-arms.....	850
One Assistant Sergeant-at-arms.....	600
One Doorkeeper.....	600
One Assistant Doorkeeper.....	500
One Postmaster.....	800
One Assistant Postmaster, who shall also act as Messenger.....	600

And the Chief Clerk shall be authorized to appoint one fireman at \$3 50 per day, and two janitors at \$3 per day each, and five pages at \$1 50 per day, while actually engaged in the discharge of their duties.

Your committee endeavored to restrict the number of officers to the narrowest limits compatible with the prompt and efficient discharge of the duties of the Convention, and to assign only such compensation as would be a reasonable payment for attention and industry in the offices designated. In deciding these questions, the committee had, as the Convention knows, the advantage of the experience of several of its members in the Legislative bodies of the State and nation; and they believe they were thus enabled to secure that efficiency, with economy, which they felt sure the Convention desired to obtain.

Upon the subject of its proceedings, the committee beg leave to report, as its opinion, that its proceedings shall be accurately reported and printed, for distribution among the people; but whether this end would be more economically attained by a contract, embracing the reporting and the printing, only separate contracts for these purposes, this committee is not prepared at present to decide, but recommends, either, that the entire subject be re-committed to it, or which would, perhaps, be better, the appointment of a new committee on the subject.

SAMUEL E. DIMMICK,
J. S. BLACK,
WAYNE MACVEAGH,
WILLIAM HOPKINS,
D. KAINE,
HAMILTON ALRICKS,
HARRY WHITE,
M. HALL STANTON,
W. H. ARMSTRONG.

Mr. Harry White offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the foregoing report be adopt by the Convention.

Mr. M'Allister offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the report of Francis Jordan, Secretary of the Commonwealth, be accepted and approved, and that the thanks of the Convention are hereby tendered to him for the faithful and satisfactory manner in which he has performed the duties devolved upon him by the act of the 11th day of April, 1872.

Mr. Gowen offered the following resolution, which was twice read, viz:

Resolved, That the President appoint a committee of ten, of which he shall be one, and be the chairman, to report the names of proper persons to fill the positions of permanent officers of this Convention.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz: "That the Convention proceed to nominate and elect a Chief Clerk."

On the question,

Will the Convention agree to the amendment?

The yeas and nays were required by Mr. Hanna and Mr. Lamberton, and were as follow, viz:

Y E A S.

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Baker, Bannan, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Collins, Corson, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Lilly, Lear, Littleton, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe.

Purviance, Samuel A., Purviance, John N., Reynolds, James L., Rooke, Runke, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, and White, J. W. F.—67.

N A Y S.

Messrs. Alricks, Achenbach, Baer, Black, J. S., Bailey, (Huntingdon,) Biddle, Black, Charles A., Boyd, Brodhead, Brown, Barclay, Curtin, Campbell, Corbett, Cassidy, Church, Clark, Cronmiller, Cuyler, Dodd, Dallas, DeFrance, Dunning, Ellis, Elliott, Freeze, Gowen, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hemp-hill, Heverin, Hopkins, Hunsicker, Kaine, Lamberton, Landis, Long, M^cAllister, M^cCamant, M^cClean, M^cMurray, Metzger, Mott, Purman, Palmer, G. W., Pat-terson, T. H. B., Patton, Reynolds, S. H., Read, John R., Reed, Andrew, Rhone, Ross, Smith, Wm. H., Sharpe, Smith, Henry W., Smith, H. G., Temple, Wood-ward, Wetherill, J. M., Wherry, Worrell and Meredith, *President*—66.

So the motion was determined in the affirmative.

A motion was then made by Mr. Kaine,

To further amend the resolution by adding thereto the following words, viz :

That the officers of this Convention be elected in the following manner, viz : The Chief Clerk and two assistants be elected at one and the same ballot, by each delegate voting for two candidates, and the highest in vote to be the Chief Clerk, and the two next highest the assistants; that each delegate vote for one candi-date for each of the other classes of officers, and the highest in vote be declared the principal officer, and the next highest the assistant.

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. Kaine and Mr. Brodhead, and were as follow, viz :

Y E A S.

Messrs. Alricks, Achenbach, Baer, Black, J. S., Baily, (Huntingdon,) Biddle, Black, Charles A., Boyd, Brodhead, Brown, Barclay, Curtin, Campbell, Corbett, Cassidy, Church, Clark, Cronmiller, Cuyler, Dodd, Dallas, DeFrance, Dunning, Ellis, Elliott, Freeze, Gowen, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hemp-hill, Heverin, Hopkins, Hunsicker, Kaine, Lamberton, Landis, Long, M^cAllister, M^cCamant, M^cClean, M^cMurray, Metzger, Mott, Purman, Palmer, G. W., Pat-terson, T. H. B., Patton, Reynolds, S. H., Read, John R., Reed, Andrew, Rhone, Ross, Smith, Wm. H., Sharpe, Smith, Henry W., Smith, H. G., Temple, Wood-ward, Wetherill, J. M., Wherry and Worrell—65.

N A Y S.

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Bannan, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Baker, Collins, Corson, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard, Knight, Law-rence, Lilly, Lear, Littleton, MacConnell, M^cCulloch, MacVeagh, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Porter, Pughe, Purviance, Sam-uel A., Purviance, John A., Reynolds, James L., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, White, J. W. F. and Meredith, *President*—68.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution as amended ?

It was determined in the affirmative.

Whereupon,

Mr. Harry White, nominated D. L. Imbrie, of Beaver county.

On motion of Mr. Lilly, the nominations closed.

A motion was made by Mr. MacVeagh,

That D. L. Imbrie be elected Chief Clerk of the Convention.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hopkins and Mr. MacVeagh, and were as follow, viz:

Y E A S .

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Baker, Bannan, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Collins, Corson, Craig, Curry, Davis, Dimmick, Darlington, De France, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Lilly, Lear, Littleton, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Montor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Purviance, John A., Reynolds, James L., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, White, J. W. F. and Meredith, *President*—71.

N A Y S .

Messrs. Black, J. S., Ellis, Freeze, M'Camant, Purman and Rhone—6.

So the question was determined in the affirmative.

Mr. Simpson offered the following resolution, which was twice read, viz:

Resolved, That the Convention will now proceed to the nomination and election of the remaining officers designated in the report of the committee, in the order named in said report.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Gowen,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following, viz:

"That the President appoint a committee of nine to report the names of suitable persons to fill the remaining offices of the Convention."

Which was not agreed to.

A motion was then made by Mr. Hay,

To amend the resolution, by adding thereto the following words, viz:

That in the election of the two Assistant Clerks, each member shall vote for but one person, and the one receiving the highest number of votes be the First Assistant Clerk, and the one receiving the next highest number be the Second Assistant Clerk.

On the question,

Will the Convention agree to the amendment?

The yeas and nays were required by Mr. Hay and Mr. Mann, and were as follow, viz:

Y E A S .

Messrs. Alricks, Achenbach, Baer, Black, J. S., Bailey, (Huntingdon,) Biddle, Black, Charles A., Boyd, Brodhead, Brown, Barclay, Curtin, Campbell, Corbett, Cassidy, Church, Clark, Cronmiller, Cuyler, Dodd, Dallas, De France, Dunning, Ellis, Elliott, Freeze, Gowen, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hemphill, Heverin, Hopkins, Hunsicker, Kaine, Lambertson, Landis, Long, M'Allister, M'Camant, M'Clean, M'Murray, Metzger, Mott, Purman, Palmer, G. W., Patterson, T. H. B., Patton, Reynolds, S. H., Read, John R., Reed, Andrew, Rhone, Ross, Smith, William H., Sharpe, Smith, Henry W., Smith, H. G., Temple, Woodward, Wetherill, J. M., Wherry and Worrell—65.

N A Y S .

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Baker, Bannan, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Collins, Corson, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard Knight, Lawrence, Lilly, Lear, Littleton, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Purviance, John A., Reynolds, James L., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, White, J. W. F. and Meredith, *President*—68.

So the question was determined in the negative.

And the resolution was agreed to.

Whereupon, for First Assistant Clerk,

Mr. Harry White,	nominated	Lucius Rogers.
Mr. Cassidy	"	A. W. Fletcher.
Mr. Campbell	"	S. W. Buck.

On motion of Mr. MacVeagh,

The nominations were closed, and the Convention proceeded to an election for First Assistant Clerk, and the vote being taken, was as follow, viz :

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Baker, Bannan, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Collins, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard Knight, Lawrence, Lilly, Lear, Littleton, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Purviance, John A., Reynolds, James L., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, and White, J. W. F.—67 voted for LUCIUS ROGERS.

Messrs. Black, J. S, Corbett, Campbell, Freeze and Meredith, *President*—5, voted for S. W. BUCK.

Mr. Barclay voted for A. W. FLETCHER.

Lucius Rogers having received the highest number of votes was declared duly elected First Assistant Clerk.

Mr. Darlington offered the following resolution, which was twice read, viz :

Resolved, That the following persons be elected officers :—A. D. Harlan, Second Assistant Clerk ; John L. Linton and A. T. Parker, Transcribing Clerks ; James Onslow, Sergeant-at-Arms ; Casius M. Brown, Assistant Sergeant-at-Arms ; Clement Evans, Doorkeeper ; Frank Bently, Assistant Doorkeeper ; Henry B. Price, Postmaster ; B. Frank Major, Assistant Postmaster.

On the question,

Will the Conveineion agree to the resolution ?

A motion was made by Mr. Hopkins,

To amend the same by inserting after the word " officers," the words " by the majority of the Convention."

Which was agreed to.

A motion was made by Mr. Joseph Baily,

That the Convention re-consider the vote just taken.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Hay,

To further amend the same, by striking therefrom so much of the resolution as provides for the election of Postmaster and Assistant-Postmaster.

Which was not agreed to.

A motion was then made by Mr. Dallas,

To further amend the resolution by striking therefrom so much as provides for the election of Assistant Sergeant-at-Arms.

On the question,

Will the Convention agree to the amendment?

The yeas and nays were required by Mr. Dallas and Mr. Boyd, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baer, Bailey, (Huntingdon,) Boyd, Brodhead, Barclay, Curtin, Campbell, Corbett, Church, Clark, Cronmiller, Cuyler, Dodd, Dallas, De France, Ellis, Freeze, Gibson, Gilpin, Guthrie, Harvey, Hay, Hemphill, Heverin, Hunsicker, Long, M'Camant, Patterson, T. H. B. Reynolds, S. H., Reed, Andrew, Ross, Smith, William H., Smith, Henry W., Smith, H. G. Temple, Wetherill, J. M., Wherry and Worrell—39.

NAYS.

Messrs. Armstrong, Ainey, Alricks, Andrews, Addicks, Bartholomew, Black, J. S., Baily, (Perry,) Baker, Bannan, Bardsley, Beebe, Biddle, Bowman, Broomall, Brown, Carey, Cassidy, Cochran, Collins, Corson, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Funck, Gowen, Hall, Hanna, Hazzard, Hopkins, Horton, Howard, Kaine, Knight, Lamberton, Lawrence, Lilly, Landis, Lear, Littleton, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Metzger, Minor, Newlin, Niles, Purman, Palmer, H. M., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Rhone, Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Woodward, Wetherill, J. Price, White, J. W. F. and Meredith, *President*—86.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Wetherill and Mr. Henry W., Smith, and were as follow, viz:

YEAS.

Messrs. Armstrong, Ainey, Andrews, Addicks, Bartholomew, Baily, (Perry,) Baker, Bardsley, Beebe, Bowman, Broomall, Carey, Carter, Cochran, Collins, Craig, Curry, Davis, Dimmick, Darlington, Edwards, Ewing, Fell, Finney, Fulton, Funck, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Lilly, Lear, Littleton, M'Allister, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, Harry, White, David N., Wetherill, J. Price, White, J. W. F. and Meredith, *President*—67.

NAYS.

Messrs. Baer, Barclay, Hemphill, Hunsicker, M'Camant, Ross, Smith, Henry W. and H. G. Smith,—8.

So the question was determined in the affirmative.

Mr. Newlin offered the following resolution, which was twice read, viz :

Resolved, That a committee of fifteen be appointed by the Chair, to report to the Convention to-morrow morning, what standing committees should be formed, and rules adopted for the government of this body.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To amend the same, by striking therefrom all after the word "Resolved" and inserting in lieu thereof the following words, viz :

"That a committee be appointed to consider and report rules for the government of the Convention."

Which was not agreed to.

And the resolution was agreed to ; and

Ordered, That Messrs. Newlin, Woodward, Darlington, Hopkins, Turrell, J. S. Black, Armstrong, Kaine, S. A. Purviance, Guthrie, Harry White, Gowen, Lawrence, Clark and Mann be the said committee.

Mr. Dallas offered the following resolution, which was twice read, viz :

Resolved, That until otherwise ordered, this Convention will hereafter meet at ten A. M., and adjourn at one P. M., of each day.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. Price Wetherill,

To amend the same, by striking therefrom the word "one," and inserting in lieu thereof the word "three."

Which was not agreed to.

A motion was made by Mr. Landis,

To amend the resolution, by striking therefrom the word "one," and inserting in lieu thereof the word "two."

Which was agreed to.

And the resolution as amended was agreed to.

Mr. M'Allister offered the following resolution, which was twice read, viz :

Resolved, That the President of the Convention invite the clergy of the city of Harrisburg, by an arrangement among themselves, to open the session each morning with prayer, during its sessions in Harrisburg.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Landis,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz : "That the President be requested to invite a clergyman of the city to open the sessions of the Convention daily with prayer."

On the question,

Will the Convention agree to the amendment ?

A motion was made by Mr. Boyd to amend the same, by adding thereto the following words: "And that no compensation be allowed for such services."

Which was not agreed to.

And the amendment was agreed to.

And the resolution was agreed to.

Mr. Woodward presented the following letter of resignation, which was, on motion, referred to the committee composed of those gentlemen elected at large who are last named in the proclamation of the Governor, viz :

To the President and members of the Constitutional Convention :

GENTLEMEN :—I hereby tender you my resignation as delegate from the Thirteenth district.

Your obedient servant,

DANIEL L. RHONE.

HARRISBURG, *November 13, 1872.*

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That a committee of nine be appointed to take into consideration all methods which may be presented to them for the reporting and printing of the proceedings of this Convention, and to report to the Convention the method which, in their judgment, is most likely to secure efficiency and economy in such publication.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. Price Wetherill,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz : "That a committee of seven be appointed, to be called a Committee on Printing, and that their duty shall be to receive proposals for the printing needed by this body; said committee to open such proposals, and report to this body the lowest responsible bidder, and to attend to such other business as shall be referred to them."

On the question,

Will the Convention agree to the amendment ?

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow morning at ten o'clock.

THURSDAY, NOVEMBER 14, 1872.

Mr. Woodward, from the committee to whom was referred the resignation of the delegate elect of the Thirteenth Senatorial district, made a report, which was read as follows, viz :

The delegates at large, to whom it was referred to fill the vacancy in the membership of the Convention occasioned by the resignation of Daniel L. Rhone, of the Thirteenth Senatorial district, do report the following resolution :

Resolved, That Caleb E. Wright be and hereby is appointed a member of this Convention, to fill the vacancy in the representation of the Thirteenth Senatorial district, caused by the resignation of Daniel L. Rhone, the member elect of said district.

GEO. W. WOODWARD,
JOHN H. CAMPBELL,
A. G. CURTIN,
S. C. T. DODD,
R. A. LAMBERTON,
SAMUEL H. REYNOLDS,
ANDREW A. PURMAN,
FRANKLIN B. GOWEN,
WM. L. CORBETT,
GEO. M. DALLAS,
WM. H. SMITH,
JAS. ELLIS,
WM. J. BAER.

Whereupon,

Mr. Caleb E. Wright appeared, and was duly qualified.

The officers elect then appeared and were duly qualified.

Mr. Woodward offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the Auditor General be requested to inform the Convention what sums of money were paid out of the Treasury of the Commonwealth for reporting, printing, binding and transporting the debates of the Constitutional Convention of 1837-8, including, also the postage paid for transmission of the speeches of members through the mails.

Mr. Stanton offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That Mr. John A. Smull, Resident Clerk of the House of Representatives, be requested to aid the officers of this Convention.

Mr. Freeze offered the following preamble and resolution, which were twice read, considered and adopted, viz :

WHEREAS, By the tenth section of the act calling this Convention, the Secretary of the Commonwealth was authorized to cause to be prepared for the information and use of the Convention such statistical information as may be useful to it in the performance of its duties ; therefore,

Resolved, That the Secretary of the Commonwealth be requested to furnish to the Convention, as early as convenient, the expenditures of the Executive Department, including the Auditor General and Surveyor General's offices, as well as the expenditures in detail, for two years last past, of the Legislative Department.

Mr. Wherry offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the State Librarian be requested to furnish books to the members of the Convention, under the same rules as to members of the Legislature, during the sessions of the Convention in Harrisburg.

Mr. Henry W. Smith offered the following resolution, which was twice read, viz:

Resolved, That two hundred copies of the Constitution of Pennsylvania of 1776, 1790 and 1838, and subsequent amendments, be printed in pamphlet form for the use of the members of the Convention.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Wherry,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz:—"That a committee of five be appointed to consider and report what additional books, if any, are necessary to be purchased or printed for the use of the Convention."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Hanna,

That the resolution, together with the amendment, be referred to the committee of fifteen.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Stanton,

To postpone the question, together with the further consideration of the resolution for the present.

Which was agreed to.

Mr. Russell offered the following resolution, which was twice read, viz:

Resolved, That the Auditor General be requested to furnish each member of this Convention one copy of each of his annual reports on finances for the years 1871 and 1872.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Andrew Reed,

That the further consideration of the resolution be postponed for the present.

Which was agreed to.

Mr. Newlin, from the committee appointed to report what standing committees should be appointed by, and rules adopted for the government of the Convention, made a report, which was read as follows, viz:

That the time allotted for their deliberations has been too short to enable them to digest and report, at this time, a body of rules for the government of the Convention. They, therefore, request further time to report such rules, and in order that the business of the Convention may not be delayed, they report that the following standing committees should be appointed, viz:

One committee, to consist of nine members, upon Legislature.

One committee, to consist of eleven members, upon Legislation.

One committee, to consist of nine members, upon Executive Department, its Powers and Duties.

One committee, to consist of fifteen members, upon Judiciary, including Aldermen and Justices of the Peace.

One committee, to consist of eleven members, upon Suffrage, Elections and Representation.

One committee, to consist of five members, upon Impeachment and Removal from Office.

One committee, to consist of nine members, upon Commissions, Offices, Oath of Office and Incompatibility of Office.

One committee, to consist of nine members, upon Education.

One committee, to consist of nine members, upon Cities and City Charters.
 One committee, to consist of nine members, upon Counties, Townships and Boroughs.

One committee, to consist of nine members, upon County, Township and Borough Offices.

One committee, to consist of five members, upon Militia.

One committee, to consist of nine members, upon Public and Municipal Debts and Sinking Funds.

One committee, to consist of seven members, upon State Institutions and Buildings.

One committee to consist of seven members, upon Religious and Charitable Corporations and Societies.

One committee, to consist of eleven members, upon Railroads and Foreign Corporations.

One committee, to consist of nine members, upon Private Corporations.

One committee, to consist of nine members, upon Declaration of Rights.

One committee, to consist of five members, upon Future Amendments.

One committee, to consist of nine members, upon Constitutional Sanction.

One committee, to consist of nine members, upon Schedule.

One committee, to consist of five members, upon Revision and Adjustment.

One committee, to consist of five members, upon Accounts and Expenditures of the Convention.

One committee to consist of seven members, upon Printing and Binding of the Convention.

All of which is respectfully submitted.

JAMES W. M. NEWLIN,
 WM. DARLINGTON,
 W. H. ARMSTRONG,
 J. B. GUTHRIE,
 FRANKLIN B. GOWEN,
 GEO. W. WOODWARD,
 WM. HOPKINS,
 SAMUEL A. PURVIANCE,
 JNO. S. MANN.

We, the undersigned, members of the committee appointed to report what standing committees should be appointed by, and rules adopted for the government of the Convention, concur in the said report, so far as made, excepting as to the appointment of a committee on the Declaration of Rights, from which action of the committee we respectfully dissent.

HARRY WHITE,
 D. KAINE,
 SILAS M. CLARK,
 J. S. BLACK,
 WM. J. TURRELL,
 G. O. LAWRENCE.

Laid on the table.

Mr. Newlin offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the committee on rules have leave to sit during the sessions of the Convention.

Agreeably to order,

The Convention resumed the consideration of the resolution relative to the appointment of a committee to consider the subject of reporting and printing.

And the question recurring,

Will the Convention agree to the amendment proposed by Mr. J. Price Wetherill?

A motion was made by Mr. Dallas,

To postpone the further consideration of the question, together with the resolution, for the present.

Which was agreed to.

Mr. Newlin offered the following resolution, which was twice read, viz :

Resolved, That the following standing committees shall be appointed viz :

- One committee, to consist of nine members, upon Legislature.
- One committee, to consist of eleven members, upon Legislation.
- One committee, to consist of nine members, upon Executive Department, its Powers and Duties.
- One committee, to consist of fifteen members, upon Judiciary, including Aldermen and Justices of the Peace.
- One committee, to consist of eleven members, upon Suffrage, Elections and Representation.
- One committee, to consist of five members, upon Impeachment and Removal from Office.
- One committee, to consist of nine members, upon Commissions, Offices, Oath of Office and Incompatibility of Office.
- One committee, to consist of nine members, upon Education.
- One committee, to consist of nine members, upon Cities and City Charters.
- One committee, to consist of nine members, upon Counties, Townships and Boroughs.
- One committee, to consist of nine members, upon County, Township and Borough officers.
- One committee, to consist of five members, upon Militia,
- One committee, to consist of nine members, upon Public and Municipal Debts and Sinking Funds.
- One committee, to consist of seven members, upon State Institutions and Buildings.
- One committee, to consist of seven members, upon Religious and Charitable Corporations.
- One committee, to consist of eleven members, upon Railroads and Foreign Corporations.
- One committee, to consist of nine members, upon Private Corporations.
- One committee, to consist of nine members, upon Declaration of Rights.
- One committee, to consist of five members, upon Future Amendments.
- One committee, to consist of nine members, upon Constitutional Sanction.
- One committee, to consist of nine members, upon Schedule.
- One committee, to consist of five members, upon Revision and Adjustment.
- One committee, to consist of five members, upon Accounts and Expenditures of the Convention.
- One committee, to consist of seven members, upon Printing and Binding of the Constitution.

On the question,

Will the Convention agree to the resolution ?

A division of the same was called for by Mr. Kaine, each committee constituting a division.

On the question,

Will the Convention agree to the first division, viz :—"Legislature."

A motion was made by Mr. D. N. White to amend the same, by striking out the word "nine," and inserting in lieu thereof the word "fifteen."

Which was not agreed to.

The division was then agreed to.

On the question,

Will the Convention agree to the second division, viz :—"Legislation ?"

A motion was made by Mr. Mac Veagh,

To amend the same, by striking out the word "eleven," and inserting in lieu thereof the word "fifteen."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Mac Veagh and Mr. Harry White and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Andrews, Addicks, Baer, Black, J. S., Bailey, (Huntingdon,) Baily, (Perry,) Beebe, Black, Charles A., Bowman, Brodhead, Brown, Barclay, Curtin, Campbell, Corbett, Carey, Carter, Church, Collins, Corson, Cronmiller, Curry, Dimmick, Dodd, De France, Dunning, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Gibson, Gilpin, Hall, Hanna, Hay, Hazzard, Hemphill, Heverin, Hopkins, Horton, Hunsicker, Lamberton, Lilly, Long, M'Allister, M'Clean, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Minor, Niles, Purman, Palmer, H. W., Palmer, G. W., Patterson, T. H. B., Patterson, D. W., Porter, Pughe, Reynolds, S. H., Read, John R., Reed, Andrew, Rooke, Ross, Kunk, Russell, Sharpe, Smith, Henry W., Smith, H. G., Stanton, Stewart, Struthers, White, David N., Wetherill, J. Price, Wherry, White J. W. F., Worrell, Wright and Meredith, *President*—83.

NAYS.

Messrs. Armstrong, Bartholomew, Baker, Bannan, Biddle, Boyd, Broomall, Cassidy, Clark, Cochran, Craig, Davis, Dallas, Darlington, Ellis, Freeze, Gowen, Guthrie, Howard, Kaine, Law-rence, Landis, Lear, M'Connell, Metzger, Mott, Newlin, Parsons, Patton, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Smith, William H., Temple, Turrell, Walker, White, Harry and Wetherrill, J. M.—39.

So the motion was determined in the affirmative.

The division as amended, was then agreed to.

On the question,

Will the Convention agree to the third division, viz: "Executive Departments," &c.?

A motion was made by Mr. MacVeagh,

To amend the same, by striking out the word "nine," and inserting in lieu thereof the word "fifteen."

Which was not agreed to.

The division was then agreed to.

The fourth division was considered and agreed to.

On the question,

Will the Convention agree to the fifth division, viz: "Suffrage," &c.?

A motion was made by Mr. MacVeagh,

To amend the same, by striking out the word "eleven," and inserting in lieu thereof the word "fifteen."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Wherry,

To amend the amendment, by striking out the words "and Representation," and that an additional committee of seven be created on the subject of proportional representation.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment proposed by Mr. MacVeagh?

The yeas and nays were required by Mr. MacVeagh and Mr. Beebe, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Andrews, Addicks, Achenbach, Baer, Black, J. S., Bailey, (Huntingdon,) Baily, (Perry,) Bannan, Beebe, Black, Chas. A., Bowman, Brodhead, Brown, Barclay, Curtin, Carey, Carter, Cassidy, Cochran, Collins, Corson, Croamiller, Curry, Dimmick, Dodd, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Gilpin, Hall, Hanna, Hazzard, Hemphill, Heverin, Horton, Hunsicker, Lawrence, Landis, Long, M'Allister, M'Camant, M'Clean, M'Connell, M'Culloch, M'Murray, MacVeagh, Metzger, Niles, Purman, Palmer, H. W., Palmer, G. W., Patterson, T. H. B., Patterson, D. W., Porter, Pughe, Reynolds, S. H., Read, John R., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, H. G., Stanton, Stewart, Struthers, Temple, White, Harry, White, David N., Wherry, White, J. W. F., Worrell and Meredith, *President*—79.

N A Y S.

Messrs. Armstrong, Bartholomew, Baker, Biddle, Boyd, Broomall, Campbell, Corbett, Church, Clark, Craig, Davis, Dallas, Darlington, Ellis, Finny, Freeze, Gowen, Gibson, Guthrie, Hay, Hopkins, Howard, Kaine, Lamberton, Lilly, Lear, Mann, Mantor, Minor, Mott, Newlin, Parsons, Patton, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Rooke, Smith, William H., Simpson, Turrell, Walker, Woodward, Wetherill, J. Price, Wetherill, J. M. and Wright—46.

So the question was determined in the affirmative.

The division, as amended, was then agreed to.

The sixth, seventh, eighth, ninth and tenth divisions were then severally considered and agreed to.

A motion was made by Mr. Temple and Mr. Ewing,

That the vote be re-considered by which the tenth division, viz:—"Counties, townships," &c., was adopted.

Which was agreed to.

And the division being again before the Convention,

A motion was made by Mr. Hay,

To amend the same, by adding to the end thereof the words "and their officers."

Which was not agreed to.

The division was then again agreed to.

The eleventh, twelfth, thirteenth, fourteenth and fifteenth divisions were then severally considered and agreed to.

On the question,

Will the Convention agree to the sixteenth division?

A motion was made by Mr. Baer,

To amend the same, by striking out the word "eleven," and inserting in lieu thereof the word "fifteen."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. MacVeagh,

To amend the amendment, by striking out the words "foreign corporations," and inserting in lieu thereof the words "canals, foreign and domestic."

Which was agreed to.

The amendment was agreed to, and the division, as amended, was agreed to.

On the question,

Will the Convention agree to the seventeenth division, viz: "Private Corporations?"

A motion was made by Mr. MacVeagh,

To amend the same, by striking out the word "nine," and inserting in lieu thereof the word "fifteen," and to add after the word "corporations," the words "foreign and domestic, except railroads and canals and religious and charitable corporations."

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. T. H. B. Patterson,

To amend the amendment, by adding to the end thereof the words "and taxation."

Which was not agreed to.

The amendment proposed by Mr. MacVeagh was then agreed to, and the division as amended was agreed to.

On the question,

Will the Convention agree to the eighteenth division, viz: "Declaration of Rights?"

The yeas and nays were required by Mr. Kaine and Mr. Harry White, and were as follow, viz:

YEAS.

Messrs. Armstrong, Ainey, Alricks, Achenbach, Bartholomew, Baer, Bailey, (Huntingdon,) Baily, (Perry,) Baker, Bannan, Beebe, Biddle, Black, Chas. A., Brodhead, Broomall, Brown, Barclay, Curtin, Campbell, Corbett, Carey, Carter, Cassidy, Church, Cochran, Collins, Corson, Craig, Curry, Davis, Dimmick, Dodd, Dallas, Darlington, De France, Dunning, Ellis, Edwards, Ewing, Fell, Finney, Fulton, Gowen, Gibson, Gilpin, Guthrie, Hanna, Hay, Hazzard, Heverin, Hopkins, Horton, Howard, Hunsicker, Lamberton, Lilly, Landis, Lear, M'Allister, M'Camant, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Metzger, Minor, Newlin, Niles, Purman, Palmer, H. W., Palmer, G. W., Parsons, Patterson, T. H. B., Patterson, D. W., Patton, Porter, Pughe, Purviance, Samuel A., Purviance, John N., Reynolds, James L., Reynolds, S. H., Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Smith, William H., Sharpe, Simpson, Smith, Henry W., Smith, H. G. Stanton, Stewart, Struthers, Temple, Walker, White, David N., Woodward, Wetherill, J. Price, Wetherill, J. M., Wherry, White, J. W. F., Worrell and Meredith, *President*—106.

NAYS.

Messrs. Andrews, Black, J. S., Bowman, Boyd, Clark, Elliott, Freeze, Hall, Hemphill, Kaine, Lawrence, Long, M'Clean, M'Murray, Mott, Turrell, White, Harry, and Wright—18.

So the question was determined in the affirmative.

Mr. A. A. Purman presented the following reasons for his vote, viz:—The people, through the Legislature, by the act of the 2d of June, 1871, asserted their reserved "right to alter, reform or abolish their government in such manner as they may think proper."

This act provided "That the question of calling a Convention to amend the Constitution of this Commonwealth, be submitted to a vote of the people at the general election to be held on the second Tuesday of October next." And at the October election of 1871, the people determined, by a very decided majority, to have such a Convention.

This Convention has, therefore, been called in exact accordance with the provisions of the existing government of the State, and with plenary power to "amend" the Constitution in such manner as it may think proper.

It is said, however, that the Legislature by the act of 11th of April, 1872, has taken away the power of the Convention "to change the language, or to alter in any manner the several provisions of the ninth article of the present Constitution, commonly known as the Declaration of Rights," and "that the same shall be ex-

cepted from the powers given to the said Convention;” and “that the said Convention shall not create or establish a court or courts with exclusive equity jurisdiction.”

It is true that the Legislature, in the act of the 11th of April 1872, did impose these limitations and restraints upon the Convention, and therefore the question now under consideration is, whether it had the power to impose any such limitations or restraints after the Convention had been called by the people. As no one is now proposing to make any change in the declaration of rights, or to create a court with exclusive equity jurisdiction, the question for consideration is one of power and power only.

In order to have clear conceptions of this question, it must be borne in mind that the people called this Convention in pursuance of the act of the 2d of June, 1871, and in the exercise of their reserved rights, as contained in the second section of the ninth article of the present Constitution; and that the limitations relied upon were imposed by a subsequent Legislature, in the act providing the number of delegates which should constitute the Convention, and the time and mode of their election.

Under this state of facts, if the Legislature could tie up the hands of this Convention, after the people had determined upon a Convention with general powers, it would be higher than the people themselves, and possess the power to nullify the declaration of rights. No such power is delegated to the Legislature in the Constitution; but, on the contrary, it is expressly withheld in the bill of rights.

A brief but plain statement of the principles upon which our Government is formed—of the distribution of the sovereignty of the people; first, to the Federal governments; secondly, to the State governments, and lastly, the residue reserved to themselves in their declaration of rights—will prove the power of the Convention over the subject.

Under our system of government, the fundamental principle is, that all power is inherent in the people, and that all free governments are founded upon their authority. In pursuance of this acknowledged power of the people, and for the advancement of their common interest, they have conferred upon the Federal government sovereignty over certain subjects, such as the power to coin money, declare war, regulate commerce and such like. And they have created State governments, upon which they have conferred a certain amount of their remaining sovereignty, reserving to themselves, however, the residue of their sovereignty; among which is the right “to alter, reform or abolish their government,” whenever they think a change would advance their peace, safety or happiness. In the exercise of this reserved power, the people voted to have this Convention to “amend” their Constitution. After the people had determined to consider in a Convention, the question of the reform of their Constitution, the Legislature, in a subsequent act, undertook to impose limitations upon the action of the Convention. As we have heretofore shown, such a power would nullify the power of the people and the bill of rights.

This Convention possesses all the power of the people, and the people can alter, amend or abolish their existing Constitution at pleasure. The only limitation upon their power is the Constitution of the United States. It will be remembered that we are here regularly in pursuance of the regular action of the people in the way pointed out by the Constitution itself, and therefore the *Dorr* case in Rhode Island has no application to the question under consideration. In Rhode Island, Mr. Dorr, and those acting with him, called the Convention without any authority from the existing government whatever. And the existing government resisted the putting in execution the Constitution adopted by Mr. Dorr and his followers. And to prevent the enforcement of the Dorr Constitution, the Legislature of the existing government put the State under martial law, and passed penal laws against all engaged in the making and executing the Dorr Constitution, and enforced them against the recusants. In all this the Federal government loaned its influence, and promised its aid to the existing government. This doctrine is fully sustained by the case of *Luther vs. Borden*, 7 *Howard*, 1. The attempt to liken the act of 1872, to an enabling act of Congress for the territories, is a great mistake. The act of 1871, providing for the calling of the Convention, might have imposed terms and limitations upon the Convention, and the people having called the Convention upon those terms and conditions, we would or should be bound by the terms and limitations thus imposed. But no subsequent Legislature could impose any restraints upon the power of the Convention over the organic law of the State.

It is for the sake of maintaining the power of the people that I vote for the appointment of the committee. And it is due to the people who have called this Convention, with plenary powers, that we should assert their power and maintain it.

This is not a revolutionary Convention, nor a spontaneous meeting, but a *Constitutional Convention*, acting within the pale of the fundamental law of the State, as subservient, and not hostile to it, and under a commission from the people, as contained in the bill of rights, and for the purposes ascertained and limited therein, and in exact accordance with the pre-existing rights of the people.

ANDREW A. PURMAN.

Mr. Gowen presented the following letter of resignation, which was referred to the committee of fourteen delegates at large, last named in the proclamation of the Governor:

HARRISBURG, November 14, 1872.

To the Honorable WILLIAM M. MEREDITH,
President of the Convention:

SIR:—I hereby tender to you, and through you to the Convention, my resignation as a member thereof, to take effect so soon as a successor has been appointed.

JOHN G. FREEZE.

A motion was made by Mr. Harry White,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, NOVEMBER 15, 1872.

Mr. Broomall offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the Convention will adjourn to-day at one o'clock, to meet on Wednesday next, at ten, A. M.

Mr. Brodhead offered the following resolution, which was twice read, considered, and adopted, viz:

Resolved, That this Convention meets in the hall provided by the city of Philadelphia, the members shall select their seats by drawing for the same in the usual mode.

Mr. Campbell offered the following resolution, viz:

Resolved, That the Secretary of the Commonwealth be requested to furnish to the Convention, a list of all acts or sections of acts of Assembly of Pennsylvania, passed since January 1, 1857, granting any corporate powers to any railroad companies, coal companies, or companies authorized to purchase, lease, or hold land within the Commonwealth of Pennsylvania, with references to the pages of the pamphlet laws containing the same.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Dallas presented communications from the Librarian of the Law Association, and the Librarian of the Loganian Library, of Philadelphia, which were read as follows, viz:

GEORGE M. DALLAS, Esq.:

DEAR SIR:—I received your note of the 9th inst., and beg to say that the Library of the Law Association will be at the service of the delegates to the Constitutional Convention, should they meet in Philadelphia.

I write this as Librarian, and also with the approval of Mr. Henry Wharton, a member of the committee.

Very truly, yours,
G. T. BISPHAM.

PHILADELPHIA, Nov. 11, 1872.

LIBRARY CO. OF PHILADELPHIA,
FIFTH STREET, BELOW CHESTNUT,
Philadelphia, Nov. 12, 1872. }

DEAR SIR:—I am authorized to offer to the members of the Constitutional Convention, should it adjourn to this city, the use of the collection of this and the Loganian Library.

Very respectfully,
LLOYD P. SMITH,
Librarian.

HON. GEORGE M. DALLAS, &c., &c., &c.

Which were laid on the table.

Mr. Dallas offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That a committee of five be appointed to confer with the councils of the city of Philadelphia in relation to the selection and arrangement of a hall for the use of this Convention.

Ordered, That Messrs, Alricks, Dallas, Stanton, Boyd and Worrell be said committee.

Mr. Corson offered the following resolution, which was twice read, viz:

Resolved, That the Convention now proceed to the election of a Stenographer, skilled in the practice of short-hand writing, and experienced in the reporting of the proceedings of deliberative bodies, who shall be styled "The official reporter of the Convention." Said reporter shall employ his own assistants, and shall be solely responsible for the proper and accurate performance of his and their duties, and he shall receive such compensation as may be hereafter fixed by the Convention.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Woodward,

That the resolution be referred to a committee of fifteen on Rules.

Which was agreed to.

Mr. Gowen, from the committee to whom was referred the resignation of John G. Freeze, a member of the Convention from the Fifteenth Senatorial district, made a report, which was read as follows, viz:

undersigned, members at large of the Convention, who were voted for by rity of the same voters who voted for and elected said John G. Freeze, do

hereby fill the vacancy occasioned by his resignation, by the appointment of Charles R. Buckalew, a citizen of Columbia county, to be a member of the Convention from the said Fifteenth Senatorial district.

GEO. W. WOODWARD,
J. S. BLACK,
WILLIAM J. BAER,
WILLIAM H. SMITH,
FRANKLIN B. GOWEN,
JOHN H. CAMPBELL,
S. H. REYNOLDS,
JAMES ELLIS,
S. C. T. DODD,
GEO. M. DALLAS,
WILLIAM L. CORBETT,
ANDREW A. PURMAN,
R. A. LAMBERTON,

HARRISBURG, *November 15, 1872.*

Mr. Buckalew appeared, and was duly qualified.

Mr. Newlin, from the committee on Rules, made a report, which was read as follows, viz:

The undersigned, committee of fifteen, appointed to report rules for the government of the Convention, beg leave to submit the following rules:

SILAS M. CLARK,
FRANKLIN B. GOWEN,
WM. H. ARMSTRONG,
J. B. GUTHRIE,
JEREMIAH S. BLACK,
JNO. S. MANN,
GEORGE W. WOODWARD,
JAMES W. M. NEWLIN,
SAMUEL A. PURVIANCE,
WM. DARLINGTON,
D. KAINE,
WILLIAM HOPKINS,
WM. J. TURRELL,
HARRY WHITE,
G. V. LAWRENCE,

RULES FOR THE REGULATION OF THE PROCEEDINGS OF THE CONVENTION.

OF THE DUTIES OF THE PRESIDENT.

I. He shall take the Chair at the hour to which the Convention shall have adjourned, and immediately call the delegates to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read, which may then be corrected by the Convention.

II. He shall preserve order and decorum in debate; shall prevent personal reflections, and confine members to the question under consideration. When two or more delegates rise at the same time, he shall name the one entitled to the floor.

III. He shall decide all questions of order. An appeal from his decision may be made in writing by two delegates, or the President may, in the first instance, submit the question to the Convention. On questions of order there shall be no debate, except on an appeal from the decision of the President, or on a reference of a question by him to the Convention, when no delegate shall speak more than once, unless by leave of the Convention.

IV. While the President is putting a question or addressing the Convention, none shall walk over, out of or across the House; nor in such case, or when a delegate is speaking, shall entertain private discourse; nor while a delegate is speaking, shall pass between him and the Chair.

V. The President shall appoint the standing and select committees, unless otherwise ordered by the Convention.

VI. He shall have a general direction of the hall. He may name a delegate to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment. In case of the sickness or necessary absence of the President, he may appoint a President *pro tempore* for any period not exceeding ten days, after which, or in default of such appointment by the President, a President *pro tempore* shall be chosen by the Convention. While the President *pro tempore* officiates, he shall be clothed with all the powers, and perform all the duties of the President.

OF THE ORDER OF BUSINESS.

VII. After the Journal has been read, the order of business shall be as follows:

1. Letters, petitions, memorials, remonstrances and accompanying documents may be presented and referred.
2. Leave of absence may be asked and original resolutions offered, and on motion considered.
3. Reports of committees may be made:
 - 1st. From standing committees in their order.
 - 2d. From select committees.
4. Articles on third reading.
5. Reports and resolutions may, on motion be considered.
6. Articles in the following order:
 - 1st. Those in which the Convention has made progress on second reading.
 - 2d. Those reported by a committee of the whole.
 - 3d. Those in which the committee of the whole has made progress, and has leave to sit again.
 - 4th. Those not yet considered in committee of the whole, shall be taken up.

OF BUSINESS AND DEBATE.

VIII. When a delegate is about to speak in debate, or to communicate any matter to the Convention, he shall rise and respectfully address Mr. President, and upon being recognized by the President, shall continue, confining his remarks to the subject before the Convention, and avoiding personal reflections.

IX. If any delegate in debate transgresses the rules of the Convention, the President shall, or any delegate may, through the President, call him to order; the delegate so called to order shall immediately sit down, unless permitted to explain. The Convention shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the President shall be submitted to, and if the case requires it, the delegate so called to order shall be liable to the censure of the Convention.

X. No delegate shall speak more than twice to the same question without leave of the Convention.

XI. No delegate, when speaking, shall be interrupted, except by a call to order by the President, or by a delegate through the President, or by a member to explain, nor shall any delegate be referred to by name, in debate, unless for a transgression of the rules of the Convention, and then by the President only.

XII. A delegate presenting a petition or other paper to the Chair, shall state only the general purport of it. The name of every delegate presenting a petition, or other paper, or making a motion, shall be entered on the Journals.

XIII. No member shall be permitted to make a motion, or address the President, unless such member shall be at his own desk.

ON MOTIONS.

XIV. All motions made and seconded shall be repeated by the President, who shall put the question distinctly in the following form, viz:

"As many as are of opinion," [as the question may be,] "say *Aye*." And after the affirmative is expressed, "as many as are of a contrary opinion say *No*." But the President, or any delegate, may call for a division of the Convention, when the President shall again put the question distinctly and in the following manner, viz: "*As many as are in the affirmative will rise.*" And when he has announced the number in the affirmative, he shall put the opposite side of the question, "*As many as are in the negative will rise.*"

XV. If the President, or any delegate requires it, a motion made shall be reduced to writing. Any motion may be withdrawn by the mover before amendment or decision.

XVI. Any delegate may call for the division of a question which shall be divided, if it comprehends questions so distinct that, on being taken away, the rest may stand entire for the decision of the Convention. A motion to strike out or insert shall be deemed indivisible, but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert. No motion can be received to postpone for the purpose of introducing a substitute.

OF PRIVILEGED QUESTIONS.

XVII. No business regularly before the Convention shall be interrupted, except by a motion

For adjournment.

For the previous question, namely: "Shall the main question be now put."

For postponement.

For commitment.

For amendment.

For re-consideration.

XVIII. A motion for adjournment shall always be in order, and shall be decided without debate, except that it shall not be received when the Convention is voting on another question, nor while a delegate is addressing the Convention.

When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question, in their regular order, and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. But the previous question shall not be called by less than eighteen delegates rising for the purpose, and shall be decided without debate.

A motion for postponement shall preclude commitment. A motion for commitment shall preclude amendment or decision on the original subject.

A motion to postpone for the present, or to a day certain, shall be decided without debate.

XIX. No motion for re-consideration shall be permitted, unless made and seconded by delegates who were in the majority on the vote on the original question, and within six days of actual session after the decision.

XX. When a blank is to be filled, the question shall be first taken on the largest sum, the greatest number and the remotest day.

XXI. In all cases of elections, a majority of the delegates present shall be necessary to a choice, and the voting shall be *viva voce*.

Every resolution to alter the rules of this Convention shall lie on the table one day.

OF COMMITTEES.

XXII. Committees may be of three kinds, viz:

Committees of the whole.

Standing committees.

Select committees.

XXIII. Every member of a committee shall attend the call of the chairman, who shall be the person first named on such committee; and in case of the neglect of the chairman to call the committee together, or in case of his absence by sickness or other cause, the committee shall attend the call of the person named next on the committee.

XXIV. No committee shall sit during the sitting of the Convention without leave.

OF COMMITTEE OF THE WHOLE.

XXV. The rules and proceedings observed in the Convention shall be observed as far as they are applicable in committee of the whole, except that a delegate may speak oftener than twice on the subject, nor can a motion for the previous question be made therein.

XXVI. When the Convention resolves itself into a committee of the whole, the President shall appoint a chairman, unless ordered by the Convention.

XXVII. Amendments made in committee of the whole shall be read, on the President resuming the Chair, and shall be entered upon the journal.

XXVIII. When, in committee of the whole, any paper laid upon the table of the Convention may be called for by a delegate and read, unless the committee otherwise order.

XXIX. It shall be the duty of the several standing committees to take into consideration the several subjects, and all resolutions touching the same, referred to them by the Convention, and to report thereon—and all propositions of amendment to the Constitution offered in the Convention upon any subject, not then under present consideration, shall, unless otherwise directed, be referred by the President to the appropriate committee.

XXX. All articles of amendment proposed to the Constitution shall receive three several readings in the Convention previously to their passage, the first of which shall be in committee of the whole, and the Convention shall order the printing of the same, for the use of the members, as they shall think expedient.

XXXI. When the names of the delegates shall be called, it shall be done in alphabetical order, except Mr. President, who shall be called last.

XXXII. The yeas and nays of the delegates, on any question, shall, at the desire of any two of them, be entered on the journals, and the delegates shall have a right to insert the reasons of their votes on the journals.

XXXIII. No delegate shall absent himself without first obtaining leave of the Convention.

XXXIV. No delegate shall be permitted to vote on any question unless he be within the bar—and when the yeas and nays are called, be present to answer to his name before the name of the President is called.

XXXV. On the call of the yeas and nays, one of the secretaries shall read the names of the delegates after they have been called, and no delegate shall be permitted to change his vote, unless he at that time declares that he voted under a mistake of the question.

XXXVI. On the call of a member for the consideration of a resolution or other subject, on the table of the Convention, the question shall be decided without debate.

XXXVII. None but members of the Convention and its officers, and such stenographers, reporters or other persons as shall have permission given them by the President, shall be permitted to come within the bar of the Convention during its session.

XXXVIII. No smoking shall be allowed within the Hall at any time, whether the Convention be in session or not.

XXXIX. No rule shall be altered or dispensed with but by two-thirds of the delegates present.

XL. The roll shall be called at any time, upon the demand of any fifteen members. A majority of the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day, and be authorized to compel the attendance of members.

On motion of Mr. Newlin,

The following resolution was twice read, considered and adopted, viz:

Resolved, That the foregoing rules, reported from the committee of fifteen, be the rules of this Convention, until otherwise ordered.

A motion was made by Mr. Dodd,

That the rules reported from the committee of fifteen be printed, and a copy be furnished each member of the Convention, on Wednesday next.

Which was agreed to.

A motion was made by Mr. MacVeagh,

That the vote just taken, by which the motion of Mr. Dodd was agreed to, be re-considered.

Which was agreed to.

And the resolution of Mr. Dodd being again before the Convention,

A motion was made by Mr. Kaine, to lay the same on the table.

Which was agreed to.

Mr. Ellis offered the following resolution, which was twice read, viz :

Resolved, That the following rule be added as another rule to those reported by the committee :

No. — The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the Convention in all cases in which they are applicable, and not inconsistent with the standing rules and orders of the Convention.

Which was laid on the table for one day.

Agreeably to order,

The Convention proceeded to the consideration of the resolution relating to the adoption of the standing committees of the Convention.

The 19th, 20th, 21st, 22d, 23d and 24th divisions were severally considered and agreed to.

A motion was then made by Mr. Pugh, which was twice read, considered and agreed to, viz :

To add to the standing committees already adopted by the Convention, "A Committee on Industrial Interests and Labor, to consist of nine members."

A motion was then made by Mr. J. M. Wetherill, which was twice read, considered and agreed to, viz :

To add "a Committee on Agriculture, Mining, Manufactures and Commerce, to consist of nine members."

A motion was then made by Mr. Newltn, which was twice read, viz :

To add "a committee of nine members on Revenue and Taxation."

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Andrew Reed,

To amend the same, by adding to the end thereof the words, "and Finance."

Which was agreed to.

The committee as amended was then agreed to.

A motion was then made by Mr. Stewart, which was twice read, viz :

To add "a Committee of five members on Pardons and the Pardoning Power."

Which was not agreed to.

Mr. Kaine offered the following resolution, which was twice read :

Resolved, That one thousand copies of the rules, together with the names of the committees, be printed for the use of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Wherry,

To amend the same, by adding to the end thereof the words as follows, viz : "And that the order of the rules be so arranged, that all the standing committees be placed under the same section and number."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. MacVeagh asked and obtained leave of absence for Mr. Gowen for the remainder of to-day's session.

Mr. Guthrie offered the following resolution, which was twice read, viz :

Resolved, That the printing now ordered by the Convention shall be executed by the present State Printer, under existing laws and contracts with the Commonwealth.

On the question.

Will the Convention agree to the resolution ?

A motion was made by Mr. Boyd,

That the resolution be referred to the standing committee on Printing and Binding, when appointed.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Wherry,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That the Secretary of this Convention be authorized to furnish each member and officer of the Convention three printed copies of the rules adopted."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof a proviso, as follows, viz: *Provided*, Nothing herein shall commit the Convention to give the future printing of the Convention to the State Printer.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Littleton,

To lay the resolution on the table.

Which was agreed to.

Mr. John N. Purviance offered the following resolution, viz:

Resolved, That the Committee on Accounts shall examine all accounts for expenses, and report upon the same to the Convention at least monthly, whether the same are proper expenses of the Convention, and if the same are approved by the Convention, they shall be paid as provided by law.

Which was laid on the table.

Mr. John Price Wetherill offered the following resolution, viz:

Resolved, That the committees as named in the report, be requested to meet at Harrisburg, at least once in every week, for the consideration of the subject matter referred to them, until they are prepared to report; and that the chairmen of the Committee on Judiciary shall have power to call the chairmen of the standing committees together for consultation.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

A motion was made by Mr. Kaine,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Wednesday morning next, at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. RODGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, NOVEMBER, 20, 1872.

Assistant Doorkeeper Bentley appeared and was duly qualified.

The President laid before the Convention a communication from the Auditor General, which was read as follows, viz:

AUDITOR GENERAL'S OFFICE, }
Harrisburg, November 18, 1872. }

HON. WM. M. MEREDITH,

President Constitutional Convention:

SIR:—In conformity with a resolution passed November 14, 1872, by the Constitutional Convention, calling for information in reference to the cost of "Reporting, printing, binding, transportation and postage," of the Constitutional Convention of 1837-'38, I herewith hand you the following statement:

Printing and Binding.....	\$99, 523 40
Stenographer, (John Agg,).....	7, 752 71
Contingencies.....	49, 540 11
	\$156, 816 22

Transportation of debates and postage was paid out of the contingent fund, as provided by resolution of the Convention, (See vol. 1, page 49, of Convention Journal,) and of which no detailed statement is on file in this Department.

I have the honor to remain,

Respectfully yours, &c.,

D. C. MAURER, for

J. F. HARTRANFT,

Auditor General.

Laid on the table.

Agreeably to order,

The Convention proceeded to the consideration of the resolution offered on Friday by Mr. J. N. Purviance, as follows, viz:

Resolved, That the Committee on Accounts shall examine all accounts for expenses, and report upon the same to the Convention at least monthly, whether the same are proper expenses of the Convention, and if the same are approved by the Convention, they shall be paid as provided by law.

And said resolution was read a second time, considered and agreed to.

Mr. M'Allister offered the following resolution, which was twice read, viz:

Resolved, That a suitable person be employed to take charge of the coat room, during the sitting of the Convention at Harrisburg.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Alricks,

To amend the same, by striking out the words "a suitable person," and inserting in lieu thereof the words "the Assistant Doorkeeper."

Which was agreed to.

The resolution, as amended, was then agreed to.

Mr. Landis offered the following resolution, viz:

Resolved, That the Secretary of the Commonwealth be requested to furnish to the Convention, for the use of the members, six copies of Purdon's Digest.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Mann offered the following resolution, viz :

Resolved, That it is the sense of this Convention that its standing committees, in preparing their reports on the several subjects submitted to them, should adhere as closely to the text of the present Constitution of the State, as is compatible with the securing of such reforms as are clearly demanded by the general sentiment of the people.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

A motion was made by Mr. Darlington,

That the clerk be directed to procure printed blank yeas and nays for the use of the Convention.

Which was agreed to.

Mr. Bowman offered the following resolution, viz :

Resolved, That hereafter this Convention will not accept the resignation of any member, unless the same shall be accompanied with good and sufficient reasons therefor, the sufficiency of such reasons to be determined by the Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Addicks, from the committee appointed to confer with the Councils of Philadelphia, in relation to the selection of and arrangement of a hall for the use of the Convention after January 1, 1873, made a report which was read, as follows, viz :

That the joint committee of the City Councils of Philadelphia having this matter in charge, held a special session for the purpose of meeting this committee upon Monday, the 18th inst., and at once appointed a sub-committee with power to act in the premises, which sub-committee, at once, requested the co-operation of the committee appointed by this body, and they proceeded to act together in the selection of a suitable hall from amongst those suggested. The committee of councils having expressed their willingness to conform to the wishes of this committee, Concert Hall, on Chestnut street, above Twelfth, was selected and has been rented, and the carpets, desks and other furniture to fit the same for the use of this Convention have been determined upon.

Respectfully submitted,

JOHN E. ADDICKS,
On the part of the Committee.

Laid on the table.

Mr. Newlin, from the committee of fifteen, to whom was referred the resolution relating to the reporting of the proceedings of the Convention, made a report, which was read as follows, viz :

That in their opinion it is expedient that the proceedings and debates of the Convention be reported. They, therefore, report the following resolution with the recommendation that it be adopted by the Convention :

Resolved, That the standing committee upon Accounts and Expenditures of the Convention, be directed to report what is the proper amount of compensation to be paid to a stenographer and his assistants, and that upon such report being made and adopted by the Convention, the Convention shall elect a stenographer,

who shall be styled "the official reporter of the Convention." Said reporter shall employ his own assistants, and shall be solely responsible for the accurate performance of his and their duties.

JAMES W. M. NEWLIN,
G. O. LAWRENCE.
J. B. GUTHRIE,
SAMUEL A. PURVIANCE,
D. KAINE,
SILAS M. CLARK,
W. H. ARMSTRONG,
WILLIAM J. TURRELL,
WILLIAM DARLINGTON,
F. B. GOWEN.

On motion of Mr. Newlin,
Said resolution was read a second time.

On the question,
Will the Convention agree to the resolution?

A motion was made by Mr. Darlington,
To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That it is not expedient that the debates of this Convention be reported."

On the question,
Will the Convention agree to amend?

A motion was made by Mr. Funck,
To postpone the further consideration of the resolution until to-morrow morning.

Which was not agreed to.
And the question recurring,

Will the Convention agree to the amendment offered by Mr. Darlington?

The yeas and nays were required by Mr. Cochran and Mr. J. P., Wetherill, and were as follow, viz:

YEAS.

Messrs. Ainey, Andrews, Achenbach, Bartholomew, Baer, Baily, Joseph, Baker, Beebe, Brodhead, Broomall, Curtin, Corbett, Carter, Church, Cochran, Collins, Davis, Dimmick, Darlington, Edwards, Hanna, Harvey, Hazzard, Heverin, Horton, Lambertson, Lawrence, Landis, Littleton, Long, M'Culloch, M'Murray, Mann, Metzger, Patton, Porter, Purviance, Samuel A., Purviance, John N., Runk, Russell, Sharpe, Smith, Henry W., Stewart, Struthers, Turrell, Walker, White, David N., Woodward, Wetherill, J. Price, Wright and Meredith, *President*—51.

NAYS.

Messrs. Armstrong, Alricks, Addicks, Bailey, (Huntingdon,) Bardsley, Bowman, Boyd, Buckalew, Campbell, Cassidy, Clark, Corson, Cronmiller, Curry, Dodd, Dallas, DeFrance, Dunning, Ellis, Elliott, Ewing, Fulton, Funck, Gowen, Gibson, Guthrie, Hall, Hay, Hemphill, Howard, Hunsicker, Kaine, M'Allister, M'Camant, M'Clean, MacConnell, MacVeagh, Mantor, Minor, Mott, Newlin, Niles, Parsons, Patterson, T. H. B., Pughe, Read, John R., Reed, Andrew, Rooke, Smith, Wm. H., Simpson, Temple, Van Reed, White, Harry, Wetherill, J. M., Wherry, White, J. W. F. and Worrell—57.

So the question was determined in the negative.

And the question recurring,
Will the Convention agree to the resolution?

A motion was made by Mr. White, Harry,

That the resolution be referred to the standing Committee on Printing and Binding, when appointed, with instruction to ascertain and report to the Convention the probable expense of reporting, printing and binding its proceedings and debates, and the best method of doing the same; and that the said committee be instructed to report the probable cost of each subject referred separately.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Wherry,

To strike out all after the word "Convention," and insert in lieu thereof as follows, viz: "What work shall be done by stenographer or stenographers, and how much per thousand ems shall be paid for the same."

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the motion made by Mr. White?

The yeas and nays were required by Mr. White, Harry, and Mr. Elliott, and were as follow, viz:

Y E A S .

Messrs. Armstrong, Ainey, Andrews, Addicks, Baily, Joseph, Baker, Bardsley, Beebe, Bowman, Broomall, Carter, Church, Cochran, Curry, Dimmick, Darlington, DeFrance, Edwards, Fell, Fulton, Funck, Hanna, Hazzard, Horton, Howard, Knight, Lilly, Littleton, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Parsons, Patterson, D. W., Patton, Porter, Purviance, John N., Reed, Andrew, Russell, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Van Reed, Walker, White, Harry, White, David N. and Meredith—*President*—52.

N A Y S .

Messrs. Alricks, Achenbach, Bartholomew, Baer, Bailey, (Huntingdon,) Bannan, Boyd, Brodhead, Buckalew, Curtin, Campbell, Corbett, Cassidy, Clark, Collins, Corson, Cronmiller, Cuyler, Davis, Dallas, Dunning, Ellis, Elliott, Ewing, Gowen, Gibson, Guthrie, Hall, Harvey, Hemphill, Heverin, Hunsecker, Kaine, Lambertson, Lawrence, Landis, Lear, Long, M'Allister, M'Camant, M'Clean, M'Murray, Metzger, Mott, Newlin, Niles, Patterson, T. H. B., Pughe, Purviance, Samuel A., Read, John R., Rooke, Ross, Runk, Smith, Wm. H., Smith, H. G., Temple, Turrell, Woodward, Wetherill, J. Price, Wetherill, J. M., Wherry, White, J. W. F., Worrall and Wright—65.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution of the committee?

A motion was made by Mr. John N. Purviance,

To amend the same by striking out the words, "President be authorized to appoint," and inserting in lieu thereof as follows, viz: "Convention shall elect."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Samuel A. Purviance,

To amend the same by adding to the end thereof as follows, viz: "And that said report of the debates of the Convention shall be limited to speeches and discussions actually made and delivered within the bar of the Convention."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Armstrong offered the following resolution, which was twice read, viz :

Resolved, That the standing committee on Printing and Binding, when appointed, be instructed to receive proposals, and report to the Convention as soon as possible the draft of a contract for the reporting, printing and binding, or for each separately, as they may deem best, and that upon the approval by the Convention of a contract or contracts for the same, the duties of the reporters appointed by the Secretary of the Commonwealth shall cease.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Gowen,

To amend the same by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz : That the Committee upon Printing and Binding, when appointed, be directed to report whether the contract between the State and the present Public Printer entitles such printer to the printing and binding of the Convention ; and if their report upon this subject be in the negative, then to receive and report to the Convention bids for the printing and binding of the Convention.

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Mann,

To postpone the further consideration of the resolution indefinitely.

Which was not agreed to.

The resolution, as amended, was then agreed to.

The President laid before the Convention a communication from the Secretary of the Commonwealth, which was read as follows, viz :

STATE OF PENNSYLVANIA.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
Harrisburg, November 19, 1872. }

To HON. WILLIAM M. MEREDITH,,
President Constitutional Convention :

SIR :—On the 14th inst., I received the resolution of the Convention (a copy of which is hereto attached, marked A,) requesting me to furnish the Convention the expenditures of the Executive Departments, including the Auditor General and Surveyor General's offices, as well as the expenditures in detail for the year last past of the Legislative Department.

In reply, the Convention is informed that the expenditures of said departments for the year ending 30th November last, were as follows :

For Executive Department, including Secretary of the Commonwealth.	\$33,054 85	
Auditor General's Department.....	22,082 96	
Surveyor General's Department	27,781 69	
	<hr/>	\$82,919 50
Expenditures for Senate	139,910 06	
Do..... House of Representatives.....	266,284 34	
	<hr/>	406,194 40
Total.....		<hr/> 489,113 90

The details of said expenditures for the Senate and House, so far as I have been able to ascertain the same, are as follows :

I. FOR THE SENATE.

For pay of members, including mileage, stationery and extra pay.....	\$50,274 70
For pay of clerks and assistant clerks.....	8,350 70
For pay of transcribing clerks.....	7,589 55

For pay of Sergeant-at-arms, doorkeepers and messengers.....	\$10,526 54
For pay of pasters and folders.....	8,553 39
J. H. Beale, postmaster.....	1,181 00
Jacob Styers, librarian.....	1,450 00
William Styers, assistant librarian.....	583 00
W. G. Bosler, dec'd, transcribing clerk.....	200 00
For pay of pages.....	3,362 50
R. J. Keeling, for services as chaplain.....	435 00
Jacob Ziegler, clerk of the Senate, for contingent expenses, stationery, fuel, labor, &c.....	2,271 50
Geo. W. Hamersly, late clerk of the Senate, for contingent expenses, stationery, fuel, &c.....	32 14
Jacob Ziegler, clerk of the Senate, for postage furnished Senators, &c., per act Feb. 3, 1870.....	3,271 50
Jacob Ziegler, clerk of the Senate, for indexing journals, session of 1871, per act of May, 1871.....	200 00
George Bergner, P. M., for postage stamps furnished members of the Senate, session of 1870, per act of Feb. 3, 1870.....	130 00
George Bergner, for stationery furnished for the use of the Senate.....	8,669 42
George Bergner, postage.....	1,067 40
George Bergner, printing wrappers.....	350 00
George Bergner, for furnishing the Senate 10 copies of Beitle's Digest... ..	55 00
George Bergner, for 37 copies of Purdon's Digest.....	37 00
George Bergner, for 37 copies of Ziegler's Manual.....	74 00
A. M. Rambo, late sergeant-at-arms, for serving writ on sheriff of Phila- delphia, relative to election in First district.....	26 40
J. P. Colihan, sergeant-at-arms of the Senate, for his services and pay for witnesses in the matter of the coal investigation before the General Judiciary Committee of the Senate.....	5,969 62
J. P. Colihan, sergeant-at-arms, for expenses of Finance Committee of the Senate, during their visit to Danville Insane asylum.....	199 20
Lucius Rogers, for services and mileage as retiring assistant clerk of the Senate.....	85 00
W. G. Bosler, for services as retiring transcribing clerk of the Senate... ..	54 00
E. Cowan, for services as retiring transcribing clerk of the Senate.....	86 00
A. M. Rambo, for services as retiring sergeant-at-arms of the Senate....	35 60
G. W. Hutchinson, for services as retiring messenger of the Senate.....	52 00
Wm. A. Rupert, for services as retiring doorkeeper of the Senate.....	106 80
James Guyder, for services as retaining fireman of the Senate.....	48 20
Geo. W. Hamersly, for services as retiring chief clerk of the Senate.....	64 20
Andrew T. Monks, for services as retiring postmaster of the Senate.....	30 00
E. Williams, for services as retiring assistant-clerk of the Senate.....	80 00
A. G. Olmstead, member of the Senate committee to revise the civil code, per act of March 15, 1871.....	500 00
Wm. A. Wallace, member of the Senate committee to revise the civil code, per act of March 15, 1871.....	500 00
Harry White, member of the Senate committee to revise the civil code, per act of March 15, 1871.....	500 00
J. S. Rutan, for services as member of select committee on public print- ing, per act of May 27, 1871.....	300 00
C. M. Duncan, for services as member of select committee on public printing, per act of May 27, 1871.....	300 00
C. R. Buckalew, for services as member of select committee on public printing, per act of May 15, 1871.....	300 00
H. J. Mason, for services as stenographer to select committee on public printing.....	150 00
David McCormick, for coal furnished to the Senate.....	300 00
Elder & Co., for wood furnished to the Senate.....	416 00
Mitchell & Haggerty, for coal furnished to the Senate.....	216 00
T. S. Sturgeon, for painting, glazing and varnishing the Senate Chamber, J. B. Boyd, for miscellaneous work done at the Senate Chamber.....	581 00
Jas. H. Orne, Son & Co., for carpets, &c., furnished for the Senate.....	2,431 30
M. B. Montgomery, for merchandise.....	1,921 05
Theo. F. Scheffer, for stationery.....	226 92
J. A. Duncan, for expenses incurred in visiting Washington, D. C., on postage account, per act of July 17, 1871.....	3,534 10
Mrs. W. W. Watt, for salary and mileage of her deceased husband, late a member of the Senate, per act of February 18, 1871.....	28 00
Daniel Hoke, for services as janitor.....	1,033 00
John Lynch, for services as janitor, session of 1870.....	870 00
B. F. Burroughs, for services as fireman.....	300 00
J. A. Matthews, for services as fireman.....	1,253 03
	870 00

D. F. Etzweiler, for services in Speaker's room, and clerk to Committee on Apportionment.....	\$1,498 00
Daniel Best, for services as laborer, Senate.....	150 00
Jacob Styers, for three months extra services as librarian, after close of session, per act of March 27, 1871.....	900 00
R. Bruce Petrikin, for services as member of Judiciary General Committee in the coal investigation case, per act of May 27, 1871.....	500 00
A. G. Olmstead, for services as member of the Judiciary General Committee, in the coal investigation case, per act of May 27, 1871.....	500 00
J. D. Davis, for services as member of the Judiciary General Committee, in the coal investigation case, as per act of May 27, 1871.....	500 00
R. P. Dechert, for services as member of the Judiciary General Committee, in the coal investigation case, per act of May 27, 1871.....	500 00
J. J. Hall, for services as stenographer to said committee.....	500 00
Harry White, for services as member of the Judiciary General Committee, in the coal investigation case, per act of May 27, 1871.....	500 00
H. J. Mason, for services as stenographer to said committee.....	700 00
C. C. Mullin, for services as watchman.....	999 00
Jacob Ziegler, clerk of the Senate, for amount paid by him for labor done in the basement during the session of 1871, and before the regularly elected officers took charge of their positions, per act of May 27, 1871..	256 75
J. B. Mitchell, for services and mileage as witness before the committee on Public Printing, per act of May 27, 1871.....	14 17
Total.....	<u>139,910 06</u>

II. FOR THE HOUSE OF REPRESENTATIVES.

For pay of members, including mileage, stationery and extra pay.....	\$152,464 05
For pay of clerks and assistant clerks.....	7,315 40
For pay of transcribing clerks.....	10,558 90
George Pierce, for services as chaplain.....	435 00
A. B. McCartney, for services as postmaster.....	1,265 60
R. A. Cochran, for services as assistant postmaster.....	1,246 40
William L. Cooper, for services as librarian.....	1,450 00
Jas. Worrel, for services as clerk in charge of Speaker's room.....	1,450 00
For pay of sergeant-at-arms, doorkeepers and messengers.....	18,302 20
For pay of pasters and folders.....	13,489 25
For pay of pages.....	5,800 00
Daniel Best, for services as janitor.....	870 00
Charles G. Auer, for services as fireman.....	899 40
John Wesley Davis, for services as engineer.....	1,140 00
H. L. Bowers, for services as fireman.....	870 00
William Morrow, for services as watchman.....	570 00
James L. Selfridge, Clerk of the House, for contingent expenses, stationery, fuel, labor, &c.....	5,500 00
James L. Selfridge, Clerk of the House, for postage furnished members, session of 1871, per act February 3, 1870.....	10,000 00
James L. Selfridge, Clerk of the House, for postage furnished members of session of 1870.....	100 00
James L. Selfridge, Clerk of the House, for indexing journals of session of 1871, per act of May 27, 1871.....	200 00
Augustus Beckert, for services as retiring postmaster.....	81 20
John H. Hall, for services as retiring doorkeeper.....	80 00
Hiram Chubb, for services as retiring fireman.....	34 80
H. C. Demming, clerk to committee in the contested election case of Price against Lynd.....	300 00
John B. Davis, clerk to committee in the contested election of Steele against Putney.....	300 00
William J. Owens, sergeant-at-arms, for expenses of committee of Ways and Means, incurred by visit to Insane Asylum at Danville.....	352 10
William J. Owens, sergeant-at-arms, for expenses of Erie harbor committee.....	847 50
George Bergner, for furnishing the House of Representatives with 105 copies of Beitle's Digest.....	577 50
William J. Owens, sergeant-at-arms, for serving subpoena on William R. Leeds, sheriff of Philadelphia, notifying him to call a special election in the Seventeenth Legislative district.....	28 00
George Bergner, for furnishing 110 copies Purdon's Digest.....	1,100 00
George Bergner, for furnishing 110 copies of Ziegler's Manual.....	220 00
George Bergner, for stationery, &c., furnished the House of Representatives.....	10,948 42

George Bergner, for postage.....	\$2,096 80
John Cruikshank, for painting the Hall of the House of Representatives.....	600 00
Joseph Campbell, deceased, member, for salary and mileage.....	1,036 00
Henry C. Johnson, member of the House committee for the revision of the civil code, per act of March 15, 1871.....	500 00
John G. Hall, member of the House committee for the revision of the civil code, per act of March 15, 1871.....	500 00
B. B. Strang, member of the House committee for the revision of the civil code, per act of March 15, 1871.....	500 00
C. W. Stoner, member of the House, for services as special committee on Marine hospital and Erie harbor, per act of May 27, 1871.....	300 00
James Ellis, member of the House, for services as special committee on Marine hospital and Erie harbor, per act of May 27, 1871.....	300 00
George W. Starr, member of the House, for services as special committee on Marine hospital and Erie harbor, per act of May 27, 1871.....	300 00
John G. Hall, member of the House, for services as special committee on Marine hospital and Erie harbor, per act of May 27, 1871.....	300 00
A. C. Reinckel, member of the House, for services as special committee on Marine hospital and Erie harbor, per act of May 27, 1871.....	300 00
A. W. Cook, for services as clerk to said committee.....	400 00
John M. Kilbourn, for services and mileage as retiring transcribing clerk.....	94 00
Thos. Wilson, for services as retiring sergeant-at-arms.....	52 00
George Bergner, for printing wrappers.....	1,195 00
J. B. Boyd, for miscellaneous work done at the House of Representatives.....	2,894 45
Henry Gilbert, for hardware, &c., furnished for use of House of Representatives.....	526 64
Jas. H. Orne, Son & Co., for carpets, &c., furnished House of Representatives.....	1,232 42
J. J. Rebnan, for merchandise.....	236 26
Val. Hummel, Jr., for merchandise.....	285 05
C. H. Tunis, coal furnished for the House of Representatives.....	350 00
E. Byers & Son, for coal furnished.....	330 00
Jas. L. Selfridge, Clerk of the House, for expenses incurred in boxing and forwarding matter for members during the session, as directed by a resolution of the House, per act of May 27, 1871.....	700 00
Jas. L. Selfridge, Clerk, for expenses incurred in shipping History of Pennsylvania Volunteers to Senators and Members.....	2,500 00
John A. Smull, Resident Clerk, amount expended in forwarding Legislative Journal to Members, session of 1871, per act of May 27, 1871.....	250 00
Total.....	<u>266,284 34</u>

Hoping this information may be accepted by the Convention as a compliance with the request for information,

I have the honor to be,

Most respectfully,

Your obedient servant,

FRANCIS JORDAN,
Secretary of the Commonwealth.

["A."]

IN THE CONSTITUTIONAL CONVENTION, }
Thursday, Nov. 14, 1874. }

"WHEREAS, By the tenth section of the act calling this Convention, the Secretary of the Commonwealth was authorized to cause to be prepared, for the information and use of the Convention, such statistical information as may be useful to it in the performance of its duties; therefore,

"Resolved, That the Secretary of the Commonwealth be requested to furnish to the Convention, as early as convenient, the expenditures of the Executive Departments, including the Auditor General and Surveyor General's offices: as well as the expenditures in detail for the year last past of the Legislative Department."

[Extract from the Journal.]

D. L. IMBRIE,
Clerk.

Laid on the table.

On motion of Mr. Woodward,

Ordered, That the foregoing communication be printed for the use of the Convention.

Mr. Woodward offered the following resolution, viz :

Resolved, That the Secretary be required to furnish each member such stationery as he may require, not to exceed in value fifty dollars for each member, an accurate account to be kept of the value of said stationery.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

A motion was made by Mr. Lilly and Mr. Darlington,

That the Convention re-consider the vote by which the resolution of November 12th was adopted, providing for the permanent sessions of the Convention to be held in the city of Philadelphia after January 1, 1873.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. D. N. White and Mr. MacVeagh, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Achenbach, Baer, Baily, (Perry,) Bowman, Broomall, Cochran, Collins, Darlington, De France, Dunning, Edwards, Elliott, Fulton, Funck, Gibson, Hall, Hazzard, Horton, Howard, Kaine, Lamberton, Lawrence, Lilly, Landis, M'Clean, M'Culloch, M'Murray, MacVeagh, Mann, Metzger, Niles, Patterson, D. W., Purviance, Samuel A., Purviance, John N., Reynolds, James L., Rooke, Russell, Smith, Henry W., Struthers, Van Reed, Walker, White, Harry, White, David N., Wherry, and White J. W. F.—48.

N A Y S .

Messrs. Armstrong, Andrews, Addicks, Bartholomew, Bailey, (Huntingdon,) Baker, Bannan, Bardsley, Beebe, Boyd, Brodhead, Buckalew, Curtin, Campbell, Corbett, Carter, Cassidy, Church, Corson, Cronmiller, Curry, Cuyler, Davis, Dimmick, Dodd, Dallas, Ellis, Ewing, Fell, Gowen, Guthrie, Hanna, Harvey, Hay, Hemphill, Heverin, Hunsicker, Knight, Lear, Littleton, Long, M'Allister, M'Camant, Mantor, Minor, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Read, John R., Reed, Andrew, Ross, Runk, Smith, William H., Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Temple, Turrell, Woodward, Wetherill, J. Price, Wetherill, J. M., Worrell, Wright and Meredith, *President*—63.

So the question was determined in the negative.

On motion of Mr. Bartholomew,

The following resolution was twice read, considered and adopted, viz :

Resolved, That if the Standing Committee on Printing shall hold that the contract for public printing already entered into, includes the printing that may be required for this body, they shall report to this body the reasons for such conclusion, as well as the authorities upon which it is based.

Mr. Hay offered the following resolution, viz :

Resolved, That until otherwise ordered, the Convention will meet daily at 10 A. M., adjourn at 1 P. M.; re-assemble at 3.30 P. M., and adjourn at 5.30 P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

A motion was made by Mr. White,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, NOVEMBER 21, 1872.

Mr. Broomall offered the following resolution, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to inquire into the expediency of securing the right of suffrage to all adult citizens, without regard to sex.

Also, the following resolution, viz :

Resolved, That the Committee on the Executive Department, be instructed to inquire into the expediency of providing that the term of office of the Governor shall be four years, and that no person shall serve more than one term in eight years.

Also, the following resolution, viz :

Resolved, That the Committee on Revenue and Taxation be instructed to inquire into the expediency of prohibiting the Legislature from granting special exemptions from taxation of property otherwise taxable.

Also, the following resolution, viz :

Resolved, That the Committee on the Legislature be instructed to inquire into the expediency of extending the term of the Representatives to two years, and that of the Senators to four years, and providing that the regular sessions of the Legislature shall be held once in two years.

Also, the following resolution, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to inquire into the expediency of providing that electors shall have resided within the election district where they offer to vote ninety days, and shall have paid a State or county tax within one year, which shall have been assessed at least sixty days before the election.

Also, the following resolution, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of providing that all judges, who are required to be learned in the law, shall be appointed by the Governor, by and with the advice and consent of the Senate, and that they shall hold their offices during good behavior, and of providing a process of retiring them on account of age or infirmity.

Which were severally laid on the table.

Mr. Lamberton offered the following resolution, viz :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of so amending the Constitution, that the number of Justices of the Su-

preme Court shall be increased, the State be divided into districts, and a justice be chosen from each of said districts.

Also, the following resolution, viz :

Resolved, That to the Committee on Legislation it be referred to inquire into the expediency of providing that every bill shall be read at large on three different days in each House.

That every bill, with all amendments thereto, shall be printed before the vote is taken on its final passage.

That on the final passage of every bill, the vote shall be taken by yeas and nays, which shall be entered upon the journal.

That upon the final passage of all appropriation bills, the vote shall be taken by yeas and nays upon each section or appropriation separately, and be entered upon the journal.

Also, the following resolution, viz :

Resolved, That to the Committee on Suffrage, &c., it be referred to inquire into the expediency of increasing the length of residence in an election district, so as to qualify a citizen to vote therein.

Which were severally laid on the table.

Mr. J. Price Wetherill offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the Auditor General be requested to furnish this Convention information upon the following items :

First. What amount of money has been paid for public printing under the existing contract.

Second. What amount (if any) of said expenditure has been paid for work done which, from the peculiarity of the composition, or otherwise, could not be embraced in the schedule of rates, as prescribed by act of Assembly, and not so included.

Mr. Harry White offered the following resolution, viz :

Resolved, That the Constitution should be amended as follows :

The Legislature shall not pass any local or special laws in any of the following cases, viz :

Regulating municipal affairs.

Granting divorces.

Laying out, opening or changing roads, streets and alleys.

Changing the names of persons and places.

Changing county seats.

Regulating the practice in the courts.

Changing the venue in any case.

Incorporating cities, towns and villages, or amending the charter of any city, town or village.

Regulating the election of borough or township officers.

Regulating the jurisdiction and duties of justices of the peace, aldermen and constables.

Regulating the management of common schools.

Fixing the rate of interest.

Affecting the real estate of minors and persons under disability.

Relating to or incorporating ferries and bridges.

Creating, increasing or decreasing fees and allowances of public officers during the term for which they were elected or appointed.

Granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise.

Nor shall any bill be passed by the Legislature granting any powers or privileges in any case where authority to grant such powers or privileges has been, or may hereafter be given to the courts of this Commonwealth.

Which was laid on the table.

Mr. Wherry offered the following resolution, viz :

Resolved, That so much of the present Constitution as relates to the several subjects, for which standing committees shall have been created, be referred to

the appropriate committees, when appointed, and the said committees be and they are hereby instructed to consider the same and to prepare and report such amendments as, in their judgment, should be made to the Constitution.

Which was laid on the table.

Mr. Cochran offered the following resolution, viz:

Resolved, That when this Convention adjourns to-day, it adjourn to meet again on Tuesday morning next, at eleven o'clock.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Beebe offered the following resolution, viz:

Resolved, That all appropriations by the State to denominational or sectarian institutions, for charitable or educational purposes, shall be prohibited.

Which was laid on the table.

Mr. Wherry offered the following resolution, viz:

Resolved, That the Committee on Legislature be requested to report a Constitutional provision, defining the term of members of the Legislature.

Which was laid on the table.

A motion was made by Mr. Dallas,

That the Convention do now adjourn.

Which was not agreed to.

Mr. Campbell offered the following resolution, viz:

Resolved, That the Committee on Suffrage be instructed to inquire into the expediency of giving to foreign born residents of the Commonwealth the privileges of State citizens, provided they shall have resided within the State for two years, be of the age of twenty-one years, and shall have declared their intentions to become citizens of the United States.

Also, the following resolution, viz:

Resolved, That the Committee on Revenue be instructed to inquire into the expediency of abolishing all fees now permitted by law to be collected from the estates of decedents, and to substitute, in lieu thereof, a graduated inheritance tax upon the gross value of the estates.

Also, the following resolution, viz:

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of abolishing the offices of aldermen and justices of the peace, and substitute, in lieu thereof, a minor judiciary, to be composed of judges learned in the law, of at least thirty years of age, and elected by the cumulative method of voting.

Which were severally laid on the table.

Mr. John Price Wetherill offered the following resolution, viz:

Resolved, That the Committee on the Executive, when appointed, be instructed to inquire into the expediency of so amending the Constitution of this State as to limit (by the appointment of a council upon the subject, or otherwise,) the pardoning power of the Governor of this State.

Also, the following resolution, viz:

Resolved, That there should be inserted in the proposed Constitution a provision for the payment of all public officers fixed salaries, and that all fees, perquisites and emoluments shall be paid into the public treasury.

Which were severally laid on the table.

Mr. Barclay offered the following resolution, viz :

Resolved, That the Secretary of the Commonwealth be requested to furnish this Convention with a list of all pardons obtained from the different Governors of Pennsylvania, from the first day of January, 1838, to this date, with the names of the persons pardoned, the nature of their offences; the time when such persons were convicted, (if known,) and the times when such persons were pardoned.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Stewart offered the following resolution, viz :

Resolved, That the Committee on Executive Department be instructed to inquire into the expediency of establishing a Court of Pardons.

Which was laid on the table.

Mr. M'Allister offered the following resolution, viz :

Resolved, 1st. That no legislative, executive or judicial officer of the Commonwealth shall during the term of his office, accept or hold a pass or gratuity from any railroad holding corporate rights and franchises under the laws thereof.

2d. That the sale of intoxicating drinks, as a beverage, is prohibited, and the Legislature shall, within one year from the adoption of the Constitution, pass laws with suitable penalties for the prevention thereof.

Which was laid on the table.

Mr. Temple offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the Auditor General be requested to furnish the Convention with a statement of the amount of money paid into the State Treasurer's office for the several years since January 1, 1867, by the following named officers for the city and county of Philadelphia :

Recorder of deeds, register of wills, prothonotary of district court, prothonotary of Supreme Court and prothonotary of court of common pleas.

Mr. Hunsicker offered the following resolution, viz :

Resolved, That to the Committee upon the Declaration of Rights be referred the following addition to the Bill of Rights :

"That no law shall be passed limiting the amount of damages recoverable in any proceedings at law or equity."

Which was laid on the table.

Mr. Brodhead offered the following resolution, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to inquire into the propriety of allowing all persons, without regard to nationality, who have resided in the State for one year, and in the election district for ninety days, the right to vote at all State and municipal elections.

Which was laid on the table.

Mr. Corson offered the following resolution, viz :

Resolved, That the Committee on Bill of Rights be requested to inquire into the propriety of amending Article IX, section 6, of the Constitution, so as to make it read as follows :

"That trial by jury shall be as heretofore, and the right thereof remain inviolate; and no judge shall deliver any charge except it be written and read to the jury, and then filed of record."

Which was laid on the table.

Mr. Bartholomew offered the following resolution, viz :

Resolved, That the proper committee be requested to inquire into the expediency of prohibiting the Legislature from enacting any special law extending the time for the payment of any contract debt.

Which was laid on the table.

Mr. MacConnell offered the following resolution, viz :

Resolved, That the appropriate committee be instructed to inquire into the expediency of preventing, by Constitutional provision, the sale or other disposition of cemeteries and places of sepulture for any purpose except that of burial.

Which was laid on the table.

Mr. Simpson offered the following resolution, viz :

Resolved, That the Committee on Education, when appointed, be requested to consider and report upon the following, as an article in the Constitution :

ARTICLE —.

EDUCATION.

SECTION 1. The General Assembly shall provide a thorough and efficient system of free schools, and may provide for the attendance of all children between the ages of six and twelve years, unless in case of physical or mental incapacity.

SECTION 2. Neither the General Assembly, nor any county, city, town, township, school district, or other public or municipal corporation, by whatever name called, shall ever make any appropriation, donation or grant of any money, property or valuable thing, or pay from any public fund whatever, anything in aid of any church or sect, or to help, support or sustain any school, academy, seminary, college, university or other literary or scientific institutions managed or controlled, either in whole or in part, by any church or sectarian denomination whatever.

SECTION 3. All lands, moneys or other property donated, granted or received for school, college, seminary or university purposes, or the proceeds thereof, shall be faithfully applied to the objects for which such gifts or grants were made.

Which was laid on the table.

Mr. Collins offered the following resolution, viz :

Resolved, That we, the people of the State of Pennsylvania, grateful to Almighty God, the Creator of the Universe, for the civil, religious and political liberty which has been so long vouchsafed us to enjoy, and looking to the same source for blessings upon our endeavors to secure and transmit the same to succeeding generations, do ordain and establish this Constitution for the State of Pennsylvania.

Which was laid on the table.

Mr. Turrell offered the following resolution, viz :

Resolved, That the Committee on Judiciary, when appointed, be instructed to inquire into the expediency of authorizing juries in civil and criminal cases to render a verdict by a majority of two-thirds of their number.

Which was laid on the table.

Mr. Baer offered the following resolution, viz :

Resolved, That the Constitution be amended, as follows, viz :

First. Any person holding office under the laws of this State who, except in payment of his legal salary, fees or perquisites, receives or consents to receive, directly or indirectly, anything of value or of personal advantage, or the promise thereof, for performing or omitting to perform any official act, with the express or implied understanding that his official action or omission to act, is to be in any degree influenced thereby, shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment at hard labor in one of the penitentiaries of the State, for a term not exceeding five years, or by a fine not exceeding \$5,000, or both, in the discretion of the court.

Second. In all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defence.

Third. No divorce shall be granted in this State, except by the judgment of a court of competent jurisdiction, and for no other cause than adultery.

Fourth. No costs shall be paid by a person accused, on a bill returned ignoramus, nor on acquittal by a jury.

Fifth. Trial by jury, in all cases in which it has heretofore been used, shall remain inviolate, except that in suits before aldermen and justices of the peace

provision may be made by general law for trial by a jury of less than twelve men. But a jury trial may be waived by the parties in all civil suits.

Sixth. To enable a debtor, being the head of a family, his wife or widow, to enjoy the comforts of life, and rear, educate and maintain his or her children, there shall be exempt from levy and sale for the payment of all debts and liabilities hereafter contracted (taxes excepted) property of the value of one thousand dollars, which may consist of real and personal property, or of either, and the same being set aside as provided by law, shall not be sold or conveyed, pledged or pawned, during the joint life of husband and wife, without their joint assent ascertained in such way as may be prescribed by law. And all contracts waiving the benefit of the exemption hereby created are hereby declared to be void: *Provided*, That the lien for purchase money on real estate, as against the real estate sold, shall not be impaired.

Which was laid on the table.

Mr. Ewing offered the following resolution, viz:

Resolved, That the several standing committees on the Constitution be requested to report the propositions which they shall recommend for adoption unaccompanied by their reasons for such recommendation.

Which was laid on the table.

Also, a resolution as follows, viz:

Resolved, That all resolutions and propositions, which may be submitted to the Convention, regarding amendments or additions to the Constitution, be printed for use of the members.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Wherry offered the following resolution, viz:

Resolved, That all propositions of amendments reported by committees shall, before final action is taken on them, be reported to a committee of the whole.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Lilly offered the following resolution, viz:

Resolved, That the Committee on Suffrage, Elections and Representation inquire into the expediency of altering the Constitution in such a way as to require the holding of certificates of naturalization, for at least six months before the right of suffrage can be exercised.

Also, the following resolution, viz:

Resolved, That the Committee on Suffrage, Elections and Representation be instructed to inquire into the expediency of compelling each legal voter to exercise the power of suffrage at all State and national elections held in this Commonwealth.

Which were severally laid on the table.

Mr. Hay offered the following resolution, viz:

Resolved, That the Committee on the Declaration of Rights be instructed to inquire into the expediency of so amending the tenth section thereof, as to provide that where any man's property is taken or applied to public use, the necessity for such taking or application shall be first determined in a manner to be prescribed by law.

Also, the following resolution, viz :

Resolved. That the Committee on the Declaration of Rights be instructed to inquire into the expediency of adding to the sixth section thereof, "but a trial by jury may be waived by the parties in all cases."

Also, the following resolution, viz :

Resolved. That the Committee on Revenue, Taxation and Finance be instructed to ascertain, if possible, what proportion of the real property in the Commonwealth is now exempt from taxation under general and private laws, and to what uses and purposes the same is devoted; and, also, to enquire into the expediency of providing that all property in the Commonwealth, excepting that belonging to or under the absolute control and supervision of the Commonwealth, or any county, township, borough, city, ward or school district therein, and excepting cemeteries, shall be subject to taxation; and of providing that no property should be exempted from taxation by any other than general laws.

Which were severally laid on the table.

Mr. H. W. Palmer offered the following resolution, viz :

Resolved. That the appropriate committee be instructed to enquire into the expediency of so amending the Constitution as to prohibit and forbid the judges of the courts of this Commonwealth from charging juries upon the facts of cases, except so far as may be necessary to explain the law thereof.

Which was laid on the table.

A motion was made by Mr. Clark,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning, at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. RODGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, NOVEMBER 22, 1872.

Mr. Stanton offered the following resolution, viz :

Resolved. That the Committee on Legislature be instructed to inquire into the expediency of so amending the Constitution as to enable the Governor, by appointment, to fill vacancies which may occur in either branch of the Legislature until the next election.

Also, the following resolution, viz :

Resolved. That the Committee on the Executive Department be instructed to inquire into the expediency of so amending the Constitution as to provide for the election by the people of a Lieutenant Governor, to be chosen at the same time, and for the same term of office as the Governor.

Also, the following resolution, viz :

Resolved. That all resolutions be referred to standing committees (when appointed) without debate.

Also, the following resolution, viz :

Resolved, That the Committee on the Executive Department be instructed to inquire into the expediency of so amending the Constitution as to empower the Governor in the event of the death or removal of any person or persons elected to a State office, between the date of their election and the date of their inauguration, or assuming the duties of such office, to fill such vacancy by appointment, such appointed to hold office until the next annual election.

Which were severally laid on the table.

Mr. Stanton offered the following resolution, which was twice read, viz :

Resolved, When this Convention adjourns, it adjourn to meet Tuesday, December third.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

Mr. MacConnell offered the following resolution, viz :

Resolved, That the Committee on Legislation report the following amendments, viz :

1st. One providing that the real and personal property of any female in this State, acquired before marriage, and all property, real and personal, to which she may in any manner become entitled after marriage, shall be and remain the sole and separate estate and property of such female, and shall not be liable for any debts, obligations or engagements of her husband, and may be devised and bequeathed, and, with the written assent of her husband, conveyed by her as if she were unmarried.

2d. One providing that no married woman shall, in any way or manner, become security for any debt, obligation or engagement of her husband, or in any way or manner pledge or render liable any of her property, real or personal, for such debt, obligation or engagement.

Also, the following resolution, viz :

Resolved, That the Judiciary Committee report an amendment requiring the Legislature to divide the State into as many judicial districts as there may be judges at the time in the Supreme Court; requiring the legal voters of each circuit to elect one judge of said court; requiring the judge elected in each circuit to reside therein during his whole term of office; requiring said court to hold at least one term in banc in each circuit each year; and making the judge resident in each circuit the presiding judge in said court while it is sitting in banc in his circuit.

Also, one providing that the orphans' court in each county shall consist of one judge, who shall be learned in the law, and whose salary shall be paid by the county.

Also, one abolishing the registers' courts, and vesting their jurisdiction in the orphans' courts; and abolishing the office of register of wills, and vesting the powers and duties thereof in the clerks of the orphans' courts.

Which were severally laid on the table.

Mr. J. Price Wetherill offered the following resolution, viz :

RESOLUTION OF INSTRUCTION TO COMMITTEE ON CITIES AND CITY CHARTERS.

WHEREAS, The people of every section of the State should be supreme in the management of their own local affairs, and the central authority should be restricted to such matters alone as concern the interests of the whole; therefore,

Resolved, That the Committee upon Cities and City Charters be requested to report upon such alteration of the organic law so as to remove the obstacles which have thus far prevented the success of municipal legislation by an amendment to the Constitution prohibiting the Legislature regulating county or township affairs, incorporating cities, towns or villages, or changing or amending the charters of the same so that in all cases where a general law can be made applicable, no special law shall be enacted.

Which was laid on the table.

Mr. Wm. H. Smith offered the following resolution, which was twice read, viz :
Resolved, That when this Convention adjourns, (to-day,) it shall adjourn to meet in Philadelphia, on Tuesday, January 14, 1873.

On the question,

Will this Convention agree to the resolution ?

The yeas and nays were required by Mr. Lawrence and Mr. White, and were as follow, viz :

YEAS.

Messrs. Addicks, Armstrong, Baker, Beebe, Boyd, Campbell, Church, Corbett, Corson, Cronmiller, Davis, Dimmick, Gilpin, Hay, Hemphill, Heverin, Hunsicker, Long, M'Camant, M'Murray, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Ross, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Woodward and Wright—33.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Baily, (Perry,) Bailey, (Huntingdon,) Bannan, Barclay, Black, Charles A., Bowman, Broomall, Brown, Carter, Cassidy, Clark, Collins, Curry, Curtin, Dallas, Darlington, DeFrance, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Guthrie, Hall, Hanna, Harvey, Hazzard, Horton, Howard, Kaime, Lamberton, Landis, Lawrence, Lilly, M'Allister, M'Clean, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Mott, Newlin, Niles, Patterson, D. W., Patton, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Runk, Russell, Simpson, Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, Worrell and Meredith, *President*—74.

So the question was determined in the negative.

Mr. Wright offered the following resolution, viz :

Resolved, That the Committee on Legislation inquire into the expediency of restricting, by an appropriate amendment, further grants to corporations or other persons of privileges or rights in, over or upon the rivers, creeks and streams of the Commonwealth.

Which was laid on the table.

Mr. Campbell offered the following resolution, viz :

Resolved, That the Committee on Legislation be requested to inquire into the expediency of increasing the number of members in the Senate to fifty, and in the House to two hundred and twenty-five.

Also, the following resolution, viz :

Resolved, That the Committee on Railroads be instructed to inquire into the expediency of so amending the Constitution, as to prohibit any railroad or canal company from holding, leasing or purchasing, whether in its own name or by means of an association created for the purpose, any coal or mining lands within the Commonwealth; and also, to prohibit any such company from carrying on any other business, except that of common carrier.

Which were severally laid on the table.

Mr. J. M. Wetherill offered the following resolution, which was twice read, considered and disagreed to, viz :

Resolved, That the Secretary of the Commonwealth be requested to furnish this Convention with such information as may be among the records of the Executive Department, of the number of persons killed and injured in the working of mines in the State, during the years 1869, 1870 and 1871.

Mr. Ross offered the following resolution, viz :

Resolved, That the Committee on Declaration of Rights be requested to inquire into the expediency of abolishing the grand jury system.

Also, the following resolution, viz :

Resolved, That the Committee on Judiciary be requested to inquire into the expediency of so amending section second, article fifth, of the Constitution, that the same shall provide that all judges, other than judges of the Supreme Court, shall not be required to reside within the district or county for which they were respectively elected.

Which were severally laid on the table.

Mr. Lamberton offered the following resolution, viz :

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of providing that no bill shall become a law without the concurrence of a majority of the members elect to each House.

Also, the following resolution, viz :

Resolved, That the Committee on Elections be instructed to inquire into the expediency of providing for the election of all judges at some other time than that prescribed for the election of Governor and members of the Legislature.

Which were severally laid on the table.

Mr. Wm. H. Smith offered the following resolution, viz :

Resolved, That no law shall be passed giving to contractors, builders, landlords, or any other class of creditors, preference or priority in liens against the personal or real property of any debtor.

Which was laid on the table.

Mr. Dunning offered the following resolution, viz :

Resolved, That in case the Constitution shall be so amended as to authorize the appointment, by the Governor, of the judges of the several courts of common pleas of this Commonwealth, all such appointments shall be referred to the judges of the Supreme Court for confirmation.

Which was laid on the table.

Mr. Church offered the following resolution, viz :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of so amending the Constitution as to abolish the office of associate judge in the several judicial districts, where such officer is not required to be learned in the law.

Also, the following resolution, viz :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of so amending the Constitution as to provide for the abolition of the office of register of wills, and provide for the appointment of probate judge in each county, who shall be learned in the law, and have the powers and jurisdiction of the present orphans' court, and all other matters relative to the estates of decedents.

Which were severally laid on the table.

Mr. Hanna offered the following resolution, viz :

Resolved, That the Committee on Legislation, when appointed, be instructed to report the following as a Constitutional provision, viz :

No bill shall be passed by the Legislature containing more than one subject, which shall be clearly expressed in the title, except appropriation bills. But if the title contain only one subject, the bill shall be valid as to that, and void as to all other subjects. No law shall be revived, altered or amended by reference to its title only; but the act revived, or the section or sections thereof as altered or amended, shall be re-enacted and published at length.

Also, the following resolution, viz :

Resolved, That the Committee on Executive Department, when appointed, be instructed to report upon the expediency of providing for the election by the people, in addition to a Governor, of a Lieutenant Governor, who shall be the presiding officer of the Senate, and appoint all committees thereof.

And also, the election by the people of State Treasurer and Attorney General.

Which were severally laid on the table.

Mr. John M. Bailey offered the following resolution, viz :

Resolved, That the Committee on Railroads and Canals be instructed to report a Constitutional provision prohibiting railroad and canal companies from making, in their rates of transportation, unjust discrimination against local freight.

Which was laid on the table.

Mr. Landis offered the following resolution, viz :

Resolved, That the Committee on Legislature inquire into the expediency of so amending the Constitution, "that no member of the Legislature shall receive compensation for services as a member of a special committee of either House.

Which was laid on the table.

Mr. G. W. Palmer offered the following resolution, viz :

Resolved, That the Committee on Oath of Office be instructed to inquire into the expediency of amending the 8th article of the Constitution, so that the same shall read as follows :

"All civil officers shall, before they enter upon the duties of their respective offices, take and subscribe before some person qualified by law to administer oaths, the following oath or affirmation :

"I do solemnly swear (or affirm, as the case may be,) that I will support the Constitution of the United States, and the Constitution of the State of Pennsylvania, and that I will perform the duties of my office with fidelity and according to the best of my ability, and that I have not personally or otherwise paid or contributed any money or other valuable thing, or made any promise to directly or indirectly influence any vote, or to induce any other person to vote or work in my favor at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person for any vote or influence I may give or withhold, or for the performance or non-performance of any official act."

This oath shall, in the case of all State officers, be filed and recorded in the office of the Secretary of the Commonwealth, and in the case of county and township officers in the office of the prothonotary of their respective counties.

Any person who shall swear falsely, or knowingly violate his oath, shall be guilty of perjury, and in addition to the penalties thereof, shall forfeit his office, and be forever disqualified from holding any office of profit or trust in this Commonwealth.

Which was laid on the table.

Mr. Andrew Reed offered the following resolution, viz :

Resolved, That no bill shall become a law unless it be passed in each House by a majority of the whole number of members elected, and on its final passage the vote shall be taken by yeas and nays.

Which was laid on the table.

Mr. Woodward offered the following resolution, viz :

Resolved, That the Committee upon Suffrage, Election and Representation be instructed to inquire into the expediency of so amending the Constitution as to abolish the secret ballot, and to require all voting to be *viva voce*.

Which was laid on the table.

Mr. Mann offered the following resolution, viz :

Resolved, That rule No. 36 be and the same is hereby amended by adding the words, "which declaration shall be made before the name of the President is called."

Which was laid on the table.

Mr. Cassidy offered the following resolution, viz :

Resolved, That the Committee on Cities and City Charters be instructed to report how far it is expedient to amend the Constitution, so as to provide that there

shall be elected in every city of over one hundred thousand inhabitants, two citizens of said city who shall be called commissioners of elections; and that in said election each qualified elector shall vote for one commissioner, and the two persons having the highest number of votes shall be elected, and shall hold their office for five years. The officers so elected shall have exclusive supervision and control, while an election is progressing, of the election officers in said city, provide for and furnish all books and papers necessary to carry on the election, and the custody of the papers, boxes and ballots at the conclusion of the same. The salary of the commissioners shall be fixed by the councils of the cities electing said officers.

All appeals by citizens as to the unfitness of the persons selected to act as election officers, and all complaints on reference to said officers, or to the mode of conducting the election, shall be made to said commissioners; and in the event of their being unable to agree upon any subject, one of the commissioners shall request the attendance of a judge of the Supreme Court of this Commonwealth, not a citizen of said city, to appear and act with commissioners; and a majority of the board, as thus constituted, shall finally decide the matter upon which the commissioners were unable to agree.

SECT. 2. It shall be the duty of the Supreme Court of this Commonwealth to appoint one of their number, not a citizen of a city aforesaid, to attend at least twenty days before an election, as well as on election day, at any city as herein-before mentioned, for the purpose of discharging the duties provided for in the preceding section.

SECT. 3. All canvassers and officers created for the purpose of registering or preparing lists of voters, or persons in any way concerned therein, shall be appointed by the commissioners of election.

SECT. 4. The commissioners shall, immediately after their election on the second Tuesday of May, 1874, cause the said city to be divided into election districts of not more than one hundred electors each; and also provide that all elections shall be by open tickets, and that the returns of elections shall be finally made up in the presence of the judges of the court of common pleas of the county in which the cities are, and the certificate of the result be signed by them,

SECT. 5. That the Legislature meeting after the adoption of this Constitution, shall at once proceed to enact such laws as will carry out the purposes of this amendment.

Also, the following resolution, viz:

Resolved. That the Committee on the Judiciary be instructed to inquire and report on the propriety of amending the Constitution so as to provide that all judges learned in the law shall hold their offices for a term of twenty years, and that the judge serving such term shall not be eligible for re-election.

The judges aforesaid to be not less than thirty-five years of age at the time of their election, and upon retiring, after serving the term aforesaid, to receive one-half of the salary annually during their lives.

Also, the following resolution, viz:

Resolved. That the Committee on Legislation be requested to report how far it is expedient to provide that, hereafter, in all cities of over one hundred thousand inhabitants, the prothonotaries and clerks of the different courts shall be appointed by the judges of the respective courts, and shall not be elected by the people; that said officers shall be paid a salary, to be fixed by the said judges, and to be paid out of the treasury of such cities; the fees received by said officers to be accounted for by said officers, under the supervisions of the courts, and paid into the treasury aforesaid, and by the said treasurer, the same shall be first dedicated to the payment of the expenses of the courts aforesaid.

Also, the following resolution, viz:

Resolved. That the Committee on Cities and City Charters be requested to report how far it is expedient to amend the Constitution as to require that the exclusive right to raise money by loan, to levy taxes, or to originate or exercise any police or municipal functions in cities of over one hundred thousand inhabitants, shall be vested in the councils of said cities, and it shall not be lawful for the General Assembly of this Commonwealth to legislate upon such subjects.

Which were severally laid on the table.

Mr. Temple offered the following resolution, which was twice read, viz :

Resolved, That when the Convention adjourns to-day, it be to meet December 2, 1872, at 12 o'clock.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. H. G. Smith,

To amend the same by striking therefrom the words "December 2, 1872, at 12 o'clock," and inserting in lieu thereof the following words, viz : "Next Monday, at 3 o'clock P. M."

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. Mann and Mr. Temple, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, (Perry) Bailey, (Huntingdon.) Beebe, Black, Charles A., Bowman, Broomall, Brown, Buckalew, Campbell, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Curtin, Dallas, Darlington, De France, Dimmick, Edwards, Ellis, Ewing, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hanna, Harvey, Hazzard, Horton, Howard, Kaine, Lambertson, Lawrence, Long, M'Allister, M'Clean, MacConnell, M'Murray, MacVeagh, Mann, Mantor, Minor, Mott, Newlin, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Reed, Andrew, Reynolds, James L., Rooke, Runk, Russell, Sharpe, Smith, H. G., Stewart, Struthers, Turrell, Walker, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—75.

NAYS.

Messrs. Addicks, Baer, Baker, Bannan, Barclay, Boyd, Corson, Cronmiller, Curry, Dodd, Dunning, Elliott, Hay, Hemphill, Heverin, Hunsicker, Landis, Lilly, M'Camant, Niles, Palmer, G. W., Palmer, H. W., Purviance, Samuel A., Read, John R., Ross, Simpson, Smith, Henry W., Smith, W. H., Temple, Wetherill, John Price, Woodward and Worrell—32.

So the question was determined in the affirmative.

And the resolution as amended was agreed to.

Mr. Russell offered the following resolution, viz :

Resolved, That the Committee on Education be instructed to consider and report upon the expediency of inserting in the Constitution a section requiring the Legislature to appropriate, annually, not less than one million of dollars for the purpose of education, to be distributed among the several school districts in such way as the Legislature may determine.

Which was laid on the table.

Mr. Cochran offered the following resolution, viz :

Resolved, That the Committee on County, Township and Borough Officers, when appointed, be instructed to inquire into the expediency of introducing into the Constitution of this State, the following provisions in substance, to wit :

There shall be established in the city of Philadelphia, and in every county of this State containing a population of thirty thousand souls and upwards, according to the census and enumeration made by the authority of the United States, in the year one thousand eight hundred and seventy, a probate court, of which there shall be one judge learned in the law, whose term of office shall be ten years, if he shall so long behave himself well, and who shall be subject to removal for the same causes and in the same manner as judges of the superior court. A judge, and also a clerk of said probate court, shall be elected in each county in which said court is authorized by this section, at the first general election held in this Commonwealth after the adoption of this amended Constitution. The term

of office of said clerk shall be five years, but he shall be removed by the judge whenever it shall be judicially made to appear, to his satisfaction, that said clerk has been guilty of extortion or any other malfeasance in office, and in the event of such removal being made, the vacancy shall be supplied by an appointment of a successor, to be made by said judge, to continue until the expiration of ten days after the next ensuing general election, at which a successor to said clerk shall be chosen for the full term of five years. Said judge and clerk shall each be commissioned by the Governor, and the probate courts shall be organized and go into operation on the first Monday of December succeeding their first election.

Each probate court shall be a court of record, having a seal, bearing for a device the coat of arms of this Commonwealth, encircled by the words, "Probate Court of _____ county, Pennsylvania." The jurisdiction of said court shall extend to all matters and cases now acted upon by, and committed to the register of wills, the registers' court and the orphans' court, in the respective county in which it shall be established by virtue of this section, and shall have the power to send, certify and direct issues of fact to be tried in the superior court, as such issues may now be sent, certified and directed by the register, registers' court and orphans' court to the court of common pleas. The judge of said probate court shall be entitled to receive from the treasurer of his proper county, in quarterly payments, such salary, not less than two thousand five hundred dollars annually, as may be fixed and appointed by the Legislature, and which shall not be diminished during his continuance in office. The clerk of such probate court shall receive such salary as the Legislature shall direct, to be paid out of the funds of the proper county. All fees now by law payable to the register of wills and clerk of the orphans' court shall be collected by the clerk of said court, who shall give bond in such sum as the Legislature shall appoint, with such security as one of the judges of the superior court shall approve, conditioned for the faithful and punctual payment of all such fees collected, or that ought to have been collected by him, every three months, into the county treasury; and shall not be entitled to receive any part of his salary until such payment shall have been made.

SECT. —. At the first general election held in this Commonwealth after the adoption of this amended Constitution, there shall be elected in each county three persons, citizens of said county, of whom one shall be learned in the law; in choosing whom, each qualified elector shall be entitled to vote for two and no more, who shall constitute a county board, and whose term of office shall be three years. The county board shall transact all the business now transacted by, and possess all the powers and authorities of, the board of county commissioners, and shall also have authority and jurisdiction to entertain, act and decide upon all petitions and proceedings for viewing, opening, laying out, vacating and changing public and private roads and bridges; for granting tavern and all other licenses now granted by the court of quarter sessions; for erecting, dividing and changing the lines of townships; for fixing and changing the places of holding elections and creating new election districts; for establishing independent school districts; for erecting and chartering boroughs; for changing the names of persons; for creating and chartering all corporations which may now be incorporated by the court of common pleas, and upon all other such matters and things relating to, and regulating the local business and affairs of the respective county, as shall be placed under the jurisdiction of said county board from time to time by the Legislature. The said board shall have a clerk and seal, and the proceedings of said board certified from its minutes by the President thereof, attested by the clerk, and authenticated by its seal, shall be received in evidence in all cases in which the original proceedings duly proved would be received in any court of record. The member of said board required to be learned in the law shall be the president thereof, and its members shall receive such annual salary, not less than one thousand dollars each as shall be directed by law, which shall be paid in equal quarter-yearly payments, together with the compensation of their clerk, which shall be fixed by them out of the county stock. All fees now by law payable to the clerk of the court of quarter sessions, or any other officer whatever, for or on account of any of the matters and things by this section placed under the jurisdiction of the county board, shall be collected by them and paid every three months into the county treasury, and no part of the salary of the members of said board or their clerk shall be paid until this provision shall be complied with.

The members of the county board first elected, as above provided, shall meet and organize in the commissioners' office of their respective counties, on the first Monday of December next succeeding their election, when the powers and duties of the present boards of county commissioners shall cease and determine.

SECT. — At the first general election held in this Commonwealth after the adoption of this amended Constitution, there shall be elected three persons, citizens of said county, who shall be county auditors, each qualified elector to vote for two candidates for county auditor and no more. The term of office of the county auditors shall be three years. They shall audit, settle and adjust the accounts of the clerk of the probate court, the members and clerk of the county board, the sheriff, county treasurer, directors of the poor and all other officers or persons entrusted with the receipt, custody and disbursement of the public moneys, funds and property of the county. The auditors elected in accordance with the provisions of this section, shall enter upon the discharge of their duties on the first Monday of January next succeeding the time of their election, and shall have power, at all times, to examine the books and papers of the several officers whose accounts it is their duty to settle, and to forbid and prevent the payment of all charges and claims against and upon the county, until they shall be satisfied of their justice, honesty and lawfulness, or until the liability of the county to pay such charges and claims shall be established by due legal proceedings.

SECT. — In all the counties in this Commonwealth in which a county almshouse and hospital or other institution for the support of the poor, at the common expense of the people of the county, has been established and erected, there shall be elected, at the first general election held in this Commonwealth after the adoption of this amended Constitution, five persons, citizens of such county, who shall be directors of the poor and house of employment of said county. At said election, and each succeeding election for said officers, each qualified elector may vote for three and no more candidates for said office. Each person so elected shall hold his office for the term of three years, and shall enter upon the discharge of their duties on the first Monday of January next after his election.

SECT. — Vacancies in the office of probate judge shall be filled in the same manner as is provided in this Constitution for filling vacancies in the office of judge of the superior court. Vacancies occurring in the county board, county auditors and directors of the poor, shall be filled by appointments, to be made by the judges of the superior court of the district. The officers so appointed to fill vacancies, shall, in all cases, hold their appointments until the time at which the terms of their respective predecessors would have fully ended.

Also, the following resolution, viz:

Resolved, That the Committee on Judiciary, when appointed, be instructed to inquire into the expediency of introducing into the Constitution of this State the following provisions, in substance, to wit:

SECT. 1. The judicial power of this Commonwealth shall be vested in a Supreme Court, in a superior court, in a probate court, and wherever no probate courts shall be hereinafter provided, in an orphans' court and registers' court for the county, in justices of the peace and in such other courts as the Legislature may from time to time establish.

SECT. 2. The judges of the several superior courts shall be elected by the qualified electors of the respective districts over which they are to preside or act as judges. They shall be two in number in each district, and shall be learned in the law. They shall be elected at the same time, and each elector shall be entitled to vote for only one candidate. The term of office shall be twenty years, and said judges shall not be re-eligible. They shall be commissioned by the Governor for said term, if they shall so long behave themselves well; but for any reasonable cause which shall not be sufficient ground for impeachment, the Governor shall remove any of them on the address of two-thirds of the members elected to each branch of the Legislature. The first election shall take place at the general election of this Commonwealth next after the adoption of this amended Constitution, and the commissions of all the judges of the court of common pleas who may be then in office, shall expire on the first Monday of December following, when the terms of the new judges shall commence. Any vacancies happening by death, resignation or otherwise, of any or other of the judges of said superior court shall be filled by appointment by the Governor, with the advice and consent of the Senate, to continue until the expiration of the term for which the judge, by reason of whose death, resignation or other circumstances said vacancy occurred, was elected. Should the Senate not be in session when such vacancy shall occur, the Governor shall appoint a person to fill the vacant judgeship, and issue a commission to him, empowering him to act until a successor shall be appointed by the Governor with the advice and consent of the Senate, and no longer.

ALLEGHENY COUNTY
Law Library,
PITTSBURGH, PA.

said superior courts shall receive adequate salaries, 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, or under the Government of the United States, or of any other State of this Union.

SECT. 3. The jurisdiction of the said superior courts shall extend to the hearing and decision of all issues of law or fact in all cases, civil or criminal, and in all actions in law or equity, except those entrusted and committed to the probate court and county board by this Constitution in other articles thereof.

SECT. 4. The judges of the said superior court shall not sit together in the trial and hearing of causes; but shall in succession hold the courts in each county of their district, subject to such temporary arrangement as circumstances may require, and as they may agree among themselves.

Which were severally laid on the table.

The President laid before the Convention the following communication from the Auditor General, which was read, viz:

AUDITOR GENERAL'S OFFICE,)
Harrisburg, Pa., Nov. 22, 1872.)

HON. WILLIAM M. MEREDITH,

President of the Constitutional Convention:

SIR:—I have the honor to submit the following information in reply to the resolution of the Convention in relation to the Public Printing under the existing contract:

The whole amount of money paid by the State for Public Printing, for the year ending June 30, 1872, is twenty-nine thousand six hundred and seventy-four dollars and seventy cents, (\$29,674 70.)

For stock, fine paper, maps, envelopes and other materials, fifteen thousand two hundred and seventy-nine dollars and thirty-nine cents, (\$15,279 39.)

For binding and lithographing, nine thousand one hundred and thirty-nine dollars and sixty-five cents, (\$9,139 65.)

There has been no expenditure of money for printing under the existing contract, outside of the schedule of rates prescribed by the act of Assembly.

I have the honor to be,

Very respectfully,

Your obedient servant,

JOHN F. HARTRANFT,

Auditor General.

Laid on the table.

Mr. John N. Purviance offered the following resolution, viz:

Resolved, That the Committee on Education be instructed to report that the General Assembly shall levy a specific annual tax upon all railroad and insurance corporations, which shall be exclusively devoted to the maintenance of public schools.

Also, the following resolution, viz:

Resolved, That the seat of Government shall be and remain permanent at the city of Harrisburg, unless otherwise located by a majority vote of the Legislature, and by a majority of the qualified electors of the State.

Also, the following resolution, viz:

Resolved, That no bank shall be established otherwise than under a general banking law.

Which were severally laid on the table.

Mr. M'Murray offered the following resolution, viz:

Resolved, That the seventh rule be amended as follows: Strike out all after the first paragraph, and insert in lieu thereof the following: "Calling the list of counties alphabetically, to allow members to present letters, petitions, memorials, remonstrances and accompanying documents, and to allow of the proper reference."

Which was laid on the table.

Mr. Wright offered the following resolution, which was twice read, considered and adopted, viz :

Resolved, That the proper officers of this Convention be requested to draw their warrants upon the Treasurer of the Commonwealth for the amounts allotted to each member for stationery, to wit : Fifty dollars.

Mr. Hunsicker offered the following resolution, viz :

Resolved, That the Committee upon the Declaration of Rights be instructed to inquire into the expediency of amending section eleven, of article nine, of the present Constitution, so that the same shall read :

“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 ; and that the judgment, decree or sentence of every subordinate court shall be subject to review by the Supreme Court of the State. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct.”

Which was laid on the table.

Mr. Beebe offered the following resolution, viz :

Resolved, That it is the sense of this Convention that the paper furnished by the Clerk, for the use of the Convention, shall be printed with an appropriate heading.

Which was laid on the table.

Mr. Funck offered the following resolution, viz :

Resolved, That there should be but one person elected under a general law to collect State, municipal, county and local taxes of every kind in a district, township, borough or ward in a city, who should receive a salary fixed by law for his services, and the Committee upon Revenue, Taxation and Finance is hereby instructed to inquire into this subject.

Also, the following resolution, viz :

Resolved, That the Committee upon Private Corporations be and the same is hereby instructed to inquire into and report upon the expediency of annulling all charters heretofore conferred on corporate bodies with banking and discounting privileges ; in such manner, however, that no injustice shall be done to the corporators.

Also, the following resolution, viz :

Resolved, That the Committee on Private Corporations be and the same is hereby instructed to inquire into and report upon the expediency of withholding from the Legislature the power to confer banking and discounting privileges upon corporations other than banks of issue.

Which were severally laid on the table.

Mr. John Price Wetherill offered the following resolution, viz :

Resolved, That the names of the absentees, or those not voting upon the call of the yeas and nays, shall be announced by the Secretary, after reading the list, and placed upon the journal.

Which was laid on the table.

Mr. Lilly offered the following resolution, viz :

Resolved, That the Judiciary Committee be requested to examine, consider, and, if they deem expedient, report a life tenure for the judges of the Supreme Court, the judges presiding over judicial districts, and such other judges that are required to be learned ; said tenure to cease at seventy years of age, or upon impeachment for cause before the retirement at the age of seventy years, to draw the full pay received by said judge or judges as when receiving full pay : *Provided*, Impeachment shall be a forfeiture of all pay or emoluments.

Which was laid on the table.

Mr. John R. Reed offered the following resolution, viz:

Resolved, That the Legislature shall not grant any extra compensation to any public officer, servant, agent or contractor, nor increase or diminish any salary or compensation, except that of judicial officers, during the term of service.

Which was laid on the table.

A motion was made by Mr. J. M. Bailey,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday next, at three o'clock P. M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, NOVEMBER 25, 1872.

The President laid before the Convention the following communication, which was read as follows, viz:

AUDITOR GENERAL'S OFFICE, PA.,)
Harrisburg, November 22, 1872.)

To the Honorable WILLIAM M. MEREDITH,
President of the Constitutional Convention of Pennsylvania:

In compliance with a resolution of the 21st instant, passed by your honorable body, asking for a statement of the amount of money paid into the State Treasurer's office for the several years since January 1, 1867, by the following named officers of the city of Philadelphia, I have to report as follows:

PROTHONOTARY OF THE DISTRICT COURT.

For the year 1867.....	\$4,383 15
For the year 1868.....	5,890 68
For the year 1869.....	5,874 85
For the year 1870.....	6,499 73
For the year 1871.....	8,013 68
For the year 1872.....	<u>8,000 00</u>

PROTHONOTARY OF COURT OF COMMON PLEAS.

For the year 1868.....	\$910 25
For the year 1869.....	928 25
For the year 1870.....	787 03
For the year 1871.....	<u>1,122 43</u>

REGISTER OF WILLS.

For the year 1867.....	\$196,000 00
For the year 1868.....	148,241 16
For the year 1869.....	119,070 00
For the year 1870.....	232,060 00
For the year 1871.....	241,216 90
For the year 1872.....	<u>130,000 00</u>

RECORDER OF DEEDS.

For the year 1867.....	\$14,080 70
For the year 1868.....	16,135 90
For the year 1869.....	15,981 11
For the year 1870.....	12,240 82
For the year 1871.....	13,980 58
For the year 1872.....	<u>31,758 76</u>

PROTHONOTARY OF SUPREME COURT.

For the year 1867.....	\$1,932 00
For the year 1868.....	2,093 58
For the year 1869.....	1,947 00
For the year 1870.....	1,445 50
For the year 1871.....	1,295 47
For the year 1872.....	<u> </u>

Very respectfully yours,
 JOHN F. HARTRANFT,
Auditor General.

Laid on the table.

Messrs. Purman, W. H. Palmer, S. A. Purviance, Rooke and L. Rogers, assistant clerk, severally obtained leave of absence for a few days.

The President announced the following to constitute the standing committees of the Convention, viz:

1. *On Legislature.*—Messrs. MacVeagh, Hopkins, David N. White, Gilpin, Niles, Achenbach, John Price Wetherill, Dallas, Horton.
2. *On Legislation.*—Messrs. Harry White, J. S. Black, Dimmick, Purman, Mann, Corbett, Finney, John R. Read, Ewing, S. H. Reynolds, Hanna, Hall, Curry, T. H. B. Patterson, Andrews.
3. *On Executive Department.*—Messrs. Curtin, John N. Purviance, Charles A. Black, Walker, Biddle, Fell, Lamberton, Armstrong, Bowman.
4. *On Judiciary.*—Messrs. Armstrong, Woodward, Russell, Cuyler, S. A. Purviance, Sharpe, MacVeagh, Kaine, James L. Reynolds, Dallas, Broomall, Boyd, Craig, Wright, Bartholomew.
5. *On Suffrage, Election and Representation.*—Messrs. M'Alister, Buckalew, Fulton, Brown, Simpson, Elliott, Lilly, Ellis, J. W. F. White, M'Murray, Rooke, Cassidy, Carter, Campbell, Ainey.
6. *On Impeachment and Removal from Office.*—Messrs. Biddle, Andrews, Gibson, Harry White, Davis.
7. *On Commissions, Offices, Oath of Office and Incompatibility of Office.*—Messrs. Kaine, Baker, Boyd, H. W. Palmer, Jno. M. Bailey, Stewart, M'Clean, Beebe, Struthers.
8. *On Education.*—Messrs. Darlington, Chas. A. Black, Stanton, Wherry, Runk, Landis, Lear, Hall, Minor.
9. *On Cities and City Charters.*—Messrs. Walker, Guthrie, Littleton, Metzger, Jas L. Reynolds, Alricks, Pughe, Henry W. Smith, John Price Wetherill.
10. *On Counties, Townships and Boroughs.*—Messrs. Lawrence, Lamberton, Darlington, Henry W. Smith, Howard, Brodhead, Struthers, Landis, Parsons.
11. *On County, Township and Borough Officers.*—Messrs. S. A. Purviance, Gowen, Carey, Elliott, Lear, Brown, Mantor, Andrew Reed, Runk.
12. *On Militia.*—Messrs. Porter, Hay, Lilly, G. W. Palmer, Stanton.
13. *On Public and Municipal Debts and Sinking Funds.*—Messrs. Buckalew, Ainey, Guthrie, Addicks, De France, Parsons, Temple, Littleton, Van Reed.
14. *On State Institutions and Buildings.*—Messrs. Turrell, Mott, M'Connell, Worrell, J. W. F. White, Temple, M'Culloch.
15. *On Religious and Charitable Corporations and Societies.*—Messrs. Mann, Alricks, Minor, Hunsicker, Carter, Worrell, Collins.

16. *On Railroads and Canals.*—Messrs. Cochran, Curtin, Barr, Horton, T. H. B. Patterson, M'Alister, Sharpe, Rooke, Reebe, Howard, Campbell, M'Culloch, Hemphill, Jos. Baily, Funck.

17. *On Private Corporation, foreign and domestic, other than railroads, canals and religious and charitable corporations and societies.*—Messrs. Woodward, Turrell, Dodd, Collins, Heverin, Dimmick, Clark, Corson, Barclay, Stewart, Barr, J. W. F. White, Harvey, Baker Simpson.

18. *On Declaration of Rights.*—Messrs. Hopkins, MacConnell, Wright, Corson, Clark, Edwards, Gibson, Lawrence, Newlin.

19. *On Future Amendments.*—Messrs. Funck, Cassidy, Davis, Brodhead, Bannan.

20. *On Constitutional Sanctions.*—Messrs. J. S. Black, Bowman, Cronmiller, Bannan, De France, Porter, Addicks, Hunsicker, Bardsley.

21. *On Schedules.*—Messrs. Bartholomew, Corbett, Mantor, G. W. Palmer, D. W. Patterson, Gilpin, Hanna, Barclay, Hazzard.

22. *On Revision and Adjustment.*—Messrs. Gowen, Knight, Church, D. W. Patterson, H. W. Palmer.

23. *On Accounts and Expenditures of the Convention.*—Messrs. Hay, Cochran, Patton, John N. Purviance, Joseph Baily.

24. *On Printing and Binding.*—Messrs. Newlin, W. H. Smith, Russell, H. G. Smith, Cochran, Cuyler, David N. White.

25. *On Industrial Interests and Labor.*—Messrs. Carey, Long, Fell, M'Camant, Pughe, Andrew Reed, Edwards, Achenbach, Fulton.

26. *On Agricultural, Mining, Manufactures and Commerce.*—Messrs. Finney, J. M. Wetherill, Knight, W. H. Smith, Curry, Dunning, Hazzard, Mott, Ewing.

27. *On Revenue, Taxation and Finance.*—Messrs. Broomall, Church, Niles, Van Reed, Bardsley, Purman, Ewing, Ross, John M. Bailey.

On motion of Mr. Harry White,

Ordered, That the Clerk have the list of members of the standing committees printed for the use of the Convention.

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That the Constitution be referred to the different committees as follows, viz :

So much thereof as relates to the formation, meetings, and terms of members of the Legislature, to the Committee on Legislature.

So much thereof as relates to the power of the Legislature, and the manner of legislation, to the Committee on Legislation.

So much thereof as relates to the organization, powers and duties of the Executive Department, together with the veto and pardoning power, to the Committee on Executive Department.

So much thereof as relates to the creation and jurisdiction of the different courts, together with the manner of selecting aldermen, justices of the peace, their jurisdiction and terms of office, as well as the terms of office of the judges of the courts, to the Committee on the Judiciary.

So much thereof as relates to the qualification of electors, the conduct of elections, and the matter of representation, to the Committee on Suffrage, Election and Representation.

So much as relates to impeachment, misbehavior in and removal from office, to the Committee on Impeachment and Removal from Office.

So much thereof as relates to issuing commissions, oaths of office, public offices, and offices which are inconsistent with each other, to the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Offices.

So much thereof as relates to the question of education, to the Committee on Education.

So much thereof as relates to the creation and government of cities, to the Committee on Cities and City Charters.

So much thereof as relates to the formation of counties, townships and boroughs, to the Committee on Counties, Townships and Boroughs.

So much thereof as relates to the officers of counties, townships and boroughs, to the Committee on County, Township and Borough Officers.

So much thereof as relates to the military department, to the Committee on Militia.

So much thereof as relates to the debt of the Commonwealth and sinking fund, together with what relates to the powers of municipalities to create debts, to the Committee on Public and Municipal Debts and Sinking Funds.

So much thereof as relates to the institutions and buildings owned by the Commonwealth, to the Committee on State Institutions and Buildings.

So much thereof as relates to the creation and powers of religious and charitable corporations and societies, to the Committee on Religious and Charitable Corporations and Societies.

So much thereof as relates to the construction, management and control of railroads and canals, together with the powers, privileges, management and control of foreign railroad and canal corporations in the Commonwealth, to the Committee on Railroads and Canals, foreign and domestic.

So much thereof as relates to the creation, government, powers and privileges of corporations, to the Committee on Private Corporations, foreign and domestic, other than railroads, canals, and religious and charitable corporations.

So much as relates to the ninth article of the Constitution, known as the Declaration of Rights, to the Committee on Declaration of Rights.

So much of the Constitution as relates to revenue, taxation and the management of public funds, to the Committee on Revenue, Taxation and Finance.

So much thereof as relates to amendment, to the Committee on Future Amendments.

That questions relating to industrial interests and labor, to the Committee on Industrial Interests, &c.

Questions relating to agriculture, mining, manufacturing and commercial interests, to the Committee on Agriculture, Manufactures and Commerce.

With instructions to the respective committees to report what, if any, alterations or amendments relating to the subjects respectively referred are necessary and proper.

That the chairmen of the respective committees be furnished by the Clerk with a copy of this resolution.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. MacVeagh, that the further consideration of the same be postponed until to-morrow, and that the resolution be printed.

Which was agreed to.

Mr. Lilly offered the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz :

Resolved, That the Committee on County and Borough Officers be requested to examine into the expediency of providing for the election of a county commissioner from each township and borough, to form a county board, to which shall be referred all matters of laying out roads, locating and building bridges, passing ordinances relating to cattle and other animals running at large in said county, and such other matters as shall be referred to them by the Legislature of the State by general law.

Mr. Patton offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That in order to prevent fraud and secure intelligent voting, the Committee on Suffrage, &c., be instructed to inquire into the expediency of reporting the following amendatory article to the Constitution, viz :

ARTICLE —. The qualified voters, at the election within this Commonwealth, shall vote by open, written or printed ballot, with the name of the person voting the same endorsed on the back thereof, in his own hand-writing and the names of the voters at such elections shall be recorded in numerical order, and the number opposite the name of each person voting shall also be endorsed by the clerk or clerks of the election board on the back of said ballot.

Mr. John N. Purviance offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

WHEREAS, The annual receipts at the State Treasury derived from the various sources of revenue, amount to the sum of over seven million dollars, an amount largely exceeding the necessary expenses of the State ; therefore,

Resolved, That the Committee on Revenue, Taxation and Finance be requested to report upon the expediency of a constitutional provision to the effect that the sum of at least one million dollars be set apart annually, by the State Treasurer, for the payment of the principal of the State debt; which amount shall be applied towards the payment of said deficit as the same falls due; and until due, shall be invested at a rate of interest not less than equal to the rate of interest upon the State debt.

Mr. D. N. White offered the following resolution, viz:

Resolved, That the following propositions be referred to the Committee on Legislation for consideration, to wit:

No license to traffic in intoxicating liquors shall hereafter be granted in this Commonwealth, but the Legislature shall, by law, provide against the evils resulting therefrom.

Neither the Legislature nor any county, city, borough, township, school district, or other public corporation, shall ever make any appropriation, or pay from any public fund whatever, anything in aid of any church or sectarian purpose; or to help, support or sustain any school or literary or scientific or charitable institution, controlled by any church or sectarian denomination whatever; nor shall any grant or donation of land, money, or other personal property ever be made by the State, or by any public corporation, to any church, or for any sectarian purpose whatever.

Mr. Barclay offered the following resolution, which was referred to the Committee on Executive Department, viz:

Resolved, That it is the sense of this Convention that the new Constitution should provide that the pardoning power should be taken entirely out of the hands of the Governor, and be vested exclusively in some body of men above the reach of temptation.

Also, the following resolution, which was referred to the Committee on Cities and City Charters, viz:

Resolved, That the following article shall be inserted in the new Constitution:

"No city or county, whose population shall be more than five hundred thousand, shall be allowed to increase its corporate debt beyond the amount of fifty millions of dollars, and no city or county whose population shall be less than five hundred thousand, shall increase its corporate debt beyond the amount of one hundred thousand dollars, unless expressly authorized so to do by a direct vote of the citizens thereof, at a special election to be held for that purpose.

Also, the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the following article be introduced into the new Constitution:

"Every person may freely write, speak and publish his opinion upon all subjects, being responsible for the abuse of that right, and no law shall be passed to abridge the liberty of speech, or the liberty of the press, and in all prosecutions for libels the truth may be given in evidence to the jury, and if the jury shall believe that the matter represented as libellous is true, and was published with good and not from vindictive motives and for unjustifiable ends, the party shall be acquitted. In all such prosecutions the jury alone shall have the right to determine the law and the fact."

Also, the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on the Judiciary, about to be appointed, be instructed to inquire into the expediency of providing in the new Constitution, that the judges of the Supreme Court shall hereafter be appointed by the Governor of the Commonwealth, by and with the advice and consent of two-thirds of the entire body of the Senate; said judges to be commissioned for the term of twenty years, and that all other judges shall be appointed by the Governor, subject to the condition that the commissions of such judges shall cease and expire on the first day of January next ensuing the date thereof, unless such appointment shall be approved of and ratified at the next general election after such appointment, by a majority of the voters of such judicial district.

In case such appointment shall be ratified as aforesaid, the judge thus appointed shall hold office for the term of ten years, (for which he shall have been conditionally commissioned,) and until the person appointed as his successor shall be ratified by the popular vote as aforesaid.

In case of such rejection of any such appointee, the same person shall not be re-appointed for the district in which he shall have been rejected.

The above provisions shall not apply to the judges now in office; each of whom shall continue to hold until the expiration of his respective commission, and until the person appointed as above as his successor shall be approved of and ratified as aforesaid.

Mr. Landis offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation inquire into the expediency of so amending the Constitution as to provide that the Legislature shall enact no special law creating any corporation, nor shall its charter be so amended, extended or changed, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State; but the Legislature shall provide, by general laws, for the organization of all corporations hereafter to be created.

Also, the following resolution, which was referred to the Committee on Legislature, viz:

Resolved, That the Committee on Legislature inquire into the expediency of so amending the Constitution as to provide that the State shall be divided into seventeen (17) Senatorial districts, to be represented each by three members of the Senate, and nine members of the House of Representatives, all to be elected by the cumulative system of voting.

Mr. Wherry offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the compensation to be allowed for official service in the several departments of the government, shall be fixed in the Constitution, and shall not be increased or lessened by the Legislative Department.

Mr. Stewart offered the following resolution, which was read, viz:

Resolved, That when this Convention adjourns, (to-morrow,) it adjourn to meet at 12 o'clock on the first Tuesday in January, 1873.

On the question,

Will the Convention proceed to the second reading of the resolution?

The yeas and nays were required by Mr. Harry White, and Mr. MacVeagh, and were as follow, viz:

YEAS.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Boyd, Brown, Buckalew, Campbell, Church, Cochran, Collins, Corbett, Davis, Dimmack, Dodd, Ellis, Finney, Gilpin, Hanna, Harvey, Hemphill, Landis, Lilly, Mantor, Minor, Porter, Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, J. Price, Wright and Meredith, *President*—51.

NAYS.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry) Bailey, (Huntingdon,) Carter, Clark, Curry, Darlington, De France, Edwards, Ewing, Fulton, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Lamberton, Lawrence, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mott, Purviance, John N., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Wherry, White, David N., White, Harry and White, J. W. F.—37.

So the question was determined in the affirmative.

Whereupon,
Said resolution was read a second time.

On the question,
Will the Convention agree to the resolution?

A motion was made by Mr. D. N. White,
To amend the same by striking therefrom the words "first Thursday in January, 1873," and inserting in lieu thereof the words, "Tuesday, the 3d of December."

On the question,
Will the Convention agree to the amendment?

A motion was made by Mr. MacVeagh,
That the further consideration of the same, together with the resolution, be postponed until to-morrow.

On the question,
Will the Convention agree to the motion?

The yeas and nays were required by Mr. MacVeagh and Mr. D. N. White, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry,) Bailey, (Huntingdon.) Carter, Clark, Cochran, Darlington, De France, Edwards, Ewing, Finney, Fulton, Guthrie, Hay, Hazzard, Howard, Kaine, Lambertson, Landis, Lawrence, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mott, Patton, Purviance, John N., Reed, Andrew, Reynolds, James L., Russell, Wherry, White, David N., White, Harry, White J. W. F., and Meredith, *President*—39.

NAYS.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Boyd, Brown, Buckalew, Campbell Church, Collins, Corbett, Curry, Davis, Dimmick, Dodd, Ellis, Gilpin, Hanna, Harvey, Hemphill, Horton, Lilly, Mantor, Minor, Porter, Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, William H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed Walker, Wetherill, J. M., Wetherill, J. Price, and Wright—50.

So the question was determined in the negative.

A motion was made by Mr. Russell,
To amend the amendment, by striking therefrom the word "Tuesday," and insert in lieu thereof the word "Thursday."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the amendment?

A motion was made by Mr. Harry White,
That the Convention do now adjourn.

On the question,
Will the Convention agree to the motion?

The yeas and nays were required by Mr. Harry White and Mr. MacVeagh, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry,) Bailey (Huntingdon.) Buckalew, Carter, Cochran, Curtin, Darlington, De France, Edwards, Ewing,

Fulton, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Lambertson, Lawrence, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mott, Patterson, D. W., Purviance, John N., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Wetherill, J. Price, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—41.

N A Y S.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Chas. A., Black, J. S., Bowman, Boyd, Brown, Campbell, Church, Clark, Collins, Corbett, Curry, Davis, Dimmick, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Hanna, Harvey, Hemphill, Landis, Lilly, Mantor, Minor, Patton, Porter, Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, Henry W., Smith, William H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., and Wright—53.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the amendment?

The yeas and nays were required by Mr. D. N. White, and Mr. Jos. Baily, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry.) Bailey, (Huntingdon.) Carter, Cochran, Darlington, De France, Edwards, Fulton, Hay, Hazzard, Horton, Howard, Kaine, Lambertson, Landis, Lawrence, M'Allister, M'Culloch, M'Murray, MacVeagh, Mann, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Russell, Wherry, White, David N. White, Larry, and White, J. W. F.—33.

N A Y S.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Boyd, Brown, Buckalew, Campbell, Church, Clark, Collins, Corbett, Curry, Curtin, Davis, Dimmick, Dodd, Ellis, Ewing, Fell, Finney, Gilpin, Guthrie, Hanna, Harvey, Hemphill, Lilly, MacConnell, Mantor, Minor, Mott, Patterson, D. W., Patton, Porter, Pughe, Purviance, Samuel A., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wright and Meredith, *President*—60.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. MacConnell,

To amend the same, by striking therefrom the word "to-morrow," and inserting in lieu thereof the word "Wednesday."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. J. W. F. White, to further amend the same by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz:

"That the Convention will remain in session at Harrisburg, without adjourning more than two days at any one time, until the 20th day of next December, when it will adjourn to meet in Philadelphia on Tuesday, the 7th day of January following."

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. D. N. White and Mr. Harry White, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry,) Bailey, (Huntingdon,) Bowman, Carter, Curtin, Darlington, De France, Edwards, Ewing, Fulton, Guthrie, Hay, Hazzard, Heverin, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, M'Allister, M'Clean, MacConnell, M'Culloch, MacVeagh, Mann, Mott, Patterson, D. W., Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Wherry, White, David N., White, Harry, White, J. W. F. and Meredith, *President*—42.

N A Y S.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Boyd, Brown, Buckalew, Campbell, Church, Clark, Cochran, Collins, Corbett, Curry, Davis, Dimmick, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Hanna, Harvey, Hemphill, Lilly, M'Murray, Mantor, Minor, Parsons, Patton, Porter, Pughe, Purviance, Samuel A., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, J. Price, and Wright—55.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Joseph Baily,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Joseph Baily and Mr. Pughe, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry,) Bailey, (Huntingdon,) Bowman, Buckalew, Carter, Curry, Curtin, Darlington, De France, Edwards, Ewing, Finney, Fulton, Guthrie, Hanna, Hazzard, Horton, Howard, Kaine, Lamberton, Lawrence, M'Allister, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mott, Patterson, D. W., Purviance, John N., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Wherry, White, David N., White, Harry, White J. W. F. and Meredith, *President*—43.

N A Y S.

Messrs. Addicks, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Boyd, Brown, Campbell, Church, Clark, Collins, Corbett, Davis, Dimmick, Dodd, Ellis, Fell, Gilpin, Harvey, Hemphill, Landis, Lilly, Mantor, Minor, Patton, Porter, Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price and Wright—49.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

The previous question was moved by Messrs. Boyd, Corbett, Addicks, Lilly, Simpson, Barclay, Turrell, Fell, Stanton, Church, S. H. Reynolds, Hanna, Sharpe, Stewart, Bartholomew, Dimmick, Runk, J. S. Black, H. W. Smith and W. H. Smith.

On the question,

Shall the main question be now put ?

The yeas and nays were required by Mr. Harry White and Mr. D. W. Patterson, and were as follow, viz :

YEAS.

Messrs. Addieks, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Chas. A., Black, J. S., Boyd, Brown, Campbell, Church, Collins, Corbett, Dimmick, Dodd, Fell, Finney, Gilpin, Hanna, Harvey, Hemphill, Lilly, Mantor, Minor, Patton, Porter, Pughe, Purviance, Samuel A., Reynolds, S. H., Runk, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., and Wright—43.

NAYS.

Messrs. Achenbach, Ainey, Andrews, Baily, (Perry,) Baily, (Huntingdon,) Bowman, Buckalew, Carter, Clark, Cochran, Curry, Curtin, Darlington, Davis, De France, Edwards, Ellis, Ewing, Fulton, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, M'Allister, MacConnell, M'Murray, MacVeagh, Mann, Mott, Patterson, D. W., Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Temple, Wetherill, J. Price, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—48.

So the question was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. John Price Wetherill,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, NOVEMBER 26, 1872.

Messrs. Niles, Elliott, Baer, Church and Beebe severally obtained leave of absence for a few days.

Mr. Hanna offered the following resolution, which was twice read, viz :

Resolved, That the Clerk of this Convention be instructed to have printed and bound, in such form as shall be convenient for the members, five hundred copies of the rules of the Convention, with the names of the officers and members, with their post office address, together with the standing committees of the Convention and the names of the members thereof: *Provided*, That the further operation of the order heretofore made for printing the rules be suspended: *Provided further*, That the same do not cost more than twenty cents apiece.

On the question,

Will the Convention agree to the resolution ?

7 CON. JOUR.

A motion was made by Mr. Dodd,

To amend the same, by striking therefrom the last proviso, and inserting in lieu thereof the following words, viz :

“ *Provided*, That the printing referred to be done by the State Printer, at rates not exceeding those provided by the existing laws.”

On the question,

Will the Convention agree to the amendment ?

A motion was made by Mr. Russell,

That the same, together with the resolution, be referred to the Committee on Printing and Binding.

Which was agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made report :

That it has had in careful consideration the resolution referred to it on the 20th instant, directing it to report “ what is the proper amount of compensation to be paid to a stenographer and his assistants ; ” and that the sum of one dollar and forty cents per thousand *ems* would be the proper amount of compensation to be paid to a stenographer and assistants for reporting the debates and proceedings of the Convention, which sum should include all stationery and other materials used by them in doing the work, and that there should be no allowance for adjournments, or any other or further compensation whatever ; the said stenographer to furnish fairly written, legible printer’s copy, of the full proceedings and debates of each day, in time to have the same printed and laid upon the delegates’ desks at the opening of the session of the next succeeding day ; and further, that no responses to resolutions of inquiry of the Convention, letters, petitions, memorials or remonstrances should be included in the said reporting, unless by the special order of the Convention.

And the Committee, therefore, reports for the action of the Convention the following resolutions :

Resolved, That the compensation of the official reporter of the Convention, including the services of his assistants, for reporting the full debates and proceedings of the Convention, be and the same is hereby fixed at one dollar and forty cents per thousand *ems* ; that the said sum shall include the cost of all stationery and other materials used in doing the work, and that the said reporter shall furnish fairly written, legible printer’s copy of the said debates and proceedings of each day, in time to have the same printed and laid upon the delegates’ desks at the opening of the session of the following day.

Resolved, That no responses from any of the departments or other sources, to resolutions of inquiry of the Convention, letters, petitions, memorials or remonstrances shall be included in the said reporting, unless by the special order of the Convention.

On the question,

Will the Convention agree to the first resolution ?

A motion was made by Mr. Funck,

That the same be laid upon the table.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Stanton and Mr. Hanna, and were as follow, viz :

YEAS.

Messrs. Addicks, Ainey, Andrews, Barclay, Bartholomew, Beebe, Biddle, Brown, Church, Collins, Corbett, Darlington, Davis, Dimmick, Fell, Funck, Hanna, Harvey, Hopkins, Lamberton, Landis, Lawrence, Lilly, Long, M’Culloch, MacVeagh, Mann, Minor, Patton, Pugh, Reynolds, James L., Runk, Russell, Sharpe, Smith,

Henry W., Smith, W. H., Stewart, Turrell, Van Reed, Walker, Wetherill, J. Price, White, David N., White, Harry, Woodward, Wright and Meredith, *President*—46.

N A Y S.

Messrs. Achenbach, Armstrong, Baily, (Perry.) Bailey, (Huntingdon.) Baker, Bannan, Black, Charles A., Bowman, Boyd, Brodhead, Buckalew, Campbell, Carey, Clark, Cochran, Corson, Curry, Cuyler, De France, Dodd, Dunning, Edwards, Ellis, Ewing, Finney, Fulton, Gilpin, Guthrie, Hall, Hay, Hazzard, Hemp-hill, Horton, Howard, Hunsicker, Kaine, M'Allister, M'Camant, MacConnell, M'Murray, Mantor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, S. H., Simpson, Smith, H. G., Stanton, Struthers, Temple, Wetherill, J. M., Wherry and White, J. W. F—60.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. T. H. B. Patterson,

To amend the same by adding thereto the following words, viz :

“*Provided*, That no responses from any of the departments, or other sources; to resolutions of inquiry of the Convention, letters, petitions, memorials or remonstrances, shall be included in the said reporting, unless by the special order of the Convention: *Provided further*, That no discussion on questions of order or adjournment, shall be reported or printed among the debates.”

On the question,

Will the Convention agree to the amendment ?

It was determined in the affirmative.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Lilly,

To further amend the same, by adding thereto the following proviso, viz :

“*Provided further*, Nothing shall be reported by the official reporter not actually said in debate upon the floor of the Convention.”

Which was agreed to.

A motion was then made by Mr. Russell,

To further amend the resolution, by adding thereto the following proviso, viz :

“*Provided further*, That no one shall be elected official reporter, except one who will give it his personal attention.”

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. Harry White and Mr. D. N. White, and were as follow, viz :

Y E A S .

Messrs. Addicks, Andrews, Armstrong, Baker, Bartholomew, Beebe, Biddle, Bowman, Boyd, Brown, Carey, Carter, Collins, Corson, Curry, Darlington, Davis, De France, Dunning, Edwards, Ewing, Fell, Finney, Fulton, Funck, Gilpin, Hanna, Harvey, Hazzard, Horton, Howard, Knight, Lawrence, Lilly, Long, MacConnell, M'Cullough, M'Murray, MacVeagh, Mann, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Reynolds, James L., Runk, Russell, Sharpe, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Walker, Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*—64.

N A Y S.

Messrs. Achenbach, Baily, (Perry,) Bailey, (Huntingdon,) Bannan, Black, Charles A., Brodhead, Buckalew, Campbell, Church, Clark, Cochran, Corbett, Curtin, Cuyler, Dodd, Ellis, Gowen, Guthrie, Hall, Hay, Hemphill, Hopkins, Hunsicker, Kaine, Lamberton, Landis, M'Allister, M'Camant, Patton, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, S. H., Ross, Simpson, Smith, W. H., Temple, Wetherill, J. M., Wherry and Worrell—41.

So the question was determined in the affirmative.

A motion was then made by Mr. Brodhead,

To further amend the resolution, by adding thereto the following proviso, viz :

"*Provided further*, That reports of committees and other written matter, submitted to the Convention, shall not be paid for as reported matter.

Which was agreed to.

A motion was then made by Mr. Harry White,

To further amend the resolution, by adding thereto the following proviso, viz :

"*Provided further*, That before the reporter elected shall enter upon his duties, the Committee on Accounts and Expenditures shall make, and report to the Convention, a written contract with him, in pursuance of the terms of the report of the Committee on Accounts and Expenditures."

Which was agreed to.

And the resolution as amended was agreed to.

The second resolution was considered and disagreed to, the substance thereof having been added to the first resolution.

Mr. Wherry offered the following resolution, which was twice read, viz :

Resolved, That the Convention do now proceed to elect *viva voce*, one official reporter, in accordance with the resolution reported by the Committee on Accounts and Expenditures, and adopted by Convention.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. D. N. White, and Mr. Cochran, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Addicks, Armstrong, Bailey, (Huntingdon,) Baker, Bannan, Bartholomew, Beebe, Bowman, Boyd, Brodhead, Brown, Buckalew, Campbell, Carter, Clark, Corson, Curtin, Cuyler, Darlington, Davis, De France, Dodd, Edwards, Ellis, Ewing, Finney, Gilpin, Gowen, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Long, M'Allister, M'Camant, MacConnell, M'Murray, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Read, John R., Sharpe, Simpson, Smith, H. G., Smith, William H., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., Wherry, White, J. W. F., and Worrell—63.

N A Y S.

Messrs. Ainey, Andrews, Baily, (Perry,) Biddle, Black, Chas. A., Carey, Church, Cochran, Collins, Corbett, Curry, Dimmick, Dunning, Fell, Fulton, Funck, Hanna, Hopkins, Knight, Lamberton, Landis, Lawrence, Lilly, M'Culloch, MacVeagh, Mann, Patton, Pughe, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Kunk, Russell, Smith, Henry W., Stewart, Van Reed, Walker, Wetherill, J. Price, White, David N., White, Harry, Woodward, Wright and Meredith, *President*—44.

So the question was determined in the affirmative.

Whereupon,

Mr. J. N. Purviance	nominated	Charles Flowers.
Mr. Bartholomew	"	A. M. Martin.
Mr. Carey	"	D. F. Murphy.
Mr. Hanna	"	A. J. M'Cleary.

And the Convention proceeded to an election for Stenographic Reporter, and the vote being taken, resulted as follows, viz:

Messrs. Achenbach, Alricks, Baily, (Perry,) Bailey, (Huntingdon,) Baker, Bannan, Biddle, Black, Charles A., Boyd, Brodhead, Buckalew, Campbell, Carey, Church, Corbett, Curry, Curtin, Cuyler, Dodd, Ellis, Gowen, Guthrie, Hall, Hay, Hemphill, Hopkins, Hunsicker, Kaine, Lamberton, Landis, M'Allister, M'Camant, Purman, Read, John R., Reed, Andrew, Reynolds, S. H., Sharpe, Smith, H. G., Smith, W. H., Stewart, Temple, Wetherill, J. M., Wherry, Worrell, Wright and Meredith, *President*—46, voted for D. F. MURPHY.

Messrs. Ainey, Carter, Clark, Collins, Corson, Darlington, Davis, Dimmick, Dunning, Edwards, Ewing, Fell, Gilpin, Harvey, Hazzard, Horton, Knight, Lilly, Long, MacConnell, Mann, Mott, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Ross, Runk, Smith, Henry W., Turrell, Van Reed, White, David N., White, J. W. F., and Woodward—35, voted for CHARLES FLOWERS.

Messrs. Andrews, Armstrong, Bartholomew, Beebe, Bowman, Brown, Cochran, De France, Finney, Fulton, Funck, Howard, Lawrence, M'Murray, MacVeagh, Mantor, Minor, Patterson, D. W., Reynolds, James L., Russell, Struthers, Walker, Wetherill, Jno. Price and White, Harry—24, voted for A. M. MARTIN.

Messrs. Addicks, Hanna, M'Culloch, Simpson and Stanton—5, voted for A. J. M'CLEARY.

No person having received a majority of the votes cast, there was no election.

Whereupon,

The Convention proceeded to a second ballot, and the vote being taken, was as follows, viz:

Messrs. Achenbach, Alricks, Baily, (Perry,) Baker, Bannan, Barclay, Biddle, Black, Charles A., Brodhead, Brown, Buckalew, Campbell, Carey, Church, Corbett, Curry, Curtin, Cuyler, Dodd, Ellis, Gowen, Guthrie, Hall, Hay, Hazzard, Hemphill, Hopkins, Kaine, Landis, M'Allister, M'Camant, M'Murray, Patton, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, S. H., Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, W. H., Stewart, Temple, Wetherill, J. M., Wetherill, Jno. Price, Wherry, Worrell, Wright and Meredith, *President*—52, voted for D. F. MURPHY.

Messrs. Addicks, Ainey, Andrews, Armstrong, Beebe, Boyd, Carter, Clark, Collins, Corson, Darlington, Davis, Dunning, Edwards, Ewing, Fell, Finney, Gibson, Gilpin, Hanna, Harvey, Horton, Hunsicker, Knight, Lawrence, Lilly, Long, MacConnell, M'Culloch, Mann, Mott, Patterson, T. H. P., Porter, Purviance, John N., Reynolds, James L., Ross, Runk, Stanton, Turrell, Van Reed, White, David N., White, J. W. F., and Woodward—43, voted for CHARLES FLOWERS.

Messrs. Bartholomew, Bowman, Cochran, DeFrance, Fulton, Funck, Howard, Lamberton, MacVeagh, Mantor, Minor, Patterson, D. W., Russell, Struthers, Walker and White—15, voted for A. M. MARTIN.

No person having received a majority of all the votes cast, there was no election.

Whereupon,

The Convention proceeded to a third ballot; when

Messrs. Achenbach, Alricks, Baily, (Perry,) Bailey, (Huntingdon,) Baker, Bannan, Barclay, Biddle, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Campbell, Carey, Church, Clark, Corbett, Curry, Curtin, Cuyler, De France, Dodd, Ellis, Finney, Gibson, Gowen, Guthrie, Hall, Hay, Hemphill, Hopkins, Hunsicker, Kaine, Lamberton, Landis, M'Allister, M'Camant, M'Murray, Purman, Read, John R., Reed, Andrew, Reynolds, S. H., Ross, Sharpe, Simpson, Smith,

H. G., Smith, Henry W., Smith, W. II., Stewart, Temple, Wetherill, J. M., Wetherill, J. Price, Wherry, Woodward, Worrell, Wright and Meredith, *President*—58, voted for D. F. MURPHY.

Messrs. Addicks, Ainey, Andrews, Armstrong, Bartholomew, Beebe, Bowman, Carter, Cochran, Collins, Corson, Darlington, Davis, Dimmick, Dunning, Edwards, Ewing, Fell, Fulton, Funck, Gilpin, Hanna, Harvey, Hazzard, Horton, Howard, Knight, Lawrence, Lilly, Long, MacConnell, M'Culloch, MacVeagh, Mann, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Reynolds, James L., Runk, Russell, Stanton, Struthers, Turrell, Van Reed, Walker, White, David N., White, Harry, and White, J. W. F.—54, voted for CHARLES FLOWERS.

D. F. MURPHY, having received a majority of all the votes cast, was declared elected.

Mr. Buckalew offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the acting reporters be continued until the meeting of the Convention in Philadelphia.

Mr. Kaine offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the Committee on Accounts report, by to-morrow, the accounts of the several members for "stationery, postage and contingent expenses," and for mileage for one session, according to the provisions of the act of Assembly convening this Convention.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the delegates furnish to the clerk a statement of their respective places of residence, with the distance of the same from Harrisburg, for the use of the Committee on Accounts and Expenditures of the Convention.

Mr. Wherry offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Constitution of this Commonwealth, the act of Assembly authorizing a popular vote on the question of amending the Constitution, the act of April 11, 1872, to provide for calling a Convention to amend the Constitution of the State, and the returns of the election held under the first mentioned act, be prefixed to the Journal of this Convention.

Also, the following resolution, which was twice read, considered and disagreed to, viz:

Resolved, That the Secretary of the Commonwealth be requested to furnish the Secretary of this Convention with a certified statement of the number of votes given in each county for and against a Convention, at the general election, in the year 1871.

Mr. Woodward offered the following resolution, which was read and laid on the table, viz:

Resolved, That the rules be amended by adding the following to be Rule XLIII: "That after the reading of the Journal each day, the Secretary shall call the roll of members, noting the absentees, and publishing their names in two daily newspapers of opposite politics."

Mr. Worrall offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, All the courts of the Commonwealth shall adopt and publish rules for the orderly transaction of business, having regard, as far as practicable, to the chronology of the suit, or issue or prosecution, or indictment.

Mr. M'Camant offered the following resolution, which was referred to the Committee on Industrial Interests, viz:

Resolved, That the Legislature shall prohibit the employment of children under the age of twelve years in any mine, breaker or manufactory in the State.

Also, the following resolution, which was referred to the Committee on Industrial Interests, viz:

Resolved, That eight hours shall constitute a legal day's work; and that the Legislature shall prohibit, by penalty, any individual, firm or corporation discharging an employee for refusing to work longer hours; and that all laborers and mechanics employed by the State, or by any county, city, township or borough, on contracts or otherwise, shall conform to these hours, and shall receive the same compensation therefor as for ten hours' labor.

Mr. M'Allister offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of so amending the second section of the fifth article of the Constitution, that the president judges of the several courts of common pleas shall hold their offices for the term of *fifteen years*, and *shall not be re-eligible*.

Mr. Henry W. Smith offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the second section of the fifth article of the Constitution be changed to read as follows, viz:

The judges of the several courts shall hold their offices during good behavior, 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 shall receive for their services an adequate compensation to be fixed by law, which shall be neither increased nor diminished during their continuance in office. The Governor shall nominate, and by and with the advice and consent of the Senate, appoint the judges, and shall fill all vacancies that may happen 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, the vote shall be taken by yeas and nays. Any person appointed judge, after confirmation by the Senate, shall forever thereafter be incapable of holding any other office under the Constitution and laws of Pennsylvania, other than that of a judge.

Mr. Hazzard offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That trial by jury, in all cases in which it has hitherto been used, shall remain inviolate, except in suits in justices' courts, permission may be made by law for trial by a jury of less than twelve men, and in each case two-thirds of their number may find a verdict, but a trial by jury may be waived by the parties in all civil suits.

Also, the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz:

Resolved, That article twelve of the Constitution be so amended as to strike out the words "of such county," and insert "of two-thirds within the new boundary," and that the matter be referred to the Committee on Counties, Townships and Boroughs.

Mr. Campbell offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary take into consideration the following proposed change in the judiciary system:

SECTION 1. In the city of Philadelphia, in lieu of the present aldermanic system, there shall be holden justices' courts.

SECT. 2. The justices of said courts shall be at least thirty years of age, and not over sixty-five, and shall be regularly admitted practicing attorneys of some court of record in said city, for at least five years previous to their election.

SECT. 3. The said city shall be divided by the Legislature every ten years into districts, containing at least 45,000 inhabitants, according to the next preceding Federal census; in each of which districts there shall be elected three justices in the manner hereinafter set forth.

SECT. 4. Said districts shall be of equal population, as near as may be, and in their formation the wards composing each district shall be contiguous to each other, and not more than one ward shall be divided in any two districts.

SECT. 5. Said justices shall all be elected upon the same day throughout the city, except in cases of vacancies occurring by death, resignation or disability, which shall be filled by special elections for the unexpired terms.

SECT. 6. In voting for said justices, each voter may cast as many votes for one candidate as there are justices to be elected in the district, or may distribute the same, or equal parts thereof, among the candidates as he shall deem fit, and the three candidates highest in votes shall be declared elected.

SECT. 7. Said justices shall be paid uniform annual salaries, which shall not be increased or diminished during their term of office.

SECT. 8. The salaries of said justices shall be the only compensation allowed them; and all fees, costs or fines, which shall be received by them, shall be paid over, monthly, to the county treasurer.

SECT. 9. Proceedings in said justices' courts shall be oral, and no written pleadings shall be used or permitted.

SECT. 10. The jurisdiction of said justices' courts shall extend to all matters or causes now cognizable by the aldermen of said city; but the limit of their jurisdiction in civil causes shall be extended from the sum of \$99 99 to the sum of \$250, and in criminal causes to misdemeanors, where the imprisonment is not for a longer time than one month, nor where the fine imposed is not greater than \$100: *Provided*, That the judgments of said courts, in civil causes where the amount involved is not greater than \$25, shall be final.

SECT. 11. Juries of seven persons may be empanelled for the trial of causes in said courts where such trial is demanded by any defendant or person accused of committing a misdemeanor: *Provided*, That a majority of any jury may render a verdict which shall be as conclusive as if rendered by the whole number.

Mr. Collins offered the following resolution, which was referred to the Committee on Education, viz:

Resolved, That no part of the funds of any school district shall, in any manner, be placed under the control of any religious denomination, or in any manner be appropriated to the support of any school, unless the same is regularly established by and under the exclusive control of directors of such school district.

Mr. Gilpin offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on Declaration of Rights be directed to enquire whether section seventeen, article nine, of the Constitution of Pennsylvania should not be altered and amended so as to read "That no *ex post facto* law, retroactive law, or any law impairing contracts, shall be made; nor shall any law be passed depriving a party of any remedy for the enforcement of a contract, which existed when the contract was made."

Mr. Temple offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into the propriety of so amending the Constitution as to guarantee to *men and women* an equal right of suffrage.

Mr. Corson offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the word "white" be stricken from article three, section one, of the Constitution.

Mr. Dodd offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on Declaration of Rights be instructed to add thereto, "No retroactive law shall be enacted."

Mr. Hanna offered the following resolution, which was read and laid on the table, viz:

Resolved, That Rule VII be amended as follows, viz: By adding after the words, "after the journal has been read,," the words, "and roll of members called,,"

And that the following additional rule be adopted, viz :

XLIII. That the roll of the members shall be called upon the assembling of the Convention, and the names of the members present, together with the names of the absentees, shall be entered on the journal of the Convention.

Mr. Brodhead offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Declaration of Rights be instructed to inquire into the propriety of amending the eleventh section of the Declaration of Rights, so that it shall read as follows: "That all Courts shall be open, and every man, for an injury done him in his lands, goods, person or reputation, and in the management of his business and estates, and of those entrusted to him in a trust or fiduciary capacity, shall have remedy in the due course of law, by himself or his counsel, and right and justice administered without sale, denial or delay.

Mr. Pughe offered the following resolution, which was referred to the Committee on Executive Department, viz :

Resolved, That the proper committee be instructed to inquire into the expediency of establishing a bureau of statistics, especially providing for an efficient system of registrations of births, marriages and deaths.

Mr. Ainey offered the following resolution, which was read and laid on the table, viz :

Resolved, That joint sessions be authorized and recommended by such standing committees as have referred to them different branches of the same subject matter, to the end that their reports may be in harmony and consistent. And when so convened, the chairman of the committee first named in the list of the committees shall preside.

Mr. Carter offered the following resolution, which was referred to the Committee on Militia, viz :

Resolved, That the Committee on Religious and Charitable Corporations and Societies, or the proper committee, be directed to inquire whether those members of religious societies who are opposed to war on christian principles, should not be exempted from the penalties of refusal to perform military service.

Also, the following resolution, which was referred to the Committee on Suffrage, viz :

Resolved, That the appropriate committee be instructed to inquire whether the general State elections be held on the first Tuesday after the first Monday in November, unless changed by a three-fourths vote of both branches of the Legislature.

Mr. Howard offered the following resolution which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That the Committee on Legislation be instructed to consider and report upon the propriety of requiring the Legislature to prepare and pass two appropriation bills at each session; the first one to be entitled "An Act to provide for the ordinary and necessary expenses of the Commonwealth;" and in this act provide for all the ordinary and necessary expenses, including payments of the principal or interest of the public debt, and no appropriation in said act to be made for any other purpose. Second, That at any time, not less than ten days after the final passage of said first act, another bill may be introduced and passed, entitled "An Act making appropriations for miscellaneous purposes;" this second act to embrace charitable and such other appropriations as the Legislature may have authority to make.

Also, the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That as soon as the funds, assets and securities in the sinking fund, at the time this provision shall be in force, shall be paid out and applied according to law, the said sinking fund shall be discontinued, and no money or other valuable thing shall be placed in said sinking fund after this provision shall be in force, except judgments on account of obligations now in said sinking fund.

Also, the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the Committee upon Taxation, Revenue and Finance be instructed to consider and report upon the propriety and expediency of creating a financial board of control, to consist of the heads of departments of this Commonwealth, whose duty it shall be to prescribe a mode of depositing all public funds, and the manner of drawing for the same, and that all public funds shall be deposited, upon sufficient security, after due public notice, with such banks, bankers or exchange brokers doing a banking business in this State, as shall agree to pay to the Commonwealth the best rate of interest on daily or weekly balances, and pay all drafts on demand ; said board to have power to remove deposits when the safety of the same shall require it.

Also, the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That the Legislature shall not have power to create commissions to perform any public duty for any city, county or township, with power to borrow money or levy taxes, or to execute police or municipal functions ; and the Legislature shall not have authority to confer any of the powers of city, county or township officers upon commissions, trustees or persons other than the regular and duly elected and properly constituted authorities of the same.

Also, the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That all bonds, obligations, contracts, agreements or other evidences of indebtedness to the Commonwealth by corporations, whether such evidence of indebtedness shall be found in bonds, notes, contracts, agreements, obligations or in any act or acts or provisions of the Legislature, and now in or pledged to or assigned to the sinking fund by the Constitution or any act of the Legislature, and to be applied to the payment of the public debt, shall be and remain as now provided by law ; and the Legislature shall have no power to release, satisfy, remit, exchange, or in any way modify or impair the same ; and the same shall so remain until the same shall be extinguished by payment, as now provided by law ; and all the proceeds shall be applied to the payment of the public debt, and to no other purpose.

Also, the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the Legislature shall not delegate power to individuals or private corporations to levy taxes ; and all property, except public property, shall be taxed according to its value ; and the Legislature shall be prohibited from exempting property from taxation ; and all taxation and valuation shall be uniform throughout the State, and the Legislature shall prescribe regulations for carrying this latter clause into effect. No poll-tax shall be levied, except for school purposes ; and for that purpose a poll-tax shall be levied of not less than one dollar on each poll.

Also, the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That every law which imposes, repeals, continues or revives any tax, shall distinctly recite the tax and the object to which it is to be, or has been applied ; and it shall not be sufficient to refer to any other law to fix or explain such tax or object.

Also, the following resolution, which was referred to the Committee on Education, viz :

Resolved, That the Committee on Education are instructed to consider and report a plan whereby authority shall be given by general law, to prescribe the number and kind of books that shall be used in the public schools of this Commonwealth, and to report whether it would not conduce to the public good that no change in books should be made oftener than once in fifteen years.

Also, the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That every citizen of this Commonwealth owes paramount allegiance to the Constitution and Government of the United States, and that no law or or-

dinance of this Commonwealth, or the citizens thereof, in contravention or subversion thereof, can have any binding force.

Also, the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to consider and report upon the subject of prohibiting the Legislature from increasing the fees, salaries or emoluments of persons in office, so that such increase shall enture to the benefit of persons in office at the time of such increase; and also to prohibit the Legislature from conferring such power upon any public authorities.

Mr. D. W. Patterson offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee upon Suffrage, Election and Representation be requested to consider the expediency of incorporating in the article upon suffrage, the following section, to wit :

SECTION— Every male person of lawful age, having residence in any precinct, election district, township or borough in this State, shall be entitled to vote upon any proposition, submitted at any meeting or election, to raise money by taxation upon the property of such person liable to taxation, for any person whatever; and no person shall vote upon any proposition submitted, to raise money by taxation, at any such meeting or election, unless such person is the owner of property that would be subject to a tax, if the proposition so submitted should be carried at such meeting or election.

Also, the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the public interest does not demand the recognition of the principle of "minority representation, or cumulative voting," (so called,) in the Constitution of the State; that the said principle is not only an innovation upon existing suffrage, customs and systems, but also upon the democratic equality of the citizen, and is also at variance with the cardinal doctrine of our representative democracy or republican form of government.

Also, the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee upon Suffrage, Election and Representation be requested to consider the expediency of giving the Legislature full power to pass laws excluding from the right of suffrage persons convicted of infamous crimes.

Mr. John Price Wetherill offered the following resolution, which was referred to the Committee on Private Corporations, viz :

Resolved, That the Committee on Railroads and Corporations be requested to inquire into the expediency of amending the Constitution so as to enlarge the rights of stockholders as follows, viz :

In all elections for managers of any incorporated company under the laws of this State, every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him for as many candidates as there are managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of managers multiplied by his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and no by-law shall deprive any stockholder of this privilege.

Mr. Clark offered the following resolution, which was referred to the Committee on Future Amendments, viz :

Resolved, That the Committee on Future Amendments be instructed to inquire into the expediency of providing in the Constitution for the assembling of a Convention once in every thirty years, to amend or revise the same, and of designating the qualifications of persons to be eligible as delegates to said Convention, the mode or manner of their election, by what department of the government the said Convention shall be called, and whether any, and if any, what restrictions of the powers of the Convention may be imposed by the terms of the call under which the Convention shall be assembled.

Mr. Bartholomew offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the proper committee be requested to inquire into the expediency of preventing any person elected or appointed to a judicial office from accepting any office, not judicial, during the term for which said person shall have been elected or appointed, nor for four years after the expiration of the term as aforesaid.

Mr. John N. Purviance offered the following resolution, which was referred to the Committee on Legislature, viz:

Resolved, That the Committee on Legislature be instructed to inquire into the expediency of providing that the members of the General Assembly shall receive for their services the sum of ——— dollars per day during the first session held under this Constitution, and ten cents for each mile necessarily traveled in going to and returning from the seat of government, to be computed by the Auditor General; and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument, directly or indirectly, for any purpose whatever, except the sum of fifty dollars per session to each member, which shall be in full for postage, stationery, newspapers and all other incidental expenses and perquisites; but no change shall be made in the compensation of members of the General Assembly during the term for which they may have been elected. The pay and mileage allowed to each member of the General Assembly shall be certified by the Speaker of their respective Houses, and entered on the Journals and published at the close of each session.

Also, the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of providing that the General Assembly shall make no appropriation of money out of the State Treasury in any private law. Bills making appropriations for the pay of members and officers of the General Assembly, and for the salaries of the officers of the government, shall contain no provision on any other subject. That no money shall be drawn from the treasury, except in pursuance of an appropriation made by law, and on the presentation of a warrant issued by the Auditor General thereon; and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution.

Also, the following resolution, which was referred to the Committee on Executive Department, viz:

Resolved, That the Committee on Executive Department be instructed to inquire into the expediency of providing that the Auditor General shall, within forty days after the adjournment of each session of the General Assembly, prepare and publish a full statement of all money expended at such session, specifying the amount of each item, and to whom and for what paid.

Agreeably to order,

The Convention resumed the consideration of the resolution relative to the temporary adjournment.

And the question recurring,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Harry White,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz:

"That when this Convention adjourns on Wednesday next, it will adjourn to meet on Friday, the 29th inst., at 10 o'clock A. M., after which it will meet from day to day, in Harrisburg, until December 13, adjourning on Saturday, at 12 o'clock M., until 3 o'clock P. M., the following Monday.

Which was not agreed to.

A motion was then made by Mr. Hay,

To further amend the resolution, by striking therefrom the words, "first Tuesday in," and inserting in lieu thereof the words, "15th day of."

Which was not agreed to.

A motion was then made by Mr. Wherry,

To further amend the resolution, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz:

"That when the Convention adjourns on Wednesday, it adjourns to meet on Monday next, at 3 o'clock P. M.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Harry White and Mr. Stanton, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Brodhead, Brown, Buckalew, Campbell, Carey, Church, Collins, Corbett, Corson, Curry, Cuyler, Davis, Dimmick, Dodd, Dunning, Ellis, Fell, Finney, Gilpin, Gowen, Hanna, Harvey, Hemphill, Hunsicker, Knight, Lilly, Long, M^cCamant, M^cMurray, Mantor, Minor, Newlin, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Reynolds, S. H., Ross, Runk, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Woodward, Worrell and Wright—69.

NAYS.

Messrs. Alricks, Andrews, Baily, (Perry) Bailey, (Huntingdon,) Carter, Clark, Cochran, Curtin, Darlington, De France, Edwards, Ewing, Fulton, Funck, Gibson, Guthrie, Hall, Hay, Hazzard, Hopkins, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, M^cAllister, MacConnell, M^cCulloch, MacVeagh, Mann, Mott, Patterson, D. W., Purviance, John N., Reed, Andrew, Reynolds, James L., Russell, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—42.

So the question was determined in the affirmative.

Mr. Buckalew offered the following resolution, which was twice read, viz:

Resolved, That the first five committees as appointed by the President meet at Philadelphia on the third day of January, to prepare reports for the action of the Convention when it shall meet pursuant to the resolution of adjournment.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. MacVeagh,

To amend the same, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words, viz:

Resolved, That the standing committees be requested to proceed to the business assigned to them during the recess of the Convention, so as to be able, if practicable, to report to the Convention on its re-assembling in Philadelphia.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. MacVeagh and Mr. D. N. White, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Andrews, Armstrong, Bailey, (Huntingdon,) Baker, Barclay, Beebe, Biddle, Black, Charles A., Bowman, Brown, Buckalew, Campbell, Carey, Church, Curry, Dodd, Ellis, Gibson, Gilpin, Hall, Hay, Hazzard, Hemp-hill, Hunsicker, Kaine, Landis, Lawrence, Lilly, Long, M'Allister, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Mott, Patterson, D. W., Patton, Purman, Read, John R., Reynolds, S. H., Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, White, J. W. F., Wright and Meredith, *President*—55.

N A Y S .

Messrs. Addicks, Alricks, Baily, (Perry,) Bannan, Bartholomew, Brodhead, Carter, Cochran, Corbett, Corson, Curtin, Darlington, Davis, De France, Dim-mick, Dunning, Edwards, Ewing, Finney, Fulton, Funck, Guthrie, Hanna, Hop-kins, Horton, Howard, MacConnell, MacVeagh, Mann, Newlin, Patterson, T. H. B., Porter, Pughe, Purviance, John N., Reynolds, James L., Runk, Russell, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Walker, White, David N., and Woodward—45.

So the question was determined in the affirmative.

On motion,

The unanimous consent of the Convention was given, authorizing the President to refer to their appropriate committees the resolutions offered before the announcement of the committees, and which were laid on the table, without specifying the said reference upon the journal.

A motion was made by Mr. Simpson,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, NOVEMBER 27, 1872.

Mr. Woodward, by request of the Committee on Private Corporations, offered the following resolution, which was twice read, considered and adopted, viz:

Resolved, That the Auditor General be requested to inform the Convention what private corporations, foreign or domestic, (other than railroad or canal companies, and religious and charitable corporations,) exist and are doing business in this State; and that he state, in tabular form, the name and location of said corporations, the general character of their business, the amount of their respective capitals actually paid in, with references to the several acts of Assembly under and by the authority of which the said corporations claim to exercise their respective franchises.

Also, the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Secretary of the Treasury of the United States be requested to inform this Convention, in tabular form, of the number of national banks in Pennsylvania; their names and location, the date of their incorporation, their capital stock respectively, and which of them are employed as fiscal agents of the Federal Government in collecting, depositing and disbursing the revenues of said government, and to what amount, annually, any of said banks are so employed.

Mr. Bartholomew offered the following resolution, which was twice read and unanimously agreed to, viz :

Resolved, That the members of this Convention hereby express their thanks to John A. Small, Esq., Resident Clerk of the House of Representatives, for the valuable services rendered to this Convention by him during their session in Harrisburg.

Mr. M'Allister offered the following resolution, which was twice read, viz :

Resolved, That the resolutions and propositions presented to the Convention, and referred to the Committee on Suffrage, Election and Representation, be printed for the use of the Committee.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Ewing,

To amend the same by striking therefrom the words "Committee on Suffrage, Election and Representation," and inserting in lieu thereof the words "standing committees."

On the question,

Will the Convention agree to the amendment ?

A motion was made by Mr. Wherry,

To amend the same by striking therefrom the words proposed to be inserted, and inserting in lieu thereof the following words, viz: "Of all the committees who have directed their chairmen to ask for the printing of the same."

Which was not agreed to.

And the amendment was disagreed to.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the negative.

Mr. Hunsicker offered the following resolution, which was twice read, viz :

Resolved, That all resolutions relating to amendments to the Constitution be printed for the use of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

That the further consideration of the same be postponed for the present.

Which was not agreed to.

A motion was then made by Mr. Gibson,

To amend the resolution, by striking therefrom all after the word "Resolved," and inserting in lieu thereof the following words:

"That a sufficient number of copies of the resolutions presented be printed, so as to furnish each member of every committee with a printed copy of the resolutions referred to his committee."

On the question,

Will the Convention agree to the amendment?

A motion was made by Mr. Lamberton,

To amend the same by adding thereto the following words:

"And when printed, that they be sent by mail during the recess to the members of the Convention."

On the question,

Will the Convention agree to the amendment to the amendment?

A motion was made by Mr. MacVeagh that the whole subject be laid on the table.

Which was agreed to.

Mr. Bowman offered the following resolution, which was twice read, considered and unanimously agreed to, viz:

Resolved, That this Convention tender their thanks to General James L. Selfridge, Clerk of the House, and Thomas M'Camaut, for their services at the commencement of the session.

Mr. Brodhead offered the following resolution, which was twice read, considered and unanimously agreed to, viz:

Resolved, That our thanks are hereby tendered to the clergy of the city of Harrisburg for their attention and services in behalf of this Convention.

Mr. Cochran offered the following resolution, which was twice read, viz:

Resolved, That five thousand copies of the proceedings and debates of this Convention, as reported by the official reporter, be printed; four thousand to be supplied in sheets at the commencement of the second day's sitting after the debates and proceedings have occurred; and one thousand to be bound in the style of the Congressional Globe. The form of publication shall be quarto, three columns to the page, the type used *brevier*, except the reports, the subject matter under debate and the yeas and nays shall be printed in *minion*. The paper shall be of quality equal to that on which the "further supplement to the act of the ninth of April, Anno Domini eighteen hundred and fifty-six, regulating the public printing and binding," laid on the table of members, was printed. The expense of the whole shall not exceed the sum of twenty thousand dollars, and Benjamin Singery, of Harrisburg, is hereby selected and employed to do the work, subject to the supervision of the Committee on Printing, and to removal by this body should he fail to comply in all respects with the terms of this resolution. The number of volumes to be printed under this resolution not to exceed two, of one thousand pages each.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Newlin,

That the same be referred to the Committee on Printing and Binding.

Which was agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures, made report, which was read as follows, viz :

The Committee on Accounts and Expenditures of the Convention respectfully report :

First. Upon the resolution, adopted November 26th, directing them to report the accounts of the several members for stationery, postage, contingent expenses and mileage for one session, that they are yet unable to report to what sum a small number of the members are entitled for mileage in consequence of the absence of these delegates or their failure to furnish a statement of their places of residence, and the distances of the same from Harrisburg, in accordance with the resolution of the Convention.

That on the 13th day of November instant, Daniel L. Rhone, who was elected and qualified as a member of this Convention, from the Thirteenth Senatorial district, resigned his position, and that on the day following his place was filled by the appointment of C. E. Wright ; and that on the 14th day of November John G. Freese, who was elected and qualified as a member from the Fifteenth Senatorial district, resigned his position, and that on the following day his place was filled by the appointment of Charles R. Buckalew. The committee would respectfully refer it to the Convention to determine whether or not each of these members is entitled to the allowance for postage, stationery contingencies and mileage, mentioned in the seventh section of the act of Assembly, approved April 11, 1872 ; and if not, then which of them is so entitled. And in case the Convention shall determine that Daniel L. Rhone and John G. Freese are entitled to allowance of mileage for one session, and to no other allowance for postage, stationery and contingencies, then the committee report that Daniel L. Rhone is entitled to the sum of twenty-two dollars and sixty cents for mileage, and that John G. Freese is entitled to the sum of fifteen dollars for mileage ; and in case the Convention shall determine that C. E. Wright and Charles R. Buckalew are not entitled to any allowance for mileage at this session, but are entitled to allowance for postage, stationery and contingencies, then the committee report that they are each entitled to the sum of fifty dollars therefor. It is proper here to add that Mr. Buckalew makes no claim for, and does not desire to be allowed mileage at this session.

The committee report that the members whose names are upon the list annexed to this report, and marked "A," are each of them entitled for postage, stationery and contingencies, to the sum of fifty dollars, and are also entitled to the amounts which upon the said list are placed opposite their respective names, for mileage for one session ; and that the said several amounts should be paid to the persons entitled to receive the same, by warrants upon the State Treasurer, drawn by the President of the Convention, and countersigned by the Chief Clerk ; a proper form of which warrant, suitable also for all future payments on account of the Convention, is herewith reported (marked "B") and recommended for adoption. The committee in their calculation of mileage have, in all cases, taken as correct, the distances furnished by the respective members themselves.

Second. Upon the resolution adopted by the Convention, November 26, directing "that before the reporter elected shall enter upon his duties, the Committee on Accounts and Expenditures shall make and report to the Convention a written contract with him, in pursuance of the terms of the report of said committee." The committee report that a written contract, in accordance with the same, has been made with D. F. Murphy, elected Official Reporter of the Convention, and is herewith submitted.

The committee recommend the adoption of the following resolution, viz :

Resolved, That the President of the Convention be requested to draw warrants upon the State Treasurer, which shall be countersigned by the Chief Clerk, for the payment of the amounts reported by the Committee on Accounts and Expenditures of the Convention, to be paid to the members of the Convention for their mileage, and for postage, stationery and contingencies, and that the form of warrant reported by that committee be approved.

[A.]

NAME OF MEMBERS.	RESIDENCE.	Miles direct.	Miles circular	Mileage.
Achenbach, Geo. A.	Logansville	140	280	\$28 00
Addicks, Jno. E.	Philadelphia	107	214	21 40
Ainey, Wm. H.	Allentown	90	180	18 00
Alricks, Hamilton	Harrisburg			
Andrews, Geo. W.	Brookville	280	560	56 00
Armstrong, Wm. H.	Williamsport	96	192	19 20
Baer, Wm. J.	Somerset			
Baily, Joseph	Newport	23	46	4 60
Bailey, John M.	Huntingdon	97	194	19 40
Baker, Wm. D.	Philadelphia	112	224	22 40
Bannan, Thos. G.	Pottsville	87	174	17 40
Barclay, Geo. G.	Reading	52	104	10 40
Bardsley, John	Philadelphia	107	214	21 40
Bartholomew, Lin.	Pottsville	87	174	17 40
Beebe, Manly C.	Pleasantville	440	880	88 00
Biddle, Geo. W.	Philadelphia	107	214	21 40
Black, Charles A.	Waynesburg	355	710	71 00
Black, J. S.	York	26	52	5 20
Bowman, Chas. O.	Corry	306	612	61 20
Boyd, James	Norristown	94	188	18 80
Brodhead, Chas.	Bethlehem	95	190	19 00
Broomall, John M.	Media	120	240	24 00
Brown, Rasselas	Warren	276	552	55 20
Campbell, John H.	Philadelphia	107	214	21 40
Carey, Henry C.	Philadelphia	107	214	21 40
Carter, Henry	Fulton township	60	120	12 00
Cassidy, Lewis C.	Philadelphia	107	214	21 40
Church, Pearson	Meadville	380	760	76 00
Clark, Silas M.	Indiana	224	448	44 80
Cochran, Thos. E.	York	26	52	5 20
Collins, John	Uniontown	318	636	63 60
Corbett, Wm. L.	Clarion	341	682	68 20
Corson, Geo. N.	Norristown	94	188	18 80
Craig, David	New Castle	300	600	60 00
Cronmiller, Jno. P.				
Curry, Jas. W.	Altoona	182	264	26 40
Curtin, A. G.	Bellefonte	153	306	30 60
Cuyler, Theodore	Philadelphia	107	214	21 40
Dallas, G. M.	Philadelphia	107	214	21 40
Darlington, Wm.	West Chester	135	270	27 00
Davis, Wm.	Stroudsburg	140	280	28 00
De France, Robt. M.	Mercer	349	698	69 80
Dimmick, Sam'l E.	Honesdale	317	634	63 40
Dodd, Sam'l C. T.	Franklin	375	750	75 00
Dunning, Abr. B.	Dunning	183	366	36 60
Edwards, Matthew	Pittsburg	250	500	50 00
Elliott, Mortimer F.	Wellsboro'			
Ellis, James	Pottsville	87	174	17 40
Ewing, Thos.	Pittsburg	250	500	50 00
Fell, S. Gillingham	Philadelphia	107	214	21 40
Finney, A. C.	Clearfield			
Fulton, And. M.	Greensburg	220	440	44 00
Funck, Josiah	Lebanon	25	50	5 00
Gibson, John	York	26	52	5 20
Gilpin, John	York	204	588	58 80
Gowen, F. B.	Kittanning	107	214	21 40
Guthrie, John B.	Philadelphia	107	214	21 40
Hall, John G.	Pittsburg	250	500	50 00
Hanna, Wm. B.	Ridgway	226	452	45 20
Harvey, Edward	Philadelphia	107	214	21 40
Hay, Malcolm	Allentown	90	180	18 00
Hazzard, Thos. R.	Pittsburg	250	500	50 00
Hemphill, Jos.				
Heverin, Jas. H.	West Chester	135	270	27 00
Hopkins, Wm.	Philadelphia	107	214	21 40
Horton, Geo. F.	Washington	278	556	55 60
	Terrytown	249	498	49 80

[A.]—CONTINUED.

NAMES OF MEMBERS.	RESIDENCE.	Miles direct.	Miles circular	Mileage.
Howard, Thos.	Pittsburg.	250	500	\$50 00
Hunsicker, Chas.	Norristown.	94	188	18 80
Kaine, Daniel	Uniontown	318	636	63 60
Knight, E. C.	Philadelphia.	107	214	21 40
Lamberton, Robt. A.	Harrisburg			
Landis, Augt. S.	Holidaysburg.	140	280	28 00
Lawrence, Geo. V.	Monongahela City.	280	560	56 00
Lear, George	Doylestown.	140	280	28 00
Lilly, Wm.	Mauch Chunk.	124	248	24 80
Littleton, Wm. E.	Philadelphia.	107	214	21 40
Long, Zach	Lehighton	120	240	24 00
M'Allister, H. N.	Bellefonte	153	306	30 60
M'Camant, Joel B.	Shenandoah	101	202	20 20
M'Clean, Wm	Gettysburg	54	108	10 80
MacConnell, Thos.	Pittsburg	250	500	50 00
M'Culloch, John	Huntingdon	97	194	19 40
M'Murray, John	Brookville	280	560	56 00
MacVeagh, Wayne	Harrisburg			
Mann, John S.	Coudersport	240	480	48 00
Mantor, Frank	Conneautville	352	704	70 40
Metzger, John J.	Williamsport	96	192	19 20
Minor, Samuel	Titusville	312	624	62 40
Mott, Henry S.	Milford	278	556	55 60
Newlin, Jas. W. M.	Philadelphia.	107	214	21 40
Niles, J. B.	Wellsboro'			
Palmer, G. W.				
Palmer, H. W.				
Parsons, H. C.	Williamsport	96	192	19 20
Patterson, D. W.	Lancaster	36	72	7 20
Patterson, T. H. B.	Pittsburg.	250	500	50 00
Patton, Jos. G.	Towanda.	265	530	53 00
Porter, D. S.	Indiana.	212	424	42 40
Pughe, Lewis.	Scranton	130	260	26 00
Purman, A. A.	Waynesburg.	355	710	71 00
Purviance, J. N.	Butler	255	510	51 00
Purviance, S. A.	Pittsburg.	250	500	50 00
Read, J. R.	Philadelphia.	107	214	21 40
Reed, Andrew	Lewistown	61	122	12 20
Reynolds, J. L.	Lancaster	36	72	7 20
Reynolds, S. H.	Lancaster.	36	72	7 20
Rooke, Levi				
Ross, George.	Doylestown.	140	280	28 00
Runk, C. M.	Allentown	90	180	18 00
Russell, Sam. L.	Bedford.	150	300	30 00
Sharpe, J. M'D.	Chambersburg.	52	104	10 40
Simpson, J. A.	Philadelphia.	110	220	22 00
Smith, H. G.	Lancaster.	36	72	7 20
Smith, H. W.	Reading	54	108	10 80
Smith, W. H.	Pittsburg	250	500	50 00
Stanton, M. Hall	Philadelphia.	107	214	21 40
Stewart, J.	Chambersburg.	52	104	10 40
Struthers, Thos.	Warren	276	552	55 20
Temple, B. L.	Philadelphia.	107	214	21 40
Turrell, W. J.	Montrose	250	500	50 00
Van Reed, H.	Reading	54	108	10 80
Walker, J. H.	Eric	339	678	67 80
Wetherill, J. M.	Pottsville	87	174	17 40
Wetherill, J. Price	Philadelphia.	107	214	21 40
Wherry, S. M.	Shippensburg.	45	90	9 00
White, David N.	Sewickleyville	262	524	52 40
White, Harry.	Indiana	224	448	44 80
White, J. W. F.	Sewickly	262	524	52 40
Woodward, G. W.	Philadelphia.	107	214	21 40
Worrell, E. R.	Frankford	112	224	22 40
Meredith, W. M., Pres't.	Philadelphia.	107	214	21 40

[B.]

\$—.

No.—.

COMMONWEALTH OF PENNSYLVANIA, }
 CONSTITUTIONAL CONVENTION. }
 _____, 187 . }

Robert W. Mackey State Treasurer:

Pay to _____
 the sum of _____ dollars,
 for _____

This warrant is issued in accordance with the provisions of section seven of an act to provide for calling a Convention to amend the Constitution, approved April 11, 1872, and under resolution of the Convention of _____, 187 .

Countersigned:

Chief Clerk.

President of the Convention.

[C.]

These Presents Witness, That I, D. F. Murphy, of the city of Philadelphia, and State of Pennsylvania, having been elected the Official Reporter of the proceedings and debates of the Convention to propose amendments to the Constitution of Pennsylvania, do accept the said office; and hereby stipulate and agree that I will discharge the duties thereof with fidelity and in accordance with the terms of the resolution of said Convention relating to the compensation and duties of said reporter, adopted on the twenty-sixth day of November, in the year of our Lord one thousand eight hundred and seventy-two.

Witness my hand and seal this twenty-sixth day of November, in the year of our Lord one thousand eight hundred and seventy-two.

D. F. MURPHY, [L. S.]

Witnesses present:

THOS. E. COCHRAN,
 JOHN N. PURVIANCE,
 JOS. G. PATTON,
 JOSEPH BAILY,
 MALCOLM HAY.

The resolution accompanying the report was twice read, considered and agreed to.

On motion of Mr. Buckalew,

The contract entered into between the committee and D. F. Murphy, elected phonographic reporter, was approved by the Convention.

Whereupon,

Mr. Murphy appeared and was duly qualified.

Mr. Newlin, from the Committee on Printing and Binding, made report, which was read, as follows, viz:

To the Constitutional Convention:

The Committee on Printing and Binding, to whom was referred the following:

“*Resolved*, That the Committee on Printing and Binding, when appointed, be directed to report whether the contract between the State and the present Public Printer entitles such printer to the printing and binding of the Convention, and if their report on this subject be in the negative, then to receive and report bids for the printing and binding of the Convention.”

Respectfully report: That the contract between the State and the present Public Printer does not entitle such printer to the printing and binding of the Convention.

They further report, that they have not had time to receive and report to the Convention bids for its printing and binding, as contemplated by said resolution.

JAMES W. M. NEWLIN,
Chairman.

Laid on the table.

Mr. W. H. Smith presented the following minority report, viz :

The undersigned, members of the Committee on Printing, dissent from the decision of the majority in relation to the right of Mr. Singerly to the printing of the Convention, under his contract with the State. In our opinion, he has a just claim to the printing of the Convention under his contract.

D. N. WHITE,
WM. H. SMITH.

HARRISBURG, Nov. 26, 1872.

Laid on the table.

Mr. Newlin, from the Committee on Printing and Binding, made the following report, which was read, viz :

To the Constitutional Convention :

The Committee on Printing and Binding, to whom was referred the following :

“Resolved, That the five hundred copies of the rules, standing committees and lists of the names of delegates and officers, with their post office address, &c., be printed,”

Respectfully report : That said resolution should be adopted, and that the resolution heretofore adopted and partly executed, ordering one thousand copies of the rules to be printed, be rescinded.

JAMES W. M. NEWLIN,
Chairman.

Laid on the table.

On motion of Mr. Newlin,

The Convention resumed the consideration of the resolution referred to in the said report, and which was offered by Mr. Hanna on the 26th inst.

And the question recurring,

Will the Convention agree to the amendment proposed by Mr. Dodd ?

It was determined in the affirmative.

And the resolution as amended was agreed to.

Mr. Newlin, from the Committee on Printing and Binding, made the following report, which was read, viz :

To the Constitutional Convention :

The Committee on Printing report the following :

Resolved, That the State Printer is not entitled, under his contract with the State, to the printing and binding of the Convention.

J. W. M. NEWLIN,
Chairman.

On motion,

The Convention proceeded to the second reading of said resolution.

And on the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Kaine,

To amend the same by striking therefrom the word “not.”

Which was not agreed to.

A motion was then made by Mr. W. H. Smith,

To amend the resolution, by striking therefrom all after the word “Resolved,” and inserting in lieu thereof the following words, viz :

“That B. Singerly be authorized and required to execute the printing and binding for this Convention under his contract for all the public printing of the Commonwealth.”

Which was not agreed to.

A motion was made by Mr. Harry White,

To amend the resolution, by adding thereto the following words, viz :

“And that the Committee on Printing and Binding be and is hereby authorized to confer with B. Singerly, the State Printer, in relation to the printing of the Convention ; if he will agree to do all such printing, according to the rates of his present contract for the printing of the State, to enter into a contract in writing with the said Singerly, and report the same to the Convention : *Provided*, The committee shall receive bids from all persons desiring to contract for said printing.”

On the question,

Will the Convention agree to the amendment ?

The yeas and nays were required by Mr. Harry White, and Mr. Addicks, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Andrews, Bailey, (Huntingdon,) Barclay, Black, Charles A., Bowman, Brown, Buckalew, Carter, Clark, Corbett, Corson, Curtin, Dimmick, Dodd, Dunning, Edwards, Ewing, Fulton, Gibson, Gilpin, Guthrie, Harvey, Hopkins, Horton, Howard, Kaine, Lamberton, Lawrence, M'Allister, MacConnell, M'Murray, MacVeagh, Mann, Mantor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Smith, Henry W., Smith, W. H., Temple, White, Harry, White, J. W. F., Woodward and Wright—51.

NAYS.

Messrs. Addicks, Ainey, Baily, (Perry) Baker, Bannan, Bartholomew, Biddle, Black J. S., Boyd, Brodhead, Campbell, Cochran, Curry, Darlington, Davis, De France, Ellis, Funck, Hall, Hanna, Hay, Hazzard, Hemphill, Hunsicker, Landis, Lilly, Long, M'Camant, M'Culloch, Newlin, Patton, Pughe, Reynolds, James L., Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Struthers, Turrell, Van Reed, Wetherill, J. M., Wetherill, J. Price, Wherry, Worrell and Meredith, *President*—49.

So the question was determined in the affirmative.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Newlin,

That the same be laid on the table.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Lilly and Mr. Newlin, and were as follow, viz :

YEAS.

Messrs. Addicks, Ainey, Baily, (Perry,) Baker, Bannan, Bartholomew, Biddle, Boyd, Brodhead, Buckalew, Campbell, Cochran, Darlington, Davis, De France, Ellis, Funck, Hall, Hanna, Hemphill, Hunsicker, Landis, Lilly, M'Camant, M'Culloch, Newlin, Patton, Reynolds, James L., Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, J. Price, Wherry and Worrell—43.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Bailey, (Huntingdon,) Barclay, Black, Charles A., Black, J. S., Bowman, Brown, Carter, Clark, Corbett, Corson, Curry, Curtin, Dimmick, Dodd, Dunning, Edwards, Ewing, Fulton, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hopkins, Horton, Howard, Kaine, Lamberton, Lawrence, Long, M'Allister, MacConnell, M'Murray, MacVeagh, Mann, Man

tor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Smith, Henry W., Smith, Wm. H., Stewart, White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*—56.

So the question was determined in the negative.

A motion was then made by Mr. Newlin,
That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Newlin and Mr. Lilly, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Baker, Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Buckalew, Campbell, Corson, Curry, Darlington, Davis, Ellis, Hanna, Hemphill, Hunsicker, Landis, Lilly, M'Camant, M'Culloch, Newlin, Patton, Reynolds, James L., Reynolds, S. H., Ross, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., and Wherry—39.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, (Perry,) Bailey, (Huntingdon,) Barclay, Black, Charles A., Bowman, Brown, Carter, Clark, Cochran, Corbett, Curtin, De France, Dimmick, Dodd, Dunning, Edwards, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hopkins, Horton, Howard, Kaine, Lambertson, Lawrence, Long, M'Allister, MacConnell, M'Murray, MacVeagh, Mann, Mantor, Mott, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Reed, Andrew, Runk, Russell, Smith, William H., Wetherill, J. Price, White, David N., White, Harry, White J. W. F., Woodward, Worell and Meredith, *President*—58.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution as amended ?

The previous question was moved by Messrs. Hopkins, Woodward, Kaine, M'Murray, W. H. Smith, Guthrie, Mott, J. W. F. White, Clark, Corbett, Bowman, H. W. Smith, Gibson, Edwards, Corson, T. H. B. Patterson, Davis and Harry White.

On the question.

Shall the main question be now put ?

The yeas and nays were required by Mr. Simpson and Mr. Addicks, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Black, Chas. A., Bowman, Brown, Carter, Clark, Corbett, Corson, Curtin, Dodd, Dunning, Edwards, Ewing, Fulton, Funck, Gilpin, Guthrie, Hazzard, Hopkins, Horton, Howard, Kaine, M'Allister, MacConnell, M'Murray, Mantor, Mott, Patterson, T. H. B., Porter, Purman, Purviance, John N., Smith, Henry W., Smith, William H., White, Harry, White, J. W. F., and Woodward—38.

N A Y S .

Messrs. Addicks, Ainey, Baily, (Perry,) Baker, Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Buckalew, Campbell, Cochran, Darlington, Davis, De France, Dimmick, Ellis, Hall, Hanna, Harvey, Hemphill, Hunsicker, Lambertson, Lawrence, Lilly, Long, M'Camant, M'Culloch, MacVeagh, Mann, Newlin, Patterson, D. W., Patton, Reed, Andrew, Reynolds, James L., Reynolds, S.

H., Ross, Runk, Russell, Simpson, Smith, H. G., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, J. Price, Wherry, Worrell and Meredith, *President*—52.

So the question was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution as amended?

Mr. MacVeagh rose to a question of order, viz:

"That when the previous question is moved, and the question, 'shall the main question be now put,' is determined in the negative, the main question goes over for the day."

The Chair submitted the question to the Convention for decision.

And on the question,

Is the point of order well taken?

It was decided in the affirmative.

Mr. Stanton offered the following resolution, which was read and laid on the table, viz:

Resolved, That the Committee upon State Institutions and Buildings be increased to eleven members.

Mr. Darlington offered the following resolution, which was referred to the Committee on Legislature, viz:

Resolved, That the Committee on the Legislature be instructed to inquire into the expediency of so amending the Constitution as to provide that Senators shall be chosen by single districts. When a district shall be composed of two or more counties, they shall be contiguous, and form, as nearly as practicable, compact territory. When a city or county shall be entitled to two or more Senators, it shall be divided by ward or township lines. No city or county shall be entitled to more than five Senators. Representatives shall be chosen by single districts, of contiguous and compact territory, composed of wards and townships, without regard to county lines.

Also, the following resolution, which was referred to the Committee on Executive Department, viz:

Resolved, That the Executive Committee be instructed to inquire into the expediency of so amending the Constitution as to provide that the judges of the Supreme Court shall, from time to time, appoint eight discreet and competent persons, who shall compose the Council of Pardons; they shall serve without pecuniary compensation, but their traveling expenses shall be paid by the treasury. They shall be convened at the seat of government whenever the Governor shall require them. No pardon shall be granted without the consent of at least four of the council, and in no case shall a pardon be granted before conviction.

Mr. Stanton offered the following resolution, which was referred to the Committee on the Judiciary, viz:

WHEREAS, Numerous cases have occurred in legal practice, in which parties have been convicted of murder, under circumstances in which juries have had their sympathies justly and properly excited in favor of the accused, and which juries were yet obliged to find a verdict of guilty, trusting to the pardoning power of the Governor to exercise a clemency which was beyond their own power; therefore,

Resolved, That the Committee on Judiciary be directed to inquire into the expediency of so amending the Constitution, as to provide for the rendition of the verdict of "guilty, with extenuating circumstances;" which verdict shall not render the accused liable to death, but to imprisonment for a term of years.

Also, the following resolution, which was referred to the Committee on Suffrage, Elections and Representation, viz:

Resolved, That the Committee on Suffrage, Elections, etc., be instructed to consider the propriety of so amending the Constitution as to provide that the

time of holding the general elections of this Commonwealth shall be on the first Thursday of November in each year.

Mr. Wm. H. Smith offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That in all prosecutions for libel, the truth may be given in evidence, and if it shall appear to the jury that the matter charged to be libellous is true, and was published for good motives and justifiable ends, the accused shall be acquitted. The jury shall have the right to determine the law and the facts.

Mr. Struthers offered the following resolution, which was referred to the Committee on Industrial Interests and Labor, viz:

Resolved, That the Committee on Industrial Interests and Labor be instructed to enquire and report as to the expediency of a clause in the Constitution to prevent legislation interfering with the rights of the employer and employee to regulate the hours of labor and prices to be paid for the same by mutual agreement.

Mr. Ewing offered the following resolution, which was referred to the Committee on Private Corporations, Foreign and Domestic, viz:

Resolved, That the Committee on Corporations be requested to inquire and report as to the expediency of inserting in the Constitution the following provisions:

1. The Legislature shall provide by general law for the supervision and examination of the condition, business and assets of all insurance companies doing business in this Commonwealth.

2. After July 1, 1874, no fire insurance company, (other than mutual,) shall be permitted to transact business, or take risks on property in any city in this Commonwealth, having a population of fifty thousand or upwards, unless such company shall at the time have a paid up and unimpaired capital of not less than five hundred thousand dollars.

Also, the following resolution, which was referred to the Committee on Cities and City Charters, viz:

Resolved, That the Committee on Cities be requested to inquire and report as to the expediency of providing in the Constitution as follows:

1. The electors of every city shall choose a mayor, whose term of office shall be two years, and who shall be chief executive officer thereof, and who shall see that the duties of the various city officers are faithfully performed.

In cities having a population of one hundred thousand, or upwards, the mayor shall be a salaried officer, and not entitled to any fees or perquisites in addition to his salary, and he shall not exercise any judicial functions, civil or criminal. He shall have a qualified veto on acts and ordinances passed by the city councils, the mode and manner of the exercise of which shall be provided for in the charters of such cities.

Mr. Collins offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, There shall be exempt from the liens of judgments, decrees of courts and from levy and sale under any process or order of any court of law or equity in this State, when the cause of action shall have accrued after the adoption of this Constitution, except for non-payment of taxes, or for a debt incurred for the purchase or improvement thereof, a homestead to the value of not less than one thousand dollars, or in lieu of a homestead, personal property of like value, to every debtor, for the use of such debtor, such exemption to continue after the desertion or death of a husband for the benefit of his wife, or widow and minor children, such homestead shall not be alienated by the husband without the consent of the wife obtained in such manner as shall be provided by law.

Mr. Lamberton offered the following resolution, which was referred to the Committee on Executive Department, viz:

Resolved, That the Committee on Executive, &c., be instructed to inquire into the expediency of so amending the Constitution as to provide for a Council Advisory to the Governor, to be composed of ex-Governors of the Commonwealth, to consider and pass upon applications for pardons and remissions of forfeitures.

Mr. C. A. Black offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

In all prosecutions and civil suits for libel the truth may be given in evidences, and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the verdict shall be for the defendant.

Also, the following resolution, which was referred to the Committee on Legislature, viz:

No appropriation shall be made by the Legislature for extra pay or other compensation, beyond necessary clerk hire, of any committee, standing or special, appointed by the Senate or House of Representatives, when sitting at the seat of Government; and only for actual and necessary expenses when sitting elsewhere.

Also, the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That in case of a contested election in the Senate or House of Representatives, the person only who is declared to be entitled to a seat, by the House in which the contest takes place, shall receive from the State such compensation as received by other members; and no appropriation shall be made by the Legislature for the pay of witnesses or other expenses of either party.

Mr. Brodhead offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on the Judiciary be requested to take into consideration the propriety of a Constitutional provision authorizing every man of good moral character to practice as an attorney in the several courts of this Commonwealth.

Mr. Runk offered the following resolution, which was referred to the Committee on Legislature, viz:

Resolved, That no person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over according to law, all such moneys due from him, shall not be eligible to the General Assembly, or to any office of profit or trust in this State.

Mr. Wherry offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz:

Resolved, That the Constitution ought to provide for the election of a State Commissioner of Agriculture, Mining, Manufactures and Statistics, who shall hold his office for _____ years, and perform such duties as shall be prescribed by law.

Mr. Lilly offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be requested to take into consideration the question of residence, and report a section clearly defining what constitutes a residence.

Mr. Ross offered the following resolution, which was referred to the Committee on Militia, viz:

Resolved, That the committee be requested to inquire into the expediency of providing, by Legislative enactment, that the expenses of the military department of the State Government shall be paid out of the general fund, and that no militia or other special tax shall be levied or collected for any military purpose.

Mr. Temple offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Judiciary Committee be requested to inquire into the propriety of so amending the Constitution as to abolish the "grand jury" system.

Mr. Ross offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into the expediency of so amending section four of article three

of the Constitution, that the same shall provide that qualified electors of this Commonwealth, though in actual military service under requisition from the President of the United States, or by the authority of this Commonwealth, shall exercise the right of suffrage in all elections by the citizens, only when present at the respective places of election, of which they are residents.

Mr. John M. Wetherill offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz :

Resolved, That no corporation shall be created for agricultural purposes, nor shall any existing corporation be authorized to hold land for such purposes.

Mr. Campbell offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary take into consideration the following suggestion :

That the only intermediate courts between the justices' courts, or justices of the peace, and the Supreme Court, shall be courts of common pleas, which shall be holden by judges elected in counties, in the ratio of one judge to every thirty-five thousand inhabitants, and that said judges shall be elected by the cumulative system for terms of ten years.

Mr. Andrews offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Legislature be required to provide by law, with proper restraint, (and penalties for the violation of the same,) for the sale of vinous, spirituous and alcoholic liquors, for medicinal, mechanical, chemical and sacramental purposes.

Mr. Gibson offered the following resolution, which was referred to the Committee on the Judiciary, viz :

Resolved, That the Committee on the Judiciary take into consideration the propriety of abolishing the oath as administered in courts of justice or elsewhere, and to provide that a solemn promise to tell the truth, the whole truth and nothing but the truth, shall, in case of violation of the same, subject the party so offending to the penalties of perjury, as originally provided by the founder of the Commonwealth.

Mr. C. A. Black offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

He shall have power to remit fines and forfeitures, and grant reprieves and pardons, except in cases of impeachment, but no reprieve or pardon shall be granted without the recommendation, in writing, of all the members of the court before whom the person applying for a reprieve or pardon was convicted, and of the Attorney General or district attorney who prosecuted for the Commonwealth; and such recommendations shall be recorded and filed in the office of the Secretary of the Commonwealth.

Mr. H. G. Smith offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of so amending the Constitution, as to provide that the Legislature shall make no appropriation of money, except by vote of a majority of each House elected, upon a call of the yeas and nays; that what is known as the general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State Governments; that all other appropriations shall be made by separate act of Assembly. No such act to embrace more than one item of expenditure.

Mr. Worrell offered the following resolution, which was referred to the Committee on Legislation, viz :

No bill apportioning Senators or Representatives, or Representatives in Congress, shall become a law unless it be approved by three-fifths of each branch of the Legislature; the votes of both houses to 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.

Mr. Mott offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be requested to take into consideration the propriety of extending the term of the judges of the Supreme Court to twenty years, and made ineligible for a second term, and to be retired for imbecility on account of any dispensation of Providence or extreme old age, in such manner as the committee may devise.

Mr. Campbell offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on Declaration of Rights take into consideration the following proposed addition to that section of the Constitution:

That married women shall have the same rights over the acquisition, control or disposition over their separate property, real or personal, as men have over theirs.

Mr. Runk offered the following resolution, which was referred to the Committee on Legislature, viz:

The House of Representatives shall consist of three hundred members, each member to be elected from a separate district composed of contiguous and compact territory, the population of which district shall be as nearly equal as practicable, without a division of the territorial limits of election precincts: *Provided*, That each county shall have at least one representative.

Also, the following resolution, which was referred to the Committee on Legislature, viz:

The Senate shall consist of one hundred members, each to be elected from a separate district or contiguous and compact territory, the population of which districts shall be as nearly equal as practicable, except in the city and county of Philadelphia, from which there shall be nine Senators, elected from like separate districts of contiguous and compact territory: *Provided*, That each county shall have at least one Senator.

Mr. M'Murray offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That every male citizen of the United States over twenty-one years of age, who has resided within the State one year, within the county six months, and within the election district sixty days next preceding any election held therein, and who has paid a State or county tax that has been assessed against him within two years next preceding such election, shall be a qualified voter—but no person of unsound mind, or pauper, shall be allowed to vote at any such election, and no housekeeper shall be permitted to vote in any election district, except the one in which his family actually resides at the time he offers to vote.

No person in attendance at any college, seminary, or other institutions of learning within the State, shall, by reason of such attendance, gain such a residence as will entitle him to vote at any election in the election district in which he may so reside, except he be a housekeeper, and his family actually resident therein.

No elector of the State shall ever be deprived of the right to vote at any election, by reason of his not being registered, or listed, as a qualified voter.

The Legislature shall pass a law or laws depriving of the right of suffrage all persons convicted of treason, felony and bribery in elections.

Mr. C. A. Black offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That if any person shall give, or offer to give, directly or indirectly, any bribe, present or ward, or any promise, or any security for the payment or the delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or person proposed or voted for as elector of President and Vice President of the United States, or Representatives in Congress, or for any office of trust or profit created by the Constitution and laws of this State, the person giving or offering to give, and the person receiving the same, and any person who gives or causes to be given, an illegal vote, knowing it to be such, at any election hereafter to be held in this State, shall on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disquali-

fied to hold any office of profit or trust, or to vote at any election in this Commonwealth.

Mr. Mann offered the following resolution, which was referred to the Committee on Industrial Interests and Labor, viz :

Resolved, That the Constitution of the State ought to be so amended as to secure to a wife, on the death of her husband, the same legal rights and privileges as are enjoyed by a husband on the death of his wife.

Mr. De France offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That any railroad now constructed, or hereafter to be constructed in this State, shall be substantially fenced by the owner thereof; and in case any railroad company shall neglect or refuse to fence its road, the said company shall be responsible for all damage accruing to the property of the inhabitants thereof in consequence of such failure.

Mr. Harvey offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads be instructed to inquire into the expediency of reporting the following as a Constitutional provision :

All railroads which are now or may hereafter be constructed, are hereby declared public highways, and shall be open to all persons for the transportation of their persons and property, under such regulations as may be established by law; and the General Assembly shall, from time to time, pass laws establishing maximum rates of charges for passenger fare and for through and local freight.

Also, the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee upon Suffrage, Election and Representation be instructed to inquire into the expediency of amending article three, section one of the Constitution, so that it will read as follows :

In elections by the citizens, every male citizen of the age of twenty-one years, having resided in this State one year, and in the election district where he offers to vote three months immediately preceding such 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, shall, after residing in the State six months, and in the election district three months, be entitled to vote.

Also, the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of presenting a provision that each county, having a population of fifty thousand or more, shall be a separate judicial district.

Also, the following resolution, which was referred to the Committee on Legislature, viz :

Resolved, That the Committee on Legislature be instructed to inquire into the propriety of so amending article one, section six, of the Constitution, so as to provide that each county shall be a Senatorial district, and shall be entitled to one Senator; that the city of Philadelphia shall be a Senatorial district, and shall be entitled to six Senators, to be elected at large in said city; and that the city of Pittsburg shall be a Senatorial district, and entitled to one Senator.

Mr. Andrew offered the following resolution which was referred to the Committee on Counties, Townships and Boroughs, viz :

Resolved, A new county may be formed by act of Legislature, as often, or whenever two-thirds of the electors within the proposed boundary shall, at any annual election, vote in favor of same: *Provided*, That no new county shall contain less than three hundred square miles, nor shall any line thereof pass within less than ten miles of any county seat.

Also, the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Legislature be required, as soon as the contemplated Constitution is adopted, or in force, to pass a *law*, and by appropriate penalties forever prohibit the sale, giving away, or in any manner or form furnishing intoxicating liquors of any kind, by any person or persons, company or corporation, to or for any other person or persons, company or corporation, to be used as a beverage.

Mr. Hopkins offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Suffrage, Election and Representation be requested to report an article forever disfranchising all persons who shall commit fraud in any election in this Commonwealth, whether by voting more than once, altering returns, bribing voters, or in any other manner.

A motion was made by Mr. Temple,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention to meet in the city of Philadelphia on Tuesday, January 7, 1873, at 12 o'clock, M.

D. I. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, JANUARY 7, 1873.

The President laid before the Convention a communication from the Secretary of the Treasury of the United States, which was read as follows, viz:

TREASURY DEPARTMENT,)
WASHINGTON, D. C., December 6, 1872. }

SIR:—In reply to your communication of the 29th ult., enclosing copy of a resolution of the Constitutional Convention of the State of Pennsylvania, I have the honor, as requested, to enclose herewith a list of national banks in said State, their location, date of organization and capital stock; also, a list of such of said banks as are designated depositories and fiscal agents of the United States, and the amount of their securities, to which amount said banks are limited in the transaction of government business.

I am, very respectfully,

GEORGE S. BOUTWELL.

Secretary.

A. D. HARLAN, Esq.,
Assistant Clerk, &c.
HARRISBURG, PA.

The accompanying documents were referred to the Committee on Private Corporations, &c.

Mr. Armstrong offered the following resolution, which was twice read, viz :

Resolved, That the Convention will now proceed to the selection of seats in the following manner :

All seats shall be vacated. The clerk shall prepare for every member a separate ballot, which shall be as nearly as possible alike, and shall be separately and closely rolled up and placed in a box, which shall then be well shaken and placed upon the President's desk. A page, blindfold, shall withdraw the ballots, one at a time, and hand the same to the clerk, who shall announce the name thus drawn. The person whose name is called shall immediately select a seat. Another ballot shall then in like manner be drawn, and the person called shall select a seat, and so continuously until all the ballots are drawn. Each member who shall, when called, select his seat, shall continue to occupy it until the drawing is complete. All seats vacant when any name is announced, shall be subject to selection. The name of any person called who does not personally answer, shall be laid aside until all the names in the box are called.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Runk,

To amend the same, by adding to the end thereof, as follows, viz :

"That the following persons be permitted to select seats without lot, viz : Those gentlemen who were members of the former Constitutional Convention of this State ; those who have held the office of Governor of the State ; judges of the Supreme Court and members of the United States Senate."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hay,

To amend the same by striking out all after the word "manner," in the third line, and inserting in lieu thereof as follows, viz :

"That numbers, from one to one hundred and thirty-two, inclusive, be marked upon separate slips of paper and placed in a box, and that the roll of the members be called, and that upon each name being called, one slip of paper be taken from the box by the clerk, and that the number thereon be the number of the seat of that member."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. John R. Reed,

To amend the same by adding to the end thereof as follows, viz : "In the event of a member called not answering to his name, the clerk shall select a seat for him, and place a card upon it with the member's name thereon."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. J. F. Bailey,

To amend the amendment by striking out the word "clerk" and inserting in lieu thereof the words "members from the same district."

Which was not agreed to.

The amendment was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Cuyler,

To amend the same, by striking out the words "page blindfolded," and insert in lieu thereof the word "clerk."

Which was not agreed to.

The resolution was then agreed to.

Whereupon,

The Convention proceeded to the drawing of seats.

After the drawing of seats by the members present was completed,

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the members from the same districts, as absent members, be now permitted to make choice of seats for them as the names of such absent members are drawn, in a manner similar to that already adopted.

Whereupon,

The Convention proceeded to draw seats for the abesntees.

On leave given at this time,

Mr. Lawrence asked and obtained leave of absence for Mr. John N. Purviance for a few days from to-day.

Mr. Hay asked and obtained leave of absence for Mr. William H. Smith for a few days from to-day.

Mr. Beebe asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. John L. Bailey asked and obtained leave of absence for Mr. Landis for a few days from to-day.

Mr. Wherry asked and obtained leave of absence for Mr. Stewart for a few days from to-day.

Mr. S. H. Reynolds asked and obtained leave of absence for Mr. H. G. Smith for a few days from to-day.

Mr. Russell offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the thanks of this Convention be and they are hereby tendered to the city councils of the city of Philadelphia, for the handsome and comfortable hall, committee rooms, &c., which they provided for the Convention, and to the committees of the councils and the Convention, who have had charge of the arrangements necessary for the sessions of the Convention in said city.

Mr. Brodhead offered the following resolution, viz:

Resolved, That when this Convention adjourns, it adjourns to meet to-morrow at 12 o'clock M., that hereafter the daily sessions shall commence at that hour.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Gowen offered the following resolution, viz:

Resolved, That until otherwise ordered by the Convention, its sessions shall be held at 12 o'clock M., and continue until 4 o'clock P. M., and that no sessions be held on Saturdays.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was decided in the negative.

Mr. Dallas offered the following resolution, viz :

Resolved, That until further ordered, the daily sessions of the Convention shall be from 11 A. M., until 2 P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The hour of adjournment having arrived, the President adjourned the Convention until to-morrow morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, JANUARY 8, 1873.

The President presented a communication from the Philadelphia Athenæum which was read as follows, viz :

ATHENÆUM ROOMS. }
January 9, 1873. }

The directors of the Athenæum respectfully invite the members of the Convention, at their pleasure, to visit the rooms of the institution during the session of the Convention.

ED. E. LAW, *President.*

L. K. LEWIS, *Secretary.*

Laid on the table.

On motion of Mr. Gowen,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the thanks of this Convention be tendered the officers of the Athenæum for the invitation extended to the Convention to visit its rooms during its sessions in this city.

Mr. Runk offered the following resolution, viz :

Resolved, That for the purpose of enabling the standing committees to meet in the morning, this Convention will, until those committees have reported, meet at 12 o'clock, noon, and adjourn at such hour as may be determined in each daily session.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

On motion of Mr. Stanton,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the President of this Convention be requested to invite clergymen to open the proceedings of this body with prayer.

Mr. John Price Wetherill offered the following resolution, which was referred to the Committee on Education, viz:

Resolved, That the Committee on Education be requested to inquire into the expediency of amending the Constitution by the addition of the following article:

"All moneys raised by taxation in the counties, towns and cities for the support of public schools, and all moneys which may be appropriated by the State for the support of common schools, shall be applied to and expended in no other schools than that which are conducted according to law, under the order and superintendence of the authority of the county or city in which the money is to be expended, and such moneys shall never be appropriated to any religious sect for the maintenance exclusively of its own school."

Also, the following resolution, which was referred to the Committee on Executive Department, viz:

Resolved, That the Committee on the Executive be requested to inquire into the expediency of amending the Constitution by the following article:

"All officers for the weighing, gauging, measuring or inspecting any merchandise, produce, manufacture or commodity whatever, are hereby abolished, and no such office shall hereafter be created by law, but nothing in this section shall abrogate any office created for the purpose of protecting the public health, or the interests of the State in its property, revenue or purchases, or of supplying the people with correct standards of weights and measures, or shall prevent the creation of any office for such purpose hereafter.

Mr. Broomall offered the following resolution, which was referred to the Committee on Militia, viz:

Resolved, That the Committee on the Militia be instructed to inquire into the expediency of exempting from military service, and from all payments of money in lieu thereof, all members of such religious societies or sects as make opposition to war a fundamental principle of their creed or discipline.

Resolved, That the said committee inquire into the expediency of prohibiting the Legislature from passing any law requiring or paying for any military services or exercises, except during invasion or insurrection.

Mr. Joseph Baily offered the following amendment, which was referred to the Committee on Railroads and Canals, viz:

ARTICLE —.

RAILROADS AND CANALS.

SECTION —. Every railroad and canal corporation organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and in which shall be kept for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amounts owned by them respectively; the amount of stock paid in, and by whom; the transfers of said stock; the amount of its assets and liabilities, and the names and place of residence of its officers. The directors of every railroad and canal company shall annually make a report, under oath, to the Auditor General, or some officer to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads and canals as may be prescribed by law.

SECTION —. The rolling stock, and all movable property belonging to any railroad or canal company or corporation in this State, shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals, and the Legislature shall not have power to enact laws exempting any such property from execution and sale.

SECTION —. No railroad or canal corporation shall have the right to invest in the stock, or purchase or lease the franchise and property or estate, of any other railroad or canal corporation or company. Neither shall they have the right to purchase and hold, in the name of the officers of such corporations, or by trustees, any mineral or other lands, except such lands as may be necessary for the construction and convenient operating of such railroads and canals. And it is hereby declared that all railroads and canals heretofore constructed, or that may be hereafter constructed in this State, are public highways, and all persons shall have

equal right to transport their persons and property thereon, under such regulations as may be prescribed by law. And the Legislature shall, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads and canals of this State.

SECTION —. No railroad or canal corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all stock, dividends and other fictitious increase of the capital stock or indebtedness of any such corporation, shall be void. Railroad and canal corporations shall not have the power or right to apply their stock, assets or franchise to any other use, or engage in any other business, either in the name of the corporation or through the instrumentality of agents, than the construction and maintenance of their respective railroads and canals, and to furnish such necessary and convenient appliances as will secure the expeditious transportation thereon of persons and property.

SECTION —. Railroads and canals heretofore constructed, or that may be hereafter constructed in this State, shall have the right to connect with any other railroad or canal, as their respective acts of incorporation shall authorize them so to do, by such safe appliances as may be necessary to effect that purpose; and no discrimination shall be made in rates of passenger and freight tariffs on persons and property passing from one railroad or canal to another, and no unnecessary delay observed in forwarding such passengers and property to their destination. The object being to effect a thorough, equal, expeditious and convenient system of transportation throughout the State.

SECTION —. The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the Legislature, of the property and franchises of incorporated companies already organized, or that may be hereafter organized, and subjecting them to the public necessity, the same as the property of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation when, in the exercise of the said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

SECTION —. All railroad and canal corporations engaged in the business of common carriers, shall enjoy all the rights and be subject to all the duties and obligations of common carriers, the same as individuals engaged in similar business; but no preference shall be allowed in the transportation of persons and property over any railroad or canal. And the Legislature, in enacting laws establishing maximum values of damages for injuries sustained by person and property on railroads and canals, shall not have the power to incorporate such laws into the chartered franchise of such corporations, but such laws shall always be subject to modification or repeal.

SECTION —. Unjust discrimination and extortion in the rates of passenger and freight tariffs shall not be allowed on the railroads and canals of this State, except that moderate and reasonable discrimination in rates of freight passing over lesser distances may be allowed, and the Legislature shall enact laws to correct abuses and enforce the provisions relating to railroads and canals by adequate penalties to the extent, if necessary for that purpose, of forfeiture of their property and franchise.

Mr. Niles offered the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz:

Resolved, That the Committee on Counties, Townships and Boroughs be requested to inquire into the expediency of reporting the following amendment to the Constitution.

ARTICLE —.

COUNTIES.

SECTION 1. No new county shall be formed or established by the General Assembly which shall reduce the county or counties, or either of them, from which it shall be taken, to less contents than four hundred square miles; nor shall any county be formed of less contents; nor shall any line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided.

SECT. 2. No county shall be divided or have any part stricken therefrom without submitting the question to a vote of the people of the county, nor unless a majority of the legal voters of the county voting on the question shall vote for the same.

SECT. 3. There shall be no territory stricken from any county, unless a majority of the voters living in such territory shall petition for such division, and no territory shall be added to any county without the consent of the majority of the voters of the county to which it is proposed to be added. But the portion so stricken off and added to another county, or formed in whole or in part into a new county, shall be holden for and oblig'd to pay its proportion of the indebtedness of the county from which it has been taken.

COUNTY SEATS.

SECT. 4. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed in pursuance of law, and two-thirds of the voters of the county, to be ascertained in such manner as shall be provided by law, shall have voted in favor of its removal to such point; and no person shall vote on such question who has not resided in the county six months, and in the election precinct or district ninety days next preceding such election. The question of the removal of a county seat shall not be oftener submitted than once in ten years to a vote of the people; but when an attempt is made to remove the county seat to a point nearer to the centre of the county, then a majority vote only shall be necessary.

Mr. Dallas offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Bill of Rights be requested to consider and report whether any and what provision is necessary for the better protection of the press, in the exercise of the right of comment freely, but with proper motives, upon the conduct of public men and measures.

Mr. Horton offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the appropriate committee be requested to inquire into the expediency of so amending the Constitution, as to prohibit the Legislature from passing any law interfering with, infringing upon or abridging the right of the majority to rule, or in any manner giving aid and comfort to the false assumption that officers, legally and fairly chosen by a majority of the suffrages of the people, do not represent the whole people—the minority as well as the majority.

Also, the following resolution, which was referred to the Committee on Education, viz :

Resolved, That the Committee on Education be requested to inquire into the expediency of making provision in the Constitution for a common school sinking fund, converting, if needs be, the existing sinking fund into a sinking fund for common school purposes, adding thereto, annually, the sum of five hundred thousand dollars, the interest of the whole to be applied for support of the free schools of the Commonwealth.

Mr. Purman offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That all bills for raising revenue shall originate in the House of Representatives; but the Senate may propose amendments as in other bills; and that taxation in any one year for every purpose shall never exceed the two-thirds of the annual rent or return of the subject of taxation.

Mr. Edwards offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Declaration of Rights be requested to inquire into the expediency of reporting the following section in the place of section seven, in the Declaration of Rights, viz :

“Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libellous is true, and was published with good and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law, and the facts, under the directions of the court, as in other cases.”

Also, the following resolution, which was referred to the Committee on Industrial Interests and Labor, viz :

Resolved, That the Committee on Industrial Interests and Labor be requested to inquire into the expediency of reporting the following as part of an article in the Constitution :

“ It shall be the duty of the Legislature to enact general laws, with proper penalties for the enforcement of the same, for the establishment of a bureau of industrial interests and labor, to contain in said laws the kind of labor, wages per day, hours of labor per day, with age, nativity, sex, and such other statistical details relative to all departments of labor in this Commonwealth, especially in its relations to the commercial, industrial, social, educational, and sanitary conditions of the laboring classes, and to the permanent prosperity of the productive industry of the Commonwealth.”

Mr. Mantor offered the following resolution, which was referred to the Committee on County, Township and Borough Officers, viz :

Resolved, That the Committee on County, Township and Borough Officers be requested to inquire into, and report to this Convention, whether, in their judgment, it would be expedient to adopt a section of the Constitution as follows :

“ There shall be in each of the said counties of this State a board of supervisors, composed of one from each of the election precincts, who shall have exclusive jurisdiction over the following specific subjects; but such jurisdiction shall not be exercised, in any case, without the assent of a majority of all the members elected to such board.”

First. The location and reparation of bridges, except over navigable streams; but in case where such bridges shall be between adjoining counties, the concurrent action of the board of supervisors of such counties shall be necessary.

Second. The location, purchase, erection and care of buildings, and purchase of real estate, for county and township purposes.

Third. The erection of portions of public highways into separate road districts, for purposes of improvements.

Fourth. The use and working, as public highways, of turnpikes, plank and macadamized roads, after they shall have lawfully abandoned.

Fifth. The fixing of salaries of county officers, and the number, grade and pay of clerks and subordinates employed in county offices, whose compensation may be a county charge.

Sixth. The drainage of swamp lands, lying exclusively within the county.

Seventh. The granting of licenses for hotels (or taverns) and eating houses, and all other licenses now granted by the court of quarter sessions.

Eighth. For erecting, dividing and changing the lines of townships; for fixing and holding places for elections; for creating new election districts; for establishing independent school districts; for erecting and chartering boroughs, and for all other such matter as pertains to the general and local business of said county.

Mr. Alricks offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation inquire into the expediency of so amending the Constitution (in article first, section twenty-second,) that the Legislature shall not have power to authorize or grant any extra compensation, fee, or allowance to any public officer, clerk, agent, servant or contractor, after service rendered.

Also, the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary inquire into the expediency of so amending the Constitution, that the Legislature shall make a provision for submitting the question to the electors, to determine whether or not all judicial officers should not hereafter be filled by appointment by the Executive, by and with the advice and consent of the Senate.

Mr. Heverin offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of amending the Constitution so as to provide for the combining of

the district court and the court of common pleas of the city and county of Philadelphia, into a court to consist of twelve judges, and be entitled "the court of common pleas," and to have the same jurisdiction and powers as are now conferred by law upon said courts and judges; and the said judges shall, in turn, preside over the criminal branch of said court, which shall hereafter be styled "the court of general sessions," and have the same jurisdiction as is now conferred by law on the courts of oyer and terminer, general jail delivery and quarter sessions of the peace, and a majority of said judges shall constitute a court of appeals in criminal cases.

Mr. Hemphill offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on the Judiciary be requested to inquire into the propriety of reporting the following for incorporation into the Constitution:

First. The Governor shall nominate and, with the consent of two-thirds of a full Senate, appoint the judges of the Supreme Court, and the president judges of all other courts now, or that may hereafter be established within the Commonwealth.

Second. The judges of the Supreme Court, and president judges of all other courts, shall hold their offices during good behavior; but for any reasonable cause, which shall not be sufficient ground for impeachment, the Governor may, with the consent of two-thirds of a full Senate, remove any of them.

Third. The judges of the Supreme Court, and the president judges of all other courts shall, for the term for which they are appointed, be ineligible for any other office of trust, honor or profit, unless it be another judgeship.

Also, the following resolutions, which were referred to the Committee on Executive Department, viz:

Resolved, That the Committee on Executive Department be requested to inquire into the propriety of reporting the following for incorporation in the new Constitution: "The Governor shall nominate, and with the consent of the Senate, appoint six of the president judges of the court of common pleas, to constitute, with himself, and for which he may be elected, a court of pardon; and a majority of said court, of whom the Governor shall be one, may remit fines and forfeitures, and grant pardons after convictions in all cases, except impeachment, and no pardon granted before conviction shall avail the party pleading the same."

Resolved, That the Committee on Executive Department be requested to inquire into the propriety of reporting the following for incorporation in the new Constitution: "The Governor shall hold his office during four years from the third Tuesday of January next ensuing his election, and shall not be eligible thereafter."

Mr. Craig offered the following article and resolution, which were referred to the Committee on Industrial Interests and Labor, viz:

"The manufacture and sale of intoxicating drinks, as a beverage, is prohibited. The Legislature shall provide amply for the enforcement of this article."

Resolved, That the above article be submitted, separately, to the vote of the people.

Mr. Campbell offered the following resolution, which was referred to the Committee on Railroads and Canals, viz:

Resolved, That the Committee on Railroads and Canals be instructed to inquire into the expediency of incorporating into the Constitution the following section:

"That no railroad company shall be incorporated in this State, unless upon condition that its road shall not cross any public highway at grade, and that the franchises of all railroad companies now incorporated shall be revoked, unless within five years their roads shall be so altered, changed or constructed, that the same shall cross public highways either above or below grade."

Mr. Boyd offered the following resolution, which was referred to the Committee, on Legislation, viz:

Resolved, That the proper committee be instructed to inquire into the expediency of introducing into the Constitution of this State the following provision in substance, to wit:

“The Legislature shall not ratify any amendment or proposed amendment to the Constitution of the United States without first submitting such amendment to a vote of the people, and the Legislature shall obey and carry out the will of the majority, as expressed in such vote.

Mr. Worrell offered the following resolution, which was referred to the Committee on the Judiciary, viz:

Resolved, That in all proceedings between parties, the courts of this Commonwealth are authorized and empowered to try and determine the validity of any act of the Assembly.

Also, the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Attorney General of the Commonwealth shall have authority to proceed by *scire facias* in any of the courts of the Commonwealth to try and determine the validity of any act of Assembly.

Mr. Temple offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of so amending the Constitution as to abolish the office of register of wills, and to establish in lieu thereof probate courts in each county of the Commonwealth.

Mr. Alricks offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation inquire into the expediency of so amending the Constitution that no present or future obligation or liability of the Pennsylvania Central or the Philadelphia and Erie railroad company, or of any other corporation, for the payment of money to the Commonwealth, shall ever be transferred, suspended, altered or remitted, or in any way diminished or impaired by the Legislature or other authority, nor shall such indebtedness be released, except on payment being made into the State Treasury.

Mr. Dunning offered the following resolution, viz:

Resolved, That until otherwise ordered, this Convention shall meet at 10 o'clock A. M., and adjourn at 1 o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Armstrong offered the following resolution, which was twice read, viz:

Resolved, That each of the standing committees have leave to print such matter for the use of the committee and Convention as, in its opinion, it may be proper to have printed.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Hunsicker,

To amend the same, by striking out all after the word “Resolved,” and inserting in lieu thereof as follows, viz:

“That all propositions relating to amendments to the organic law be printed for the use of the Convention.”

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

The resolution was then agreed to.

Mr. Worrell offered the following resolution, viz :

Resolved, That until otherwise ordered, the Convention will meet at 1 o'clock P. M., and adjourn at 4 o'clock P. M., and the committees of the Convention will meet at 10 A. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Newlin, from the Committee on Printing and Binding, to whom was referred the following resolution, viz :

Resolved, That the Committee on Printing and Binding, when appointed, be directed to report whether the contract between the State and the present Public Printer entitles such printer to the printing and binding of the Convention, and if their report on this subject be in the negative, then to receive and report to the Convention bids for the printing and binding of the Convention," made a report, which was read as follows, viz :

That having reported that the State Printer was not entitled to the Convention printing under his existing contract, they advertised, as therein directed, for proposals for printing and binding the Journal and Debates of the Convention, and for such other printing as might be ordered ; and also for proposals for printing paper. They have received, and herewith report to the Convention, the annexed bids, numbered from one to twelve, consecutively. Tabulated statements thereof are hereto appended.

The lowest aggregate bidder for printing and binding is Joseph S. Lare. The lowest proposal for supplying printing paper is that of William W. Harding.

For the Journal the committee recommend an octavo form, in brevier type, solid ; size of printed page 36 ems wide and 62 ems long ; and for the Debates, a quarto form, in three equal columns, 22 by 88 ems, brevier type, solid, each, the same to be half-bound. They further recommend that there be printed 1,500 copies of the Journal, and 5,000 copies of the Debates. They further report the annexed resolution, and recommend its passage.

All of which is respectfully submitted.

JAMES W. M. NEWLIN,
Chairman.

Laid on the table.

Resolved, That a contract be made with Joseph S. Lare, in the manner and upon the terms specified in his proposal to print and bind fifteen hundred copies of the Journal of the Convention, in octavo form, thirty-six by sixty-two ems brevier type, solid—two hundred and forty copies to be furnished daily to the Convention in sheets, and the remainder to be half-bound ; and also to print and bind in quarto form, in three equal columns, twenty-two by eighty-eight ems, brevier type, solid, each, five thousand copies of the Debates of the Convention, in the manner and upon the terms specified in his proposal, four hundred and eighty copies to be delivered daily to the Convention in sheets, and the remainder to be half-bound ; and also that a contract be made with William W. Harding to supply the printing paper for the Convention, in the manner and upon the terms specified in his proposal, the paper for the Journal to be twenty-four by thirty-eight inches and to weigh fifty pounds to the ream, and the paper for the Debates to be twenty-six by forty inches, and to weigh sixty pounds to the ream ; and that a contract be made with B. Singerly to do all other printing ordered by the Convention, or required in the transaction of its business, if he will do the same at forty-one and a quarter per cent. below the price established by the act of April, 1856, and the supplements thereto of February 25, 1862, and March 27, 1871, relating to the public printing and binding of the State.

PRINTING AND BINDING AND SUPPLYING PAPER FOR THE CONSTITUTIONAL
CONVENTION OF PENNSYLVANIA.

In pursuance of a resolution of the Constitutional Convention of Pennsylvania, sealed proposals will be received by the undersigned until Monday, January 26, 1873, at 3 P. M., at his office, No. 514 Walnut street, Philadelphia, for printing

the Journal of the daily proceedings of the Convention, and the debates and such other printing as may be ordered, and for binding the same.

Separate bids for supplying printing paper will also be received.

Bidders may attend at the time and place above mentioned.

Blank forms of proposal may be had by addressing the undersigned.

JAMES W. M. NEWLIN,

Chairman Committee on Printing and Binding.

Published in the Philadelphia and Harrisburg dailies by order of the committee.

	Henry E. Reese.....	Mullin, Parker & Co., for 500 reams, and no more, of each kind..	Jessup & Moore.....	Wm. W. Harding.....	J. L. Ringwalt.....
<i>Paper 24x38 inches, sized and calendered—</i>					
Per ream of forty-five pounds, }	No. 1, \$7 60	\$8 75, or 15 cts. per lb.	No. 1, \$7 59	No. 1, \$6 75	\$8 75
	2, 7 42		2, 7 17	2, 6 30	
Per ream of fifty pounds..... }	1, 8 44	\$7 50, or 15 cts. per lb.	1, 8 43	1, 7 50	9 75
	2, 8 24		2, 7 94	2, 7 00	
<i>Paper 26x40 inches, sized and calendered—</i>					
Per ream of fifty-five pounds, }	1, 9 28	.....	1, 9 35	1, 8 25	
	2, 9 06	.....	2, 8 80	2, 7 70	
Per ream of sixty pounds..... }	1, 10 13	.....	3, 8 25	3, 7 15	
	2, 9 89	.....	1, 10 20	1, 9 00	
			2, 9 60	2, 8 40	
			3, 9 00	3, 7 80	11 75

	J. L. Ringwalt.....	McLaughlin Brothers..	Wm. W. Harding.....	F. C. Markley & Son..	Gillen & Nagle.....	Joseph S. Lare.....	J. B. Lippencott & Co..
COMPOSITION ON THE JOURNAL.							
Per thousand ems.....	\$ 79	\$1 00	\$ 54	\$ 80	\$ 85	\$ 50	\$ 88
Per page.....	1 84	2 25	1 21	1 79	2 00	99	1 96
<i>Presswork:</i>							
For five thousand copies.....	1 15	2 50	per to- ken 95	60	2 00	80	4 50
For one thousand copies.....	2 26	4 00	1 55	50	3 50	1 50	6 40
Separate charge for folding, stitching, &c., for each form of 16 pages, daily.....				1 00			
<i>For binding said Journal, in paper covers:</i>							
In volumes of 750 pages, per hundred copies.....	12 00	} 16 00	8 45	10 00	13 00	6 00	5 00
	8 40						
In volumes of 1,000 pages, per hundred copies.....	15 60	} 20 00	9 85	10 00	17 00	6 50	6 00
	10 80						
<i>In muslin covers with lettering on back:</i>							
In volumes of 750 pages, per hundred copies.....	28 80	40 00	21 00	25 00	45 00	20 00	25 00
In volumes of 1,000 pages, per hundred copies.....	37 20	45 00	24 00	25 00	48 00	25 00	30 00
<i>In half binding, leather back and corner tips, paper sides, and lettering on back:</i>							
In volumes of 750 pages, per hundred copies.....	48 00	40 00	33 00	.....	63 00	27 50	50 00
In volumes of 1,000 pages, per hundred copies.....	56 40	45 00	36 00	.....	67 00	30 00	55 00
<i>In sheep and lettering on back:</i>							
In volumes of 750 pages, one hundred copies.....	57 60	70 00	45 00	45 00	69 00	60 00	55 00
In volumes of 1,000 pages, one hundred copies.....	66 00	75 00	48 00	45 00	73 00	65 00	60 00
FOR COMPOSITION OF THE DEBATES OF THE CONVENTION, AS FOLLOWS:							
<i>In octavo form, brevier type solid, size of printed page 36 cms wide and 62 cms long:</i>							
Per thousand ems.....	79	1 00	54	80	85	50	
Per page.....	1 84	.....	1 21	1 79	2 00	1 11	1 00
Presswork per token (240 impressions) of eight pages.....	55	50	38	50	1 00	30	\$2 00 + 1 00

<i>In octavo form, divided into two equal columns, 20 by 63 ems brevier, each :</i>							
Per thousand ems	79	1 00	54	80	75	50	88
Per page.....	2 04		1 39	2 02	2 25	1 26	2 27
Presswork, per token (240 impressions) of eight pages	55	50	38	50	1 50	30	{ *2 50 † 1 00
<i>In quarto form, divided into three equal columns, 22 by 88 ems brevier, each :</i>							
Per thousand ems	79	1 00	54	80	80	50	88
Per page.....	4 72		3 23	4 65	5 00	2 90	5 27
Presswork, per token (240 impressions) of eight pages	1,10	50	40	50	3 75	30	{ *2 50 † 1 00
Do.....do.....do.....four pages	55						
(Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M., of the succeeding day.)							
<i>For binding the Debates in paper covers, per 100 copies :</i>							
In volumes of 750 pages, in octavo..	8 40	} 16 00	8 50	10 00	13 00	6 00	5 00
{ If stitched.....	12 00						
In volumes of 1,000 pages, in octavo..	10 80	} 20 00	10 00	10 00	17 00	6 50	6 00
{ If stitched.....	15 60						
In volumes of 750 pages, in quarto..	10 80	} 20 00	15 00	12 50	16 00	10 00	7 00
{ If stitched.....	14 40						
In volumes of 1,000 pages, in quarto..	13 20	} 23 00	19 00	12 50	19 50	12 00	9 00
{ If stitched.....	18 00						
<i>In mustin covers, with lettering on back :</i>							
In volumes of 750 pages, in octavo.....	30 00	40 00	28 00	25 00	46 00	20 00	25 00
In volumes of 1,000 pages, in octavo.....	38 40	45 00	30 00	25 00	48 00	25 00	30 00
In volumes of 750 pages, in quarto.....	46 80	55 00	53 00	45 00	73 00	50 00	40 00
In volumes of 1,000 pages in quarto.....	54 00	65 00	37 00	45 00	78 00	55 00	45 00
<i>In half binding, leather backs, corner tips, paper sides and lettering on back :</i>							
In volumes of 750 pages, in octavo.....	51 60	55 00	40 00	43 00	64 00	27 50	50 00
In volumes of 1,000 pages, in octavo.....	60 60	60 00	45 00	43 00	65 00	30 00	55 00
In volumes of 750 pages, in quarto.....	76 80	70 00	50 00	60 00	78 00	60 00	65 00
In volumes of 1,000 pages, in quarto.....	90 00	78 00	56 00	60 00	86 00	65 00	70 00
<i>In full sheep, and lettering on back :</i>							
In volumes of 750 pages, in octavo.....	63 60	60 00	60 00	45 00	74 00	30 50	55 00
In volumes of 1,000 pages, in octavo.....	72 00	65 00	65 00	45 00	78 00	33 50	60 00
In volumes of 750 pages, in quarto.....	105 60	70 00	75 00	75 00	88 00	63 50	75 00
In volumes of 1,000 pages, in quarto.....	122 40	80 00	82 00	75 00	95 00	68 50	85 00

* If eight pages only, and one token at a time.

† If 5,000 impressions, or 20 tokens at a time.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania :

The undersigned hereby propose to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention, viz :

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page, 36 ems wide and 62 ems long :

Per thousand ems, fifty cents, (50 cents.)

Per page, ninety-nine cents, (99 cents.)

Presswork—

For five hundred copies, eighty cents, (80 cents.)

For one thousand copies, one dollar and fifty cents, (\$1 50.)

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal, in paper covers—

In volumes of 750 pages, per hundred copies, six dollars, (\$6 00.)

In volumes of 1,000 pages, per hundred copies, six dollars and fifty cents, (\$6 50.)

In muslin covers, with lettering on back :

In volumes of 750 pages, per hundred copies, twenty dollars, (\$20 00.)

In volumes of 1,000 pages, per hundred copies, twenty-five dollars, (\$25 00.)

In half binding, leather back and corner tips, paper sides, and lettering on back :

In volumes of 750 pages, per hundred copies, twenty-seven dollars and fifty cents, (\$27 50.)

In volumes of 1,000 pages, per hundred copies, thirty dollars, (\$30 00.)

In sheep, and lettering on back :

In volumes of 750 pages, per hundred copies, sixty dollars, (\$60 00.)

In volumes of 1,000 pages, per hundred copies, sixty-five dollars, (\$65 00.)

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid ; size of printed page, 36 ems wide and 62 ems long.

Per thousand ems, fifty cents, (50 cents.)

Per page, one dollar and eleven cents, (\$1 11.)

Presswork—

Per token, (240 impressions,) of eight pages, thirty cents, (30 cents.)

In octavo form, divided into two equal columns, 20 by 63 ems brevier, each—

Per thousand ems, fifty cents, (50 cents.)

Per page, one dollar and twenty-six cents, (\$1 26.)

Presswork—

Per token, (240 impressions,) of eight pages, thirty cents, (30 cents.)

In quarto form, divided into three equal columns, 22 by 88 ems brevier, each—

Per thousand ems, fifty cents, (50 cents.)

Per page, two dollars and ninety cents, (\$2 90.)

Presswork—

Per token, (240 impressions,) of eight pages, thirty cents, (30 cents.)

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—

In volumes of 750 pages, in octavo, six dollars, (\$6 00.)

In volumes of 1,000 pages, in octavo, six dollars and fifty cents, (6 50.)

In volumes of 750 pages, in quarto, ten dollars, (\$10 00.)

In volumes of 1,000 pages, in quarto, twelve dollars, (\$12 00.)

In muslin covers, with lettering on back—

In volumes of 750 pages, in octavo, twenty dollars, (\$20 00.)

In volumes of 1,000 pages, in octavo, twenty-five dollars, (\$25 00.)

In volumes of 750 pages, in quarto, fifty dollars, (\$50 00.)

In volumes of 1,000 pages, in quarto, fifty-five dollars, (\$55.)

In half binding, leather backs, corner tips, paper sides, and lettering on back—

In volumes of 750 pages, in octavo, twenty-seven dollars and fifty cents, (\$27 50.)

In volumes of 1,000 pages, in octavo, thirty dollars, (\$30 00.)

In volumes of 750 pages, in quarto, sixty dollars, (\$60 00.)

In volumes of 1,000 pages, quarto, sixty-five dollars, (\$65 00.)

In full sheep, and lettering on back—

In volumes of 750 pages, in octavo, thirty dollars and fifty cents, (\$30 50.)

In volumes of 1,000 pages, in octavo, thirty-three dollars and fifty cents, (\$33 50.)

In volumes of 750 pages, in quarto, sixty-three dollars and fifty cents, (\$63 50.)

In volumes of 1,000 pages, in quarto, sixty-eight dollars and fifty cents, (\$68 50.)

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

JOS. S. LARE.

Witness to signature :

JOHN STREET, JR.

KNOW ALL MEN BY THESE PRESENTS :

That we, Joseph S. Lare, of Pittsburg, and William P. Street, of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden Joseph S. Lare and William P. Street, heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said Joseph S. Lare and W. P. Street, are to be performed, and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

JOS. S. LARE, [L. s.]
WM. P. STREET, [L. s.]

Signed, sealed and delivered in the presence of us :

JOHN STREET, JR.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania :

The undersigned hereby proposes to furnish paper for printing the Journal and Debates of the Convention as follows :

Paper 24 × 38 inches, sized and calendered—

	No. 1.	No. 2.	No. 3.
Per ream of forty-five pounds.....	\$5 75	\$6 30	\$5 85
Per ream of fifty pounds.....	7 50	7 00	6 50

Paper 26 × 40 inches, sized and calendered—

	No. 1.	No. 2.	No. 3.
Per ream of fifty-five pounds.....	\$8 25	\$7 70	\$7 15
Per ream of sixty pounds.....	9 00	8 40	7 80

Said paper to be delivered in such quantities and at such time as shall be ordered by the Committee on Printing and Binding.

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and default should be made in furnishing paper thereunder, it is agreed that the Convention may, at its option, annul said contract, or may purchase said paper at market rates, and charge the cost thereof to the undersigned.

WM. W. HARDING.

Witness to signature :

JOHN D. FORD.

KNOW ALL MEN BY THESE PRESENTS :

That we, William W. Harding, of Philadelphia, and Chas. E. Warburton, of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the day of A. D. 187 .

The condition of this obligation is such, that if the above bounden William W. Harding, his heirs, executors, or administrators, shall observe and perform all the agreements which, on the part of the said Harding, are to be performed, and mentioned in the proposal for supplying printing paper for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

W. W. HARDING, [L. s.]
CHAS. E. WARBURTON, [L. s.]

Signed, sealed and delivered in the presence of us:

JOHN G. FORD,
AUG. B. RITTER.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby propose to furnish paper for printing the Journal and Debates of the Convention as follows:

Paper 24x38 inches, sized and calendered—
500 reams, per ream of forty-five pounds, \$6 75, or 15 cents per pound.
500 reams, per ream of fifty pounds, \$7 50, or 15 cents per pound.
Paper 26x40 inches, sized and calendered—
Per ream of fifty-five pounds.
Per ream of sixty pounds.

Said paper to be delivered in such quantities and at such times as shall be ordered by the Committee on Printing and Binding.

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and default should be made in furnishing paper thereunder, it is agreed that the Convention may, at its option, annul said contract, or may purchase said paper at market rates, and charge the cost thereof to the undersigned.

ISAAC B. PARKER, of
MULLIN, PARKER & Co.

Witness to signature:
MILES DUFFY.

KNOW ALL MEN BY THESE PRESENTS:

That we, Isaac Brown Parker, of Carlisle, Pa., and W. S. Woods, of Carlisle, Pa., are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the 6th day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden Isaac B. Parker, his heirs, executors or administrators, shall observe and perform all the agreements which on the part of the said Isaac B. Parker are to be performed, and mentioned in the proposal for supplying printing paper for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

ISAAC B. PARKER,
W. S. WOODS.

Signed, sealed and delivered in the presence of
WM. M'CANDLESS.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby propose to furnish paper for printing the Journal and Debates of the Convention, as follows:

Paper 24x38 inches, sized and calendered—
QUALITY OF SAMPLES MARKED:
No. 1. No. 2. No. 3.
Per ream of forty-five pounds, \$7 59 per ream. \$7 17 per ream. \$6 69 per ream.
Per ream of fifty pounds, . . . 8 43 " 7 94 " 7 43 "
(Samples of the paper to accompany bid.)

Paper 26x40 inches, sized and calendered—

	QUALITY OF SAMPLES MARKED:		
	No. 4.	No. 5.	No. 6.
Per ream of fifty-five pounds, \$9 35 per ream.	\$8 80 per ream.	\$8 25 per ream.	
Per ream of sixty pounds - 10 20 "	9 60 "	9 00 "	

Said paper to be delivered in such quantities and at such times as shall be ordered by the Committee on Printing and Binding.

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and default should be made in furnishing paper thereunder, it is agreed that the Convention may, at its option, annul said contract, or may purchase said paper at market rates, and charge the cost thereof to the undersigned.

JESSUP & MOORE.

Witnesses to signature:
 NORMAN TEVIS,
 C. A. GRONING.

KNOW ALL MEN BY THESE PRESENTS:

That we, Jessup & Moore, of Philadelphia, and F. W. M'Dowell, of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden Jessup & Moore, their heirs, executors or administrators shall observe and perform all the agreements which, on the part of the said Jessup & Moore, are to be performed and mentioned in the proposal for supplying printing paper for the Constitutional Convention of Pennsylvania, hereby annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

JESSUP & MOORE, [L. s.]
 F. W. M'DOWELL, [L. s.]

Signed, sealed and delivered in the presence of us:

C. A. GRONING,
 GEO. W. BONER.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby propose to furnish paper for printing the Journal and Debates of the Convention, as follows:

Paper 24x38 inches, sized and calendered.		
Quality of sample No. 1, \$7 60	} Per ream of forty-five pounds.	
" " " 2, 7 42		
Quality of sample No. 1, 8 44	} Per ream of fifty pounds.	
" " " 2, 8 24		

Paper 26x40 inches, sized and calendered.		
Sample No. 1, \$9 28	} Per ream of fifty-five pounds.	
" " 2, 9 06		
Sample No. 1, 10 13	} Per ream of sixty pounds.	
" " 2, 9 59		

Said paper to be delivered in such quantities and at such times as shall be ordered by the Committee on Printing and Binding.

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and default should be made in furnishing paper thereunder, it is agreed that the Convention may, at its option, annul said contract, or may purchase said paper at market rates and charge the cost thereof to the undersigned.

HENRY E. REES,
 32 South Sixth street, Philadelphia.

Witness to signature:
 CHARLES W. WENTZEL.

KNOW ALL MEN BY THESE PRESENTS:

That we, Henry E. Rees, of Philadelphia, and Charles Magarge of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be

made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such that if the above bounden Henry E. Rees, his heirs, executors or administrators shall observe and perform all the agreements which, on the part of the said Henry E. Reese are to be performed and mentioned in the proposal for supplying printing paper for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

HENRY E. REES, [L. s.]
CHAS. MAGARGE, [L. s.]

Signed, sealed and delivered in the presence of us:
CHARLES W. WENTZEL,
FRANK BUNTING.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania.

The undersigned hereby proposes to furnish paper for printing the Journal and Debates of the Convention as follows:

Paper 26x40 inches, sized and calendered—	
Per ream of forty-five pounds	\$8 75
Per ream of fifty pounds	9 75
Paper 26x40 inches, sized and calendered—	
Per ream of fifty five pounds, }	11 75
Per ream of sixty pounds, }	

Said paper to be delivered in such quantities and at such times as shall be ordered by the Committee on Printing and Binding.

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and default should be made in furnishing paper thereunder, it is agreed that the Convention may, at its option, annul said contract, or may purchase said paper at market rates, and charge the cost thereof to the undersigned.

J. L. RINGWALT.

Witness to signature:
J. HANNUM JONES.

KNOW ALL MEN BY THESE PRESENTS:

That we, John L. Ringwalt and J. G. L. Brown, of the city of Philadelphia and State of Pennsylvania, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day or January, A. D. 1873.

The condition of this obligation is such, that if the above bounden John L. Ringwalt and J. G. L. Brown, their heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said John L. Ringwalt, are to be performed, and mentioned in the proposal for supplying printing paper for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

J. L. RINGWALT, [L. s.]
J. G. L. BROWN, [L. s.]

Signed, sealed and delivered in presence of us:
WILLIAM M'CANN,
J. HANNUM JONES.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania.

The undersigned hereby proposes to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper thereof to be furnished by the Convention:

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page thirty-six ems wide and sixty-two ems long:

Per thousand ems,	\$ 54
Per page,	1 21
Presswork:	
For five hundred copies,	95
For one thousand copies,	1 55

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal, in paper covers—	
In volumes of 750 pages, per hundred copies,	\$8 45
In volumes of 1,000 pages, per hundred copies,	9 85

In muslin covers with lettering on back—	
In volumes of 750 pages, per hundred copies,	21 00
In volumes of 1,000 pages, per hundred copies,	24 00

In half binding, leather back and corner tips, paper sides and lettering on back—	
In volumes of 750 pages, per hundred copies,	\$33 00
In volumes of 1,000 pages, per hundred copies,	36 00

In sheep and lettering on back—	
In volumes of 750 pages, per hundred copies,	45 00
In volumes of 1,000 pages, per hundred copies,	48 00

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid, size of printed page 36 ems wide and 62 ems long:

Per thousand ems,	\$ 54
Per page,	1 21
Presswork per token (240 impressions) of eight pages,	38

In octavo form, divided into two equal columns, 20 by 63 ems brevier each—	
Per thousand ems,	\$ 54
Per page,	1 39
Presswork per token (240 impressions) of eight pages,	38

In quarto form, divided into three equal columns, 22 by 88 ems brevier each—	
Per thousand ems,	\$ 54
Per page,	3 23
Presswork per token (240 impressions) of eight pages,	40

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—	
In volumes of 750 pages, in octavo,	\$8 50
In volumes of 1,000 pages, in octavo,	10 00
In volumes of 750 pages, in quarto,	15 00
In volumes of 1,000 pages, in quarto,	19 00

In muslin covers, with lettering on back—	
In volumes of 750 pages, in octavo,	28 00
In volumes of 1,000 pages, in octavo,	30 00
In volumes of 750 pages, in quarto,	33 00
In volumes of 1,000 pages, in quarto,	37 00

In half binding, leather backs, corner tips, paper sides, and lettering on back—	
In volumes of 750 pages, in octavo,	\$40 00
In volumes of 1,000 pages, in octavo,	45 00
In volumes of 750 pages, in quarto,	50 00
In volumes of 1,000 pages, in quarto,	56 09

In full sheep, and lettering on back—	
In volumes of 750 pages, in octavo,	60 00
In volumes of 1,000 pages, in octavo,	65 00
In volumes of 750 pages, in quarto,	75 00
In volumes of 1,000 pages, in quarto,	82 00

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the un-

dersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

WM. W. HARDING.

Witness to signature:

JOHN G. FORD,

KNOW ALL MEN BY THESE PRESENTS:

That we, Wm. W. Harding, of Philadelphia, and Chas. E. Warburton of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden Wm. W. Harding his heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said Wm. W. Harding, are to be performed and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

WM. W. HARDING, [L. S.]
CHAS. E. WARBURTON, [L. S.]

Signed, sealed and delivered in the presence of us:

JOHN G. FORD,
AUG. B. RITTER.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby propose to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention:

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page 36 ems wide and 62 ems long:

Per thousand ems,	\$ 79
Per page,	1 84

Presswork—	
For five hundred copies,	1 15
For one thousand copies,	2 29

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal, in paper covers—

	If Sewed.	If Stitched.
In volumes of 750 pages, per hundred copies,	\$12 00	\$8 40
In volumes of 1,000 pages, per hundred copies,	15 60	10 80

In muslin covers, with lettering on back—	
In volumes of 750 pages, per hundred copies,	\$28 80
In volumes of 1,000 pages, per hundred copies,	37 20

In half binding, leather back and corner tips, paper sides, and lettering on back—	
In volumes of 750 pages, per hundred copies,	48 00
In volumes of 1,000 pages, per hundred copies,	56 40

In sheep and lettering on back—	
In volumes of 750 pages, per hundred copies,	57 60
In volumes of 1,000 pages, per hundred copies,	66 00

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows :
 In octavo form, brevier type, solid, size of printed page 36 ems wide and 62 ems long :

Per thousand ems,	\$ 79
Per page,	1 84
Presswork per token (240 impressions) of eight pages,	55

In octavo form, divided into two equal columns, 20 by 63 ems brevier, each—

Per thousand ems,	\$ 79
Per page,	2 04
Presswork per token (240 impressions) of eight pages,	55

In quarto form, divided into three equal columns, 22 by 88 ems brevier, each—

Per thousand ems,	\$ 79
Per page,	4 72
Presswork per token (240 impressions) of eight pages,	1 10
four	55

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—

	If Stitched.	If Sewed.
In volumes of 750 pages, in octavo,	\$ 8 40	\$12 00
In volumes of 1,000 pages, in octavo,	10 80	15 60
In volumes of 750 pages, in quarto,	10 80	14 40
In volumes of 1,000 pages, in quarto,	13 20	18 00

In muslin covers, with lettering on back—

In volumes of 750 pages, in octavo,	\$30 00
In volumes of 1,000 pages, in octavo,	38 40
In volumes of 750 pages, in quarto,	46 80
In volumes of 1,000 pages, in quarto,	54 00

In half binding, leather backs, corner tips, paper sides, and lettering on back—

In volumes of 750 pages, in octavo,	\$51 60
In volumes of 1,000 pages, in octavo,	60 00
In volumes of 750 pages, in quarto,	76 80
In volumes of 1,000 pages, in quarto,	90 00

In full sheep, and lettering on back—

In volumes of 750 pages, in octavo,	\$63 60
In volumes of 1,000 pages, in octavo,	72 00
In volumes of 750 pages, in quarto,	105 60
In volumes of 1,000 pages, in quarto,	122 40

In case a contract is awarded to the undersigned in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

J. L. RINGWALT.

Witness to signature:

J. HANNUM JONES.

KNOW ALL MEN BY THESE PRESENTS:

That we, John L. Ringwalt and J. G. L. Brown, of the city of Philadelphia, and State of Pennsylvania, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden John L. Ringwalt and J. G. L. Brown, their heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said John L. Ringwalt, are to be performed, and mentioned in the proposal for printing and binding

for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

J. L. RINGWALT, [L. S.]
J. G. L. BROWN, [L. S.]

Signed, sealed and delivered in the presence of us:

W. M'CANN,
J. HANNUM JONES.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby propose to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention:
Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page thirty-six ems wide and sixty-two ems long:

Per thousand ems,	\$ 80
Per page,	1 79

Presswork—

For five hundred copies, 60 cents per token.

For one thousand copies, 50 cents per token.

Folding, gathering, stitching, collating and delivering the same to the Convention, \$1 for each form, 16 pages.

For binding said Journal, in paper covers—

In volumes of 750 pages, per hundred copies,	} 10 cents per volume.
In volumes of 1,000 pages, per hundred copies,	

In muslin covers with lettering on back—

In volumes of 750 pages, per hundred copies,	} 25 cents per volume.
In volumes of 1,000 pages, per hundred copies,	

In half binding, leather back and corner tips, paper sides, and lettering on back—

In volumes of 750 pages, per hundred copies.

In volumes of 1,000 pages, per hundred copies.

In sheep and lettering on back—

In volumes of 750 pages, per hundred copies,	} 45 cents per volume.
In volumes of 1,000 pages, per hundred copies,	

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid, size of printed page 36 ems wide and 62 ems long—

Per thousand ems,	\$ 80
Per page,	1 79

Presswork per token (240 impressions) of eight pages,	50
---	----

In octavo form, divided into two equal columns 20 by 63 ems brevier, each—

Per thousand ems,	\$ 80
Per page,	2 02

Presswork per token (240 impressions) of eight pages,	50
---	----

In quarto form, divided into three equal columns, 22 by 88 ems brevier, each—

Per thousand ems,	\$ 80
Per page,	4 65

Presswork per token (240 impressions) of eight pages,	50
---	----

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates in paper covers, per hundred copies—

In volumes of 750 pages, in octavo,	} 10 cents per volume.
In volumes of 1,000 pages, in octavo,	

In volumes of 750 pages, in quarto,	} 12½ cents per volume.
In volumes of 1,000 pages, in quarto,	

In muslin covers, with lettering on back—
 In volumes of 750 pages, in octavo, } 25 cents per volume.
 In volumes of 1,000 pages, in octavo, }
 In volumes of 750 pages, in quarto, } 45 cents per volume.
 In volumes of 1,000 pages, in quarto, }

In half binding, leather backs, corner tips, paper sides, and lettering on back—
 In volumes of 750 pages, in octavo, } 43 cents.
 In volumes of 1,000 pages, in octavo, }
 In volumes of 750 pages, in quarto, } 60 cents.
 In volumes of 1,000 pages, in quarto, }

In full sheep, and lettering on back—
 In volumes of 750 pages, in octavo, } 45 cents per volume.
 In volumes of 1,000 pages, in octavo, }
 In volumes of 750 pages, in quarto, } 75 cents per volume.
 In volumes of 1,000 pages, in quarto, }

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

E. C. MARKLEY & SON.

Witnesses to signature:
 H. C. DUNLAP,
 JOSEPH FAREIRA.

KNOW ALL MEN BY THESE PRESENTS:

That we, E. C. Markley & Son, of _____, and _____, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents, sealed with our seals, and dated the _____ day of _____, A. D. 187 _____.

The condition of this obligation is such, that if the above bounden, E. C. Markley & Son, their heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said E. C. Markley & Son, are to be performed, and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

E. C. MARKLEY & SON. [L. s.]
 ROBERT J. BELL. [L. s.]

Signed, sealed and delivered in the presence of us:
 H. C. DUNLAP,
 JOSEPH FAREIRA, JR.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania:

The undersigned hereby proposes to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention:

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page thirty-six ems wide and sixty-two ems long:

Per thousand ems,	\$ 85
Per page,	2 00
Presswork—	
For five hundred copies,	\$2 00
For one thousand copies,	3 50

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal, in paper covers—
 In volumes of 750 pages, per hundred copies, \$13 00 per 100 vols.
 In volumes of 1,000 pages, per hundred copies, 17 00 "

In muslin covers, with lettering on back—
 In volumes of 750 pages, per hundred copies, \$15 00 per 100 vols.
 In volumes of 1,000 pages, per hundred copies, 48 00 "

In half-binding, leather backs and corner tips, paper sides, and leathering on back—

In volumes of 750 pages, per hundred copies, \$63 00 per 100 vols.
 In volumes of 1,000 pages, per hundred copies, 67 00 "

In sheep, and lettering on back—
 In volumes of 750 pages, per hundred copies, \$69 00 per 100 vols.
 In volumes of 1,000 pages, per hundred copies, 73 00 "

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid, size of printed page 36 ems wide and 62 ems long—

Per thousand ems, \$ 85
 Per page, 2 00
 Presswork, per token (240 impressions) of eight pages, 1 00

In octavo form, divided into two equal columns, 20x63 ems brevier, each—
 Per thousand ems, \$ 75
 Per page, 2 25
 Presswork, per token (240 impressions) of eight pages, 1 50

In quarto form, divided into three equal columns, 22 by 88 ems brevier, each—
 Per thousand ems, \$ 80
 Per page, 5 00
 Presswork per token (240 impressions) of eight pages, 3 75

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—
 In volumes of 750 pages, in octavo, \$13 00 per 100 vols.
 In volumes of 1,000 pages, in octavo, 17 00 "
 In volumes of 750 pages, in quarto, 16 00 "
 In volumes of 1,000 pages, in quarto, 19 50 "

In muslin covers, with lettering on back—
 In volumes of 750 pages, in octavo, 46 00 "
 In volumes of 1,000 pages, in octavo, 48 00 "
 In volumes of 750 pages, in quarto, 73 00 "
 In volumes of 1,000 pages, in quarto, 78 00 "

In half binding, leather backs, corner tips, paper sides, and lettering on back—
 In volumes of 750 pages, in octavo, \$64 00 per 100 vols.
 In volumes of 1,000 pages, in octavo, 65 00 "
 In volumes of 750 pages, in quarto, 78 00 "
 In volumes of 1,000 pages, in quarto, 80 00 "

In full sheep, and lettering on back—
 In volumes of 750 pages, in octavo, 74 00 "
 In volumes of 1,000 pages, in octavo, 78 00 "
 In volumes of 750 pages, in quarto, 88 00 "
 In volumes of 1,000 pages, in quarto, 95 00 "

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

GILLIN & NAGLE,
 230 and 232 South Fifth street.

Witness to signature:
 JAMES COOKE.

KNOW ALL MEN BY THESE PRESENTS :

That we, _____, of _____, and _____, of _____, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents, sealed with our seals, and dated the _____ day of _____, A. D. 187 _____.

The condition of this obligation is such, that if the above bounden heirs, executors, or administrators, shall observe and perform all the agreements which, on the part of the said _____, are to be performed, and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

(Bonds not signed.)

[L. s.]
[L. s.]

Signed, sealed and delivered in presence of us :

PHILADELPHIA, January 6, 1873.

GENTLEMEN :—In submitting the accompanying proposals to do the printing and binding of the Constitutional Convention, we desire to make the following explanatory remarks :

In order to furnish two hundred and fifty copies of the Journal, (of which, perhaps, there may be ten pages,) and two hundred and fifty copies of the Debates, (of which there may be twenty pages) of each day, by ten o'clock of the following day, it will be perceived that this portion of the work must be done in small quantities and chiefly at night, thus increasing the expense of production. These daily issues must be done by themselves, too, as there will scarcely ever be a complete form, and the matter for the books, to be made up afterward, will need constant over-running to complete the forms. This has been estimated for accordingly, and will account for the price quoted.

On the Debates, the price per token of 240 impressions is asked for : Two hundred and fifty impressions is the usual token with printers, for which we have estimated, and have included the price for folding, gathering, stitching, &c., in both the Journal and Debates, and we have estimated the price for one token at a time ; but if five thousand should be printed this would make twenty tokens, and we would make the price one dollar per token. If there should be a greater number of the Journal required than five hundred or one thousand, the price could be reduced accordingly. In the binding, we have estimated to give work of good quality, such as we usually do ; but if inferior work would answer the price could be made less.

It has been difficult to learn how many pages would be required each day, and what the full number of copies would be. We have estimated at as reasonable figures as possible, with this uncertain knowledge, but if the quantities should be increased the prices could be made less.

We might, perhaps say, in conclusion, that if the Convention had ordered the work done by us in the regular way, we should have expected to charge only a reasonable advance on the cost, giving to the Convention at all times such practical suggestions as we might make as to convenience or economy in its execution, and we would be willing to do this if it should be preferred ; or, if our bids are acceptable to the Convention, abide by the restrictions of the contract.

Very respectfully,

J. B. LIPPINCOTT & CO.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania.

The undersigned hereby propose to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention :

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page 36 ems wide and 62 ems long—
 Per thousand ems, \$ 88
 Per page, 1 96

Presswork—
 For five hundred copies, 2 tokens, at 2 25 per token.
 For one thousand copies, 4 tokens, at 1 60 "

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal in paper covers—
 In volumes of 750 pages, per hundred copies, \$ 5 00
 In volumes of 1,000 pages, per hundred copies, 6 00

In muslin covers, with lettering on back—
 In volumes of 750 pages, per hundred copies, 25 00
 In volumes of 1,000 pages, per hundred copies, 30 00

In half binding, leather back and corner tips, paper sides, and lettering on back—
 In volumes of 750 pages, per hundred copies, \$50 00
 In volumes of 1,000 pages, per hundred copies, 55 00

In sheep, and lettering on back—
 In volumes of 750 pages, per hundred copies, 55 00
 In volumes of 1,000 pages, per hundred copies, 60 00

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid, size of printed page, 36 ems wide and 62 ems long—

Per thousand ems, \$ 88
 Per page, 1 96

Presswork per token, (240 impressions) of eight pages; if eight pages only are printed at once, and one token at a time \$2 50

In octavo form, divided into two equal columns, 20 by 63 ems brevier each—
 Per thousand ems, \$ 88
 Per page, 2 27

Presswork per token, (240 impressions) of eight pages, same as above, 2 50

In quarto form, divided into three equal columns, 22 by 87 ems brevier, each—
 Per thousand ems, \$ 88
 Per page, 2 27

Presswork per token, (240 impressions) of eight pages, same as above, \$ 88

In quarto form, divided into three equal columns, 22 by 87 ems brevier, each—
 Per thousand ems, \$ 88
 Per page, 5 27

Presswork per token, (240 impressions) of eight pages, same as above, 2 50

Two hundred and fifty copies of the Debates of each day, to be delivered to the Convention at ten o'clock, A. M., of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—

In volumes of 750 pages, in octavo, \$5 00
 In volumes of 1,000 pages, in octavo, 6 00
 In volumes of 750 pages, in quarto, 7 00
 In volumes of 1,000 pages, in quarto 9 00

In muslin covers, with lettering on back—
 In volumes of 750 pages, in octavo, \$25 00
 In volumes of 1,000 pages, in octavo, 30 00
 In volumes of 750 pages, in quarto, 40 00
 In volumes of 1,000 pages, in quarto, 45 00

In half-binding, leather backs, corner tips, paper sides, and lettering on back—
 In volumes of 750 pages, in octavo, \$50 00
 In volumes of 1,000 pages, in octavo, 55 00
 In volumes of 750 pages, in quarto, 65 00
 In volumes of 1,000 pages, in quarto, 70 00

In full sheep, and lettering on back—	
In volumes of 750 pages, in octavo,	\$55 00
In volumes of 1,000 pages, in octavo,	60 00
In volumes of 750 pages, in quarto,	75 00
In volumes of 1,000 pages, in quarto,	85 00

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

J. B. LIPPINCOTT & CO.

Witness to signature :

ALBERT COLEMAN.

Size of Congressional Globe—92x66—	
Per thousand ems,	\$ 88
Per page,	5 34

KNOW ALL MEN BY THESE PRESENTS :

That we, J. B. Lippincott & Co., publishers, of Philadelphia, and Amos Westcott, of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day of January, A. D. 1873.

The condition of this obligation is such, that if the above bounden J. B. Lippincott & Co., their heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said J. B. Lippincott & Co., are to be performed, and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

J. B. LIPPINCOTT, [L. s.]
 AMOS WESTCOTT, [L. s.]

Signed, sealed and delivered in the presence of us :

ALBERT COLEMAN.
 SAMUEL MACMENY.

To the Committee on Printing and Binding of the Constitutional Convention of Pennsylvania :

The undersigned hereby proposes to do the printing and binding of the Journal and Debates of the Convention, and such other printing as may be ordered, upon the following terms, the paper therefor to be furnished by the Convention :

Composition of the Journal of the daily proceedings of the Convention, in brevier type, solid, octavo form, size of printed page thirty-six ems wide and sixty two ems long :

Per thousand ems,	\$1 00
Per page,	2 25
Presswork—	
For five hundred copies,	\$2 50
For one thousand copies,	4 00

The estimate to include folding, gathering, stitching, collating and delivering the same to the Convention.

For binding said Journal, in paper covers—	
In volumes of 750 pages, per hundred copies,	\$16 00
In volumes of 1,000 pages, per hundred copies,	20 00

In muslin covers with lettering on back—	
In volumes of 750 pages, per hundred copies,	40 00
In volumes of 1,000 pages, per hundred copies,	45 00

In half binding, leather back and corner tips, paper sides and lettering on back—
 In volumes of 750 pages, per hundred copies, \$40 00
 In volumes of 1,000 pages, per hundred copies, 45 00

In sheep and lettering on back—
 In volumes of 750 pages, per hundred copies, 70 00
 In volumes of 1,000 pages, per hundred copies, 75 00

Two hundred and fifty copies of the Journal of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For composition of the Debates of the Convention, as follows:

In octavo form, brevier type, solid, size of printed page 36 ems wide and 62 ems long—

Per thousand ems, \$1 00

Per page, —. 50

Presswork, per token (240 impressions) of eight pages, 50

In octavo form, divided into two equal columns, 20x63 ems brevier, each—

Per thousand ems, \$1 00

Per page, —. 50

Presswork, per token (240 impressions) of eight pages, 50

In quarto form, divided into three equal columns, 20x83 ems brevier, each—

Per thousand ems, \$1 00

Per page, —. 50

Presswork per token (240 impressions) of eight pages, 50

Two hundred and fifty copies of the Debates of each day to be delivered to the Convention at ten o'clock A. M. of the succeeding day.

For binding the Debates, in paper covers, per hundred copies—

In volumes of 750 pages, in octavo, \$16 00

In volumes of 1,000 pages, in octavo, 20 00

In volumes of 750 pages, in quarto, 20 00

In volumes of 1,000 pages, in quarto, 23 00

In muslin covers, with lettering on back—

In volumes of 750 pages, in octavo, \$40 00

In volumes of 1,000 pages, in octavo, 45 00

In volumes of 750 pages, in quarto, 55 00

In volumes of 1,000 pages, in quarto, 65 00

In half-binding, leather backs, corner tips, paper sides, and lettering on back—

In volumes of 750 pages, in octavo, \$55 00

In volumes of 1,000 pages, in octavo, 60 00

In volumes of 750 pages, in quarto, 70 00

In volumes of 1,000 pages, in quarto, 78 00

In full sheep, and lettering on back—

In volumes of 750 pages, in octavo, \$60 00

In volumes of 1,000 pages, in octavo, 65 00

In volumes of 750 pages, in quarto, 70 00

In volumes of 1,000 pages, in quarto, 80 00

In case a contract is awarded to the undersigned, in pursuance of the above proposal, and the conditions thereof should, at any time, be violated by the undersigned, it is agreed that the Convention may, at its option, have the printing and binding done at market rates, and charge the cost thereof to the undersigned, or may annul the contract.

M'LAUGHLIN BROTHERS.

Witness to signature:

J. C. STURDIVANT.

KNOW ALL MEN BY THESE PRESENTS:

That we, M'Laughlin Brothers, of Philadelphia, and Fred'k Scofield, of Philadelphia, are held and firmly bound to the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money, to which payment, well and truly to be made, we do bind ourselves, our heirs executors and administrators, and each of us firmly, by these presents. Sealed with our seals, and dated the sixth day or January, 1873.

The condition of this obligation is such, that if the above bounden M'Laughlin Brothers, their heirs, executors or administrators, shall observe and perform all the agreements which, on the part of the said M'Laughlin Brothers are to be performed, and mentioned in the proposal for printing and binding for the Constitutional Convention of Pennsylvania, hereto annexed, then this obligation to be void, otherwise to be and remain in full force and virtue.

M'LAUGHLIN BROTHERS, [L. s.]
FRED'K SCOFIELD, [L. s.]

Signed, sealed and delivered in presence of:
J. C. STURDIVANT.

On motion of Mr. Newlin,

The resolution accompanying the report of the committee was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Runk to amend the same, by adding to the end thereof as follows, viz :

"That the Debates and Journal, to be furnished daily, be laid upon the desks of the Convention at the opening of the session, the day after the debates have taken place, and the proceedings have been approved."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. S. Black to amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That all the printing and binding, ordered by the Convention, shall be done by Benjamin Singerly, the State Printer, who shall be required to do it under the terms and conditions of his existing contract with the Commonwealth."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. W. F. White to amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That the Committee on Printing be instructed to make arrangements with the State Printer to do all the printing and binding of the Convention : *Provided*, He will agree to do it in such time and manner as the Convention may direct, and on the terms of his present contract with the State."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Simpson and Mr. Newlin, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Baily, (Perry,) Bailey, (Huntingdon,) Bannan, Barclay, Bartholomew, Beebe, Black, C. A., Bowman, Brown, Buckalew, Church, Clark, Corbett, Corson, Craig, Cronmiller, Curry, Curtin, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Gowen, Guthrie, Hall, Hanna, Harvey, Hazzard, Hemphill, Hopkins, Horton, Howard, Hunsicker, Kaine, Lambertson, Lawrence, Lear, M'Clean MacConnell, M'Murray, MacVeagh, Mann, Mantor, Metzgar, Mott, Niles, Parsons,

Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, S. H., Rooke, Sharpe, Smith, Henry W., Van Reed, Walker, Wherry, White, David N., White, J. W. F., Woodward, Worrell and Wright—78.

N A Y S.

Messrs. Addicks, Baker, Bardsley, Biddle, Brodhead, Broomall, Campbell, Carey, Carter, Cochran, Collins, Cuyler, Darlington, Davis, Fell, Finney, Hay, Knight, Lilly, Long, M'Allister, MacCulloch, Newlin, Palmer, G. W., Patterson, D. W., Reynolds, James L., Ross, Runk, Russell, Simpson, Stanton, Temple, Wetherill, J. M., Wetherill, J. Price and Meredith, *President*—35.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Black, J. S., Boyd, Cassidy, Dallas, Dodd, Ellis, Heverin, Landis, Littleton, Minor, Palmer, H. W., Pughe, Smith, H. G., Smith, William H., Struthers, Turrell and White, Harry.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Buckalew to amend the same by adding to the end thereof as follows, viz:

“And that the publication of the Journal and of the Debates shall be in volumes of octavo size.”

Which was agreed to.

The resolution as amended was then agreed to.

Mr. M'Allister, from the Committee on Suffrage, Election and Representation, reported the following articles, which were read the first time, viz:

ARTICLE —. The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

ARTICLE —. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Friday of March.

Laid on the table.

Mr. Addicks, from the committee appointed to confer with the authorities of the city of Philadelphia, in relation to the provision of proper accommodations for this Convention, made a report, which was read, as follows, viz:

That they have been met by the councils of Philadelphia acting by appropriate committee, and by the commissioner of city property and other officials, with the utmost courtesy and liberality, and this hall, with its appurtenances, is now presented for the use of the Convention, with a hope that the efforts of the city of Philadelphia, seconded by such slight assistance as your committee have been able to render in the matter, will meet with the approbation of all those for whose comfort and convenience they are intended, and that all omissions and deficiencies will be overlooked, in view of the brief time permitted for the completion of the necessary work.

Your committee deem it proper to say that, in their opinion, there should be added to the standing committees of the Convention, one to be called the “House Committee,” to have in charge the general care of all the property confided to the Convention. And, moreover, in view of the arrangement of the hall, committee rooms and other apartments, there exists a necessity for not less than ten pages; for the above reasons we recommend the adoption of the annexed resolutions.

Respectfully submitted.

JOHN E. ADDICKS,
GEORGE M. DALLAS,
M. HALL STANTON,
EDWARD R. WORRELL.

Laid on the table.

Resolved, That there be added to the standing committees one, to consist of five members, to be known as the "House Committee," which shall have charge of all the property in the use of the Convention, and shall control and direct its subordinate officers and employees in the discharge of their duties.

Resolved, That the Chief Clerk be and he is directed to appoint five additional pages, at the same compensation as those already employed.

Laid over for one day.

On motion of Mr. Kaine,

The Convention resumed the consideration of the resolution offered by Mr. Dallas on the 7th inst., as follows, viz :

Resolved, That, until further ordered, the daily sessions of the Convention shall be from 11 A. M., until 2 P. M.

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by striking out all after the word "Resolved," and insert in lieu thereof as follows, viz :

"That hereafter the hour of meeting of this Convention shall be 2 o'clock P. M., and to adjourn at 6 P. M., and that the session of Saturday be exclusively for general debate."

Which was not agreed to.

And the question recurring.

Will the Convention agree to the resolution ?

A motion was made by Mr. Woodward,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That, until otherwise ordered, the committees of this body are ordered to meet at ten o'clock in the morning; and that the Convention, until otherwise ordered, will meet at noon of each day."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Funck,

To amend the same, by adding to the end thereof as follows, viz : "And that the Convention will hold no session on Saturday, until otherwise ordered."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Darlington and Mr. J. Price Wetherill, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Bailey, (Huntingdon,) Baker, Bannan, Bardsley, Bartholomew, Brodhead, Broomall, Buckalew, Carey, Cassidy, Cochran, Corson, Cronmiller, Curtin, Davis, Fell, Finney, Funck, Gibson, Gowen, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Knight, Lambertson, Lear, Lilly, Littleton, Long, MacVeagh, Metzger, Palmer, G. W., Parsons, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Booke, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward and Worrell—56.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baily, (Perry,) Barclay, Beebe, Black, Chas. A., Black, J. S., Bowman, Boyd, Campbell, Carter, Church, Collins, Corbett, Craig, Curry, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Gilpin, Guthrie, Hall, Hay, Hazzard, Hopkins, Horton, Howard, Kaine, M'Allister, M'Clean, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Mott, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Russell, Walker, White, David N., White, J. W. F., Wright and Meredith, *President*—56.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Biddle, Brown, Clark, Cuyler, Dallas, Dimmick, Dodd, Ellis, Landis, Lawrence, M'Camant, Minor, Newlin, Palmer, P. W., Pughe, Smith, P. G., Smith, W. H., Stewart, Struthers, Turrell and White, Harry.

And the question again recurring,

Will the Convention agree to the resolution as amended?

A division of the question was called for by Mr. Kaine.

On the question,

Will the Convention agree to the first division, as follow, viz:

“That until otherwise ordered, the committees of this body are ordered to meet at ten o'clock in the morning.

It was determined in the negative.

The second division, as follows, viz:

“That the Convention, until otherwise ordered, will meet at noon of day,”

Was then agreed to.

A motion was made by Mr. Hunsicker,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at twelve o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JANUARY 9, 1873.

Mr. Woodward asked and obtained leave of absence for Mr. Gowen for one week.

Mr. Purman asked and obtained leave of absence for Mr. J. S. Black for a few days from to-day.

Mr. De France offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Commissioners of the Sinking Fund of the Commonwealth be respectfully requested to lay before the Constitutional Convention a statement showing "What part, if any, of the Sinking Fund of the Commonwealth has been used or applied, otherwise than in the extinguishment of the public debt, since the close of the rebellion ;" and if any part of said Sinking Fund has been applied otherwise, for what purpose, and how much.

Mr. De France offered the following resolutions, which were referred to the Committee on Declaration of Rights, viz :

Resolved, That private property shall not be taken or damaged for public use without just compensation, and the fee of lands taken for railroad tracks, without the consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken, and private property shall never be taken, under any pretext, for private use.

Resolved, That there shall be added to the seventeenth section of the "Declaration of Rights" the following : "or making irrevocable any grant of special privileges or immunities shall be passed."

Also, the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the trial by jury, in all cases in which it has heretofore been used, shall remain inviolate forever, except that in suits in justices' courts provision may be made by law for a trial by a jury of less than twelve men ; but a jury trial may be waived by the parties in all civil cases.

Mr. Funck offered the following resolution, which was referred to the Committee on Private Corporations, viz :

Resolved, That the Committee on Private Corporations be instructed to inquire into and report upon the expediency of so amending the Constitution, as to prohibit all banks of issue from paying interest on deposits, or to make it a part of their general business to borrow money, again to lend the same out at interest.

Also, the following resolution, which was referred to the Committee on Taxation, Revenue and Finance, viz :

Resolved. That the Committee on Revenue, Taxation and Finance be instructed to inquire into and report on the expediency of so amending the Constitution as to compel all banks, savings institutions and other moneyed corporations and partnerships formed for the purpose of dealing in money, discounting paper, borrowing and receiving money or deposits, for which interest or a bonus is paid, to make quarterly returns, under oath, of the money so borrowed or deposited with them at interest, to the end that the same may be subjected to taxation.

Mr. Wherry offered the following preamble and resolution, which were referred to the Committee on Declaration of Rights, viz :

WHEREAS, It is a universally admitted principle in criminal law, that an accused person is to be presumed innocent until he is convicted :

And whereas, Although society, in virtue of its right of lawful self-protection, may subject its members to *preventive* detention, as the temporary hostages of justice, yet the sacred obligation of protection requires, at its hands, the exercise of parental guardianship over the accused, and the full protection of their rights as citizens :

Resolved, That the amended Constitution ought to contain some provision whereby accused persons, and those detained as witnesses, may be protected from the *penal confinement* inflicted upon convicted criminals.

Mr. Broomall offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of requiring the judges of the courts of common pleas, and other courts of like jurisdiction, to decide question of fact, as well as law, in all cases in which neither party shall demand a jury trial.

Also, the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Declaration of Rights be instructed to inquire into the expediency of amending the fourth paragraph of the Declaration of Rights, so as to read :

“That no person shall be disqualified to hold any office or place of trust or profit, or to testify as a witness, or to exercise the right of suffrage on account of his religious sentiments.”

Also, of amending the sixth paragraph, so as to read :

“That the right of trial by jury shall remain inviolate in all cases in which either party shall demand the same.”

And of adding to the thirteenth paragraph the words :

“Nor shall the life of any person be taken as a punishment for crime.”

Mr. Parsons offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage be requested to inquire into the expediency of reporting the following amendment to the Constitution :

“No person shall have the right to vote or be eligible to office under the Constitution of this Commonwealth, who shall not be able to read the Constitution in the English language and write his name: *Provided, however*, That the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age or upward at the time this amendment shall take effect.”

Mr. Temple offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That it be referred to the appropriate committee, so to amend the Constitution of this Commonwealth, as to give the appointment of prothonotaries and clerks of courts, to the courts respectfully of which they shall be officers.

Mr. Huusicker offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of so amending the Constitution, that the sessions of the Legislature be held tri-ennially.

Mr. Alricks offered the following resolutions, which were referred to the Committee on Constitutional Sanctions, viz :

Resolved, That the Committee on Constitutional Sanctions inquire into the expediency of so amending the Constitution, that the exercise of the right of eminent domain shall never be so far abridged as to prevent the Legislature from revoking franchises, or taking the property of incorporated companies, and subjecting it to the public necessity, in the same manner and extent as the property of individuals can be taken or subjected.

Resolved, That the Committee on Constitutional Sanctions inquire into the expediency of so amending the Constitution, that all franchises which shall have been or may be granted to a corporation shall be limited to the special object for which the charter has been or may be ostensibly obtained; and that no corporation shall have or be given any greater franchises than such as common to corporations of the specific class or denomination.

Also, the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals inquire into the expediency of so amending the Constitution that the rolling stock and other movable property of any railroad company, or other corporation in this State, shall be considered personal property, and as such liable to levy and sale, on execution, in the same manner as the personal property of natural persons.

Mr. Campbell offered the following resolution, which was referred to the Committee on Private Corporations, &c., viz :

Resolved, That the Committee on Private Corporations be instructed to inquire into the expediency of adopting a section of the Constitution, providing as is now provided in the Illinois Constitution ; That—

SECTION —. The General Assembly shall provide by law that in all elections for directors or managers of incorporated companies every stockholder shall have the right to vote in person, or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors, multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

Mr. Runk offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into and report upon the expediency of so amending the Constitution as to require candidates for all elective offices to be put in nomination by delegates or otherwise, in the selection of which all legal voters of the district shall be required to participate, under penalty of being deprived of their vote at the election to fill such offices.

Mr. Mantor offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into and report to this Convention whether, in their opinion, a provision should be incorporated in the Constitution authorizing the women of this State to exercise the elective franchise, when they shall *ask that right by a majority of all the votes given* by citizen females over the age of twenty-one years, at an election called for this purpose, at which the women alone shall have the right to vote.

Mr. Worrell offered the following resolution, which was referred to the Committee on Legislature, viz :

Resolved, That the legislative powers of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives: *Provided*, That no bill shall become a law except it pass in each House a reading in full on three different days, and on each of such readings in either House be approved by a majority of all the members comprising such House; the votes of each House to 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.

Mr. Carter offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of abolishing capital punishment, and substituting in lieu thereof imprisonment for life, with entire withdrawal of the pardoning power, unless in such cases when innocence may be judicially proven after conviction; and the Legislature shall pass the necessary laws to provide for the trial by jury of the question of innocence in such cases.

Mr. MacConnell offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

In election by the citizens, every free person of the age of twenty-one years, being a citizen of the United States, having resided in good faith and continuously

in this Commonwealth one full year, and in the election district where he or she offers to vote two full months 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: *Provided*, That a citizen of the United States who had previously been a qualified voter in 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: *And provided further*, That females not owning taxable property, and persons between the ages of twenty-one and twenty-two years, being citizens of the United States, and having resided in the State and election district as aforesaid, shall be entitled to vote although they shall not have paid taxes as aforesaid.

This proposition shall, at the same time that this amended Constitution is voted on, be voted on separately by the persons entitled to vote by the Constitution as it now is, and by such females as would be entitled to vote if this proposition was a part of the Constitution, except that no female shall be required to have paid taxes to entitle her to vote thereon. The tickets shall have on their inside the words, "For female suffrage," or "Against female suffrage," as the case may be, and shall have endorsed thereon the words, "Female suffrage," and the names of the persons voting on said proposition shall be kept on a separate list. If a majority of the votes cast on said proposition shall be for female suffrage, said proposition shall be a part of the Constitution, and shall take the place of section — of the article on suffrage; but if a majority of said votes shall be against female suffrage, said proposition shall not be part of the Constitution.

Mr. Barelay offered the following resolution, which was referred to the Committee on Cities and City Charters, viz:

Resolved, That the committee to which the following resolution shall be referred, be instructed to inquire into the expediency of requiring of every member of every body of councils of every city or borough of this Commonwealth the following oath or affirmation, which he shall take and subscribe before entering upon his official duties:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Pennsylvania, and will faithfully discharge my duties as a member of said councils according to the best of my ability; and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence, or to effect my nomination or election to said office; and have not accepted nor will accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, nor will I be concerned or interested in any contract, job, arrangement or contrivance through which any profit may be made, for any vote or any influence I may give or withhold in reference to any official act.

This oath shall be administered by one of the judges of the court of common pleas; shall be filed and recorded in a book prepared for that purpose by said councils, the record of which shall be competent evidence on any trial. Any member who shall refuse to take the oath herein prescribed shall forfeit his office, and every member who shall be convicted in any criminal court of violating said oath or affirmation shall not only forfeit his office, be punished as in other cases of perjury, but shall be disqualified thereafter from holding any office of profit or trust in this Commonwealth.

Mr. Corson offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That all judges shall be learned in the law, and members of the legal profession, who, after regular apprenticeship, have been formally admitted to the bar.

Mr. S. H. Reynolds offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That all real estate within this Commonwealth shall, for the purpose of taxation, be assessed at its full market value.

Mr. Heverin offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on the Bill of Rights be instructed to inquire into the expediency of amending the Constitution so as to provide that all persons shall be competent witnesses in any case and under all circumstances.

Also, the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of amending the Constitution so as to provide that the formation or expression of an opinion shall not disqualify any citizen from acting as a juror.

Mr. John Price Wetherill offered the following resolution, which was referred to the Committee on Executive Department, viz :

Resolved, That the Committee on Executive Department be instructed to inquire into the expediency of adopting the following section :

“That the Governor shall, at stated terms, receive for his services a compensation which shall neither be increased nor diminished during a period beginning on the day of his election by the people, and extending through the period for which he has been elected.

Mr. Edwards offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz :

Resolved, That the Committee on Agriculture, Mining, Manufactures and Commerce be requested to inquire into the expediency of reporting the following as part of the Constitution :

“It shall be the duty of the Legislature to establish by law a full and complete system of detailed statistics of all kinds of manufactures, commerce and agriculture ; also, the mineral resources of this Commonwealth, to include the quantity and quality of each and where located, to the end that the people will have a full knowledge of the resources of this Commonwealth in all these departments.”

Mr. Brodhead offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be requested to inquire into the propriety of limiting the granting of licenses for the sale of spirituous, vinous or malt liquors in the cities and boroughs of the State, so that not more than one license shall be granted for five hundred of population.

Mr. Boyd offered the following resolution, which was referred to the Committee on Executive Department, viz :

Resolved, That the Secretary of the Commonwealth and the Attorney General of the State shall be elected by the people at large.

To create the following new officers, viz :

“One Lieutenant Governor, to be elected by the people at large, and one Commissioner of Insurance, and one Inspector General of Iron, to be appointed by the Governor.”

Mr. J. M. Wetherill offered the following resolution, viz :

Resolved, That the Sergeant-at-Arms be directed to prepare and have printed, for the use of the Convention two hundred (200) copies of a directory of the residences and lodging places in Philadelphia, of its members and officers.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

A motion was made by Mr. Temple,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

On motion of Mr. John N. Purviance,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the State Treasurer be requested to furnish the Convention a statement of the amount of interest paid annually on the State debt from the year 1845 to 1872, inclusive, showing specifically the amount due and paid semi-annually each year.

Mr. J. M. Wetherill offered the following resolution, viz :

Resolved, That the rules of the Convention be amended by adding an additional committee, as follows, viz : "No. 28. A committee of nine (9) on Federal Relations."

Laid on the table.

On motion of Mr. Walker,

The Committee on Cities and City Charters was discharged from the further consideration of the resolutions relating to elections in cities of over one hundred thousand inhabitants, and the same were referred to the Committee on Suffrage, Election and Representation.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read, as follows :

That the members whose names were upon the following list are entitled to the sums placed opposite their respective names, for their mileage to and from Harrisburg at the first session of the Convention, namely :

NAMES.	RESIDENCE.	Miles cir- cular.	AMOUNT.
William J. Baer	Somerset.....	400	\$40 00
George J. Barelay.....	Reading.....	108	10 80
John P. Cronmiller.....	Middleburg.....	140	14 00
M. F. Elliott.....	Wellsboro'.....	500	50 00
A. C. Finney.....	Clearfield.....	322	32 20
Thomas R. Hazzard.....	Monongahela City.....	560	56 00
J. B. Niles.....	Wellsboro'.....	500	50 00
G. W. Palmer.....	Humphreysville.....	282	28 20
H. W. Palmer.....	Wilkesbarre.....	226	22 60
Levi Rooke.....	Winfield.....	60	6 00

That John G. Freeze, formerly a member of this Convention from the Fifteenth Senatorial district, is entitled to be paid the sum of fifteen dollars, and Daniel L. Rhone, formerly a member of this Convention from the Thirteenth Senatorial district, is entitled to be paid the sum of twenty-two dollars and sixty cents, for mileage to and from Harrisburg at the first session of the Convention.

That Charles R. Buckalew and C. E. Wright, now members of the Convention, are entitled to the sum of fifty dollars for postage, stationery and contingencies.

They further report that the Chief Clerk was furnished a list of six pages, who served, according to his certificate, during ten days of the session of the Convention at Harrisburg; that the Convention authorized the appointment of but five pages, and that, therefore, only that number are entitled to be paid the sum of fifteen dollars each, namely : Frank M'Reynolds, John M. Tim, Parrell DeFrance, Charles Solomon and John Reese.

The committee, therefore, report the following resolution :

Resolved, That warrants be drawn upon the State Treasurer in favor of the persons named in the above report of the Committee on Accounts and Expenditures, as entitled to be paid the several sums therein mentioned.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

Mr. Newlin, from the Committee on Printing, reported the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing make a contract with William W. Harding, to supply printing paper to the Convention for the price specified in his proposals, and of the quality selected by the committee.

On motion of Mr. Addicks,

The Convention proceeded to the consideration of the resolutions annexed to the report of the select committee, appointed to procure a suitable hall for the meetings of the Convention in Philadelphia, as follow, viz :

Resolved, That there be added to the standing committees one, to consist of five members, to be known as the "House Committee," which shall have charge of all the property in the use of the Convention, and shall control and direct its subordinate officers and employees in the discharge of their duties.

Resolved, That the Chief Clerk be and he is directed to appoint five additional pages, at the same compensation as those already employed.

On motion of Mr. Addicks,

Said resolutions were read a second time.

On the question,

Will the Convention agree to the resolutions ?

A motion was made by Mr. Mann,

To amend the first resolution, by striking out the words, "and shall control and direct its subordinate officers and other employees in the discharge of their duties."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolutions ?

A motion was made by Mr. Dallas,

To amend the first resolution, by adding to the end thereof as follows, viz :
"When the Convention is not in session."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Cassidy,

To amend the first resolution, by inserting after the word "employees," the words, "other than those elected by the Convention."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the resolutions as amended ?

A motion was made by Mr. Temple,

To amend the second resolution, by adding to the end thereof as follows, viz :

"And that the Sergeant-at-Arms be instructed to appoint a suitable person to take charge of the coat room connected with the hall of the Convention."

Which was not agreed to.

The resolutions were then agreed to.

On motion of Mr. Stanton,

The Convention resumed the consideration of the following resolution, introduced on the 27th of November, viz :

Resolved, That the Committee upon State Institutions and Buildings be increased to eleven members.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

A motion was made by Mr. Cochran,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at twelve o'clock.

FRIDAY, JANUARY 10, 1873.

The President announced the following names as the members of the House Committee, viz :

Messrs. Addicks, Boyd, Dallas, Stanton and Worrell.

Mr. John Price Wetherill presented a memorial from the Pennsylvania Peace society, which was read as follows, viz :

To the President and Members of the Constitutional Convention of the State of Pennsylvania :

The Pennsylvania Peace society respectfully submit, and earnestly recommend the following amendments to the Constitution :

Amend Art. I. Legislative power, by *adding* the following section :

The Legislature shall have no power to enact any law imposing death as a penalty for the punishment of any crime committed within this Commonwealth.

Amend Art. II. Sect. 7. Powers vested in the Governor, by *striking out* the whole section, as follows : "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."

Amend Art. VI, Sect. 2. Militia, by *striking out* the following : "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," and *substituting* the following to conform with Sect. 3, Art. IX, Declaration of Rights, which declares "that no human authority can, in any case whatever, control or interfere with the rights of conscience." No citizen whose conscientious convictions are opposed to wars and fighting, shall be compelled to bear arms or to pay any equivalent or tax for a refusal to do so.

On behalf of the society.

LUCRETIA MOTT,
President.
ALFRED H. LOVE,
Vice President.

HENRY T. CHILD, M. D., 634 Race street, Philadelphia.

LYDIA A. SCOFIELD,

Secretaries.

T. ELLWOOD CHAPMAN, *Treasurer.*

On motion of Mr. Wetherill,

The memorial was referred to the appropriate committees, as follows, viz :

The proposition to amend

Article I. To the Committee on Legislation.

Article II. To the Committee on Executive Department.

Article VI. To the Committee on Militia.

Article IX. To the Committee on Declaration of Rights.

Mr. Broomall presented a memorial from the Pennsylvania Woman Suffrage association, which was read as follows, viz :

To the Constitutional Convention of the State of Pennsylvania :

As one-half of the adult citizens of Pennsylvania are now deprived of the ballot, and being thus disfranchised and governed as an inferior class, compelled to obey laws in the making of which they have no voice, and are subjected to taxation without representation in the government :

The Pennsylvania Women Suffrage association respectfully petition your honorable body to amend section 1, of article III, of the present Constitution, so as to secure perfect equality of citizenship, without distinction of sex.

We also ask to be heard by you in support of this petition, at such time and place as shall be deemed proper.

MARY GREW,
President.

ANNA SHOEMAKER,
Secretary.

Which was referred to the Committee on Suffrage, Election and Representation.

Mr. Kaine asked and obtained leave of absence for Mr. Sharpe for one week from to-day.

Mr. M'Allister asked and obtained leave of absence for Mr. Stewart for one week from to-day.

Mr. Howard asked and obtained leave of absence for Mr. Funck for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for Mr. Pughe for a few days from to-day.

Mr. White asked and obtained leave of absence for Mr. F'ney for a few days from to-day.

Mr. Darlington asked and obtained leave of absence for Mr. Boyd for a few days from to-day.

Mr. Beebe asked and obtained leave of absence for Mr. J. M. Bailey for a few days from to-day.

Mr. Stanton offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourn, it will adjourn to meet on Monday next at 12 M., to enable the members of the Convention to attend the funeral of Mr. James Gowan, to-morrow at Mount Airy.

On the question,

Will the Convention agree to the resolution ?

A motion was then made by Mr. Lilly,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That when this Convention adjourn, it will adjourn to meet at 2 o'clock, P. M., on Monday next, and that thereafter, until otherwise ordered, two o'clock shall be the hour of meeting on Mondays, and that the sessions of Saturday shall be for general debates."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,
To amend the same by striking out " twelve M.," and inserting in lieu thereof,
"ten A. M."

Which was not agreed to.

The resolution was then agreed to.

On motion of Mr. Harry White,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the question of compensation of Charles Cilly, who acted as a page while the Convention sat in Harrisburg, be referred to the Committee on Accounts.

On motion of Mr. White,

Ordered, That the Committee on Accounts have leave to sit during this session of the Convention.

On motion of Mr. M^rAllister,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the use of the Hall be granted to the Committee on Suffrage, Elections and Representation, on Wednesday and Thursday evenings next, to afford the committee, and others who may attend, an opportunity of hearing delegates from the different parts of the State, on the subject of Woman Suffrage.

On motion of Mr. Bowman,

The following resolution was twice read, considered and agreed to, viz :

Resolved That the Committee on Accounts and Expenditures be and are hereby instructed to settle the accounts of A. M. Martin and H. J. Mason, for reporting the proceedings of this Convention during its sessions at Harrisburg.

Mr. Mann offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into the propriety of so amending section four of the first article, that it shall read :

"Representatives shall be distributed throughout the State as follows: The qualified voters of each county shall elect one member, and one additional member for every thirty-five thousand inhabitants, as determined by the preceding census of the United States. And in counties entitled to three or more members, each voter may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same among the candidates as he shall see fit, and the candidates highest in votes shall be declared elected."

Mr. Campbell offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on the Bill of Rights take into consideration the following proposed section :

SECTION — That married women shall have the same rights and powers over their separate property as if they were not married, and no woman, merely on account of her sex, shall ever be debarred from entering into or engaging in any lawful pursuit or calling. There shall be no tenancy by the courtesy in this State.

Mr. Wherry offered the following resolution, which was referred to the Committee on State Institutions and Buildings, viz :

WHEREAS, The supreme end of prison discipline is the reformation of the criminal:

And whereas, The two great obstacles to prison reform in this State are, (1st,) the want of centralized control and supervision; and, (2d,) the instability and consequent incompetency of administration :

Resolved, That the Committee on State Institutions and Public Buildings be directed to examine, and if in their judgment expedient, report the following article, unanimously recommended by the "National Prison Association of the United States," to wit:

ARTICLE —

SECTION 1. There shall be a board of managers of prisons, to consist of five persons, to be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold office for ten years, except that the five first appointed shall, in such manner as the Legislature may direct, be so classified that the term of one person so appointed shall expire at the end of each two years during the first ten years; and vacancies in the offices afterward occurring shall be filled in like manner. Such board shall have the charge and superintendence of the State prisons, and shall possess such powers and perform such duties in respect to county jails, the local or district penitentiaries and other penal or reformatory institutions within the State, as the Legislature may by law impose upon them. Such board shall, from time to time, elect a secretary, who shall be removable at their pleasure, who shall perform such duties as the Legislature or the board may prescribe, and shall receive such salary as the Legislature shall determine. The members of the board shall receive no compensation other than reasonable traveling and other expenses while engaged in the performance of official duty. And the Legislature, at its first session after the adoption of this Constitution, shall limit the amount of such expenses, which limit shall not be exchanged except at intervals of five years.

SECTION 2. Such boards shall appoint the warden, (or chief officer,) the clerk, physician and chaplain of each State prison, and shall have power to remove either of such officers for cause only, after opportunity to be heard in his own defence upon written charges. All other officers of each prison shall be appointed by the warden (or chief officer) thereof, and shall be removable at his pleasure.

SECTION 3. The Governor may remove either of the managers of the prison for malfeasance or misfeasance in office, after having furnished him with a copy of the charges against him, and giving him an opportunity of being heard in his defence.

Mr. Boyd offered the following resolution, which was referred to the Committee on State Institutions and Buildings, viz:

Resolved, That the proper committee be instructed to inquire into the expediency of introducing into the Constitution of this State the following clause, in substance:

"The city of Philadelphia shall hereafter be the capital of the State."

Mr. Darlington offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of so amending the Constitution as to provide that Senators and Representatives shall be apportioned every ten years, according to the population, as ascertained by the census.

Also, the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Suffrage be requested to inquire into the expediency of proposing the following amendment:

"That all female citizens of this Commonwealth, over the age of twenty-one years, who have paid taxes, and who have been assessed, shall have the right to vote at all elections for school directors, and shall be eligible to the office of school director."

Mr. Parsons offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be requested to inquire into the expediency of proposing the following amendment:

"That the judges of the Supreme Court shall appoint a reporter of their decisions, who shall hold his office during the pleasure of the court."

Mr. Alricks offered the following resolution, which was referred to the Committee on Constitutional Sanctions:

Resolved, That the Committee on Constitutional Sanctions inquire into the expediency of so amending the Constitution that hereafter no corporation shall be permitted to limit or impair, by pre-contract, its responsibilities at common law.

Also, the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Fund, viz:

Resolved, That the Committee on Public and Municipal Debts and Sinking Fund inquire into the expediency of so amending the Constitution, that no county, township, school district, city or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount including existing indebtedness in the aggregate, exceeding ten per cent. on the value of the taxable property therein, measured by the last assessment for State and county taxes next preceding such assessment.

Mr. M. Hall Stanton offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of, and report a provision, as an amendment to the Constitution, prohibiting any art or trade association, or any combination of mechanics, or others, from making limitations upon the number of apprentices that may be employed by any master or association for the purpose of carrying on any art, trade or mystery.

Mr. Metzger offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on the Bill of Rights be instructed to inquire into the propriety of so amending article nine of the Constitution that the accused, in all criminal cases where the offence charged is of less grade than a felony, shall be tried by a jury without an indictment or presentment by a grand jury, but in all other cases the law shall remain as heretofore.

Also, the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Election and Representation inquire into the propriety of reporting an amendment to the Constitution excluding from the right of suffrage all persons convicted of perjury, bribery, fraudulent voting, or corruptly influencing any elector at any election to vote for any candidate, or who, having been an election officer, shall have been convicted of any fraud or corrupt practice while holding an election.

Mr. Broomall offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of providing that the courts of common pleas shall, from time to time, select out of the persons elected as justices of the peace and aldermen, those best qualified, on proper examination, for the office, not to be less in number than one to every one thousand of population, to whom alone commissions shall issue.

Also, of providing that such justices of the peace and aldermen shall be paid by a salary, and shall be prohibited from taking fees or costs, and that the amount of such salaries shall be raised in each county or city by a tax, in the nature of costs, levied upon all suits before such officers.

Mr. Broomall offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Revenue, Taxation and Finance be instructed to inquire into the expediency of providing that the State Treasurer shall cause to be published, at least once in every three months, a statement of the amount of the public funds, where the same are kept or deposited, whether on interest or otherwise, whether any profit has been made on the same within the preceding three months, and if so, what amount and to whose benefit it enured.

Also, of providing that the public funds shall, as far as practicable, be kept at interest for the benefit of the State upon sufficient collateral security, to consist only of United States or State bonds.

Mr. John M. Baily, of Huntingdon, offered the following resolution, which was referred to the Committee on State Institutions and Buildings, viz :

Resolved, That the Committee on Public Buildings and State Institutions and Buildings be instructed to inquire into the expediency of reporting a Constitutional provision in substance as follows :

ARTICLE —.

The seat of Government shall be and remain at the city of Harrisburg.

Mr. Cassidy offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Elections be requested to report a section providing that it shall be the duty of the court of common pleas, exercising jurisdiction in any city of fifty thousand inhabitants and upwards, to see that such city is divided into election districts of not exceeding one hundred electors each; and vesting said court with authority to re-arrange said districts whenever an election shall show a greater number of votes polled in one district than one hundred.

Also, offered the following resolution, which was referred to the Committee on Cities and City Charters, viz :

Resolved, That the Committee on Cities and City Charters be instructed to report upon the expediency of abolishing, in all cities containing over one hundred thousand inhabitants, the aldermen and justices of the peace; and providing for such legislation as shall be necessary to divide said cities into districts, as near as may be, of equal population; and providing for the election in said districts of judges learned in the law, no one of whom shall be less than thirty years of age, and have been a practicing lawyer at the Supreme Court of this State. Said judges to exercise the jurisdiction now held by the alderman, with the additional right to cause a jury, of six persons, to assemble on the demand of any of the parties in civil cases, and to have summary in such criminal cases as may, by future legislation, be referred to them. The salaries of said judges to be fixed by the councils of such cities, and the fees for services performed by said judges to be paid into the treasury of said cities.

Mr. Dunning offered the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz :

Resolved, That the Constitution be so amended that any county in this Commonwealth, containing an area of not less than nine hundred square miles, shall be susceptible of division: *Provided*, The territory proposed to be erected into a new county shall contain not less than four hundred square miles, nor less than 50,000 inhabitants. The Legislature shall, on application of citizens of proposed new territory, not oftener than once in three years, authorize the electors of said proposed new county to determine by ballot the question of such division.

Mr. Beebe offered the following resolution, which was referred to the Committee on Executive Department, viz :

Resolved, That the Committee on Executive Department be instructed to inquire into the expediency of making the offices of Attorney General and Secretary of the Commonwealth elective.

Mr. Hunsicker offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals be instructed to inquire into the expediency of so amending the Constitution, so that, in all questions of damage arising from the taking or damaging private property for public use, the right of appeal from any mode of assessment of damages provided by the Legislature shall exist, so that the question be finally tried before a jury of twelve men under the direction of the court as in other cases.

Mr. Ross offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of so amending section fourteen, of article first, of the Constitution, that the same shall provide that the Legislature shall not have power to annul the contract of marriage in any case.

Mr. John N. Purviance offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of proposing the following amendment :

“That the State, for the purpose of electing Supreme judges, shall be divided into three districts, of as near equal population as practicable, to be called the Eastern district, Middle district and Western district. That the Supreme Court shall consist of nine judges, three of whom shall be elected in each district by the qualified electors thereof; and at the elections to be held, after the adoption of this Constitution, each elector shall be entitled to vote for only two persons. The said judges to be elected by the qualified electors of the districts aforesaid, when vacancies shall exist by reason of expiration of the terms for which the present judges of the Supreme Court are elected and commissioned.”

Mr. Barclay offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals be instructed to inquire into the expediency of inserting in the new Constitution the following articles :

No railroad corporation shall consolidate in stock, property or franchises, with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place, except upon public notice given, of at least sixty days, to all stockholders, in such manner as may be prescribed by law.

No railroad corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all stock, dividends and other fictitious increase of the capital stock or indebtedness of any such corporation shall be void.

The capital stock of no railroad corporation shall be increased for any purpose, except upon giving sixty days public notice, in such manner as shall be prescribed by law.

Mr. Lear offered the following resolution, which was referred to the Committee on Impeachment and Removal from Office, viz :

Resolved, That the proper committee be instructed to inquire into the expediency of inserting in the Constitution an article providing that no person shall hold any office of trust or profit in the State of Pennsylvania, who shall be an habitual or professional gambler, and the Legislature shall provide by law for the mode of determining by inquisition at the relation of any citizen of the Commonwealth, whether any person holding an office as aforesaid, and legally charged with being an habitual gambler, is or is not such habitual gambler.

Mr. John R. Read offered the following resolution, which was referred to the Committee on County, Township and Borough Officers, as follows, viz :

Resolved, That no person, who may be hereafter a collector or holder of public moneys, shall be re-elected to the same position, nor shall he be eligible to any office of trust or profit, until he shall have accounted for and paid over, according to law, all sums for which he may be liable.

Also, the following, which was referred to the Committee on Private Corporations, &c., viz :

Resolved, That no law shall be passed by the General Assembly, granting the right to construct and operate, or extend a railroad within any city, town or incorporated village, without requiring the consent of the local authorities, having the control of the street or highways proposed to be occupied by such railroad.

Mr. Lamberton offered the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That the Committee on Public and Municipal Debts, be instructed to inquire into the expediency of reporting a provision to limit the amount of indebtedness which shall be incurred by counties, cities and boroughs.

Mr. Minor offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be requested to inquire into the propriety of so changing the Constitution, as to provide that the style of process and official documents shall be "State of Pennsylvania" instead of "Commonwealth of Pennsylvania."

Mr. S. R. Reynolds offered the following resolution, which was referred to the Committee on the Judiciary, as follows, viz :

Resolved, That the Committee on the Judiciary shall report an amendment to the Constitution providing for the election of two law judges in each judicial district of the State, where the population does not exceed one hundred thousand. Said judges to be elected as jury commissioners are now elected. And to provide further for the election of three law judges in each judicial district where the population exceeds one hundred thousand, to be elected as the district delegates to this Convention were elected. And further, to provide for the districting of counties and cities so as to carry the foregoing into effect.

Mr. Darlington offered the following resolution, which was referred to the Committee on Executive Department, as follows, viz :

Resolved, That the Executive Committee be instructed to report a Constitutional provision for filling vacancies that may occur in the office of State Treasurer.

Mr. De France offered the following resolution, which was referred to the Committee on Legislation, as follows, viz :

Resolved, That the Standing Committee on Legislation be respectfully requested to consider the propriety of prohibiting the Legislature from passing any law limiting the amount of damages in suits brought against railroad companies doing business within this Commonwealth, for personal injuries or loss of life arising from the negligence of said roads while used as common carriers.

Also, the following which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Standing Committee on Suffrage be requested to consider the propriety of adopting preferential mode of voting for the election of county commissioners and county auditors.

Mr. Lilly offered the following resolution, which was referred to the Committee on Printing and Binding, viz :

Resolved, That each member of the Convention be supplied with five copies of the loose sheets of the Debates of the Convention.

Mr. Kaine offered the following resolution, viz :

Resolved, That a committee of five be appointed to be called "The Committee on the State."

Which was laid on the table.

Mr. John N. Purviance offered the following resolution, viz :

Resolved, That the Chief Clerk be authorized to appoint two additional pages, at the same per diem compensation as that already fixed for the pages heretofore appointed.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Hay, from the Committee on Accounts and Expenditures, reported the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That a warrant be drawn in favor of Charles Cilly, for the sum of fifteen dollars, in payment of services rendered to the Convention as a page at the Harrisburg session.

A warrant was accordingly so drawn.

On motion of Mr. J. M. Wetherill,

The Convention proceeded to the consideration of the following resolution, which was offered yesterday, viz:

Resolved, That the rules of this Convention be amended, by adding an additional committee, to wit:

No. 28. A committee of nine (9) on Federal Relations.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Wetherill and Mr. Jno. M. Bailey, and were as follow, viz:

YEAS.

Messrs. Alricks, Armstrong, Baily, of Perry, Baily, of Huntingdon, Boyd, Brown, Buckalew, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Cuyler, Dallas, Dimmick, Ellis, Ewing, Fell, Gibson, Gilpin, Hanna, Hay, Hazzard, Hemphill, Heverin, Hopkins, Howard, Hunsecker, Kaine, Knight, Lambertson, Lear, Littleton, M'CLean, M'Culloch, M'Murray, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, S. H., Ross, Sharpe, Simpson, Van Reed, Wetherill, J. M., Wetherill, J. Price, Wherry, Woodward and Wright—54.

NAYS.

Messrs. Achenbach, Andrews, Bear, Bannan, Barclay, Bartholomew, Beebe, Black, Chas. A., Bowman, Broomall, Campbell, Carey, Carter, Cochran, Corbett, Curry, Curtin, Darlington, Davis, De France, Dodd, Dunning, Edwards, Elliott, Finney, Fulton, Funck, Guthrie, Horton, Landis, Lawrence, Lilly, M'Allister, MacConnell, Mann, Mantor, Metzger, Minor, Mott, Niles, Palmer, G. W., Parsons, Patton, Porter, Purviance, Samuel A., Reynolds, James L., Rook, Runk, Russell, Smith, Henry W., Stanton, Stewart, Temple, Walker, White, David N., White, J. W. F. and Meredith, *President*—57.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Baker, Bardsley, Biddle, Black, J. S., Brodhead, Gowen, Hall, Harvey, Long, M'Camant, MacVeagh, Newlin, Palmer, H. W., Pughe, Smith, H. G., Smith, W. H., Struthers, Turrell, White, Harry, and Worrell.

A motion was made by Mr. Hunsieker,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at 12 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, JANUARY 13, 1873.

The President laid before the Convention a communication from the Constitutional Commission of the State of New York, which was read as follows, viz :

STATE OF NEW YORK,
IN CONSTITUTIONAL COMMISSION,
ALBANY, *January 8, 1873.* }

Resolved, That the clerk of this Commission be directed to forward to the Constitutional Convention, now in session in the State of Pennsylvania, the printed proceedings and documents of this Commission.

By order.

HIRAM CALKINS,
Clerk.

Which, together with the accompanying documents, were laid on the table.

Mr. Beebe presented the petition of citizens of Emlenton and vicinity, Venango county, praying for the incorporation into the Constitution of a prohibitory clause against the sale of intoxicating beverages.

Mr. Lawrence presented the petition of citizens of Beallsville and vicinity, in the county of Washington, praying for an amendment to the Constitution which will prevent the sale and use of intoxicating drinks as a beverage.

Which were referred to the Committee on Legislation.

Mr. Hemphill asked and obtained leave of absence for Messrs. Corson and Hunsicker for a few days from to-day.

Mr. Runk asked and obtained leave of absence for Mr. Ainey for a few days from to-day.

Mr. Achenbach asked and obtained leave of absence for Mr. Hall for a few days from to-day.

On motion of Mr. Stanton,

The following resolution was twice read, considered and adopted, viz :

Resolved, That Powell DeFrance be employed by this Convention to take charge of the coat room, and that he shall receive therefor the sum of two dollars per day.

On motion of Mr. Harry White,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the Clerk of this Convention is hereby directed to forward a copy of the daily printed Journal of this Convention to the Commission on the Constitution of New York, now in session at Albany.

Mr. John N. Purviance offered the following resolution, which was referred to the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office, viz :

Resolved, That the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office be instructed to inquire into the expediency of proposing a provision in the Constitution, to the effect that no member of the Convention shall be eligible to any office created under this Constitution, or where the tenure and mode of holding office and choosing officers shall be changed from appointment by the Governor to election by the qualified voters of the State: *Provided*, That this amendment shall only apply to the first election to be held after the adoption of this Constitution.

Mr. J. Price Wetherill offered the following resolution, which was referred to the Committee on Cities and City Charters, viz :

Resolved, That the Committee on the Judiciary be requested to examine into the expediency of amending the Constitution by the following section :

“That the councils of any city of over one hundred thousand inhabitants, with the view to the more certain prevention of abuses that may occur by the dereliction of duty of any officer elected by them, or under their control or of any member thereof, and for the correction of the same, may have power, in any investigation thereof, to compel the attendance of witnesses, examine them under oath, and to send for such books and papers as may be necessary to prove the truth or falsity of the charge made ; the wilful making of a false oath by the witnesses shall be considered perjury. Should the committee having the examination in charge demand it, the mayor of the city, or the judge of any court thereof, shall issue subpoenas, and, if necessary, by attachment compel the attendance of witnesses. Should the officer be convicted of any infamous crime, the office held by him shall be declared vacated, and he shall not be eligible to any office of trust or profit under the city government.”

Mr. Wright offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That no law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city, town or incorporated village, without requiring the consent of the local authorities having control of the street or highway proposed to be occupied by said street railroad.

Mr. Beebe offered the following resolution, which was referred to the Committee on the Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of abolishing the grand jury system.

Also, the following resolution, which was referred to the Committee on Education, viz :

Resolved, That the Committee on Education be instructed to inquire into and report to this Convention as to the following article to be inserted in the new Constitution :

“There shall be a Superintendent of Public Instruction, who shall be elected at the same time, manner and term as the Governor, whose powers, duties and compensation shall be prescribed by law.”

Mr. Barclay offered the following resolution, which was referred to the Committee on Education, viz :

Resolved, That the Committee on Education be instructed to inquire into the expediency of inserting in the new Constitution the following article :

“The Legislature of Pennsylvania shall, at the first session after the adoption of the Constitution, require by law that every child of sufficient mental and physical ability shall be compelled to attend the public schools during the period between the ages of six and eighteen years, for a term of at least two years, unless educated by other means, and parents and guardians shall not be allowed to permit their children and wards to grow up in ignorance and vagrancy.”

Mr. MacConnell offered the following resolution, which was referred to the Committee on Declaration and Rights, viz :

Resolved, That the Committee on the Declaration of Rights be requested to inquire and report, whether the article containing the Declaration of Rights should not be made the first article of the Constitution.

Mr. Mantor offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Printing be requested to inquire into and report to this Convention whether, in their judgment, it would not be expedient to instruct the State Printer to forward, by mail, one copy of the daily Journal and Debates, to each newspaper publisher in this State during the session of the Convention, and one copy be sent to the Governor and the Heads of Departments of the State, at Harrisburg, and one copy to each member of the State Legislature

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Bear,

To postpone the question, together with the further consideration of the resolution indefinitely.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Lilly and Mr. Simpson, and were as follow, viz :

Y E A S .

Messrs. Baer, Black, Charles A., Brodhead, Broomall, Brown, Carter, Church, Clark, Collins, Corbett, Cronmiller, Curtin, Darlington, De France, Gilpin, Hemp-hill, Hopkins, Howard, Kaine, Lawrence, Long, M'Culloch, Palmer, G. W., Pat-terson, T. H. B., Porter, Purman, Purviance, Sam'l A., Read, John R., Ross, Russell, Smith, Henry W., Walker, Wetherill, Jno. Price, White, David N., White, Harry and Woodward.—36.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Baily, of Perry, Baker, Barclay, Bards-ley, Beebe, Bowman, Campbell, Carey, Cassidy, Cochran, Craig, Curry, Dallas, Dodd, Elliott, Ewing, Fell, Guthrie, Hay, Hazzard, Heverin, Horton, Knight, Landis, Lilly, Littleton, M'Allister, M'Clean, MacConnell, M'Murray, MacVeagh, Mantor, Niles, Patton, Purviance, John N., Reynolds, James L., Runk, Simpson, Struthers, Temple, Wetherill, J. M., White, J. W. F., Worrell and Meredith, *President*.—47.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Buckalew, Cor-son, Cuyler, Davis, Dimmick, Dunning, Edwards, Ellis, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hanna, Harvey, Hunsicker, Lambertson, Lear, M'Camant, Mann, Metzgar, Minor, Mott, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Reed, Andrew, Reynolds, S. H., Rooke, Sharpe, Smith, H. G., Smith, W. H., Stanton, Stewart, Turrell Van Reed, Wherry and Wright.

The resolution was then agreed to.

Mr. Campbell offered the following resolution, which was referred to the Com- mittee on Industrial Interests and Labor, viz :

Resolved, That the Committee on Industrial Interests inquire into the expedi- ency of having boards or juries of arbitration, constituted for the settlement of all disputes between workmen and their employers.

Mr. De France offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Standing Committee on the Legislature be respectfully re- quested to consider the propriety of placing in the Constitution a section in sub- stance as follows :

That provision shall be made for a division of the State into seventeen parts of contiguous territory, as nearly equal in inhabitants as possible without dividing counties or wards or cities, that each one of these equal divisions be allowed to elect three Senators to serve the State four years, and nine Representatives to serve the State for two years ; and said Assembly, so elected, shall meet bi-ennially.

Mr. Landis offered the following resolution, which was referred to the Commit- tee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads be requested to inquire into the expediency of so amending the Constitution, as to provide that the Legislature shall, by law, prohibit railroad companies from preferring foreign shippers to ship- pers resident within the State, in furnishing the means of transportation of freight.

Mr. Bardsley offered the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That the committee be directed to report a section in the new Constitution to prohibit any city, county, borough or township from funding any debt to a greater amount than twelve per cent. of the assessed value of real estate in said city, county, borough or township.

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That such printing as shall be ordered by the respective committees, in pursuance of the resolution for that purpose, passed on the 8th inst., shall be printed on unsized paper with long primer type, and not in the form used for Legislative bills.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

That the resolution be referred to the Committee on Printing.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Harry White and Mr. J. M. Read, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Bailey, of Huntingdon, Barclay, Beebe, Bowman, Brodhead, Broomall, Brown, Campbell, Carey, Cnurch, Clark, Craig, Cronmiller, Curry, Curtin, Dallas, Darlington, De France, Dodd, Elliott, Ewing, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Heverin, Hopkins, Horton, Howard, Kaine, Lawrence, Lilly, Littleton, M'Allister, M'Clean, MacConnell, M'Culloch, M'Murray, MacVeagh, Mantor, Minor, Mott, Niles, Palmer, G. W., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, James L., Ross, Runk, Russell, Smith, Henry W., Struthers, Temple, Wetherill, J. M., White, David N. and White, J. W. F.—62.

N A Y S .

Messrs. Bear, Baker, Bardsley, Black, Chas. A., Cochran, Collins, Corbett, Fell, Landis, Long, Patterson, T. H. B., Purman, Read, John R., Simpson, Walker, Wetherill, John Price, White, Harry, Woodward, Worrell and Meredith, *President*—20.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Ainey, Andrews, Armstrong, Baily, of Perry, Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Buckalew, Carter, Cassidy, Corson, Cuyler, Davis, Dimmick, Dunning, Edwards, Ellis, Finney, Fulton, Funk, Gibson, Gowen, Hall, Hanna, Harvey, Hunsicker, Knight, Lamberton, Lear, M'Camant, Mann, Metzgar, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Reed, Andrew, Reynolds, S. H., Rooke, Sharpe, Smith, H. G., Smith, W. H., Stanton, Stewart, Turrell, Van Reed, Wherry and Wright.

Mr. Darlington offered the following resolution, which was referred to the Committee on the Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of establishing courts of conciliation.

Mr. Temple offered the following resolution, viz :

Resolved, That when the yeas and nays are called on any question, the Clerk shall be required to enter upon the Journal, the names of all the members of the Convention, as well as those who vote, as those who are absent, or who do not vote.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Temple and Mr. De France, and were as follow, viz:

Y E A S .

Messrs. Baer, Baily, (Perry,) Baker, Barclay, Bardsley, Beebe, Black, Chas. A., Broomall, Campbell, Carey, Carter, Church, Collins, Corbett, Curry, De France, Elliott, Ewing, Gilpin, Hay, Hazzard, Horton, Landis, Lilly, M'Allister, M'Culloch, M'Murray, Mantor, Palmer, G. W., Patterson, T. H. B., Porter, Purviance, John N., Read, John R., Ross, Runk, Russell, Simpson, Smith, Henry W., Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Woodward and Meredith, *President*—44.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Bowman, Brodhead, Brown, Clark, Cochran, Craig, Cronmiller, Dallas, Darlington, Dodd, Fell, Guthrie, Heverin, Hopkins, Kaine, Knight, Lawrence, Littleton, Long, M'Clean, MacConnell, MacVeagh, Minor, Mott, Niles, Patton, Purman, Purviance, Samuel A., Reynolds, James L., Struthers, Walker, White, Harry, and Worrell—36.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Ainey, Andrews, Armstrong, Bailey, (Huntingdon,) Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Buckalew, Cassidy, Corson, Curtin, Cuyler, Davis, Dimmick, Dunning, Edwards, Ellis, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hanna, Harvey, Hemphill, Howard, Hunsicker, Lamberton, Lear, M'Camant, Mann, Metzger, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Reed, Andrew, Reynolds, S. H., Booke, Sharpe, Smith, H. G., Smith, W. H., Stanton, Stewart, Turrell, Van Reed, Wherry, White, David N., and Wright.

Whereupon,

Said resolution was read a second time, considered and agreed to:

Mr. Minor offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of so amending the Constitution as to provide that the power of the Legislature to make appropriations in aid of charitable institutions, shall hereafter be limited to those which are under the exclusive care and control of the State.

Mr. Heverin offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of providing an amendment to the Constitution for the abolition of all usuary laws, and prohibiting their future enactment.

Mr. Brodhead offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Taxation, Revenue and Finance be requested to inquire into the policy of providing for a general and uniform system of valuation of all the real and personal estate in the Commonwealth under oath, and with proper penalties for false returns; upon which valuation a tax of a certain number of mills per dollar, as may be designated by State, county and municipal authorities, as necessary for their purposes, shall be laid and collected by the county authorities, and paid over to the State and municipal treasurers; that in making such valuation, the market value of the property shall be the standard; that no property, real or personal, shall pay more than one tax; that all incumbrances shall be deducted from such valuation, and taxed in the hands of the owners thereof; that all corporations shall be taxed, when feasible, only through the capital stock in the hands of the holders thereof, and that all special taxes be abolished; but the Legislature may provide for the payment of license fees, by the various trades and occupations, for State, county and municipal purposes.

Mr. Bowman offered the following resolution, which was referred to the Committee on Education, viz :

WHEREAS, The permanency of our form of government, as well as the liberty, prosperity and happiness of the people depend upon the education of the youth ; therefore,

Resolved, That the Committee on Education take into consideration the propriety of so changing the Constitution as to provide for a system of compulsory education.

On motion of Mr. Temple,

The Convention resumed the consideration of the following resolution, viz :

Resolved, That the Sergeant-at-Arms be directed to prepare and have printed for the use of the Convention, two hundred (200) copies of a directory of the residences and lodging places, in Philadelphia, of its members and officers.

And the question recurring,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

On motion of Mr. Kaine,

The Convention proceeded to the consideration of the following resolution, offered on Friday last, viz :

Resolved, That a committee of five be appointed, to be called the Committee of the State.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,

To amend the same, by striking out the words, "of the State," and inserting in lieu thereof the words, "on miscellaneous subjects."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. John R. Reed,

To amend the the same, by striking out the word "five," and inserting in lieu thereof the word "nine."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

It was determined in the negative.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, JANUARY 14, 1873.

The President laid before the Convention a communication from the Historical Society of Pennsylvania, which was read as follows, viz :

THE HISTORICAL SOCIETY OF PENNSYLVANIA, }
PHILADELPHIA, January 13, 1873. }

Hon. WM. M. MEREDITH,

President of the Constitutional Convention :

DEAR SIR :—I have the honor of communicating to the "Constitutional Convention" the following resolution, unanimously adopted by the Historical Society of Pennsylvania at a meeting held this day :

Resolved, That the members of the Convention, assembled to propose amendments to the Constitution of Pennsylvania, be invited to inspect the library and historical collections of the society; and that the use of the reading room be offered to them during the sessions of the Convention.

I have the honor to be, with great respect,

Your friend and obedient servant,

JAMES ROSS SNOWDEN,
Corresponding Secretary.

From the minutes :

SAMUEL L. SMEDLEY,
Recording Secretary.

Laid on the table.

On motion of Mr. Hanna,

The thanks of the Convention were tendered the society for the invitation extended.

The President also laid before the Convention a communication from the Executive Committee of the Philadelphia Soldiers' Colony, which was read as follows, viz :

EXECUTIVE COMMITTEE, }
PHILADELPHIA SOLDIERS' COLONY, }
727 Sansom st., Phila., Jan. 10, 1873. }

To the Honorable the Constitutional Convention of Pennsylvania :

GENTLEMEN :—You are cordially invited to be present at a mass meeting of soldiers and their friends, at Concert Hall, on Saturday evening, January 18, 1873.

Object : To secure to the soldiers the benefits (by colonization) of the "homestead act."

Yours, respectfully,

G. B. KRUSEN,
J. H. R. STOREY,
K. W. WILLIAMS,
ALFRED B. ENGELMAN,
DANIEL RODGERS,
W. H. H. BRADBURY,

Committee of Philadelphia Soldiers' Colony.

A motion was made by Mr. Lilly,

That the Convention accept the invitation extended, and return thanks for the same.

Which was agreed to.

A motion was made by Mr. Newlin,

That the Committee on Printing, &c., have leave to sit during this day's session of the Convention.

Which was agreed to.

A motion was made by Mr. Armstrong,

That the Judiciary Committee have leave to sit during the sessions of the Convention.

Which was agreed to.

Mr. John Price Wetherill presented a memorial from the Citizens' Municipal Reform Association, of Philadelphia, which was read as follows, viz :

MEMORIAL TO THE CONSTITUTIONAL CONVENTION OF PENNSYLVANIA FROM
THE CITIZENS' MUNICIPAL REFORM ASSOCIATION.

ROOMS OF THE EXECUTIVE COMMITTEE, }
711 Sansom street, January 13, 1873. }

The undersigned, a committee appointed by the Citizens' Municipal Reform Association of Philadelphia, respectfully beg leave to lay before you some suggestions of amendments to the Constitution proposed by that body, and ask for them your earnest consideration. They are designed to remove evils which we believe are universally felt and acknowledged, and if to your superior wisdom they may not appear sufficient, we look with confidence to your devising more effectual measures.

As the scope of the association is confined to matters connected with municipal administration, it has restricted itself to a few subjects bearing directly or indirectly upon the purity and efficiency of the government of large cities. It, of course, speaks only for Philadelphia, but it believes that the other municipalities of the State suffer, to a greater or less degree from the same causes and would be benefited by the same remedies.

I. LOCAL SELF-GOVERNMENT.

It is admitted by all thoughtful men that the municipal government of Philadelphia is a failure. While exacting on amount of taxation of which the yearly growth threatens soon to be intolerable, the municipality appears unable to perform properly a single one of the functions for which the money of the citizens is nominally collected. Immense sums are yearly spent for paving, street cleaning, police, gas, water and education, with a slenderness of return which argues either corruption or incompetency, or possibly both. Many citizens, wearied with the constant aggravation of resultless expenditure, are losing faith in the ability of the people to govern themselves, and are led to the conclusion that, in dense communities at least, republican institutions are worse than useless, and that some form of absolutism is requisite, if we would escape from the rule of the incompetent and unprincipled men who seem to have found the secret of capturing the suffrages of the people.

We think that this conclusion is unwarranted, and that the true reason of our failure in municipal administration lies in the fact that the people of our large cities really do not govern themselves. They are governed by a body known as the State Legislature, itself irresponsible directly to municipalities, which delegates to them such powers as chance, caprice or corruption may dictate, revokes or modifies those powers at will, and interferes in every way with the concerns of great communities, about which only a small fraction of its members can have the least acquaintance or feel the slightest interest. The authority thus exercised without responsibility to those affected by it, leads inevitably to the grossest corruption. All the arts known to the most venal of demagogues are used to secure seats in the Legislature, where power can be turned to profitable account, and good men yearly shrink with greater disgust from the contamination involved by membership in the supreme law-making power of the Commonwealth.

With such an example before them, and such a supreme body to relieve them of responsibility, is it any wonder that our municipal legislatures, wielding a limited and divided power, should be similarly self-seeking and corrupt, incompetent for good and energetic only for evil? Is it any wonder that our citizens, bewildered by such an artificially cumbrous and duplicate form of government, uncertain where to place responsibility, and feeling that their best efforts at reform at home may be neutralized by the action of some constituency at the furthest end of the State, should be discouraged, should abandon the conduct of local affairs to those who are only too ready to grasp it for their own purposes, and should yield to a despairing apathy born of disgust and hopelessness?

The primary condition of success in popular government is, that every citizen should acknowledge the duty which he owes to the community by taking part

in public affairs, scrutinizing the conduct of public servants, and holding them to strict responsibility for their acts. This public spirit should be carefully cultivated, and its growth can be healthy and effective only when every man sees that he can make his influence felt, that he can watch the actions of those in power, and can bear his share in rewarding the faithful and punishing the corrupt. To accomplish this, the frame of government should be as simple as possible, the powers and duties of officials should be clearly defined, and there should be no opportunity afforded them of escaping the responsibility of their own acts. If it were desired to evade all these conditions, it would be difficult to construct a system more ingeniously adapted than ours to confuse the average voter, and enable the unfaithful public servant to shirk responsibility.

The only mode, we are convinced, to arouse the people to a sense of their duties, and to lead them to that activity and vigilance which are indispensable to good popular government, is to entrust each community with control over its own affairs. When there is no longer a distant body exercising authority at once supreme and vexatiously minute, local evils can be traced to their sources, officials can be held to due responsibility, and citizens will feel that if they desire redress there is one way, and only one, by which they can certainly obtain it. Thus they would soon be trained in the practice of self-government, which is rapidly becoming a mere tradition among us; a new and healthy and vigorous public spirit would spring up, and corrupt officials would be regarded as public enemies, in place of being looked upon with a sort of tacit admiration, as shrewd and successful men.

If we hesitate to try this experiment, if we fear to trust ourselves with the conduct of our own affairs, let us be consistent; let us no longer prate of republicanism and democracy, but let us seek refuge and protection under the paternal care of Cæsarism.

You will doubtless be urged to mitigate the evils of which we complain, by limiting the power of special legislation in the hands of the Assembly; and we will hail with satisfaction all measures of this kind which your wisdom may enact. Yet we hope you will not content yourselves with this, and stop short with palliatives, when you have it within your power to effect a radical cure. We need hardly remind a body such as yours, that the most dangerous form of legislation is general legislation for special objects, and that so long as the Legislature has power to interfere, directly or indirectly, in local concerns of the wealthy communities within our borders, that power will be exercised, and will be a source of the most dangerous corruption.

At the same time, we admit that the experiment is a momentous one. We may err in our expression of confidence, as to the wisdom with which the power of self-government would be exercised, and we can imagine supreme occasions in which a community might find it requisite to appeal for aid to the sovereign authority of the State. As a Constitution is not lightly to be modified, it should provide, as far as practicable, for all contingencies, and possess an elasticity adapting it to unforeseen circumstances. We would therefore suggest a provision whereby the people should not be precluded from seeking the interposition of the Legislature, if they should deliberately determine to do so.

Entertaining these views, we respectfully submit for your consideration the following clauses, which have been framed for the purpose of restoring to the municipalities of the Commonwealth the right of self-government, of which they have been so long deprived:

I. The Legislature shall pass general laws whereby a city may be established, whenever a majority of the electors of any town or borough, voting at any annual election, shall vote in favor of the same being so established.

II. The Legislature shall pass no special laws creating any municipality, or regulating its form of government, or the management of its internal affairs, unless such laws be specially asked for, for a definite object, by a majority of the legal voters of any municipality, voting at any general or special election. And every municipality shall have power to pass laws for its own regulation, not repugnant to the Constitution of the United States or of this Commonwealth.

II. ALDERMEN.

No greater blot upon our civilization exists than the administration of justice in petty cases, as exercised in a great city such as Philadelphia. All the worst arts of the professional politician are exerted to secure the position of alderman for those who are unfitted for it by training, by habits and by character; and it

is only because their victims are habitually the poor and friendless that their brutal and venal tyranny fails to attract general attention, and to arouse the sternest popular indignation. The abolition of the system which gives rise to these abuses, is so generally recognized as desirable, that it has been formally recommended by the grand inquest of the city of Philadelphia, in a recent prement.

No greater boon could be conferred on the community than a system by which cheap and equal justice could be had by poor and rich alike. To secure this we would urge you to adopt a plan by which the office of a magistrate of the lower jurisdiction should be made attractive to capable and upright men, who, by good conduct, could secure a permanent career, but who, at the same time, could be speedily removed for any neglect or malfeasance. To this end we suggest for your consideration the following amendment:

"The office of alderman shall be abolished in all cities, and in lieu thereof there shall be appointed by the Governor, a magistrate for every _____ thousand inhabitants, who shall have the jurisdictions and powers as justices of the peace heretofore exercised by aldermen, and no other functions or powers. Such magistrates shall be learned in the law, not less than _____ years of age, and shall receive an adequate compensation, to be determined and paid by the authorities of their respective cities, which compensation shall not be diminished during their continuance in office. All the fees of the office shall be payable into the treasury of such city. They shall hold their office during good behavior, but shall be liable to be removed therefrom by the court of common pleas of their respective counties, upon cause therefor being shown by any citizen; and any person aggrieved by the judgment of the court of common pleas in such cases, may remove the same by a writ of error into the Supreme Court for the proper district; which writ of error shall be heard and decided by the judges thereof, at the term to which it is returnable."

If, in suggesting the appointment of these magistrates by the Governor, we should be thought to deviate from the principles of local self-government above set forth, we would reply that a wise discretion would seem to require the isolation of judicial functions from the influence of political passions, and that the complexity of large municipalities brings so many candidates before the people that it becomes impossible for the average voter always to exercise a careful discrimination with respect to the multiplicity of names presented to him upon his ticket. We have therefore proposed that this amendment should apply only to the cities, without disturbing the existing system in localities where a less dense population and simpler interests enable the citizen to act with greater knowledge and deliberation.

If it should be urged that such appointing power would result in these magistrates being all of one political faith, we would answer that the power of removal lodged in the courts would soon weed out all who would prostitute their office through political partizanship, as well as other unworthy motives; that in the course of a few years only those worthy of the position would be left; that political changes throughout the State would soon enable vacancies to be filled with the representatives of other political creeds; and by this sifting process we should, ere long, possess a body of earnest, independent and experienced men, devoted only to the duties of a position which would afford them an assured career, and fairly representing the average political sentiments of the people. It is not in your power to confer a greater blessing than this upon our community.

An objection may be raised against the provisions we have suggested as to salaries and the disposition of fees, viz: That, as is too frequently the case at present, the fees might be retained through dishonest returns. This is readily disposed of. The exaction of fees for legal processes is a necessity to check unnecessary and wanton litigation, but no magistrate should be exposed to the temptation and degradation of having his income dependent on such a source. At the same time all suspicion of unlawful gains thence arising could be removed by having all fees for processes payable by stamps to be affixed to the documents, such stamps being issued by the city treasurer, and accounted for by the magistrate.

Not the least of the advantages to be expected from the creation of such a local magistracy as this, would be the fact that the vast reduction in the number of cases returned to court would enable us to abolish altogether the antiquated system of procedure known as the grand jury.

III. THE GRAND JURY.

In the purer and simple life of the country districts the institution of the grand jury doubtless accomplishes the good purposes for which it was founded in past ages. In a city of three-quarters of a million souls it is simply an anachronism, powerless for good yet powerful for evil. The grand inquest into the condition of public institutions is scarcely more than a form which passes unheeded. As a sieve for the criminal courts to protect them from the avalanche of trivial cases returned by ignorant, careless, or corrupt aldermen, it is still of some service, but the substitution of stipendiary magistrates for alderman would promptly supercede its usefulness in this regard.

As an instrument for evil, it would be difficult to exaggerate the power of the grand jury. One device after another has been tried to insure the drawing of impartial jurors, and all have confessedly and notoriously failed; while, even if no underhand means be used to secure the presence of certain men on a given jury, its mode of procedure renders it peculiarly liable to corruption by wealth or political influence, and shields it effectually from all practical responsibility. It is but a few weeks since the mayor of Philadelphia officially stated that it was useless to send before the grand jury bills of indictment against a certain class of criminals who had established an association with a fund for mutual protection. Even when honestly disposed, the grand jury is so much in the power of the minor officials of the court as to create temptations and suspicions against which the halls of justice cannot be too scrupulously guarded.

When the public see that offenders of a certain class can never be brought before the courts, all bills of indictment against them being promptly and regularly ignored, while every one who excites the enmity of that class is liable to be arraigned on the most trivial charge, the temper that is likely to be aroused is the most dangerous that can be excited in a free community. Carlyle once defined American institutions to be "anarchy *plus* the street constable," and when once the reverence for law and its impartial administration, as typified in the "street constable" is lost, the reign of undiluted anarchy will not be far off. We would therefore respectfully urge upon your attention the propriety of adopting the following amendment:

"In all cities the grand jury is hereby abolished, and the Legislature shall provide by appropriate legislation for the preparation of bills of indictment to be tried by a jury."

IV. BRIBERY.

Unless popular belief be wholly misled few crimes are more frequently committed and more rarely punished than the bribery of public officials. If this be so, the waste and extravagance of public expenditure and the interference with private rights thereby engendered is the least of the evils which it causes. Far more serious is the destruction of public confidence in municipal and State administration, and the debasement of public morality caused by the conviction that so grave an offence enjoys practical immunity.

No one concerned in such a crime against our institutions should be permitted to enjoy the rights and privileges of a freeman, and while we would not urge your honorable body to descend into the details of criminal legislation, it would appear not inappropriate to your functions if you should render this offence a sufficient cause for disfranchising utterly any one connected with it.

One reason of the rarity of conviction and punishment for bribery doubtless arises from the fact that the law very properly holds both the tempter and the tempted as equally guilty. Transactions of this nature, however, are necessarily confidential, and absolute knowledge almost inevitably pre-supposes guilty complicity. Each accomplice, therefore, is shielded by his partner's instinct of self preservation; and as an unwilling witness can always in such cases refuse to testify on the plea of self-implication, legal evidence is so impossible to obtain that those who are inclined to transgress can do so in full confidence that an offence committed runs little risk of being punished or even divulged. It is easy to see how powerful an influence this must have in stimulating a crime so peculiarly dangerous to our institutions.

It appears to be, therefore, worthy of thought whether a provision which should practically protect either of the accomplices who should accuse and testify against the other would not have a most beneficial effect, not only in procuring the conviction of criminals, but, what is even much more important, in preventing the commission of the crime. All confidence would be destroyed between parties.

The solidarity of interest in crime would be abolished, and each partner in the guilty transaction would feel that he was placing himself at the mercy of the other, whose very participation in it would be evidence that he was not to be trusted. The preventive influence of such a provision would thus be most beneficial, while it would also be efficient in detecting and punishing the offences. If suspicion of bribery arose, no one could refuse to testify on the plea that he would thereby criminate himself. He would rather be eager to do so for the purpose of exonerating himself from responsibility in advance of his accomplice, and such investigations would no longer be so ludicrously hopeless as they have been in the past. For these reasons we venture to submit the following amendment :

"In addition to the penalties now, or hereafter to be provided by law for the punishment of bribery, the party or parties convicted shall be forever disfranchised and disqualified from holding any office of trust, honor or profit in this Commonwealth. And no one shall be liable to prosecution by reason of any testimony which he may have given showing his complicity therein."

V. ELECTION FRAUDS.

We cannot conclude without expressing a hope that your wisdom may devise some plan by which the rapid development of fraud in elections may be checked. It is not too much to say that, in Philadelphia under the existing registry law, the perpetration of these frauds has been reduced to a science and systematized to that degree that the confidence of the people in the result of an appeal to the ballot-box is being undermined with dangerous rapidity. As the foundation upon which all our institutions rest, this confidence is so sacred a thing that it should be guarded and fostered with the most jealous care. Nothing can replace it as a preservative element. The acquiescence of a defeated party in the result of an election is the most decisive proof of our capacity for self-government, and the most precious result of centuries of training in Constitutional liberty; but that acquiescence can no longer be expected when fraud is openly practiced and audaciously boasted of, and a real majority finds itself helpless to assert its rights through the forms of law. When that time comes, and redress seems hopeless, the end will not be far off, and it is the part of wise statesmanship to calmly consider all possible contingencies, and to devise whatever measures may be best adapted to avert them. We do not presume to offer suggestions. The subject is one requiring for its comprehensive treatment throughout the Commonwealth, a knowledge of details as to other localities which we do not possess. We can only say, that it seems to us the remedy lies in the direction of limiting, as far as practicable, the size of election divisions, and giving the fullest opportunities for scrutinizing votes as they are polled.

VI. THE FEE SYSTEM.

The Municipal Reform Association has been too earnest in its efforts to abolish within our city the corrupting influence of the fee system, for us to hesitate in asking your attention to the propositions which have been laid before you with that object. Like the regulation of elections, it concerns too nearly the citizens of other localities for us to venture to obtrude upon you any general measure for that purpose. Our association last winter prepared a carefully matured bill on the subject, adapted to the necessities of Philadelphia, and the relief which the community failed to obtain from their representatives, they now confidently expect at your hands. No one not familiar with the inner workings of our municipal machinery can form an adequate idea of the amount and the character of the wrongs which are perpetrated under the color of fees, or of the deplorably debasing influence which they exercise over public morality. There is, perhaps, no more potent stimulus at work in the rapid deterioration of our whole political life, and few more energetic agencies of reform could be devised than their removal.

In the confident hope that your deliberations will lead to the regeneration of our institutions, we have the honor to remain,

Your obedient servants,

HENRY C. LEA,
R. RUNDLE SMITH,
WILLIAM H. RAWLE,
Committee.

On motion of Mr. Wetherill,

The first proposition in the memorial was referred to the Committee on Cities and City Charters.

The second and third were referred to the Committee on Judiciary.

The fourth was referred to the Committee on Constitutional Sanctions.

The fifth was referred to the Committee on Suffrage, Election and Representation.

The sixth was referred to the Committee on County, Township and Borough Officers.

Mr. Turrell presented the petition of citizens of Susquehanna county, praying for an amendment to the Constitution which will prevent the sale of all alcoholic drinks as a beverage.

Which was referred to the Committee on Legislation.

Mr. Stanton asked and obtained leave of absence for Mr. Temple for to-day.

Mr. Knight offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the Committee on Revenue, Taxation and Finance be requested to consider the expediency of so amending the Constitution as to establish the legal rate of interest at seven per cent.

Mr. Walker offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads be instructed to inquire and report whether a provision should not be incorporated into the Constitution compelling all railroad companies, incorporated by the laws of this State, to carry freight from any point in this State to any other point either within or beyond the limits of the State, at the same rate per mile that similar freight is transported over said roads from any point beyond the State.

And also, inquire and report whether a provision should not be inserted in the Constitution prohibiting the president, directors, managers or officers of any railroad company incorporated by this State, or by this and any other State or States, from being interested, either directly or indirectly, in cars for the transportation of freight upon or over said road, whereby freight is shipped, handled or transported with any greater speed or safety than the same character of freight is shipped, handled or transported in the cars of the company.

Mr. Hay offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary inquire into the expediency of so amending the Constitution as to provide that there shall be one alderman in each city and borough, and one for every ten thousand inhabitants therein, up to one hundred thousand, and one for every additional fifteen thousand: When the population of any city or borough entitles it to more than one alderman, districts of as nearly equal population as may be, without dividing wards, shall be established by law; in each of which districts but one alderman shall reside and hold office.

Aldermen shall have and exercise jurisdiction and powers as heretofore, excepting as the same may be hereafter modified, altered or enlarged by law, and shall receive a compensation, which shall not be diminished during their term of office, and which shall be determined and paid by the city or borough in which such aldermen hold office.

They shall be appointed and commissioned by the Governor, but only upon the previous recommendation of the court of common pleas of the county in which is situated the city or borough wherein they are to reside and serve.

They shall hold office for seven years, if they so long behave themselves well, and recommendations to the Governor for such appointment shall first be made at the last terms of said courts, which shall be in the year 1874: *Provided*, That the terms of aldermen in office at the time of the adoption of this Constitution shall not be hereby affected.

Mr. Wherry offered the following resolution, which was referred to the Committee on State Institutions and Buildings, viz:

WHEREAS, Our present system of county jails, both as to their construction and arrangement, is a disgrace to the intelligence, and a slur upon the humane sentiment of the age:

And whereas, Many of the evils complained of are due to the fact that the *incompatible duties* of the chief executive officer of the court and keeper of the jail are united in the one person and office of sheriff, the nature of whose duties, the manner of whose selection and the length of whose term wholly disqualify him for the discharge of those high and responsible duties which society owes to itself in the detention, punishment and reformation of its criminal members; therefore,

Resolved, That the amended Constitution ought to contain some provision, distinctly and entirely separating the office of sheriff from the office of keeper or warden of the county jail.

Mr. Worrell offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That whenever any judicial position shall be created by act of Assembly, the same shall be filled in the first instance by election by the people, and not by appointment.

Mr. Hunsicker offered the following resolution, viz:

Resolved, That this Convention accepts the mode provided by section four of the act of Assembly approved April 11, 1872, entitled "An Act to provide for calling a Convention to amend the Constitution," for the submission of the proposed amendments to the Constitution to the people for adoption or rejection.

Which was laid on the table.

Mr. Guthrie offered the following resolution, which was referred to the Committee on Cities and City Charters, viz:

Resolved, That the Committee on Cities and City Charters be requested to inquire into the expediency of amending the State Constitution as follows, viz:

Every incorporated city shall be governed by a mayor and a select and common council, in whom the legislative powers shall be vested. The mayor, whose term of office shall be for three years, shall be the chief executive officer, and shall have a qualified veto on the acts and ordinances passed by councils. He shall see that the duties of the several city officers are faithfully performed. He shall be a salaried officer, and not entitled to any fees or perquisites, and shall not exercise any judicial functions, civil or criminal.

No city charter now existing, or hereafter enacted, shall be altered or repealed, except by act of the General Assembly, accepted by two-thirds of the members of the select and common councils, and by a majority of the qualified electors of the city, at the next annual municipal election after acceptance by the city councils.

No public commission shall be created for any city, with power to fill vacancies, to raise money by loan, to levy taxes or to execute police or municipal functions.

No money shall be borrowed by the city for a term of years, unless by ordinance, passed by a majority of two-thirds of the select and common councils at stated meetings; and every such ordinance shall provide for the redemption of the loan thereby created by taxes, annually levied, collected and paid into a sinking fund of the city, sufficient to pay the interest and extinguish the principal of such debt in twenty years; nor shall any city increase its permanent debt to an amount not exceeding twenty per cent. of the assessed value of the real and personal property within its corporate limits; but temporary loans for a period not greater than one year, and in amount not exceeding at any one time, ten dollars for each taxable inhabitant of this city, may be made by ordinance, passed by two-thirds majority in each council; the sinking fund shall be invariably pledged for the redemption of the permanent loans of the city.

No member of the city councils, or of any of the departments of the city, shall at the same time hold any other office under the city, county, State or United States.

Cities containing fifty thousand inhabitants or more, may elect three citizens thereof to act as police commissioners for three years, whose services shall be fixed by ordinance of the city, and who, together with the mayor of the city, shall form

a board of police, and who shall appoint one superintendent of police and such number of other policemen and officers as may be authorized by ordinance of the city councils; the police board shall also have power to remove any policeman or officer for misconduct in office, and to fill any vacancy however created.

The police commissioners may be removed from office by the mayor on recommendation of the select council, and the mayor shall fill any vacancy thus occurring by and with advice and consent of select council, until the next succeeding annual municipal election, when a successor shall be elected by the qualified electors of the city to fill unexpired term of three years.

Mr. Ewing offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Auditor General be requested to furnish to the Convention, information on the following subjects:

First. The amount of capital stock of all the railroad and canal companies organized or doing business in this State; also, the amount of indebtedness of said companies.

Second. The amount of capital stock of all the corporations organized and doing business in this State other than railroad and canal companies; also, the indebtedness of said companies.

Third. The valuation for taxation of the real and personal property in the several counties of the Commonwealth.

Mr. Howard offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Revenue, Taxation and Finance be instructed to consider and report whether counties, township, boroughs and cities shall not be prohibited from contracting debts exceeding in the aggregate ten per cent. of their taxable valuation; and whether taxation for county, township, borough and city purposes shall not be limited as follows: When the assessed valuation shall not exceed one-fourth of the cash value of property, taxation shall not exceed four per cent.; when the assessed valuation shall not exceed one-half, and be more than one-fourth of the cash value, taxation shall not exceed three per cent.; when the assessed valuation shall not exceed three-fourths of the cash value, and be more than one-half, taxation shall not exceed two per cent.; when the assessed valuation shall be the cash value, or be more than three-fourths, taxation shall not exceed one per cent.; and the above rates of taxation on valuation shall embrace all taxes for all purposes that may be levied by all officers combined, authorized to levy taxes in and for any county, township, borough or city of this Commonwealth.

Mr. Hemphill offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be requested to inquire into the propriety of reporting the following:

SECTION — All State officers shall be paid in salaries for their services, which shall be fixed by the Legislature, and shall be neither increased nor decreased during the term for which the person is elected or appointed, excepting in cases of appointment or election during good behavior or for life, when the salaries may be subject to legislative revision once in every ten years.

SEC. — The Legislature shall require all State officers, in receipt of fees, to make quarterly returns to the proper office, together with an itemized account of the same, made under oath.

Mr. Campbell offered the following resolution, which was referred to the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office, viz:

Resolved, That the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office take into consideration the following section:

SECTION — That all officers elected by the people to lucrative or remunerative offices shall be paid by stated salaries, and shall, in no instance, receive for their own use, profit or compensation any fees whatever.

Mr. De France offered the following resolution, which was referred to the Committee on Declaration of rights, viz :

Resolved, That the Committee on the Declaration of rights be requested to inquire into the propriety of making section six of the Declaration of Rights read in substance, as follows :

“ That the trial by jury in all criminal cases, whether the cases existed as such in 1776, or were created since, or may be in the future, shall be as heretofore, and the right remain inviolate, except cases triable before justices of the peace.”

Mr. Niles offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the Committee on Revenue, Taxation and Finance be requested to inquire into the expediency of so amending the Constitution that all taxation shall be equal; and also to prohibit the Legislature from passing any law discriminating against any property in taxation for general purposes.

Mr. Barclay offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Legislature be instructed to inquire into the propriety of amending the Constitution, so that the Legislature shall provide by law for the indictment and trial of persons charged with the commission of any felony, in any county other than that in which the offence was committed, whenever, owing to prejudice or any other cause, an impartial grand or petit jury cannot be impanelled in the county in which the offence was committed.

Mr. Bardsley offered the following resolution, which was referred to the Committee on Public and Municipal Debts and Sinking Funds, viz :

Resolved, That the Committee on Public and Municipal Debts and Sinking Funds be directed to report a section, to be inserted in the new Constitution, to prohibit any city, county, borough, township or any corporate bodies deriving their existence from the people, to issue warrants or any certificates of indebtedness of any character whatever for any sum beyond the amount already provided for by taxation.

Agreeably to order,

The Convention resolved itself into the committee of the whole, Mr. Walker in the chair, on the following sections, reported from the Committee on Suffrage, Election and Representation :

SECTION —. The general election shall be held on the Tuesday next following the first Monday of November; but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

SEC. —. All elections for city, ward, borough and township officers for regular terms of service, shall be held on the third Friday of March.

After some time the President resumed the chair, the chairman reported progress and asked leave for the committee of the whole sit again.

On the question,
Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again ?

Thursday, January 16, at one o'clock P. M. was named.

To-morrow at half-past twelve o'clock was named.

On the question,
Shall the committee of the whole have leave to sit again on Thursday, January 16, at one o'clock ?

It was determined in the negative.

On the question,

Shall the committee of the whole have leave to sit again to-morrow at half-past twelve o'clock P. M. ?

It was determined in the affirmative.

Mr. Newlin, from the Committee on Printing and Binding, to whom was referred the following resolution, viz :

“*Resolved*, That such printing as shall be ordered by the respective committees, in pursuance of the resolution for that purpose passed on the 8th inst., shall be printed on unsized paper, with long primer type, and not in the form used for legislative bills,”

Made a report which was read as follows, viz :

That they recommend that said resolution be adopted by the Convention.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the affirmative.

Also, from the Committee on Printing and Binding, to whom was referred the following resolution, viz :

“*Resolved*, That the Committee on Printing and Binding be instructed to make a contract with William W. Harding to supply printing paper to the Convention in accordance with his proposals therefor,”

Made a report, which was read as follows, viz :

That they have made a contract with Mr. Harding, which is herewith annexed, and recommend its ratification by the Convention, viz :

CONTRACT.

KNOW ALL MEN BY THESE PRESENTS :

That I, William W. Harding, of Philadelphia, hereby covenant and agree with the Commonwealth of Pennsylvania to supply printing paper to the Constitutional Convention, of the quality and for the price specified in my proposals therefor, now on the files of the Convention ; said paper to be of the quality, and to be furnished in the quantities, which may be ordered by the Committee on Printing and Binding of the said Convention.

Witness my hand and seal, this — day of January, A. D., 1873.

WILLIAM W. HARDING, [L. S.]

Signed and sealed in the presence of

EMERSON BENNETT, JR.

I hereby covenant and agree with the Commonwealth of Pennsylvania for myself, my heirs, executors or administrators, to be responsible for the performance of the above contract by the said William W. Harding.

Witness my hand and seal this — day of January, A. D. 1873.

CHAS. E. WARBURTON, [L. S.]

Witness present :

W. F. DAWSON.

A motion was made by Mr. Newlin,

That the Convention ratify the foregoing contract.

Which was agreed to.

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow at twelve o'clock. M.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, JANUARY 15, 1873.

Mr. Newlin, from the Committee on Printing and Binding, to whom were referred the following resolutions, viz :

Resolved, That each member of this Convention be supplied with five copies of the loose sheets of the Debates of the Convention.

Resolved, That the Committee on Printing be requested to inquire into and report to this Convention whether, in their judgment, it would not be expedient to instruct the State Printer to forward by mail one copy of the daily Journal and Debates to each newspaper published in this State during the session of the Convention, and one copy to be sent to the Governor and the Heads of the Departments of the State at Harrisburg, and one copy to each member of the Legislature."

Respectfully report the following resolutions, and recommend their adoption :

Resolved, That B. Singerly, who is doing the printing of this Convention, be instructed to forward daily, by mail, one copy of the Debates, in sheets, to each newspaper published in the State, to the Governor, to each Head of Department at Harrisburg, and to each member of the Legislature; and that he also furnish to each member of the Convention, during its session, one copy of its Journal at the opening of its next daily session after the copy shall be placed in his hand, and one copy of the Debates thereof at the opening of its next daily session after said Debates shall take place.

Resolved, That forty-five hundred copies of the Debates and fifteen hundred copies of the Journal of the Convention be printed and bound for the use of the Convention. The Debates to be in octavo form, double column, in leaded minion type, and the Journal to be in octavo form in solid brevier type.

JAMES. W. M. NEWLIN,
Chairman.

On motion of Mr. Newlin,

Said resolutions were read a second time.

On the question,

Will the Convention agree to the first resolution ?

Mr. Darlington called for a division of the question.

On the question,

Will the Convention agree to the first division, as follows, viz : ?

"That B. Singerly, who is doing the printing of this Convention, be instructed to forward daily, by mail, one copy of the Debates, in sheets, to each newspaper published in the State."

It was determined in the affirmative.

On the question,

Will the Convention agree to the remainder of the resolution ?

A further division was called for by Mr. Hay.

On the question,

Will the Convention agree to the second division, as follows, viz : ?

"To the Governor, to each Head of Department at Harrisburg, and to each member of the Legislature."

It was determined in the affirmative.

The last division of the resolution was then agreed to.

On the question,

Will the Convention agree to the second resolution ?

A motion was made by Mr. Cochran,

To amend the same, by striking out the words, "solid brevier," and inserting in lieu thereof the words, "leaded minion."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Temple,

To postpone the question, together with the further consideration of the resolution, until to-morrow.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

It was determined in the affirmative.

The resolution was then agree to.

A motion was made by Mr. Lawrence,

That the Committee on Counties, Townships and Boroughs be discharged from the further consideration of resolutions offered by Messrs. Cochran, Funck and John Price Wetherill, on the twenty-second of November, and by Mr. Lilly, on the twenty-fifth of November, and that the same be referred to the Committee on County, Township and Borough Officers.

Which was agreed to.

Mr. Alricks offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the Committee on Revenue, Taxation and Finance examine into the expediency of so amending the Constitution that one State Revisor shall be elected every three years, whose duty it shall be to examine and revise the accounts in the Auditor General's office ; and ascertain and report annually to the Legislature whether bills and claims against the Commonwealth, on file in said office, for work, labor and materials, are fair and true accounts of the services rendered, or materials furnished ; and whether all taxes on corporations have been equally and fairly adjusted according to law.

Mr. Lambertson, by request, offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of altering the Constitution in the following manner, viz :

ARTICLE —.

SECTION 1. 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, registers' 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 2. The Supreme Court shall consist of nine judges, elected by the qualified voters of the Commonwealth at large, a majority of whom, that is to say, not less than five, shall constitute a quorum. They shall hold their offices for a term of eighteen years, if they shall so long behave themselves well, subject, however, to the arrangement in regard to the selection and terms of the first board of nine judges, as hereinafter provided. The first election shall take place at the first general election of this Commonwealth, which shall be held three calendar months, or more, after the adoption of this amendment, at which time the people shall elect as many additional judges of the Supreme Court as will, with those in office three calendar months previous to said election, make nine in all.

The persons who shall then be elected shall hold their offices as follows; One of them for eighteen years; one for sixteen years; one for fourteen years; one for twelve years, and each additional one, if any more then elected, for a term of two years less than the lowest of the others, so as to leave an interval of two years successively between the expiration of the said terms. The term of each to be decided by lot by the said judges as soon after the election as convenient, and the result certified by them to the Governor, that the commissions may issue in accordance thereto.

The terms of the Supreme judges, holding by election, who are in office three calendar months before the aforesaid general election shall expire as follows: The one whose term is nearest its expiration in two years; the next in four years; the next in six years; the next in eight years, and the next in ten years from the second Monday of December after said general election. And commissions shall issue in accordance therewith, and revoking their commissions so far as they are inconsistent with those last issued. The terms of the judges of the Supreme Court, elected under this amendment, shall commence on the second Monday of December, in the year they are elected, and shall continue till the second Monday of December in the year in which the term expires. The judges elected for the term of eighteen years shall be ineligible for a second term, but having served a term of eighteen years shall thereafter be entitled to receive half pay for life. The judge whose commission will first expire shall be chief justice during his term, and thereafter each judge whose commission shall first expire shall in turn be the chief justice; and if two or more commissions expire the same day, the judges holding them shall decide by lot which shall be the chief justice. Any vacancy happening by death, resignation or otherwise, shall be filled by appointment by the Governor, to continue till the second Monday of December, which occurs more than three calendar months after the vacancy occurs. All the supreme judges shall be commissioned by the Governor for the term they are to hold office.

SECTION 3. The commissions of all associate judges, not learned in the law, shall expire on the first Monday in December after the first general election at which judges of the Supreme Court are elected under the provisions of this Constitution. The judges of the courts of common pleas, district courts and such other courts of record as are now or may hereafter be established by Legislative authority, shall be persons learned in the law, and except those learned in the law now holding said offices by election, shall be appointed by the Supreme Court and commissioned by the Governor for the term of ten years, if they shall so long believe themselves well. It shall be the duty of the Supreme Court to appoint and assign to each district as may judges of the court of common pleas as the proper and speedy administration of justice requires. And the Supreme Court may make such rules and regulations and such designation of the work and duties of the several judges of the common pleas, and other courts of record, as will facilitate the administration of justice. The Supreme Court may, for sufficient cause shown, remove any judge whom they appoint. The judges learned in the law, holding by election at the time of the adoption of this Constitution, shall continue in office until their terms respectively expire, but the Supreme Court shall have all such authority and control over them, in every respect, as they have over those appointed by them.

The Supreme Court shall make such appointments and regulations that there may be at least one competent common pleas judge, learned in the law, in each county, except where the county has so little population and territory, and is so convenient to the judge who presides as not to need a resident judge in the county. Also, that every man may have his cause tried and finally decided within a year after it is brought; if either party desires it, and the other does not object, both the law and the facts may be submitted to one or three of the said judges, and their decision made final. Or, if either party is not willing to make such decision final, then, the other party not objecting, the case may be tried before one judge, and the parties may submit points of law to be answered and made part of the record, and subject to exceptions and a writ of error. Or, if either party demand it, the case shall be tried before a judge and jury in the ordinary way, and subject to exceptions and writ of error. In civil cases, involving long or difficult accounts, the legislative authority may provide that either party may require the jury to be selected of men whose business gives them skill in accounts, and that in such case either party may challenge for cause such persons as do not come within that description, and the Legislature may, where it is deemed practicable and expedient, extend the same principle to other cases.

SECTION 4. The judges of the Supreme Court, and of the courts of common pleas and of the other courts of record shall, at stated times, receive for their services an adequate compensation, 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, or under the government of the United States, or any other State of the Union. The judges of the Supreme Court shall, during their continuance in office, reside within this Commonwealth, and the other judges, during their continuance in office, within the district or county to which they are assigned by the Supreme Court.

Mr. Brodhead offered the following resolution, which was referred to the Committee on Future Amendments, viz:

Resolved, That a due regard for the rights of the people requires that the Convention should provide that any existing Constitution may be changed, whenever the people may so desire, without the intervention of the Legislature; and that to secure such object, the Committee on Future Amendments shall provide for a vote of the people for or against a Constitutional Convention, at the general election to be held in the year 1892, and every ten years thereafter, unless a Convention shall sooner be called by the action of the Legislature or otherwise.

Mr. Broomall offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation inquire into the expediency of providing that the contract of marriage shall have no effect whatever upon the rights of property of the parties during its continuance; and that upon its termination, by the death of either husband or wife, the survivor shall take the same share and interest in the estate of the decedent.

Mr. Simpson offered the following resolution, which was referred to the Committee on Schedule, viz:

Resolved, That the following preamble to the Constitution be adopted, to wit:

PREAMBLE.

We, the people of the Commonwealth of Pennsylvania, acknowledge our dependence upon Almighty God, grateful to Him for the blessings which we have enjoyed, and invoking His aid in our efforts to form a permanent government, establish justice, insure domestic tranquility, and to secure civil, political and religious liberty to ourselves and our posterity, do ordain and establish the following

CONSTITUTION.

Mr. T. H. B. Patterson offered the following resolution, which was referred to the Committee on Schedule, viz:

Resolved, That the proper committee is requested to inquire into the propriety of adopting the following preamble to the Constitution, and to report thereon:

We, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for our freedom and prosperity, and invoking his favor and guidance, in order to secure for ourselves and our posterity the rights of life, liberty and prosperity, do ordain and establish this

CONSTITUTION.

Mr. Wright offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on the Declaration of Rights be directed to inquire into the expediency of inserting a provision in the Constitution that all places of burial, ways, parks, squares, commons and other lands, now or hereafter dedicated to the public, shall, in no case, be appropriated by individuals or corporations and applied to other uses than those originally intended.

Mr. John R. Read offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation are requested to inquire into the expediency of so amending the Constitution that the General Assembly shall not have power to ratify any amendment to the Constitution of the United States,

nor consent to any alteration therein, until the second regular session of the General Assembly, held after the submission of such amendment or alteration, by Congress, to the Legislatures of the respective States.

Mr. Mantor offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the proper committee be requested to inquire into the necessity of incorporation a section in the Constitution, as follows :

“That it shall be the duty of railroad companies, traversing any portion of the territory of this State, to provide the best means of safety for the security and protection of human life, limb and property placed in their charge.”

Mr. Struthers offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads be requested to report a section substantially as follows :

“Public railroad corporations are created to furnish cheap and ready transportation of persons and property, thereby facilitating the development of the resources and promoting the commercial, agricultural, mining and manufacturing interests of the Commonwealth. They shall use and exercise their powers and rights with equal favor to all the people of the state desiring transportation over their roads. Charges for service shall be in proportion to distances, and equal per mile, with the right only to add a reasonable additional charge for greater stoppage and delays on short hauls. And in no case shall more be charged to passengers or on freights received within that without the limits of the State.

Mr. Metzger offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on the Bill of Rights inquire into the propriety of adding to the seventeenth section of the Declaration of Rights the following clause :

“Nor shall any law be passed depriving a party of any remedy for the enforcement of a contract which existed when the contract was made.”

Mr. Elliott offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, That the appropriate committee be requested to report an amendment to the Constitution, in substance as follows :

“The property of corporation now existing or hereafter created shall be subject to taxation at the same rate and in the same manner as the property of individuals, and not otherwise: *Provided*, That the property of corporations formed for municipal, charitable, religious or educational purposes may be exempted by law.”

Mr. Campbell offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage and Election be instructed to inquire into the expediency of adopting the following proposed section, viz :

“SECTION —. Every person who shall hereafter be convicted of bribery or perjury at an election, or of wilful fraud either in giving or receiving votes, or in counting or returning the same, or of fraudulently tampering with, altering, mutilating or destroying any election returns, certificate or records, shall be disqualified from voting on any election thereafter, and from holding any office of honor or profit in this State; no idiot or insane person, or person convicted of treason or felony in this State, shall hold any office or vote at any election therein.”

Mr. Stanton offered the following preamble and resolution, viz :

WHEREAS, One of the pages of the Constitution has been directed to take charge of the coat room, and thereby the number of pages on the floor has been reduced to nine; therefore,

Resolved, That the Chief Clerk be authorized to appoint one additional page.

On the question,

Will the Convention agree to the second reading and consideration of the resolution?

It was determined in the negative.

On motion of Mr. MacVeagh,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That one hundred and fifty copies of the proposed texts of the Constitution, as reported by any of the standing committees, shall be printed in the form of legislative bills for the use of the Convention, for the purpose of consideration and amendment.

Mr. MacVeagh, from the Committee on Legislature, reported the following article, viz:

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

Second. An election for members of the General Assembly shall be held on the first day fixed for the general election succeeding the adoption of this Constitution, and every two years thereafter. Their term of office shall begin on the first day of January succeeding their election. When vacancies occur in either house, the Governor shall issue writs of election to fill such vacancies for the balance of the term in which such vacancy occurred.

Third. Senators shall be elected for the term of four years: *Provided*, That those who shall be elected at the first election after the adoption of this Constitution shall be divided by lot into two classes. The seats of the Senators of the first-class shall be vacated at the expiration of two years, and of the second-class at the expiration of four years.

Fourth. Representatives shall be elected for the term of two years.

Fifth. The General Assembly shall meet at 12 o'clock noon, on the first Tuesday of January succeeding the adoption of this Constitution, and every two years thereafter, unless sooner convened by the Governor in special session.

Sixth. No person shall be a Senator who shall not have attained the age of twenty-five years, and has 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 shall hold said office after he shall have removed from said district.

Seventh. 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 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 shall hold said office after he shall have removed from said district.

Eighth. 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.

Ninth. No person who has been or hereafter shall be convicted of bribery, perjury, or other infamous crime, or who has been or may be a collector or holder of such moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly or to any office of trust or profit in this State.

Tenth. Every member of the General Assembly, before he enters upon his official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Pennsylvania, and will faithfully discharge the duties of Senator, (or Representative,) according to the best of my ability; and I do solemnly swear (or affirm) that I have not paid or contributed anything, or made any promise in the nature of a bribe, to corrupt or influence, directly or indirectly, any vote at the election at which I was chosen to fill the said office; and I do further solemnly swear (or affirm) that I have not accepted or received, and that I will not accept or receive, directly or indirectly, any money or other valu-

able thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

Eleventh. The foregoing oath shall be administered by one of the judges of the Supreme Court, in the hall of the house to which the member is elected, and the Secretary of State shall read and file the oath subscribed by such member. Any member who shall refuse to take said oath shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or having violated his said oath, shall forfeit his office, and be disqualified thereafter from holding any office of profit or trust in this State.

Twelfth. Each member of the General Assembly shall receive for such period of two years, the sum of twelve hundred dollars and mileage at the rate of ten cents for every mile traveled in going from their place of residence to their place of meeting and returning therefrom. And no other allowance or perquisite whatever, either for expenses or services, whether as member of any committee, or other duty as member of said General Assembly: *Provided*, That if the Governor shall convene the General Assembly in special sessions, each member shall receive ten dollars for each day of said session, with the same mileage as is hereinbefore provided for the regular session.

Thirteenth. Every person who shall be elected or appointed to any office by the Legislature, shall discharge the duties of such office in person, and not by proxy.

Fourteenth. The Lieutenant Governor shall preside over the Senate, and in case of a vacancy in the office of Lieutenant Governor, the Senate shall elect one of its members as Speaker. The House of Representatives shall elect one of its members as Speaker. Each house shall choose its other officers, and shall judge of the election and qualifications of its members.

Fifteenth. A majority of each house shall constitute a quorum, 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 prescribed.

Sixteenth. 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 the Legislature of a free State.

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

Eighteenth. 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.

Nineteenth. The members of the General Assembly shall, in all cases, except treason, felony, violation of the oath hereinbefore prescribed, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same. And for any speech or debate in either house, they shall not be questioned in any other place.

Twentieth. The General Assembly shall apportion the State every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the State, as ascertained by the last preceding federal census, by the number thirty-three, and the quotient shall be the ratio of representation in the Senate. Counties containing a population of four-fifths of said ratio shall be separate Senatorial districts, and elect each one Senator. Counties containing not less than the ratio, and three-fourths thereof, shall each elect two Senators, and one additional Senator for each number of inhabitants equal to the ratio contained by said counties, in excess of twice the number of said ratio. All Senatorial districts shall be formed of contiguous and compact territory, each, as nearly as possible, an equal number of inhabitants: *Provided*, That no city or county shall elect more than four Senators.

Twenty-first. The General Assembly shall apportion the State every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the State, as ascertained by the last preceding federal census, by the number one hundred, and the quotient shall be the ratio of representation in the House of Representatives. Every county shall be entitled to one Representative, unless its population is three-fifths of the ratio. Every county having a population not less than the ratio and three-fifths, shall be entitled to two Representatives, and for each additional number of inhabitants equal to the ratio, one Representative. Counties containing less than three-fifths of the ratio shall be formed

into single districts of compact and contiguous territory, bounded by county lines, and contain, as nearly as possible, an equal number of inhabitants.

Said article was read the first time.

Agreeably to order,

The Convention again resolved itself into committee of the whole upon the following sections, viz:

SECTION —. The general election shall be held on the Tuesday next following the first Monday of November; but the Legislature may, by law, fix a different day, two-thirds of each house consenting thereto.

SECTION —. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Friday of March.

After some time the President resumed the chair, and the chairman reported the sections with amendments.

On the question,

Will the Convention agree to the amendment made in the committee of the whole, as follows, viz: Striking out the word "March," in the last section, and inserting in lieu thereof the word "February?"

The yeas and nays were required by Mr. Darlington and Mr. Addicks, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, (Perry,) Bannan, Barclay, Beebe, Black, Chas. A., Brodhead, Brown, Campbell, Carter, Cassidy, Church, Clark, Cochran, Corbett, Corson, Craig, Curry, Curtin, Dallas, Davis, De France, Dimmick, Dodd, Elliott, Ellis, Ewing, Fulton, Gibson, Gilpin, Guthrie, Hay, Hemphill, Hopkins, Horton, Howard, Hunsicker, Kaine, Lambertson, Landis, Lawrence, Lear, Lilly, Long, M'Allister, M'Camant, M'Clean, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Metzger, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, S. H., Rooke, Runk, Smith, W. H., Temple, Turrell, Walker, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Worrell and Wright—84.

NAYS.

Messrs. Addicks, Ainey, Baker, Bartholomew, Bowman, Boyd, Broomall, Buckalew, Carey, Collins, Cronmiller, Darlington, Dunning, Edwards, Hanna, Hazzard, Knight, Littleton, Newlin, Patterson, D. W., Porter, Reynolds, James L., Ross, Simpson, Smith, Henry W., Stanton, Struthers, Van Reed, Wetherill, Jno. Price, and Meredith, *President*—30.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Baily, (Huntingdon,) Bardsley, Biddle, Black, J. S., Cuyler, Fell, Finney, Funck, Gowen, Hall, Harvey, Heverin, Reed, Andrew, Russell, Sharpe, Smith, H. G., Stewart, White, Harry and Woodward.

A motion was made by Mr. Cochran,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JANUARY 16, 1873.

Mr. Mann presented the petition of citizens of Saltsburg, Indiana county, praying for an amendment to the Constitution which will prevent the sale of all alcoholic drinks as a beverage.

Which was laid on the table.

Mr. Littleton presented a communication from the directors of the Union League of Philadelphia, which was read as follows, viz:

UNION LEAGUE HOUSE,
PHILADELPHIA, January 15, 1872. }

To the President of the Constitutional Convention of the State of Pennsylvania:

DEAR SIR:—I am instructed by the board of directors of the Union League to extend to the members of the Constitutional Convention the courtesies of the League House, during the session of the Convention in this city.

Very respectfully,

STEPHEN A. CALDWELL,
Secretary.

HON. WILLIAM M. MEREDITH, *President.*

On motion of Mr. Littleton,

The invitation was accepted, with the thanks of the Convention.

Mr. Addicks asked and obtained leave of absence for Messrs. Curtin and Brodhead for the remainder of this week.

Mr. Lawrence asked and obtained leave of absence for Mr. J. N. Purviance for a few days from to-day.

Mr. Clark asked and obtained leave of absence for Mr. Porter for a few days from to-day.

Mr. Woodward offered the following resolution which was twice read, considered and agreed to, viz:

Resolved, That the Auditor General be requested to respond, without more delay, to the resolution of inquiry adopted on the 27th of November last, in respect to the private corporations doing business in Pennsylvania.

A motion was made by Mr. Woodward,

That the Committee on Private Corporations, &c., be discharged from the further consideration of resolution offered by Mr. John R. Read on the 10th day of January, and that the same be referred to the Committee on Counties, Townships and Boroughs.

Which was agreed to.

Mr. Lilly offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Printing, &c., be instructed to arrange to have reports of committees on Constitutional provision, placed upon the desks of the members the next morning after the reports are made to Convention.

A motion was made by T. H. B. Patterson,

That the Committee on Schedule be discharged from the further consideration of a resolution offered by him, and referred to them on yesterday, and that the same be referred to the Committee on Declaration of Rights.

Which was agreed to.

Mr. Newlin offered the following resolution, which was referred to the Committee on Impeachment and Removal from Office, viz:

Upon information by the Attorney General, or upon complaint by any citizen on oath, to the Supreme Court, of malfeasance in office by any city or county offi-

cer, said court shall proceed without delay to hear and determine the same, and if a majority of the judges shall be of the opinion that the discharge is sustained they shall forthwith remove said officer. The several courts of common pleas shall have like jurisdiction in the case of all townships, borough and ward officers. The vacancies thereby created shall be filled in the manner provided by law in the cases of vacancies occurring by death or resignation.

Mr. Ross offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals be requested to inquire into the expediency of amending the Constitution that the same shall provide in substance as follows :

“ That the Legislature shall pass no act limiting the owner of land appropriated by a corporation under a Legislative grant by the right of eminent domain, to the direct damages accruing from such appropriation ; but all the damages, whether direct or consequential, shall be assessed against and paid by the appropriating corporation.”

Also, the following resolution, which was referred to the same committee, viz :

Resolved, That the Committee on Railroads and Canals be directed to inquire into the expediency of so amending the Constitution, that the original allowance of six per cent. to the patentees of land, under the propriety grant, shall not be deemed or taken as a payment of the damages of any land holder for land appropriated for further public use.

Mr. Baer offered the following resolution, which was referred to the Committee on Offices, Oath of Office and Incompatibility of Office, viz :

Resolved, That the Committee on Offices, &c., be requested to inquire into the expediency of incorporating into the Constitution, the following provision :

“ That no person shall be eligible to hold more than one lucrative office at the same time, nor to hold any lucrative office in this State while holding a lucrative office under the United States.”

Mr. Curry offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Legislature shall provide by law, that all stationery required for the use of the State, and all printing authorized and required by them to be done for their use or for the State, shall be let by contract to the lowest bidder ; no member of the Legislature, or other State officer, shall be interested either directly or indirectly in any such contract.

Mr. Wherry offered the following resolution, which was referred to the Committee on Legislature, viz :

Resolved, That the Committee on Legislature be directed to inquire into the expediency of amending section twenty-two, article one, so as to read :

“ When vacancies happen in either house, the Governor, on certificate of such vacancies prescribed by law, shall issue writs of election to fill such vacancies.”

Mr. Bartholomew offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee upon the Judiciary be requested to inquire into the expediency of reporting a section to article fifth of the Constitution in substance as follows :

“ The Supreme Court shall consist of fifteen judges, to be elected by the qualified electors of the Commonwealth in the following manner, viz :

“ The State shall be divided into seven judicial districts, to embrace as nearly as may be an equal number of inhabitants. Each district shall elect two judges to hold office for fifteen years, except the district composed of the city of Philadelphia, in which there shall be three judges elected ; that each elector shall be entitled to vote for one judge ; that eight judges shall constitute a quorum ; that there shall be held at Pottsville, Wilkesbarre, Erie, Williamsport, Pittsburg and Philadelphia, *nisi prius* courts, to be presided over by a judge of the Supreme Court, to be for that purpose assigned from time to time, by the Chief Justice of the Supreme Court ; that the terms of said *nisi prius* courts shall be fixed by the

Legislature, and said courts shall have jurisdiction in the district where the same shall be holden of all matters involving the title to lands, and of all contracts and trespasses where five hundred dollars and upwards are in controversy. That this section of the Constitution shall go into force and effect at the next general election for State Officers after the adoption of this Constitution, or amendments proposed by this Convention."

Mr. Barclay offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

WHEREAS, It is believed that fraud upon the ballot-box might be prevented by dividing the State into small election districts, provided proper persons could be induced to act as officer at such elections:

And whereas, It is believed that the services of such proper persons could be secured freely, voluntarily, and without compensation, by proffering a proper inducement for such services, besides saving to the cities or counties in which such elections are held, the great expenses to which they otherwise would be subject; therefore,

Resolved, That the Committee on Elections be requested to inquire into the expediency of so amending the Constitution, that it shall provide that every person who shall be elected or appointed to serve as such officer, at such election, and who shall so serve, freely, and without compensation, shall be exempted from serving as a juror during the year following the year of such service.

Mr. MacConnell offered the following resolution, which was referred to the Committee on State Institutions and Buildings, viz:

The Committee on State Institutions and Buildings is requested to inquire into the propriety of putting a provision in the Constitution, substantially as follows:

"SECTION —. There shall be a board of inspectors of penitentiaries, jails, houses of refuge, houses of correction, and other prisons in the State, and all public insane asylums, and all other public hospitals, asylums or infirmaries whatsoever, in the State, which board shall consist of three persons who shall be elected by the legal voters of the State. At the first general election after the adoption of this amendment, three inspectors shall be elected, one for one year, one for two years, and one for three years. Except as aforesaid the term of office of said inspectors shall be three years, and it shall begin on the first Monday of January next after their election. In case of vacancy happening in said board, it shall be filled by appointment by said board, until a person to fill it is elected, which shall be done at the next general election. The person so elected shall enter on the duties of his office on the first Monday of January next after his election, and shall hold the office only for the remainder of the term of the person whose death, resignation or removal occasioned the vacancy.

"SECTION —. The said inspectors shall visit all said institutions at least once every year, appoint all the keepers and other officers thereof, and inspect and report upon their condition, and that of their inmates; also, on their character, managements and buildings; also, what changes or improvements should be made therein, and on such other matters as the Legislature may direct, or they, themselves, may deem proper; which report shall be presented to the Legislature on, or as soon as possible after, its assembling at each regular session.

"SECTION —. The Legislature shall fix the salaries of said inspectors, which, with all proper expenses of said board, shall be paid by the State.

"SECTION —. The persons composing said board, together with the Governor, Secretary of State and Attorney General, shall compose a council of pardon, with power to grant pardons and reprieves, to modify sentences in all criminal cases, and to change any sentence of death to imprisonment for life or for a term of years.

"A majority of said board shall be a quorum for doing business, but no pardon, or modification, or change of sentence, unless at least four of said members concur therein. In every capital case wherein application is made for a pardon, or change or modification of sentence, the said board, or if it is not in session, its president or secretary, shall order the sentence not to be executed until the application shall be heard and determined by said council: *Provided*, That no pardon shall be granted before sentence: *And provided further*, That no pardon, reprieve or change, or modification of sentence, shall be granted except by said council, and in the manner aforesaid."

Mr. Turrell offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Accounts be requested to report a resolution directing warrants to be drawn for such proportion of the pay of the clerks and other officers of this Convention as they may deem proper.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Cochran,

To postpone the further consideration of the same for the present.

Which was not agreed to.

The resolution was then agreed to.

Mr. Stanton offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That Rev. James W. Curry, delegate to this Convention from Blair county, be requested hereafter to open the proceedings of this body with prayer.

Mr. S. H. Reynolds offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the judges of the several courts of this Commonwealth shall hold their offices for the term of twenty-five (25) years, and thereafter be ineligible: *Provided*, That all judges shall be retired at seventy-five (75) years of age; and that after their term of office has expired, or been terminated by retirement, they receive a pension equal to two-thirds of their annual salary. But no pension shall be paid to any judge unless he shall have served for at least fifteen consecutive years.

Mr. Dallas presented a minority report from the Committee on Legislature, which was read, as follows, viz :

To the Constitutional Convention :

The undersigned, a minority of the Committee on Legislature, are unable to concur in so much of the report of that committee as proposes the following, viz : "*Provided*, That no city or county shall elect more than four Senators." The undersigned therefore respectfully submit that, in their opinion, the proviso above quoted should be stricken from the twentieth section as reported by the majority of the committee.

JOHN P. WETHERILL,
GEORGE M. DALLAS.

Which was laid on the table.

A motion was made by Mr. Dallas,

That the same be printed with the majority report for the use of the Convention.

Which was agreed to.

Agreeably to order,

The Convention proceeded to the second reading and consideration of the following sections, viz :

SECTION —: The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each house consenting thereto.

SECTION —. All elections for city, ward, borough and township officers for regular terms of service, shall be held on the third Friday of February.

The first section being under consideration,

A motion was made by Mr. Purman.

To strike out the same, and insert in lieu thereof the following, viz :

"The general election shall be held, annually, on the second Tuesday of October, except in the years of regular Presidential and Congressional elections, when it shall be held on the Tuesday next after the first Monday in November, but the

Legislature may, by law, fix a different day for years in which said federal elections shall occur, two-thirds of each house assenting thereto."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Broomall and Mr. Hopkins,

That the Convention reconsider the vote just taken.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Darlington,

To amend the same, by striking out the following words, viz: "Tuesday next following the first Monday of November," and inserting in lieu thereof the following, viz: "Second Tuesday of October."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Kaine and Mr. Darlington, and were as follow, viz:

YEAS.

Messrs. Addicks, Darlington, Kaine, MacVeagh, Patterson, D. W., Purman, Runk, Wetherill, John Price, and Meredith, *President*—9.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Baily, (Perry,) Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, Chas. A., Black, J. S., Bowman, Boyd, Broomall, Buckalew, Campbell, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Funk, Gibson, Gilpin, Guthrie, Hanna, Hay, Hazzard, Hemphill, Hopkins, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, Long, M'Allister, M'Camant, M'Clean, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Booke, Ross, Russell, Simpson, Smith, Henry W., Smith, W. H., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, White, J. W. F., Woodward, Worrell and Wright—102.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Armstrong, Bailey, (Huntingdon,) Biddle, Brodhead, Brown, Carey, Curtin, Dimmick, Finney, Hall, Harvey, Heverin, Newlin, Porter, Purviance, John N., Sharpe, Smith, H. G., Stewart, White, David N. and White, Harry.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Struthers,

To amend the same, by striking out the word "general," and inserting after the word "election" the following, viz: "For Governor and other State officers and members of the General Assembly."

Which was not agreed to.

The section was then agreed to.

The second section being under consideration,

A motion was made by Mr. Stanton,

To amend the same, by striking out the word "Friday," and inserting in lieu thereof the word "Tuesday."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. John Price Wetherill,

To further amend the same, by adding the following proviso, viz :

"That this provision shall not apply to cities of one hundred thousand inhabitants or over."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Simpson,

To further amend the same, by adding the following proviso, viz :

"*Provided*, That cities may, when authorized by law, change the time for holding the election for municipal officers, by a vote of the people, at the next general election."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Hay,

To postpone the question, together with the further consideration of the section, for the present.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Newlin,

That the Convention do now adjourn.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Broomall,

To further amend the same, by adding the following proviso, viz :

Provided, That the Legislature may, by law, fix any other day for any county or city, the same being uniform throughout such county or city.

On the question,

Will the Convention agree so to amend ?

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

FRIDAY, JANUARY 17, 1873.

The President laid before the Convention a communication from the East Pennsylvania Eldership of the Church of God, which was read as follows, viz :

To the Hon. W. M. MEREDITH,

Chairman of the Constitutional Convention :

DEAR SIR :—The following preamble and resolution were adopted and ordered to be placed in your hands by the East Pennsylvania Eldership of the Churches of God, at its late meeting, held at Mechanicsburg, Cumberland county, Pa., November 6, 1872 :

WHEREAS, There seems to be some doubt with regard to the final decision of the judiciary of Pennsylvania with reference to the power of the Legislature to pass a law affecting the sale of liquor, and submit the same for approval to the vote of the people affected by it ; therefore,

Resolved, That the Constitutional Convention of Pennsylvania, which is about assembling, be and the same is hereby petitioned by the East Pennsylvania Eldership, representing the Church of God in Eastern Pennsylvania, to insert an article in the new Constitution giving this right, in all its fulness, to the Legislature.

D. A. L. LAVERTY,
Speaker.

GEORGE SIGLER,
Stated Clerk.

MIDDLETOWN, PA., December 10, 1872.

Which was laid on the table.

The President also laid before the Convention a memorial from the Philadelphia society for alleviating the miseries of public prisons, which was read as follows, viz :

PHILADELPHIA, December 19, 1872.

To the Convention elected to propose amendments to the Constitution of Pennsylvania :

The memorial of the Philadelphia society for alleviating the miseries of public prison, respectfully sheweth :

That the attention of the society has been called to the subject of the pardoning power, as exercised in Pennsylvania, and that the conclusion to which the society has arrived is that, being vested in the Executive alone, it is vested in the worst possible manner, the responsibility thrown upon the Executive being burdensome to him, and frequently exposing him to unjust suspicions, and that secrecy of the motives for granting pardons is bad for the community, and injurious to the public morals.

That having reached this point, the society undertook to ascertain upon what systems the pardoning power was exercised in several of our sister States, and that having received this information, they prefer the system practiced in New Jersey, to those in use in the other States from which they have heard. The State vests the pardoning power in a board composed of the Governor, the Chancellor, and the judges of the Supreme Court, a board which effects no secrecy as to its transactions, but keeps minutes of its proceedings.

The society would, therefore, recommend to the Convention to follow this pattern as closely as may be, by constituting the Governor of the State and the Judges of the Supreme Court, a board, to whom, and to whom alone, the pardoning power shall be entrusted.

By order of the society.

JAMES J. BARCLAY,
President.

Attest :
JOHN J. LYTLE, *Secretary.*

Which was laid on the table.

The President also laid before the Convention a communication from J. Fisher Leaming, which was read as follows, viz:

NO. 123 CHESTNUT STREET,
January 16, 1873. }

To the President and Members of the Constitutional Convention of Pennsylvania:

GENTLEMAN:—I ask your attention, if within your province, to have a law passed prohibiting the publication of the *private* bequests and private terms of any one's will, except by parties interested in the will.

In this day's Philadelphia *Inquirer* the private bequests in the wills of the late John A. Brown and Washington Butcher are published. It is a great invasion of private rights.

With much respect, yours,

J. FISHER LEAMING.

Which was laid on the table.

The President also laid before the Convention a communication from the "board of directors of the Pennsylvania Institution for the Deaf and Dumb," which was read as follows, viz:

PHILADELPHIA, January 16, 1873.

HON. WILLIAM M. MEREDITH,

President of the Convention, &c., &c.:

SIR:—I am instructed by the board of directors of the Pennsylvania Institution for the Deaf and Dumb, to invite the members of the Convention to visit, during their sojourn in the city, the institution, at such time as may be convenient to them. On the afternoon of Thursday, at half-past three o'clock, there is an examination of some of the pupils.

Very respectfully yours,

JAMES J. BARCLAY.

Secretary of Pennsylvania Institution for the Deaf and Dumb.

On motion of Mr. Lamberton,

The invitation was accepted, with the thanks of the Convention.

The President also laid before the Convention a communication from the "board of managers of the House of Refuge," which was read as follows, viz:

PHILADELPHIA, January 16, 1873.

HON. WILLIAM M. MEREDITH,

President of the Convention, &c., &c.:

SIR:—I am charged by the board of managers of the House of Refuge to state to the members of the Convention that if, during their sojourn in the city, they would visit the house, the managers will be much gratified.

The house will be open to the members at any time it may suit them to call. I may add that, from ten o'clock, A. M., until two o'clock, P. M., the visitors have a better opportunity of seeing the institution.

Be pleased to communicate this invitation to the members of the Convention.

Very respectfully yours,

JAMES J. BARCLAY,

President of the House of Refuge.

On motion of Mr. Darlington,

The invitation was accepted, with the thanks of the Convention.

Mr. Landis presented a petition from citizens of Blair county, praying for the insertion in the Constitution of a clause prohibiting the manufacture and sale of intoxicating liquors.

Which was laid on the table.

Mr. J. Price Wetherill presented a memorial from the Commercial Exchange, of Philadelphia, which was read as follows, viz:

COMMERCIAL EXCHANGE ASSOCIATION. }
PHILADELPHIA, January 16, 1873. }

To the President and Members of the Constitutional Convention of Pennsylvania:

GENTLEMEN:—The Commercial Exchange, of Philadelphia, having within its membership representatives from every trade in the city, respectfully ask you to

amend the Constitution of the State, by engrafting upon it the accompanying section. The great States of New York, Ohio, Illinois, Indiana and several others, have abolished all State inspectors. The different trade associations in the above States now meet, yearly, and appoint their own officers for measuring, gauging and inspecting, and the change has been of great benefit to the mercantile community, as well as to the consumer.

Respectfully,

Your obedient servant,

WM. PRICE,
President.

GEO. G. PIERCE,
Secretary.

Which was laid on the table.

Mr. Darlington presented the petition of one hundred and ninety-two citizens of Chester county, asking that the Constitution be so amended as to secure to women the exercise of the right of suffrage.

On motion of Mr. Darlington,

Said petition was referred to the Committee on Suffrage, Elections and Representation.

Mr. John Price Wetherill presented five petitions from citizens of Pennsylvania, asking that the Constitution be so amended, so as to secure to woman the right of suffrage.

On motion of Mr. J. P. Wetherill,

Said petitions were referred to the Committee on Suffrage, Elections and Representation.

Mr. Lawrence asked and obtained leave of absence for Mr. Struthers for a few days from to-day.

Mr. Hopkins asked and obtained leave of absence for Mr. Kaine for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for a few days from to-day.

Mr. Mac Connell asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-day.

Mr. Hopkins offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on Declaration of rights be directed to inquire into the expediency of so amending the fifth section of the ninth article of the Constitution, as to read:

“That elections shall be free and equal, and electors shall not be controlled or intimidated on election day, by the presence of the military, either State or National.”

Mr. Wherry offered the following resolution, which was referred to the Committee on suffrage, Elections and Representation, viz:

Resolved, That the Committee on Suffrage, Election and Representation be requested to consider whether it consists with the true theory of representative democracy, that the vote of one elector may count in the election of more than one delegate to the same assembly.

Mr. Stanton offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be requested to take into consideration the propriety of making some Constitutional provision, whereby the existing series of obligations, known as irredeemable ground rents, may be extinguished; and by which the future creation of any such unlimited changes upon real estate may be prevented.

Mr. Corson offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on Declaration of Rights be instructed to inquire into the propriety of so amending article nine, section seven, so that at the end thereof it shall continue as follows: "And no conviction shall be allowed, except upon positive proof of personal malice on the part of the publisher of the alleged libel."

And amend section nine by striking out the word, "vicinage," and inserting the words, "county or city," in lieu thereof.

And section fourteen, by adding to the end thereof these words: "and of which necessity due proclamation shall be made by the Governor."

Mr. Brodhead offered the following resolution, which was referred to the Committee on Private Corporations, viz :

Resolved, That there shall be no prohibition against corporations not incorporated under the laws of the State, acquiring and holding real estate within this Commonwealth.

Mr. Newlin offered the following resolution, which was referred to the Committee on Judiciary, viz :

The Governor, by and with the advice and consent of the Senate, shall appoint, for a period of ten years, such number of persons learned in the law, as the Legislature may direct, to be judges of the court of probate, for the city and county of Philadelphia. They shall have all the power now pertaining to the orphans' court and registers' court, and such other powers as may be conferred upon them by law. Said court shall refer all matters pending therein, in the first instance, amongst the judges thereof, in such manner as they may determine, and the action of any judge shall be subject to review by the said court sitting *in banc*, but no reference shall be made to any master, auditor or examiner. The Legislature shall provide by general law for appeals from said court to the Supreme Court. The judges of said court of probate shall appoint for three years, and may at pleasure remove such clerks and other officers as may be allowed, and whose salaries shall be fixed by law, and they shall receive no fees whatever. The judges of said court shall be paid the same salaries as the judges of the court of common pleas of the city and county of Philadelphia, and the same shall not be diminished during their term of office. The judges first appointed shall draw lots for their term of service in such manner that the commission of one shall expire at the end of every second year; the one having the shortest term shall be president judge.

Mr. Baer offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be requested to inquire into the expediency of so amending the Constitution, and in substance, provide that all elections shall be by ballot, except those by persons in their representative capacities who shall vote *viva voce*. Each ballot shall have written or printed upon it the name of the office to be filled, and the name or names of the candidate or candidates for such office for whom the elector wishes to vote, and nothing else. But no ballot shall have upon it the name of more than one office, nor the names of candidates for more than one office.

Mr. Dunning offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Constitution be so amended, that any county having a population of not less than one hundred thousand, and a territory of not less than six hundred square miles, may be divided into two judicial districts, each containing not less than forty thousand population, or territory less than two hundred square miles.

The Legislature may, by commissioners or otherwise, establish the location of the court house and other offices required by such division, provide for the election of a recorder of deeds and mortgages, and register of wills for such additional district, whose offices shall be located where the courts are held.

On motion of Mr. Mac Veagh,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That one hundred additional copies of the report of the Committee on the Legislature be printed with the minority reports from said committee.

On motion of Mr. Hay,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the Chief Clerk be directed to furnish to the Chicago public library, one copy daily of the Debates and proceedings of the Convention.

Mr. Hay offered the following resolution, which was trice read, viz :

Resolved, That the Chief Clerk be directed to furnish to the Mercantile library and Mechanics' institute of Pittsburg, and the Mercantile library of Philadelphia, one copy daily of the Debates and proceedings of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

That the resolution be referred to the Committee on Printing.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. John R. Reed,

To amend the same, by adding the " Franklin library company of Philadelphia, and the Law association of Philadelphia."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hopkins,

To amend the amendment by adding the " Washington County library."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Reed ?

A motion was made by Mr. M'Allister,

To amend the same, by adding the " Agricultural College of Pennsylvania."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Reed ?

A motion was made by Mr. Hemphill,

To postpone the question, together with the further consideration of the resolution, indefinitely.

Which was agreed to.

Mr. Dallas offered the following resolution, which was twice read, viz :

Resolved, That the Printing Committee be requested to inquire into and report what public libraries and institutions, if any, in the State, should be given copies of the Debates.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

Mr. Collins offered the following resolution, viz :

Resolved, That the hour of meeting after Monday next shall be ten o'clock A. M., until otherwise ordered.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Stanton offered the following resolution, viz :

Resolved, That when this Convention adjourn, it be till Wednesday 12 M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Gilpin offered the following resolution, viz :

Resolved, That the number of copies of the Debates of the Convention to be furnished to each member of the Convention be increased to three.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. MacVeagh offered the following resolution, which was twice read, viz :

Resolved, That the Chief Clerk be instructed to address a letter to the prothonotary of each city and county in the State, requesting them to furnish to the Convention the number of civil causes at issue on their respective dockets, and a copy of the last trial list in their respective courts, showing the date when said trial list was called, the date of the issuing of the original writ in each case therein, and the number of cases actually tried—and that the clerk report the replies to the Convention, arranging the counties in alphabetical order, and that a like return be requested from the prothonotary of each district of the Supreme Court and of each district court in this State.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Worrell,

To amend the same, by adding to the end thereof as follows, viz: " And that the clerks of the court of quarter sessions shall certify the number of returns to each term made within the last two years, and the disposition made of each return made by the grand jury and the court."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Darlington,

That the resolution, together with the amendment, be referred to the Committee on the Judiciary.

Which was agreed to.

Mr. Lamberton offered the following resolution, viz :

Resolved, That when this Convention adjourns, it be to meet on Monday at noon.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Darlington and Mr. Mann, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Biddle, Boyd, Brodhead, Broomall, Buckalew, Campbell, Clark, Cochran,

Corson, Curry, Curtin, Dallas, Davis, Ellis, Fell, Funck, Gibson, Hanna, Harvey, Hemphill, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Lilly, Long, M'Allister, MacVeagh, Metzgar, Palmer, H. W., Parsons, Patton, Pughe, Reynolds, S. H., Rooke, Ross, Runk, Russell, Simpson, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., Wherry, Woodward and Worrell—55.

N A Y S .

Messrs. Addicks, Alricks, Andrews, Bear, Baily, of Perry, Beebe, Black, Chas. A., Bowman, Brown, Carey, Carter, Church, Collins, Corbett, Craig, Cuyler, Darlington, De France, Dimmick, Dodd, Dunning, Ewing, Gilpin, Guthrie, Hay, Hazzard, Howard, Knight, Lawrence, Littleton, M'Clean, MacConnell, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, James L., Smith, W. H., Temple, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—57.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Bailey, of Huntingdon, Bannan, Black, J. S., Cassidy, Cronmiller, Edwards, Elliott, Finney, Fulton, Gowen, Hall, Heverin, Lear, M'Camant, Porter, Purviance, John N., Sharpe, Stewart and Struthers.

Mr. Mann offered the following resolution, viz:

Resolved, That after Monday next, until otherwise ordered, the hour of adjournment shall be half past two o'clock P. M.

On the question,

Will the Convention agreee to the second reading and consideration of the resolution?

It was determined in the negative

Mr. Metzger offered the following resolution, viz :

Resolved, That when this Convention adjourns to-day, it adjourn to meet on Monday next, at 11 o'clock A. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Lilly and Mr. Mann, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Broomall, Buckalew, Campbell, Carey, Clark, Corson, Curry, Curtin, Davis, Elliott, Ellis, Funck, Gibson, Guthrie, Hanna, Harvey, Hazzard, Hopkins, Hunsicker, Lamberton, Landis, Lilly, Long, M'Camant, MacVeagh, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patton, Purviance, Samuel A., Ross, Runk, Simpson, Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry and Woodward—51.

N A Y S .

Messrs. Addicks, Alricks, Andrews, Armstrong, Baer, Baily, (Perry,) Beebe, Black, Chas. A., Bowman, Boyd, Brodhead, Brown, Carter, Church, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Darlington, De France, Dimmick, Dodd, Dunning, Ewing, Fell, Gilpin, Hay, Hemphill, Horton, Kaine, Knight, Lawrence, M'Allister, M'Clean, MacConnell, M'Murray, Mann, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Russell, Smith, W. H., Turrell, Walker, Wetherill, Jno. Price, White, David N., White, J. W. F., Worrell Wright and Meredith, *President*—61.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Baily, (Huntingdon,) Black, J. S., Cassidy, Cronmiller, Edwards, Finney, Fulton, Gowen, Heverin, Howard, Lear, Littleton, Palmer, G. W., Porter, Purviance, John N., Sharpe, Smith, H. G., Stewart and Struthers.

Mr. Hunsicker offered the following resolution, viz :

Resolved, That when this Convention adjourns to-day, it adjourn to meet on Wednesday next, at 11 o'clock A. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Ewing and Mr. Hanna and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, Charles A., Boyd, Brodhead, Buckalew, Clark, Cochran, Corson, Curry, Curtin, Cuyler, Davis, De France, Dimmick, Ellis, Funck, Gibson, Hanna, Harvey, Hunsicker, Kaine, Lambertson, Lilly, Long, M'Camant, M'Clean, MacVeagh, Metzgar, Mott, Palmer, G. W., Palmer, H. W., Parsons, Reynolds, James L., Reynolds, S. H., Ross, Runk, Simpson, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., White, David N., White, Harry, Woodward and Worrell—54.

N A Y S .

Messrs. Achenbach, Andrews, Baily, (Perry,) Beebe, Biddle, Bowman, Brown, Campbell, Carey, Carter, Church, Collins, Corbett, Craig, Dallas, Darlington, Dodd, Elliott, Ewing, Fell, Gilpin, Guthrie, Hay, Hazzard, Hopkins, Horton, Howard, Knight, Landis, Lawrence, M'Allister, MacConnell, M'Murray, Mann, Mantor, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Smith, W. H., Temple, Turrell, Walker, Wetherill, Jno. Price, Wherry, White, J. W. F., Wright and Meredith, *President*—54.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Bailey, (Huntingdon,) Black, J. S., Broomall, Cassidy, Cronmiller, Dunning, Edwards, Finney, Fulton, Gowen, Hall, Hemphill, Heverin, Lear, Littleton, M'Culloch, Newlin, Porter, Pughe, Purviance, John N., Russell, Sharpe, Stewart and Struthers.

Mr. Ellis offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourns to-day, it will adjourn to meet on Monday next, at 1 o'clock P. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Armstrong,

To amend the same, by striking out the words, "Monday next at 1 o'clock P. M.," and inserting in lieu thereof the words, "Wednesday next at 12 o'clock M."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Harry White and Mr. Carter, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Campbell, Carey, Cassidy, Clark, Corson, Curry, Curtin, Cuyler, Davis, Dimmick, Ellis, Fell, Funck, Gilpin, Hanna, Harvey, Hemphill, Hunsicker, Kaine, Knight, Lambertson, Lilly, Long, M'Camant, M'Clean, M'Murray,

MacVeagh, Metzger, Minor, Mott, Parsons, Pughe, Read, John R., Reynolds, James L., Reynolds, S. H., Ross, Russell, Simpson, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., White, David N., White, Harry, and Woodward—64.

N A Y S.

Messrs. Achenbach, Andrews, Baily, (Perry,) Beebe, Bowman, Carter, Church, Cochran, Collins, Corbett, Craig, Dallas Darlington, De France, Dodd, Dunning, Elliott, Ewing, Guthrie, Hay, Hazzard, Hopkins, Horton, Howard, Landis, Lawrence, Littleton, M'Alister, MacConnell, Mann, Mantor, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A. Reed, Andrew, Rooke, Smith, W. H., Temple, Turrell, Walker, Wetherill, John Price, Wherry, White, J. W. F., Wright and Meredith, *President*—49.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Bailey, (Huntingdon,) Bowman, Cronmiller, Edwards, Finney, Fulton, Gowen, Hall, Heverin, Lear, Palmer, G. W., Palmer, H. W., Porter, Purviance, John N., Runk, Sharpe, Smith, H. G., Stewart and Struthers.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Beebe,

To amend the same, by striking out the word, "to-day," and inserting in lieu thereof the word, "to-morrow."

On the question,

Will the Convention agree so to amend?

The hour of two o'clock having arrived, the President adjourned the Convention until to-morrow at twelve, M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, JANUARY 18, 1873.

The President laid before the Convention a communication from the President of the Board of Public Charities, which was read as follows, viz:

BOARD OF PUBLIC CHARITIES,
OFFICE OF EXECUTIVE COMMITTEE,
PHILADELPHIA, January 18, 1873. }

Hon. WM. M. MEREDITH,

President of the Constitutional Convention of Pennsylvania:

I beg respectfully to submit, for the consideration of the Convention to amend the Constitution of the State of Pennsylvania, a paper on compulsory education in its relation to crime and pauperism, being an extract from the report for 1871, of the Board of Public Charities to the Legislature of the State. A copy of this paper has been furnished to each member of the Convention, and its reference is asked to the appropriate committee.

I am very truly yours,

GEO. L. HARRISON,
President Board Public Charities, State Penn'a.

On motion of Mr. Newlin,

The paper was referred to the Committee on Education.

Mr. Horton presented the petition of citizens of Nicholson, Wyoming county, praying for the incorporation into the Constitution of a clause prohibiting the sale of all alcoholic beverages, or the submission of a separate clause of like nature to the people.

Which was laid on the table.

Mr. J. W. F. White asked and obtained leave of absence for Mr. D. N. White and Mr. Brown for a few days from to-day.

Mr. S. A. Purviance asked and obtained leave of absence for Mr. Clark for a few days from to-day.

Mr. Curry asked and obtained leave of absence for Mr. Russell for a few days from to-day.

Mr. Corbett asked and obtained leave of absence for Mr. S. H. Reynolds for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for Mr. Mott for a few days from to-day.

Mr. J. W. F. White asked and obtained leave of absence for Mr. Onslow, Sergeant-at-Arms, for a few days from to-day.

Mr. Hopkins offered the following resolution, viz :

Resolved, That this Convention will adjourn, *sine die*, on Thursday, the 27th day of March.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Gibson offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That in case the Committee on the Judiciary report in favor of the election of judges by the people, and the same is approved by this Convention, that the said election of judges shall be held at the time of holding the spring elections, and not on the day of the general election.

Mr. Church offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Printing be instructed to report to this Convention the contract made with Mr. Singerly, and whether any, and if so, what means can be taken to compel a compliance with such contract on the part of the contractor; and in the event of a non-compliance with such construct, the same be declared rescinded.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Harry White, a

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Mr. Newlin offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing be requested to consider and report what persons and institutions, other than members of this Convention, should receive its Debates.

Mr. M'Murray offered the following resolution, which was referred to the Committee on Private Corporations, &c., viz :

Resolved, That the Committee on Private Coporations, &c., be required to inquire into the propriety of so amending the Constitution, that no fire insurance company shall be incorporated in this State with less than \$300,000, *bona fide* paid-up capital, (mutual companies excepted,) nor shall any foreign fire insurance company be admitted to do business in this State, unless it shall have at least \$500,000 *bona fide* cash assets.

Mr. Beebe offered the following resolution, viz :

Resolved, That it is the sense of this Convention that no applications for leave of absence shall be made, without reasons given therefor.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

A motion was made by Mr. Stanton,

To lay the resolution on the table.

Which was agreed to.

Mr. Mann offered the following resolution, which was twice read, viz :

Resolved, That it is the sense of this Convention, that the roll should be called each morning before the Journal is read.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Woodward,

To lay the resolution on the table.

Which was agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz :

That it has had under consideration the resolution adopted by the Convention on the 16th of January, directing to be reported a resolution for the payment of such proportion of the pay of the clerks and other officers of the Convention as the committee might deem proper ; and that, in its opinion, it would be proper at this time to pay the clerks and other officers twenty per cent. of the compensation heretofore fixed by the Convention, as follows :

	Total compensation.	Present payment.
D. L. Imbrie, Chief Clerk.....	\$1,500 00	\$300 00
Lucius Rogers, Assistant Clerk	1,200 00	240 00
A. D. Harlan, Assistant Clerk	1,200 00	240 00
John L. Linton, Transcribing Clerk.....	1,000 00	200 00
A. T. Parker, Transcribing Clerk.....	1,000 00	200 00
James Onslow, Sergeant-at-Arms.....	850 00	170 00
C. M. Brown, Assistant Sergeant-at-Arms.....	600 00	120 00
Clement Evans, Doorkeeper.....	600 00	120 00
Frank Bently, Assistant Doorkeeper.....	500 00	100 00
Henry B. Price, Postmaster.....	800 00	160 00
B. F. Major, Assistant Postmaster.....	600 00	120 00

The Committee further reports, that for the proper keeping and protection of the hall and property used by the Convention, it is necessary that a number of persons should be employed, whose services must be paid for at least weekly, and that for their payment, and for the payment of the other necessary contingent expenses of taking care of the hall and property, and for the payment of the subordinate employees of the Convention, it seems necessary that there should be placed in the hands of some proper person, a moderate sum of money, to be dis-

bursed as occasion may require; and that, in the opinion of the committee, no other channel of disbursement for these purposes, is so appropriate as the House Committee of the Convention, which has the supervision of the matters referred to. And unless some such action as this is taken, numerous petty warrants will have to be drawn, by which the labors of the committee, and of the President and Clerk of the Convention will be, and unnecessarily, much increased. The committee, therefore, report the following resolutions:

Resolved, That warrants be drawn for the payment to the clerks and other officers of the Convention, as named in the above report, of the several amounts reported as proper to be paid to them respectively.

Resolved, That a warrant be drawn for the payment to John E. Addicks, Chairman of the House Committee, of the sum of one thousand dollars, to be expended in paying the persons employed in taking care of the hall and property used by the Convention, the janitors, firemen and pages appointed by the Chief Clerk, under authority of the Convention, and the necessary contingent expenses of the proper care of the hall and property, to be accounted for, as may be required, to the Committee on Accounts.

On motion of Mr. Hay,

Said resolutions were read a second time.

The first resolution was then agreed to.

On the question,

Will the Convention agree to the second resolution?

A motion was made by Mr. Joseph Baily, of Perry,

To amend the same, by striking out all after the word "*Resolved*," and inserting in lieu thereof as follows, viz:

"That the Clerk of this Convention be required to execute a bond in favor of the Commonwealth, in the penal sum of six thousand dollars, with good security, conditioned for the faithful performance of his duties as Clerk, and for the faithful expenditure of any public money with which he may be entrusted by order of the Convention, and that it shall be his duty to pay the employees of this Convention such compensation as may be ordered by the Convention; his accounts to be settled monthly by the Committee on Accounts and Expenditures."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Niles, from the Committee on Legislature, presented a minority report, which was read as follows, viz:

To the President and members of the Constitutional Convention:

GENTLEMEN:—We, the undersigned, members of the Committee on the Legislature, respectfully dissent from the majority report of said committee, so far as relates to *bi-ennial* sessions of the Legislature.

Their report radically changes the time of meeting of the law-making power of the State, as it has existed since the formation of the State government.

It is contrary to the policy pursued by a large majority of our sister States; the Legislatures of twenty-three of them holding their sessions annually.

In our opinion there are many reasons why our Legislature should meet annually, that do not apply to any other State. No State in the Union has so great and diversified interests as has Pennsylvania. Ohio, Indiana and Illinois have been cited as instances whose Legislatures meet only once in two years. Those States, in the main, are purely agricultural. General laws can easily be framed to suit the wants of their people. They have none of our coal, iron, oil and a great variety of other interests that are peculiar to Pennsylvania. Ours as an agricultural State is second to none of them, besides producing more coal, iron and oil than the whole balance of the Union, to say nothing of her ten thousand miles of railroads, and the manufacturing and commercial interests of Philadelphia, Pittsburg and other great and rapidly growing cities of the Commonwealth. If it were necessary formerly to hold annual sessions, when we had a population of three hundred thousand, is it not quite as necessary when we have a population of nearly four millions?

It may be answered that, when local and special legislation is prevented by constitutional enactment, the work of the Legislature will be very greatly reduced, and there will be no necessity of meeting oftener than once in two years. Suppose local legislation is prohibited, the wants of the people will remain the same. What they now obtain by special they will then require by general law. We take it for granted that local or special legislation will be prohibited by this Convention.

When their work shall have been ratified by the people, what will then be our condition? There are but few general laws in the State under and in pursuance of which a dollar can safely be invested in any of our great material interests. True, we have an act that is called a "general railroad law," but under it not a dollar has ever been invested; not a foot of road has ever been built, nor do we believe there ever will be. Its provisions are so clogged with limitations and conditions that it beautifully illustrates the doctrine of "how not to do it." Then we have a general mining and manufacturing law, but it seems to be drawn with a view of preventing persons of small capital from accepting its provisions. So far as your committee know, it has remained practically a dead letter upon the statutes of the State. Heretofore, men of small means, when they have associated themselves together for the purpose of pursuing any kind of business, have generally gone to the Legislature for a grant for doing the same.

In the future, everything will be done by general law. No special privileges are to be granted. Can any member of this Convention tell how long it will take to devise general laws that will subserve the interests of our four millions of people and effectually develop our agricultural, lumber, coal, iron, oil, railroad, commercial and manufacturing, and the great variety of other interests that are peculiar to our people and State, and which need the aid of the law-making power for their development and protection? No man to-day can tell what will be our needs in the future, and if the Legislature is prohibited from the enactment of local and special laws there will be a greater need of annual sessions than heretofore. If the report of the committee in regard to *bi-ennial* sessions is adopted, we will find ourselves in the condition of having prohibited the Legislature from giving us any special relief, and then, by Constitutional enactment, of having prevented that body from aiding us by general law oftener than once in two years.

All of which is respectfully submitted.

JEROME B. NILES,
D. N. WHITE,
GEORGE F. HORTON.

January 15, 1873.

Laid on the table.

On motion of Mr. Buckalew,

The Convention resumed the consideration of the following resolution, which was under consideration when the Convention adjourned yesterday, viz:

Resolved, That when this Convention adjourns, to-day, it will adjourn to meet on Wednesday next at 1 o'clock P. M.

And the question recurring,

Will the Convention agree to amend, by striking out the word "to-day," and inserting in lieu thereof the word "to-morrow?"

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Lawrence,

To lay the resolution on the table.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Corbett and Mr. Lawrence, and were as follow, viz:

YEAS.

Messrs. Andrews, Baer, Baily, (Perry,) Beebe, Bowman, Campbell, Carter, Church, Collins, Corbett, Craig, Curry, Dallas, Darlington, De France, Dimmick,

Dodd, Elliott, Edwards, Ewing, Fell, Guthrie, Hay, Hazzard, Hopkins, Howard, Knight, Landis, Lawrence, Littleton, M'Allister, M'Clean, MacConnell, M'Murray, Mann, Mantor, Newlin, Niles, Patton, Purviance, Samuel A., Reed, Andrew, Smith, W. H., Temple, Turrell, Walker, Wetherill, John Price, Wherry, White, J. W. F., and Meredith, *President*—49.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Baker, Barclay, Bartholomew, Black, J. S., Boyd, Buckalew, Curtin, Cuyler, Davis, Dunning, Ellis, Gibson, Heverin, Horton, Mott, Purman, Reynolds, James L., Simpson, Smith, Henry W., Stanton, White, Harry, Woodward and Worrell—26.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Armstrong, Bailey, (Huntingdon,) Bannan, Bardsley, Biddle, Black, Charles A., Brodhead, Broomall, Brown Carey, Cassidy, Clark, Cochran, Corson, Cronmiller, Finney, Fulton, Funk, Gilpin, Gowen, Hall, Hanna, Harvey, Hemphill, Hunsicker, Kaine, Lamberton, Lear, Lilly, Long, M'Camant, M'Culloch, MacVeagh, Metzger, Minor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purviance, John N., Read, John R., Reynolds, S. H., Rooks, Ross, Runk, Russell, Sharpe, Smith, H. G., Stewart, Struthers, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., and Wright.

On motion of Mr. Woodward,

The Convention proceeded to the consideration of the following resolution, which was laid on the table November 26, viz:

Resolved, That the rules be amended by adding the following, to be Rule XLIII: "That after the reading of the Journal each day, the secretary shall call the roll of members, noting the absentees, and publishing their names in two daily newspapers of opposite politics."

On motion of Mr. Woodward,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Cuyler,

To amend the same, by striking out all after the word "absentees."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Boyd,

To lay the resolution on the table.

On the question,

Will the Convention agree to the motion?

The hour of two having arrived,

The President adjourned the Convention until Monday next at 12 o'clock M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

MONDAY, JANUARY 20, 1873.

The President laid before the Convention a communication from the Auditor General of the State, which was read as follows, viz :

AUDITOR GENERAL'S OFFICE,
HARRISBURG, January 18, 1873. }

To the Hon. WILLIAM M. MEREDITH,

President Constitutional Convention of Pennsylvania :

SIR :—I have the honor to acknowledge the receipt of a copy of the resolution adopted by the Constitutional Convention on the 14th of January instant, requesting the Auditor General to furnish information on the following subjects :

First. The amount of capital stock of all the railroad and canal companies organized or doing business in this State; also, the amount of indebtedness of said companies.

The answer to this branch of your inquiry I respectfully submit, and forward herewith a copy of the Auditor General's report on railroads, canals and telegraphs, made to the Legislature under date of February 15, 1872. The information desired, and more which may be of interest to the Convention, will be found on pages 15 to 87 inclusive, under the head of "Tabulated Results, Compiled Reports of Companies." These statements were compiled from the sworn reports of the companies for the year 1871, and show their condition at the close of said year. Any report for 1872 would necessarily be partial and incomplete, as up to the present time not more than one-third of the companies have reported.

Second. The amount of capital stock of all the corporations organized and doing business in this State, other than railroad and canal companies; also, the indebtedness of said companies.

There are on the books of this Department a large number of corporations subject to taxation. With railroad and canal companies accounts must be settled annually for tax on capital stock and tax on interest paid; semi-annually for tax on gross receipts, and quarterly for tax on tonnage; and, with other companies annually for the taxes on capital stock, on net earnings or income, and on interest paid. All of these accounts are kept separately, and settlements made separately. This most important branch of the business of the Department is performed principally by a single person, who has familiarized himself with the tax laws and the business of settling accounts. The tax years of the several accounts end variously with the first day of November, the first Monday in November and the thirty-first day of December, and the reports of the companies are now coming in rapidly. It will, therefore, be seen that this is the busiest season of the year in the settlement of these accounts. There is no record in this Department from which the information desired can be readily transcribed, and it would require a patient examination of the separate returns of corporations filed with the tax settlements. This examination must necessarily be made by the person in charge of these settlements, and would, I apprehend, require several months of intelligent labor, at this season of the year especially, causing serious interruption of the business of the Department. Aside from this, it would hardly be possible to give a complete answer to this inquiry until all of those reports have been received. I enclose herewith advance sheets of my annual report on finances, which will give the name of every corporation which paid tax to the State during the year ending November 30, 1872, the amount of such tax, and the account or accounts upon which it was paid. If this will not answer the purposes of the Convention, I shall endeavor to answer your interrogatory more fully at the earliest day practicable.

Third. The valuation, for taxation, of the real and personal property in the several counties of the Commonwealth.

By virtue of an act, approved February 23, 1866, real estate was exempted from taxation for State purposes. Since that time no reports have been made to this Department showing the valuation of real estate in the several counties of the Commonwealth, the necessity of making such reports having ceased to exist.

Enclosed please find a copy of the valuation of personal property of the several counties, as fixed by the Board of Revenue Commissioners on the 23d day of March, 1872.

I have the honor to remain,

Very respectfully, yours, &c.,

HARRISON ALLEN,
Auditor General.

The communication, together with the accompanying documents, were laid on the table.

Mr. Patton presented the petition of numerous citizens of Bradford county, praying for an amendment to the Constitution which will prevent the sale of all alcoholic beverages.

Which was laid on the table.

Mr. Brodhead presented a memorial from the members of the legal profession of Northampton county, which was read as follows, viz.:

To the Honorable, the Delegates to the Convention to revise and amend the Constitution of the Commonwealth of Pennsylvania:

The members of the legal profession of Northampton county have, upon consultation, resolved to respectfully submit to your honorable body, for your consideration, their views as to what they deem would be desirable changes in the Constitution in relation to the judiciary of the Commonwealth, to wit:

1. The judges of the Supreme Court to be increased to not less than seven in number, to be elected by the people upon the cumulative system, and to have only appellate jurisdiction. The salary of each judge to be not less than \$12,000 per annum.

2. The Commonwealth shall be divided into judicial districts, each district to contain not less than two hundred thousand inhabitants. For each of said districts there shall be appointed one president judge and two associate judges, all learned in the law, who shall be the judges of the courts of common pleas of each county of said district, to hold office for the term of ten years, if they shall behave themselves well. Each judge to hold the regular terms of the courts of common pleas in each county alternately, and the said three judges to meet at least four times in every year *in banc*, at some place in said district to be fixed by them, or a majority of them, to hear and decide motions for new trial, reserved points, and such matters as may be properly heard and decided by them. The said judges to be appointed by a majority of a board of appointment, to consist of the Governor and the judges of the Supreme Court. The said judges to reside in their respective districts, and to receive each a salary of not less than \$8,000 dollars per annum.

3. There shall be appointed by the majority of the same board of appointment, a probate judge, learned in the law, for each county of the Commonwealth, to hold office for the term of _____ years, if he so long behave himself well, who shall reside in the county, and whose salary shall be fixed by the Legislature according to the amount of business and population of each county. Such judge to have exclusive jurisdiction, in the first instance, to take proof of wills; to grant and revoke letters testamentary and of administration; to direct and control the conduct and settle the accounts of executors and administrators; to enforce the payments of debts and legacies and the distribution of the estates of intestates; to order the sale and disposal of the real properties of deceased persons; to have partition made of the real estate of decedents; to appoint and remove guardians, to direct and control their conduct and to settle their accounts; to take care and custody of the person and estate of a lunatic or habitual drunkard residing in the county, and to appoint and remove committees; to direct and control their conduct and to settle their accounts; to direct the admeasurement of power, and to exercise such other powers in relation to deceased persons and their estates, and the persons and estates of minors, as may be conferred upon him by the Legislature.

4. There shall be elected by the qualified voters of each county two law judges, to hold their offices for the term of five years, if they shall so long behave themselves well, who, with the said probate judge above designated, shall have the appointment of road, bridge and other viewings, and jurisdiction as to the opening and laying out of roads, approval of bridges, and the granting of tavern, eating

house and saloon licenses, in their respective counties, and to exercise such other powers as may, from time to time, be conferred upon them by the Legislature.

Very respectfully,

WM. BEIDELMAN,
VAL. HILBURN,
F. H. LEHR,
ROBT E. JAMES,
U. SANDS,
W. H. JONES,
ROBT J. JONES,
G. W. STOUT,
H. J. REEDER,
WM. C. EDELMAN,
FRANK REEDER,
C. G. BEITEL,
S. V. B. KACHLIN,
H. D. MAXWELL,
W. E. DOSTER,

O. S. MYERS,
W. W. SCHUYLER,
H. GREEN,
*B. F. FACKENTAU,
*ELISHA ALLIS,
HENRY W. SCOTT,
W. S. KIRKPATRICK,
A. S. KNECHT,
A. B. HOWELL,
†JAS. M. PORTER,
†READY R. SWIFT,
EDWARD J. FOX,
J. C. MERRILL,
WM. MUTCHLER.

On motion of Mr. Brodhead,

Said memorial was referred to the Committee on Judiciary.

Mr J. S. Black asked and obtained leave of absence for Mr. Woodward for a few days from to-day.

Mr. Newlin asked and obtained leave of absence for Mr. Addicks for a few days from to-day.

Mr. Turrell asked and obtained leave of absence for Mr. Davis for the remainder of this week.

Mr. Joseph Baily, of Perry, offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Clerk be directed to report to the President, to be laid before this Convention, the number, names, duties and compensation of all persons employed or engaged in any service connected with the Convention, and by whom appointed, other than those elected by the Convention.

Mr. Horton offered the following resolution, viz :

Resolved, That this Convention will meet on the 22d day of February next, and listen to the reading, by the Clerk, of the Farewell Address of Washington, and the Emancipation Proclamation of President Lincoln, and on that day, viz : February 22d, agree upon the time when the Convention will adjourn *sine die*.

Which was laid on the table.

Mr. Dodd offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Sergeant-at-Arms be directed to place upon the tables of members the printed report of the Committee on Legislature, now in his possession.

Mr. Baer offered the following resolution, which was referred to the Committee on Militia, viz :

WHEREAS, The Christian church is a divine institution, and her priests and ministers ordained and set apart for the care of souls :

And whereas, The duties of political and military officers are inconsistent with the high and holy duties of the ministers ; therefore,

Resolved, That all priests and ministers of the Gospel of our Lord and Saviour Jesus Christ are exempt from military duty, both in times of war and times of peace ; and they are ineligible to hold a seat in the General Assembly of this Commonwealth, or a military commission in this State.

* Except the cumulative system, but on nine Supreme Judges.

† Except the cumulative system.

Mr. Campbell offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals consider the best means of preventing the immense mining and coal monopoly now threatened by the Reading railroad company, and other corporations, would not be to totally prohibit any railroad or canal corporation from ever leasing, purchasing or holding, either directly or indirectly, any coal or mining lands in this Commonwealth, or from ever being engaged or interested in, or carrying on, any other business than that of common carriers.

Mr. Howard offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation are required to examine and report upon the propriety of prohibiting liens of mechanics and material-men in all cases except for work and labor and material used and employed in the construction of new buildings.

Mr. Newlin, from the Committee on Printing and Binding, to whom was referred the following resolution, viz :

Resolved, That the Committee on Printing be requested to consider and report what persons and institutions, other than members of this Convention, should receive its Debates,"

Having considered the same, respectfully report the annexed resolution, and recommend its passage :

Resolved, That B. Singerly, who is printing the Debates of the Convention, send copies thereof, in sheets, to each judge of the Supreme Court, and each law judge of the respective courts of common pleas, and each judge of the respective district courts in this Commonwealth, and to such public libraries as shall make application therefor: *Provided*, That not more than one hundred copies, in sheets; be distributed under the express order of the Convention.

On motion of Mr. Newlin,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

Mr. Newlin, from the Committee on Printing and Binding, to whom was referred the following :

Resolved, That the Committee on Printing be instructed to make arrangements with the State Printer to do all the printing and binding of the Convention: *Provided*, He will agree to do it in such time and manner as the Convention may direct, and on the terms of his present contract with the State; and that the publication of the Journal and of the Debates shall be in volumes of octavo size," respectfully report :

That they have made the annexed contract with the said State Printer, (Benjamin Singerly,) and recommend its adoption by the Convention.

JAMES W. M. NEWLIN,
Chairman.

CONTRACT.

These presents witness : That whereas the Convention to amend the Constitution of the State of Pennsylvania did, on the 8th day of January, A. D., 1873, pass the following resolution, viz :

Resolved, That the Committee on Printing be instructed to make arrangements with the State Printer to do all the printing and binding of the Convention: *Provided*, He will agree to do it in such time and manner as the Convention may direct, and on the terms of his present contract with the State, and that the publication of the Journal, and of the Debates, shall be in volumes of octavo size. Now, I, Benjamin Singerly, the State Printer aforesaid, do, by these presents, covenant and agree to and with the Commonwealth of Pennsylvania, to do all the printing and binding of the said Convention; and I further do bind myself by

these presents to the Commonwealth aforesaid, that I will execute the said printing for the Debates and Journal, and such other printing as may be ordered, in such form and in such type, and to furnish and bind such number of copies as may be ordered, and that I will execute such orders in the premises as may be given me by the Convention, or the Committee on Printing and Binding thereof; and that all the said printing and binding shall be done and executed on the same terms and in the same manner as now provided by my existing contract with the State of Pennsylvania. And I further covenant and agree with the said Commonwealth, that if I fail to perform this contract to the satisfaction of the Convention, they may, by an order of the Convention, direct printing to be done at my expense, or may annul this contract.

Witness my hand and seal this 20th day of January, A. D., 1873.

BENJAMIN SINGERLY, [L. s.]

Sealed and delivered in the presence of
JAMES W. M. NEWLIN.

I, James R. Walker, do hereby bind myself, my heirs, executors and administrators, to be responsible to the Commonwealth of Pennsylvania for the faithful performance of the above contract by the above named Benjamin Singerly.

Witness my hand and seal this 20th day of January, 1873.

JAMES R. WALKER, [L. s.]

Sealed and delivered in the presence of
E. P. IRELAND.

A motion was made by Mr. Newlin,

That the Convention approve the foregoing contract.

Which was agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the following articles, viz :

ARTICLE — The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

ARTICLE — All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Broomall? as follows, viz :

"*Provided*, That the Legislature may, by law, fix any other day for any county or city, the same being uniform throughout such county or city."

Mr. Broomall asked and obtained leave to modify his amendment by adding a further proviso, as follows, viz :

"*Provided further*, That the time so fixed shall not be within four months of the time of the general election."

And the question,

Will the Convention agree so to amend?

A motion was made by Mr. Andrew Read,

To amend the amendment, by striking out the word "four," and inserting in lieu thereof the word "three."

On the question,

Will the Convention so agree to amend the amendment?

A motion was made was made by Mr. Curtin,

To postpone the question, together with the further consideration of the section, for the present.

Which was not agreed to.

And the question recurring,

Will the Convention agree to amend the amendment ?

A motion was made by Mr. Corson,

To postpone the question, together with the further consideration of the section, for one week.

Which was not agreed to.

And the question again recurring,

Will the Convention agree so to amend the amendment ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Broomall ?

The hour of two having arrived,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, JANUARY 21, 1873.

The President laid before the Convention a memorial from the representatives of the religious society of Friends in Pennsylvania, which was read as follows, viz :

To the Convention of Delegates elected to revise the Constitution of the State of Pennsylvania, now sitting in Philadelphia :

The memorial of the representatives of the religious society of Friends in Pennsylvania respectfully sheweth,—

That in the "Declaration of Rights," article nine of the present Constitution, it is declared, section three : "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 be compelled to attend, erect or support any place of worship, or 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." And in section twenty-six of the same article is the following clause, that "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 forever remain inviolate." These wise and just provisions are, however, practically rendered null and void, so far as they relate to those who are conscientiously restrained from bearing arms, or in any way contributing towards military preparations or purposes, by the last sentence of section two of article six,

which says: "Those conscientiously scrupulous to bear arms, shall not be compelled to do so, *but shall pay an equivalent for personal service.*"

We respectfully represent that as the society of Friends from its beginning—now more than two hundred years—has believed that duty to Christ, the Prince of Peace, withholds them from participating in, or giving aid or support to warlike measures of any kind, in like manner, they have believed they cannot consistently pay for others to do that which they believe to be wrong, nor voluntarily give an equivalent for permission to exercise the rights of conscience.

To us it appears clear, that requiring from citizens an equivalent for exemption from services which they are restrained from performing by their religious principles, is as direct an infringement of the rights of conscience guaranteed by the Constitution, as it would be to mulct them in damages for not attending, erecting or supporting other places of worship beside their own, or for maintaining any other part of their religious faith, and that by every fair construction, the clause requiring it in section second of article six, is manifestly at variance with section twenty-six of article nine, which declares that every thing in that article,—including liberty of conscience—is excepted out of the general powers of government, and shall forever remain inviolate.

Friends are ever willing and ready to support the civil government under which they live, and to contribute their full share towards defraying its expenses and conducing to the common weal. The discipline of the society enjoins this on all its members. Their whole history shows that they willingly obey all laws which do not contravene the requirements of the gospel as they understand and believe them; and that where active compliance cannot be thus yielded, they patiently suffer the penalties imposed.

That part of the section which requires an equivalent to be paid for not performing military service has caused, and while it is retained, will, in all probability, continue to cause those who cannot conscientiously comply with it, to suffer loss and distress in both property and person, by the penalty inflicted being enforced by process of law. The execution of the militia laws, enacted at different times, has subjected Friends in this State liable thereto, to imprisonment and the sacrifice of property amounting to many hundred thousands of dollars, and yet it is believed very little of the latter has ever reached the State Treasury.

We, therefore, respectfully submit, that in the exercise of the responsible duties placed upon you, you may be instrumental in securing the enjoyment of the "indefeasible rights" of conscience to a portion of your religiously scrupulous fellow-citizens, Friends and others, in saving them from undeserved penalty, and in advancing the peaceable kingdom of our Lord and Saviour Jesus Christ, by erasing the last eight words of section two, article six of the Constitution, and substituting therefor such an amendment as will confirm the same free exercise of conscience in relation to participation in military measures as is granted in all other articles of christian faith.

By so doing you will remove what we cannot but consider a stain upon the present Constitution, and restore our beloved State to the exalted position, for religious toleration, among the governments of the earth, which it occupied while under the control of William Penn, its enlightened founder, and of his fellow-members of the society of Friends.

Signed on behalf and by direction of a meeting of the representatives aforesaid, held in Philadelphia, the 17th day of the first month, 1873.

JOSEPH SCATTERGOOD,
Clerk.

A motion was made by Mr. Darlington,

That the foregoing memorial be referred to the Committee on Militia.

Which was agreed to.

The President laid before the Convention a communication from a committee of the International Workingmen's association.

Which was read as follows, viz:

PHILADELPHIA, January 20, 1873.

To the President and members of the Convention to revise the Constitution of Pennsylvania:

GENTLEMEN:—The undersigned, a committee appointed by the twenty-sixth section of the International Workingmen's association, citizens of this Common-

wealth, respectfully request an opportunity to be heard by your honorable body on the subject of legislation, at such time as will be agreeable.

DAMON Y. KILGORE,
Chairman.

JOHN SHEDDEN, 217 N. Second st.
J. F. BYRNES, Overbrook Station, Penn. Cen. R. R.
THOMAS PHILLIPS, 732 Morris st.
JAMES MACKINTOSH, 2208 Holman st.
JOHN MILLS, 217 N. Second st.
JESSE B. BEEM, 3721 Central st., West Philadelphia.
JOSEPH N. HACKNEY, 408 S. Second st.
JAMES MARLOR, 1106 Poplar st.
JOHN DAMPMAN, 321 N. Twenty-second st.
ISAAC REHN, 1321 N. Seventh st.
JAMES P. LANNING, N. W. cor. Fourth and Spruce st.
GEORGE D. HENCH, 324 N. Tenth st.
JAMES DRURY.

Laid on the table.

The President presented a communication from the Chief Clerk of the Convention, which was read as follows, viz :

CONSTITUTIONAL CONVENTION, }
PHILADELPHIA, Jan. 21, 1873. }

To the HON. WM. M. MEREDITH,
President of the Constitutional Convention :

SIR :—In obedience to a resolution of the Convention, passed on the 20th inst., I have the honor to report that the following persons have been appointed by me, and are now in the employ of the Convention, viz :

John Switzer, fireman, at three dollars and fifty cents per day ; Joseph Ebersoll, janitor, at three dollars per day ; James Craig, janitor, at three dollars per day ; Powell De France, page, assigned to the coat room, at two dollars per day ; Frank M^rReynolds, Pursey Myers, David P. Skerrett, Thomas Simpson, Charles Moore, J. B. Allen, Thos. D. M^rGilway, W. A. Cassady and Frank Berlin, pages, at one dollar and fifty cents per day.

In addition to the above, I am informed that the following persons, now engaged in the service of the Convention, were employed by the House Committee, viz :

Joseph Patterson, night watchman, at three dollars and fifty cents per day ; James Chambers, as assistant fireman, without a fixed compensation ; Josephine Thompson, for cleaning the house, thirteen dollars per day, which includes the pay of her assistants.

The total number of employees is sixteen, (16,) exclusive of the assistants engaged for house cleaning purposes.

Respectfully submitted.

D. L. IMBRIE,
Chief Clerk.

A motion was made by Mr. Joseph Baily, of Perry,

That the report of the Clerk be referred to the Committee on Accounts and Expenditures, with instructions to ascertain whether the number of employees and the compensation allowed to them, are necessary and proper for the convenience and comfort of this Convention, and to report the result of their deliberations to this Convention, with such recommendations as they may deem advisable.

Which was agreed to.

A motion was made by Mr. Wright,

That the Committee on Legislation be discharged from the further consideration of the following resolution, viz :

Resolved, That the Committee on Legislation inquire into the expediency of restricting, by an appropriate amendment, further grants to corporations, or other persons, of privileges of rights in, over or upon the rivers, creeks and streams of the Commonwealth.

And that the same be referred to the Committee on Declaration of Rights.

Which was agreed to.

Mr. M'Murray asked and obtained leave of absence for Mr. Gilpin for a few days from to-day.

Mr. S. A. Purviance offered the following resolution, which was twice read, viz :

Resolved, That this Convention will adjourn, *sine die*, on the fifteenth of April next, and in order to close our labors at or before that time, it is the sense of the Convention that the reports of the Committees on the Legislature, on Legislation, on the Judiciary, on Suffrage, on Corporations, on Public and Municipal Debts and Sinking Funds, and on Revenue, Taxation and Finance, shall be taken up in the order named, or in the order in which they may be reported ; and that each of said reports shall be entitled to three days consideration in the committee of the whole, unless debate thereon should be sooner exhausted ; and that the subjects which may be reported upon by other committees, be regulated thereafter by further order of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Stanton,

That the further consideration of the resolution be postponed for the present.

Which was agreed to.

On motion of Mr. Broomall,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the final vote upon the pending section of the report of the Committee on Suffrage, Election and Representation be taken to-day, and that the hour of adjournment be postponed, if necessary, for that purpose.

Mr. Gowen offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be instructed to inquire into and report upon the expediency of so amending the Constitution, as to prohibit the Legislature from vesting in any court or judge the power of appointing to any office, other than such as are necessary to the administration of justice in the particular tribunal presided over by such court or judge.

Mr. MacVeagh offered the following resolution, viz :

Resolved, That Rule VII, of the order of business, shall be so amended, that on and after Monday next the 6th sub-division thereof shall be first in order after the Journal has been read, except on Saturday of each week.

Which was laid on the table.

Mr. Turrell offered the following resolution, which was twice read, viz :

Resolved, That this Convention will hereafter hold its daily sessions from eleven o'clock A. M., until three o'clock P. M., unless otherwise ordered.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof the following, viz :

"That on and after Monday next, until otherwise ordered, this Convention will meet at ten o'clock A. M., and adjourn at two o'clock P. M."

Which was agreed to.

The resolution, as amended, was then agreed to.

Mr. De France offered the following resolution, viz :

Resolved, That Rule XI be changed, by striking out all after the word "explain," in the fifth line of said rule.

Which was laid on the table.

Mr. Darlington offered the following resolution, which was twice read, viz :

Resolved, That the clerk be directed to purchase one copy of Purdon's Digest for the use of the members of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Corson,

To amend the same, by striking out all after the word "for," and inserting in lieu thereof as follows, viz : " Each standing committee of the Convention."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Gowen,

To amend the same, by striking out the words, " the use of the members," and inserting in lieu thereof the words, " each committee room."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Struthers,

To amend the same, by striking out the words, " the use of the members," and inserting in lieu thereof the words, " each member."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. W. F. White,

To amend the same, by striking out the words, " the members of," and inserting in lieu thereof as follows, viz : " And the same shall not be taken from the hall of the Convention during its session."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. MacConnell,

To lay the resolution on the table.

Which was agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the following articles, viz :

ARTICLE —. The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

ARTICLE —. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Broomall ? as follows, viz :

" *Provided*, That the Legislature may, by law, fix any other day for any county or city, the same being uniform throughout such county or city: *Provided further*, That the time so fixed shall not be within four months of the time fixed for the general election."

A motion was made by Mr. M'Allister,

To postpone the question, together with the further consideration of the section, for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. John M. Reed and Mr. De France, and were as follow, viz :

Y E A S .

Messrs. Bardsley, Black, J. S., Bowman, Carey, Collins, Corbett, Corson, Curry, De France, Dimmick, Elliott, Finney, Funck, Gibson, Guthrie, Hall, Hanna, Hay, Hemphill, Howard, Hunsicker, Knight, Lear, Littleton, M'Allister, M'Clean, Newlin, Patton, Purman, Purviance, Samuel A., Reed, Andrew, Ross, Simpson, Smith, H. G., Struthers, Temple, Walker, Wetherill, John Price, Wherry and Meredith, *President*—40.

N A Y S .

Messrs. Achenbach, Andrews, Bear, Baily, of Perry, Beebe, Biddle, Black, Ohas. A., Brodhead, Broomall, Campbell, Carter, Cassidy, Church, Craig, Curtin, Cuyler, Dallas, Darlington, Dodd, Dunning, Edwards, Ewing, Gowen, Hazard, Heverin, Hopkins, Horton, Landis, Lawrence, Lilly, Long, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Read, John R., Rooke, Smith, Henry W., Smith, W. H., Stanton, Turrell, Wetherill, J. M., White, J. W. F., Worrell and Wright—50.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Boyd, Brown, Buckalew, Clark, Cochran, Cronmiller, Davis, Ellis, Fell, Fulton, Gilpin, Harvey, Kaine, Lambertson, M'Camant, Mantor, Metzgar, Minor, Mott, Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Reynolds, James L., Reynolds, S. H., Runk, Russell, Sharpe, Stewart, Van Reed, White, David N., White, Harry, and Woodward.

And the question again recurring,

Will the Convention agree to the amendment ?

A motion was made by Mr. Simpson,

To amend the same by striking out all after the word "Provided," and inserting thereof as follows, viz :

"That the Legislature may, by law, confer upon the electors of any city or county the right to fix another day by a vote which shall be taken at the next general election."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Simpson and Mr. Baker, and were as follow, viz :

Y E A S .

Messrs. Baker, Bardsley, Bowman, Collins, Darlington, Edwards, Hanna, Lilly, Littleton, Mann, Palmer, H. W., Simpson, Smith, Henry W., and Struthers—14.

N A Y S .

Messrs. Achenbach, Andrews, Baer, Baily, (Perry,) Beebe, Biddle, Black, Charles A., Black, J. S., Brodhead, Broomall, Campbell, Carey, Carter, Cassidy, Church, Corbett, Corson, Craig, Curry, Curtin, Cuyler, Dallas, De France, Dimmick, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Gowen, Guthrie, Hall, Hay, Hazard, Hemphill, Heverin, Hopkins, Horton, Howard, Hunsicker, Knight, Landis, Lear, Long, M'Allister, M'Clean, MacConnell, M'Culloch, M'Murray,

MacVeagh, Minor, Niles, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Ross, Smith, H. G., Smith, W. H., Stanton, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., Worrell, Wright and Meredith, *President*—74.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, (Huntingdon,) Bannan, Barclay, Bartholomew, Boyd, Brown, Buckalew, Clark, Cochran, Cronmiller, Davis, Dunning, Ellis, Fell, Fulton, Gilpin, Harvey, Kaine, Lamberton, Lawrence, M'Camant, Mantor, Metzger, Mott, Newlin Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Reynolds, James L., Reynolds, S. H., Runk, Russell, Sharpe, Stewart, Van Reed, White, David N., White, Harry, and Woodward.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Broomall?

A motion was made by Mr. Newlin,

That the Convention do now adjourn.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the amendment?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Hay,

To amend the same, by inserting before the word "city" the word "county."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

The yeas and nays were required by Mr. Mann and Mr. J. P. Wetherill, and were as follow, viz:

YEAS.

Messrs. Achenbach, Andrews, Baer, Baily, (Perry,) Beebe, Black, Charles A., Black, J. S., Brodhead, Broomall, Campbell, Carter, Cassidy, Church, Corbett, Craig, Curry, Curtin, Cuyler, Dallas, De France, Dodd, Dunning, Elliott, Ewing, Funck, Gibson, Gowen, Guthrie, Hall, Hay, Hazzard, Hemphill, Heverin, Hopkins, Horton, Howard, Hunsicker, Landis, Lawrence, Lear, Lilly, Long, M'Alister, M'Clean, MacConnell, M'Culloch, M'Murray, Minor, Niles, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Smith H. G., Smith, Henry W., Smith, W. H., Temple, Turrell, Walker, Wetherill, J. M., Wherry, White, J. W. F., Worrell Wright and Meredith, *President*—68.

NAYS.

Messrs. Baker, Bardsley, Biddle, Bowman, Carey, Collins, Corson, Darlington, Dimmick, Edwards, Finney, Hanna, Knight, Littleton, MacVeagh, Mann, Newlin, Palmer, H. W., Ross, Simpson, Stanton, Struthers and Wetherill, John Price—23.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, (Huntingdon,) Bannan, Barclay, Bartholomew, Boyd, Brown, Buckalew, Clark, Cochran, Cronmiller, Davis, Ellis, Fell, Fulton, Gilpin, Harvey, Kaine, Lamberton, M'Camant, Mantor, Metzger, Mott, Parsons, Patterson, D. W., Pat-

ton, Porter, Pughe, Purviance, John N., Reynolds, James L., Reynolds, S. H., Runk, Russell, Sharpe, Stewart, Van Reed, White, David N., White, Harry, and Woodward.

A motion was made by Mr. Temple,

That the Convention do now adjourn.

Which was not agreed to.

Whereupon,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, JANUARY 22, 1873.

Mr. Purman asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. Hopkins asked and obtained leave of absence for Mr. Alricks for a few days from to-day.

Mr. Ellis asked and obtained leave of absence for Mr. Bartholomew for a few days from to-day.

Mr. J. W. F. White asked and obtained leave of absence for Mr. Edwards for a few days from to-day.

Mr. Turrell offered the following resolution, which was referred to the Committee on Education, viz:

Resolved, That the Committee on Education be directed to prepare a section for the Constitution, providing for compulsory education of all children in the Commonwealth, between the ages of five and fifteen years, and making it the duty of the Legislature to provide the proper enforcement thereof by appropriate Legislation.

Mr. Gibson offered the following resolution, viz:

Resolved, That it is the sense of this Convention that no vote shall be taken upon any sections of the new Constitution reported by any committee, unless the entire report of the committee be filed; and that, where the subject is connected with sections under consideration by other committees, such vote shall not be taken until such other report is on file.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Bardsley offered the following resolution, viz:

Resolved, That ten copies of the Journal be furnished to the reporters of the press engaged in reporting the proceedings of the Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. MacVeagh offered the following resolution, which was twice read, viz:

Resolved, That the Chief Clerk be instructed to address a letter to the prothonotary of each court of record in the State, requesting such officer to furnish to the Convention the number of civil cases pending on their respective dockets, arranged according to the years in which the several writs were issued.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Worrell to amend the same, by adding to the end thereof the following, viz:

"And that the clerks of the court of quarter sessions shall certify the number of returns made each term within the last two years, and the disposition made of the same by the grand juries of the courts."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

It was determined in the affirmative.

On motion of Mr. MacVeagh,

The Convention proceeded to the consideration of the following resolution, which was laid on the table yesterday, viz:

Resolved, That Rule VII of the order of business shall be so amended that, on and after Monday next, the 6th sub-division thereof shall be first in order after the Journal has been read, except on Saturday of each week.

On motion of Mr. MacVeagh,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by adding to the end thereof as follows, viz: "And that the session of Saturday shall be for general debate only."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Darlington and Mr. MacVeagh, and were as follow, viz:

YEAS.

Messrs. Ainey, Andrews, Armstrong, Baer, Bardsley, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Corson, Curry, Cuyler, Dunning, Ellis, Fell, Finney, Funck, Gibson, Gowen, Guthrie, Hanna, Harvey, Howard, Hunsicker, Knight, Lambertson, Lear, Lilly, Long, MacVeagh, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Ross, Runk, Simpson, Wetherill, J. M., Wherry and Wright—48.

NAYS.

Messrs. Achenbach, Baily, (Perry,) Bannan, Beebe, Black, Chas. A., Brown, Campbell, Carey, Carter, Church, Clark, Cochran, Collins, Corbett, Craig, Curtin, Dallas, Darlington, De France, Elliott, Ewing, Fulton, Hay, Hazzard, Hemphill, Heverin, Hopkins, Horton, Landis, Lawrence, Littleton, M'Allister, M'Clean,

MacConnell, M'ulloch, M'Murray, Mann, Mantor, Minor, Niles, Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W., Smith, W. H., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, White, J. W. F., Worrell and Meredith, *President*—57.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Alricks, Bailey, (Huntingdon,) Baker, Barclay, Bartholomew, Buckalew, Cassidy, Cronmiller, Davis, Dimmick, Dodd, Edwards, Gilpin, Hall, Kaine, M'Camant, Mott, Pughe, Purviance, John N., Reynolds, James L., Reynolds, S. H., Russell, Sharpe, Stewart, Temple, Van Reed, White, David N., White, Harry, and Woodward.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Corbett,

To amend the same, by striking out the words, "except on Saturday of each week."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. MacVeagh,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Agreeably to order,

The Convention resumed the consideration of the article reported from the Committee on Suffrage, Election and Representation, as follows, viz:

ARTICLE —. The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

ARTICLE —. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

On the question,

Will the Convention order the article, to be transcribed for a third reading?

It was determined in the affirmative.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Hopkins in the Chair, on articles reported from the Committee on Legislature, as follows, viz:

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

Second. An election for members of the General Assembly shall be held on the first day fixed for the general election succeeding the adoption of this Constitution, and every two years thereafter. Their term of office shall begin on the first day of January succeeding their election. When vacancies occur in either House, the Governor shall issue writs of election to fill such vacancies for the balance of the term in which such vacancy occurred.

Third. Senators shall be elected for the term of four years: *Provided,* That those who shall be elected at the first election after the adoption of this Constitution, shall be divided by lot into two classes. The seats of the Senators of the first class shall be vacated at the expiration of two years, and of the second class at the expiration of four years.

Fourth. Representatives shall be elected for the term of two years.

Fifth. The General Assembly shall meet at twelve o'clock, noon, on the first Tuesday of January succeeding the adoption of this Constitution, and every two years thereafter, unless sooner convened by the Governor in special session.

Sixth. No person shall be a Senator who shall not have attained the age of twenty-five years, and has 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 shall hold said office after he shall have removed from said district.

Seventh. 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 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 shall hold said office after he shall have removed from said district.

Eighth. 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 of this Commonwealth, shall be a member of either House during his continuance in Congress or in office.

Ninth. No person who has been, or hereafter shall be, convicted of bribery, perjury or other infamous crime, or who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be ineligible to the General Assembly, or to any office of profit or trust in this State.

Tenth. Every member of the General Assembly, before he enters upon his official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Pennsylvania, and will faithfully discharge the duties of Senator, (or Representative) according to the best of my ability, and I do solemnly swear (or affirm) that I have not paid or contributed anything, or made any promise in the nature of a bribe, to corrupt or influence, directly or indirectly, any vote at the election at which I was chosen to fill the said office, and I do further solemnly swear (or affirm) that I have not accepted or received, and that I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company, or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

Eleventh. The foregoing oath shall be administered by one of the judges of the Supreme Court, in the hall of the House to which the member is elected, and the Secretary of State shall read and file the oath subscribed by such member. Any member who shall refuse to take said oath shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or having violated his said oath, shall forfeit his office, and be disqualified thereafter from holding any office of profit or trust in this State.

Twelfth. Each member of the General Assembly shall receive for such period of two years, the sum of twelve hundred dollars and mileage, at the rate of ten cents for every mile travelled in going from their place of residence to their place of meeting and returning therefrom. And no other allowance or perquisite whatever, either for expenses or services, whether as member of any committee, or other duty as member of said General Assembly: *Provided*, That if the Governor shall convene the General Assembly in special session, each member shall receive ten dollars for each day of said session, with the same mileage as is hereinbefore provided for the regular session.

Thirteenth. Every person who shall be elected or appointed to any office by the Legislature, shall discharge the duties of such office in person, and not by proxy.

Fourteenth. The Lieutenant Governor shall preside over the Senate, and in case of a vacancy in the office of Lieutenant Governor, the Senate shall elect one of its members as Speaker. The House of Representatives shall elect one of its members as Speaker. Each House shall choose its other officers, and shall judge of the election and qualifications of its members.

Fifteenth. A majority of each House shall constitute a quorum, 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 prescribed.

Sixteenth. 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 the Legislature of a free State.

Seventeenth. The doors of each House, and of committee of the whole, shall be open, unless when the business is such as ought to be kept secret.

Eighteenth. 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.

Nineteenth. The members of the General Assembly shall, in all cases, except treason, felony, violation of the oath hereinbefore prescribed, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses, and in going to and returning from the same. And for any speech or debate in either House, they shall not be questioned in any other place.

Twentieth. The General Assembly shall apportion the State every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the State, as ascertained by the last preceding Federal census, by the number thirty-three, and the quotient shall be the ratio of representation in the Senate. Counties containing a population of four-fifths of said ratio, shall be separate Senatorial districts, and elect each one Senator. Counties containing not less than the ratio, and three-fourths thereof, shall each elect two Senators, and one additional Senator for each number of inhabitants equal to the ratio contained by said counties, in excess of twice the number of said ratio. All Senatorial districts shall be formed of contiguous and compact territory, each, as nearly as possible, an equal number of inhabitants: *Provided*, That no city or county shall elect more than four Senators.

Twenty-first. The General Assembly shall apportion the State every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the State, as ascertained by the last preceding Federal census, by the number one hundred, and the quotient shall be the ratio of representation in the House of Representatives. Every county shall be entitled to one Representative, unless its population is three-fifths of the ratio. Every county having a population not less than the ratio and three-fifths, shall be entitled to two Representatives, and for each additional number of inhabitants equal to the ratio, one Representative. Counties containing less than three-fifths of the ratio shall be formed into single districts of compact and contiguous territory, bounded by county lines, and contain, as nearly as possible, an equal number of inhabitants.

After some time the President resumed the Chair, and the chairman reported progress, and asked leave for the committee to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

And on the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named.

On the question,

Shall the committee of the whole have leave to sit to-morrow ?

It was determined in the affirmative.

The hour of two having arrived,

The President adjourned the Convention until to-morrow at twelve o'clock, M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JANUARY 23, 1873.

The President laid before the Convention a communication from the directors of the Mercantile Library of Philadelphia, which was read as follows, viz:

PHILADELPHIA, January 22, 1873.

To the Committee for Revising the Constitution of Pennsylvania:

GENTLEMEN:—On behalf of the directors of the Mercantile Library company of this city, I beg leave to extend to you an invitation to visit the library rooms, and make such use of the books and periodicals there as you may find convenient or practicable.

With this view a ticket has been furnished to each member of the Convention.

Yours respectfully,

T. MORRIS PEROT,

President of the Mercantile Library Co.

On motion of Mr. Lamberton,

The invitation was accepted, with the thanks of the Convention.

The President also laid before the Convention a communication from the Auditor General of the State, which was read as follows, viz:

AUDITOR GENERAL'S OFFICE, }
HARRISBURG, Jan. 20, 1873. }

Hon. WILLIAM M. MEREDITH,

President of the Constitutional Convention of Pennsylvania:

SIR:—I have the honor to acknowledge the receipt of a copy of a resolution, adopted by the Constitutional Convention on the 16th of January instant, requesting the Auditor General to respond, without delay, to the resolution of inquiry, adopted on the 27th of November last, in respect to the private corporations doing business in Pennsylvania.

The resolution referred to requested the Auditor General to inform the Convention what private corporations, foreign or domestic, (other than railroad and canal companies and religious and charitable corporations,) exist and are doing business in this State; and that he state, in tabular form, the name and location of said corporations, the general character of their business, the amount of their actual capital paid in, with reference to the several acts of Assembly, under and by authority of which the said corporations claim to exercise their respective franchises.

This resolution was received by my predecessor in office on the 28th of November last, two days before the termination of his official term, and handed over to me with the other records of the Department. I am certain that the Convention had no adequate conception of the magnitude of the work devolved upon me, or they would not have anticipated a speedy response to their resolution of inquiry. The compilation of a full and complete answer to this resolution with reference to the several acts of Assembly under which all the private corporations created by or doing business in Pennsylvania, exercise their respective franchises, would be a work requiring many months of intelligent labor, so long, indeed, that I apprehend that your honorable body would have terminated its labors long before the desired digest could be completed. The clerical force at my disposal is not more than adequate to the performance of the ordinary and current business of this Department; and to divert the labors of the most competent clerks in this direction, would cause the most serious interruption of the public business. I, therefore, respectfully submit that a full response to this resolution is entirely impracticable.

As the second paragraph of your resolution of the 14th instant, to which I have already responded, partially covers the same ground, I trust that the answer thereto may prove satisfactory; but if not, and it is the pleasure of the Convention, I will endeavor, as far as possible, to have prepared in time an answer to your extended interrogatories.

I have the honor to be,

Very respectfully, yours,

HARRISON ALLEN, Auditor General.

On motion of Mr. Corson,

Said communication was referred to the Committee on Private Corporations, &c.

Mr. Mann presented a petition of numerous citizens of Cameron county, asking for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

On motion of Mr. Mann,

Said petition was referred to the Committee on Legislation.

Mr. Minor presented a petition of eighty-five citizens of Titusville, Crawford county, asking for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

On motion of Mr. Minor,

Said petition was referred to the Committee on Legislation.

Mr. Corson presented a memorial from the State Council of Pennsylvania Junior Order of United American Mechanics, which was read as follows, viz :

PHILADELPHIA, January 22, 1873.

To the President and Members of the Constitutional Convention of Pennsylvania :

GENTLEMEN :—At the annual session of the State Council of Pennsylvania Junior Order of United American Mechanics, held sixteenth inst., the following resolution was unanimously adopted :

“ Resolved, That this State Council petition the Constitutional Convention to so amend the Constitution of this State, as to prevent the interference by all labor associations, in limiting the number of apprentices in any art, trade or mystery.”

In forwarding this resolution, permit me to say that the Junior Order United American Mechanics is composed of young men from the ages of sixteen to twenty-one years, and many of them have felt the disadvantages under which they labor in the laudable effort to learn a trade. Hoping your action will conduce to the remedying of the above evil, and thus furnish a safe-guard to our young men by giving them an opportunity to learn a trade, and thus keep them from idleness and crime, I am,

Very truly yours,

EDW. S. DEEMER,
S. C. Secretary.

Mr. Hopkins asked and obtained leave of absence for Mr. M'Allister for to-day.

On motion of Mr. Hunsicker,

The following resolution was read a second time, viz :

Resolved, That the Convention accepts the mode provided by section four of the act of Assembly, approved April 11, 1872, entitled “An Act to provide for calling a Convention to amend the Constitution for the submission of the proposed amendments to the Constitution to the people, for adoption or rejection.”

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Boyd,

To amend the same, by striking out the words, “section four of.”

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. John R. Read,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Agreeably to order,

The Convention proceeded to the third reading and consideration of the article reported from the Committee on Suffrage, Election and Representation, viz :

ARTICLE —. The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by law, fix a different day, two-thirds of each House consenting thereto.

ARTICLE —. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

On the question,

Shall the articles pass ?

The yeas and nays were required by Mr. Hanna and Mr. Simpson, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Andrews, Armstrong, Baily, of Perry, Bannan, Beebe, Black, Chas. A., Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Campbell, Carter, Church, Clark, Collins, Corbett, Craig, Cronmiller, Gurry, Cuyler, Dallas, De France, Dunning, Elliott, Ellis, Ewing, Fulton, Funck, Gibson, Gowen, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Hopkins, Horton, Howard, Hunsicker, Kaine, Lambertson, Landis, Lawrence, Lear, Long, M'Camant, M'Clean, MacConnell, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, W. H., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Worrell, Wright and Meredith, *President*—84.

N A Y S .

Messrs. Addicks, Baker, Bardsley, Biddle, Carey, Cochran, Corson, Darlington, Fell, Hanna, Lilly, Littleton, MacVeagh, Mann, Palmer, H. W., Patterson, D. W., Reynolds, James L., Ross, Runk, Simpson, Smith, Henry W., Stanton, Wetherill, Jno. Price and White, Harry—24.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Alricks, Baer, Baily, of Huntingdon, Barclay, Bartholomew, Buckalew, Cassidy, Curtin, Davis, Dimmick, Dodd, Edwards, Finney, Gilpin, Heverin, Knight, M'Allister, Mott, Purviance, John N., Reynolds, S. H., Russell, Sharpe, Stewart, Temple and Woodward.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Hopkins in the Chair, on articles reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named, and agreed upon.

A motion was made by Mr. Cowen,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, JANUARY 24, 1873.

The President laid before the Convention a memorial from the monthly meeting of the religious Society of Friends of Little Britain, Lancaster county, which was read as follows, viz :

To the Convention of Delegates elected to revise the Constitution of the State of Pennsylvania, now in session in the city of Philadelphia :

The memorial of the monthly meeting of the religious Society of Friends, held at Little Britain, in the county of Lancaster, the 18th day of the first month, 1873, respectfully sets forth :

That one of the great fundamental principles of the religion of Jesus Christ, is love. Love to God and love to all men, consequently we believe, and the Society to which we are attached for more than two hundred years has held the doctrine that all wars and fightings are inconsistent with, and at variance with the doctrines and precepts of the Gospel, as promulgated by the Saviour of the world.

The founder of this colony, now the Commonwealth of Pennsylvania, held these views, acknowledging that "God alone was Sovereign Lord of conscience," and established his colony on the broad Christian basis of love, toleration and good will to all men, as well as an asylum for the oppressed and persecuted for conscience sake in other lands.

In this infant colony, for seventy years, the conflict of arms was unknown, and history bears no record of strife between the Indian and the Friend.

The liberal principles of William Penn, promulgated through his charter of privileges and pervading his statutes, were, we believe, in an eminent degree the foundation of the religious rights now enjoyed by the citizens of these United States. It is but just, therefore, that its fundamental law deal tenderly with the conscientious convictions of its citizens.

As a society, we cannot, from principle, take up arms or join in any measure or service, either offensive or defensive, that will promote war. Neither can we pay an equivalent or employ a substitute in lieu of personal service, because acting by an agent would be equivalent to acting ourselves.

May we not, therefore, as sincere believers in the peaceable nature of the Gospel of Christ, in this day of enlightenment and Christian progress, reasonably ask the representatives of the Commonwealth in which we live, and whose institutions we love, to amend the Constitution in the second section of the sixth article, so as to release all those who, through obedience to Christ and his sublime precepts, cannot bear arms, for the payment "of an equivalent in lieu of military services."

Then we believe the blessing of Him who alone buildeth up nations and pulleth them down at pleasure, will rest upon our State.

Signed in and by direction of the meeting aforesaid, by

JAMES WOOD,
MARY ANN STUBBS,
Clerks.

On motion of Mr. Carter,

Said memorial was referred to the Committee on Militia.

Also, a communication from Mr. E. Haskell, of Philadelphia.

Also, a communication from Mr. Frederick Fogg, of Philadelphia.

Which were laid on the table.

Mr. Darlington presented a petition of citizens of Chester county, asking for an amendment to the Constitution granting to all citizens, of mature age, the right of suffrage.

Laid on the table.

Also, presented a memorial from the New Garden Monthly Meeting of Friends, which was read as follows, viz :

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of New Garden Monthly Meeting of Friends (by its committee) respectfully represents :

That conscience, being God's vice-gerent in man, cannot be made subordinate to human laws, but must be left free to act. "No human authority can, in any case whatever, control or interfere with the rights of conscience."

Friends and others believe that all wars are wrong, and cannot conscientiously render military service. "When conscientiously scrupulous of bearing arms, shall not be compelled to do so." But this has been, strangely enough, supplemented, and rendered inoperative, by the contradictory proviso, "But shall pay an equivalent for personal service." Little does he know of the workings of conscience, who does not perceive that the same scruples would apply with equal force to paying an equivalent as to rendering the service.

We, therefore, respectfully, but earnestly, ask you to erase this inconsistent proviso from our fundamental law, and give back to conscience her "natural and infeasible rights."

(Signed)

MILTON CONRAD,
SYLVESTER D. LINVILLE,
JEREMIAH STARR,
JOB H. JACKSON,
ELLWOOD MICHENER,
THOMAS GAWTHROP,
WILLIAM HUGHES,
GEORGE WEBSTER,
EZRA MICHENER,

Committee of New Garden Monthly Meeting of Friends.

COR. OF N. G. MONTHLY MEETING OF FRIENDS, }
New Garden, 20th of First month, 1873. }

On motion of Mr. Darlington,

Said memorial was referred to the Committee on Militia.

He also presented memorials from the same society, which were read as follow, viz :

To the Constitutional Convention of the State of Pennsylvania, now in session :

The memorial of New Garden Monthly Meeting of Friends (by its committee) respectfully represents :

That we are deeply impressed with the injurious results of the traffic in intoxicating beverages, wherever permitted and however restricted. And believing their use, as such, to be a fruitful source of demoralization, poverty and crime, involving communities, more than any other cause, in the resulting expenses of criminal prosecutions, and the support of houses of correction, penitentiaries, alms-houses and lunatic asylums; and feeling sure that no adequate good ever has, or ever can grow out of their manufacture, sale and use, we do earnestly request that you will engraft a clause in our new Constitution, so far as practicable, to prohibit the making, vending and using of intoxicating beverages, and to exclude their sale from under the authority and protection of the law, within our otherwise prosperous Commonwealth.

(Signed)

MILTON CONRAD,
SYLVESTER D. LINVILLE,
JEREMIAH STARR,
JOB H. JACKSON,
ELWOOD MICHENER,
THOMAS GAWTHROP,
WILLIAM HUGHES,
GEORGE WEBSTER,
EZRA MICHENER,

Committee of New Garden Monthly Meeting of Friends.

COR. OF N. G. MONTHLY MEETING OF FRIENDS, }
New Garden, 20th of First month, 1873. }

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of New Garden Monthly Meeting of Friends, by its committee, respectfully represents :

That the infliction of capital punishment is cruel and vindictive ; that it does not deter from the commission of crimes, and is not in accordance with the moral precepts and benevolent teachings of the Gospel of Jesus Christ.

Your memorialists, therefore, earnestly request that you will amend our new Constitution, so that it shall erase the death penalty from our statutes.

(Signed)

MILTON CONARD,
SYLVESTER D. LINVILLE,
JEREMIAH STARR,
JOB H. JACKSON,
ELLWOOD MICHENER,
THOMAS GAWTHROP,
WILLIAM HUGHES,
GEORGE WEBSTER,
EZRA MICHENER,

Committee of New Garden Monthly Meeting of Friends.

COR. OF N. G. MONTHLY MEETING OF FRIENDS, }
New Garden, 20th of First month, 1873. }

Laid on the table.

Mr. Landis asked and obtained leave of absence for Mr. Baer for a few days from to-day.

Mr. Funck asked and obtained leave of absence for Mr. Lamberton for a few days from to-day.

Mr. Armstrong asked and obtained leave of absence for Messrs. Parson and Metzgar for a few days from to-morrow.

Mr. Lawrence asked and obtained leave of absence for Mr. Hopkins for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for Mr. Corson for Saturday and Monday.

Mr. S. A. Purviance asked and obtained leave of absence for T. H. B. Patter-son for a few days from to-morrow.

Mr. Lilly asked and obtained leave of absence for Mr. Brown, Assistant Ser-geant-at-Arms, for a few days from to-day.

Mr. Gowan offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That copies of all such proceedings and public documents as are fur-nished to the members of the Convention shall, each morning, be laid upon the tables of the reporters of the press.

Mr. Littleton offered the following resolution, which was referred to the Com-mittee on Legislation :

WHEREAS, The Congress of the United States of America has passed an act, approved March 3, 1870, entitled "An Act to provide for celebrating the one hundredth anniversary of American Independence, by holding an international exhibition of arts, manufactures and products of the soil and mine, in the city of Philadelphia and State of Pennsylvania, in the year 1876:"

And whereas, In furtherance thereof Congress by act, entitled "An Act rela-tive to the Centennial international exhibition, to be held in the city of Philadel-phia, State of Pennsylvania, in the year 1876," approved June 1, 1872, creating a body corporate, to be known by the name of the "Centennial Board of Finance," with full power and authority to secure subscriptions of capital stock to an amount not exceeding ten million dollars, as therein provided, and "making it lawful for any municipal or other corporate body existing by or under the laws of the United States to subscribe and pay for shares of said capital stock;" there-fore be it

Resolved, That the Committee on Legislation be and hereby are instructed to prepare and report to this Convention a proper article or section to be inserted in the Constitution, whereby the Commonwealth may become a subscriber or stockholder in said corporation, and the Legislature may authorize any county, city or borough, by virtue of a vote of its citizens or otherwise, to become a subscriber and stockholder in said corporation of the Centennial Board of Finance, and thus be enabled to aid in the success of the great event of the nineteenth century.

Mr. Howard offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz :

Resolved, For the consideration of the Committee on Finance, Revenue and Taxation, in all cases when an enrolment tax shall be required to be paid upon any act of Assembly, such act shall be void unless the enrolment tax on the same shall be paid within six months from the date of the passage of the act.

Mr. Brodhead offered the following resolution, which was referred to the Committee on Private Corporations, &c., viz :

Resolved, That the Committee on Private Corporations are required to consider the propriety of the following article :

ARTICLE — Every telegraph company organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock can be made, and in which shall be kept, for public inspection, books, in which shall be recorded the amount of capital stock subscribed, and by whom, the names of the owners of the stock, and the amounts owned by them respectively ; the amount of stock paid in and by whom ; the transfers of said stock ; the amount of its assets and liabilities, and the names and places of residence of officers. The directors of every telegraph company shall, annually, make a report, under oath, to the Auditor General of all their receipts and expenditures, which report shall also include such other matter as may be required by law. That all charges by any telegraph company for messages sent, shall be uniform and *pro rata* according to air line distance. That legal process against any telegraph company may be served upon any operator at any telegraphic station, and the wire, instruments and other property of all telegraphic companies shall be liable to seizure and sale, in any county where judgment may be awarded. And the General Assembly shall pass laws enforcing, by suitable penalties, the provisions of this article.

Mr. De France offered the following resolutions, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be requested to inquire into the propriety of inserting in the Constitution the following : " That no bill shall become a law until it has been fully and distinctly read on three different days in each branch of the Legislature, unless in cases of urgency three-fourths of the members dispense with this rule, and that on the final passage of such bill in either House of the Legislature, the question shall be taken by yeas and nays, to be duly entered on the Journal thereof.

Resolved, That no bill shall be passed by either House of the Legislature upon the day prescribed for the adjournment of the two Houses.

Mr. Ellis offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to examine the propriety of making the punishment of fraud at elections hanging by the neck until dead, without benefit of clergy, benefit of Executive clemency, or any other benefit whatever.

Mr. Dallas offered the following resolution, which was twice read, viz :

Resolved, That it is the sense of the Convention that all articles, after having passed second reading, shall be referred to the Committee on Adjustment and Revision.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Gowen,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That it is the sense of the Convention that the Committee on Revision and Adjustment shall have power to alter the phraseology and correct the grammar of any section or article adopted by the Convention, subject to the approval of the Convention, and without affecting or changing the substance of the section or article."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Dallas,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Mr. Lilly offered the following resolution, viz :

Resolved, That the House Committee be instructed to inquire into the propriety of changing the position of the official reporters, as it is notorious that, in their present position, they cannot hear so as to report.

On the question,

Will the Convention proceed to the second reading and consideration of the same?

It was determined in the negative.

On motion of Mr. Corson,

The following resolution was twice read, considered and agreed to, viz :

Resolved, That the Committee on House be authorized to procure proper drapery for the windows, in order to soften the light and improve the acoustics of the hall in which we are assembled.

On motion of Mr. Runk,

The following resolution was twice read, viz :

Resolved, That to enable the Committee of the House to drape this hall in accordance with the resolution just adopted, when this Convention adjourns to-day, it be to meet on Monday at 12 o'clock M.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Corbett and Mr. Kaine, and were as follow, viz :

Y E A S.

Messrs. Ainey, Armstrong, Baker, Bannan, Biddle, Black, Charles A., Bowman, Brodhead, Broomall, Buckalew, Cassidy, Cuyler, Elliott, Ellis, Finney, Funck, Gibson, Gowen, Hanna, Harvey, Hemphill, Hunsicker, Lamberton, Lear, Lilly, Long, M'Camant, M'Clean, Metzger, Newlin Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Reynolds, James L., Rooke, Ross, Runk, Stanton, Temple and Van Reed—42.

N A Y S.

Messrs. Achenbach, Addicks, Andrews, Baily, (Perry,) Beebe, Black, J. S., Boyd, Campbell, Carey, Carter, Church, Clark, Cochran, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Dallas, Darlington, De France, Dunning, Ewing, Fell, Fulton, Guthrie, Hall, Hay, Hazzard, Horton, Howard, Kaine, Knight, Landis, Lawrence, Littleton, M'Allister, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Patterson, T. H. B., Patton, Porter, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Simpson, Smith, H. G., Smith, Henry W., Smith, W. H., Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, John Price,

Wherry, White, David N., White, Harry, White, J. W. F., Worrell and Meredith, *President*—66.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Alricks, Baer, Bailey, (Huntingdon,) Barclay, Bardsley, Bartholomew, Brown, Curtin, Davis, Dimmick, Dodd, Edwards, Gilpin, Heverin, Hopkins, Mac Veagh, Mott, Niles, Purviance, John N., Reynolds, S. H., Russell, Sharpe, Stewart, Woodward and Wright.

Mr. J. M. Wetherill offered the following resolution, viz :

Resolved, That when this Convention adjourns, it be to meet on Monday next at 11 o'clock.

Which was laid on the table.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

That in accordance with the instructions contained in the resolution adopted by the Convention January 21, the committee has endeavored to "ascertain whether the number of employees, and the compensation allowed to them; are necessary and proper for the convenience and comfort of the Convention," and, after much personal inquiry into the matter, and consultation upon the subject with the Chief Clerk and with the House Committee, which has, by the rules of the Convention, the charge of all the property in its use, reports that in its opinion the number of persons employed in the service of the Convention, exclusive of those elected, as mentioned in the report of the Chief Clerk made on the 21st of January, and referred to this committee, is necessary and proper for the convenience and comfort of the Convention, and that the compensation to be paid such persons, as reported by the Chief Clerk, is proper compensation.

In further accordance with the resolution above referred to, the committee recommends that the assistant fireman should be paid for his services from the beginning of his employment, three dollars per day while actually engaged in the discharge of his duties. It is further recommended that the Postmaster or the Assistant Postmaster be required to be in attendance at the post-office of the Convention, from the hour of eight o'clock in the morning until nine o'clock in the evening, and until the close of evening sessions when they are held, and that it shall be the duty of the Door-keepers to have charge of, and to keep order in the galleries.

The Chief Clerk has presented to the committee his bond, in the sum of six thousand dollars, with two sureties, executed by order of the Convention, and the same is herewith reported with recommendation that it be approved.

The committee further reports that the employees of the Convention, other than those elected by it, should be paid by the Chief Clerk; and that for this purpose, and for the payment of such minor contingent expenses as he may be authorized to pay, a warrant should be drawn in favor of the Chief Clerk for the sum of two thousand dollars, to be expended and accounted for by him, as authorized and required by the Convention.

The following resolutions are, therefore, reported, viz :

Resolved, That the employment and compensation of the persons named in the report of the Chief Clerk, made to the Convention on the 21st of January additional to those appointed by him under the direction of the Convention, be approved; and that the compensation of the Assistant Fireman be fixed at three dollars per day while actually engaged in the discharge of his duty, to be allowed from the beginning of his employment.

Resolved, That the recommendations of the above report of the Committee on Accounts as to the attendance of the Postmaster and Assistant Postmaster, and as to the duty of the Door-keepers, be approved and adopted.

Resolved, That the bond of the Chief Clerk, with George V. Lawrence and J. W. F. White, as sureties, be approved; and that it be filed in the office of the Secretary of the Commonwealth.

Resolved, That the employees of the Convention, other than those elected by it, shall be paid by the Chief Clerk; and that a warrant be drawn in favor of D. L. Imbre, Chief Clerk, for the sum of two thousand dollars, to be expended and accounted for by him as authorized and directed by the Convention.

On motion of Mr. Hay,

Said resolutions were severally read a second time, considered and agreed to.

BOND.

KNOW ALL MEN BY THESE PRESENTS :

We, D. L. Imbrie, Geo. V. Lawrence and J. W. F. White, and each of us, are held and firmly bound unto this Commonwealth of Pennsylvania, in the sum of six thousand dollars, lawful money of the United States, for the true and faithful payment of which we jointly and severally bind ourselves, our heirs and legal representatives, firmly by these presents.

WHEREAS, The above bounded D. L. Imbrie, has been elected Chief Clerk of the Convention, now in session, called to revise the Constitution of said Commonwealth, and as such clerk has certain duties to perform, and will have the custody and disbursement of certain moneys.

Now the condition of the above obligation is such, that if the said D. L. Imbrie, as Chief Clerk of said Convention, will faithfully perform all his duties, and will faithfully keep, disburse and account for, according to the directions of said Convention, all moneys that may be entrusted to him, then the above obligation to be null and void, otherwise to be and remain in full force and effect.

Witness our hands and seal, this the 20th day of January, 1873.

D. L. IMBRIE, [L. S.]
G. V. LAWRENCE, [L. S.]
J. W. F. WHITE, [L. S.]

Attest:

L. ROGERS.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Charles A. Black in the chair, on article reported from the Committee on Legislature.

After some time the President resumed the chair, the chairman reported progress, and asked leave to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention do now adjourn ?

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow at twelve o'clock M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, JANUARY 25, 1873.

Mr. Carter presented a petition from citizens of Lancaster county, asking that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Also, one of like import from citizens of Millersville, Lancaster county.

On motion of Mr. Carter,

Said petitions were referred to the Committee on Legislation.

Mr. Russell, presented a petition of eighty citizens of Addison township, Somerset county, asking that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

On motion of Mr. Russell,

Said petition was referred to the Committee on Legislation.

Mr. Bowman asked and obtained leave of absence for Mr. Elliott until Tuesday next.

Mr. Joseph Baily offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That before the Committee on the Hall proceeded to incur any expense in the proposed improvement in the acoustic qualities of the hall, they be instructed to ascertain the probable expense of such change and report the same to the Convention.

A motion was made by Mr. Harry White,

That the petition of section twenty-six of the International Workingmen's association, which was laid upon the table on Monday last, be referred to the Committee on Legislation.

Which was agreed to.

Mr. Church offered the following resolution, viz:

Resolved, That no subordinate officer of this Convention shall hereafter have leave of absence without first obtaining consent of the chief officer of his department.

Laid on the table.

Mr. Wherry offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the appropriate committee inquire what rights accused persons and criminals may justly be deprived of; and what Constitutional provision, if any, is needed to preserve for them those individual rights which the State is bound to respect.

Mr. Wm. H. Smith offered the following resolution, viz:

Resolved, That the Committee on Suffrage and Representation be directed, that after the number of Senators and Representatives shall have been determined, to apportion them among the counties, and also to make a Congressional apportionment.

A motion was made by Mr. Smith,

That the said resolution be referred to the Committee on Suffrage, Elections and Representation.

Mr. Cuyler offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Judiciary Committee be and they are hereby instructed to inquire and report in what way it is practicable to provide, in the Constitution, a method of judicially ascertaining whether acts of Assembly have been passed by fraud, deceit or misrepresentation, practiced upon the Legislature, and that acts so passed may be declared null and void.

Mr. Harry White offered the following resolution, viz:

Resolved, That in standing committees composed of fifteen in number, seven members thereof shall constitute a quorum to do business.

A motion was made by Mr. White,

That the rules be suspended, and the Convention proceed to the second reading and consideration of said resolution.

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

A motion was made by Mr. Carey,

That the Committee on Industrial Interests and Labor be discharged from the further consideration of the following resolutions, viz:

Resolved, That the Constitution of the State ought to be amended, as to secure to a wife, on the death of her husband, the same legal rights and privileges as are enjoyed by a husband on the death of his wife.

Resolved, The manufacture and sale of intoxicating drinks, as a beverage, is prohibited. The Legislature shall provide amply for the enforcement of this article.

Resolved, That the above article be submitted, separately, to the vote of the people.

A motion was made by Mr. Mann,

That said resolutions be referred to the Committee on Legislation.

Which was agreed to.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, on the article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

Monday next was named and agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at 10 o'clock A. M.

D. L. IMBRIE
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, JANUARY 27, 1873.

The President laid before the Convention a communication from the Chicago public library, which was read as follows, viz :

THE CHICAGO PUBLIC LIBRARY,
CITY HALL, COR. LA SALLE AND ADAMS STS., }
Chicago, January 24, 1873. }

To the President of the Constitutional Convention, Philadelphia, Pa. :

SIR :—I have had some correspondence with the Chief Clerk of your Convention respecting a copy of the proceedings of the Convention, including Debates, &c., when they are printed and bound, which I hope may result in our obtaining a copy. And now I desire to obtain, for present use, the daily reports as they are printed.

Our reading room, being located in the same building with the law institute and courts, is visited by a class of men who are interested in all such Conventions, and who would be highly gratified to see the daily proceedings as the Convention progresses.

We shall be glad to pay all expense connected with obtaining them, if they can be had.

Very respectfully and truly yours,
W. B. WICKERSHAM,
Secretary.

Laid on the table.

Mr. Darlington presented memorials from the Birmingham monthly meeting of Friends, which were read as follows, viz :

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of Birmingham monthly meeting of Friends, by its committee, respectfully represents :

That the infliction of capital punishment is cruel and vindictive; that it does not deter from the commission of crimes, and is not in accordance with the moral precepts and benevolent teachings of the gospel of Jesus Christ.

Your memorialists, therefore, earnestly request that you will amend our new Constitution, so that it shall erase the death penalty from our statutes.

Signed by direction of the meeting, held First month 25, 1873.

HALLIDAY JACKSON, *Clerk.*

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of Birmingham monthly meeting of Friends, by its committee, respectfully represents :

That we are deeply impressed with the injurious results of the traffic in intoxicating beverages, wherever permitted, and however restricted. And believing their use, as such, to be a fruitful source of demoralization, poverty and crime; involving communities, more than any other cause, in the resulting expenses of criminal prosecutions and the support of houses of correction, penitentiaries, alms-houses and lunatic asylums; and feeling sure that no adequate good ever has, or ever can grow out of their manufacture, sale and use, we do earnestly request that you will engraft a clause in our new Constitution, so far as practicable, to prohibit the making, vending and using of intoxicating beverages, and to exclude their sale from under the authority and protection of the law, within our otherwise prosperous Commonwealth.

Signed by direction of the meeting, held First month 15, 1873.

HALLIDAY JACKSON, *Clerk.*

On motion of Mr. Darlington,
Said memorials were referred to the Committee on Legislation.

Also, a memorial from the same meeting, which was read as follows, viz :
To the Constitutional Convention of Pennsylvania, now in session :

The memorial of Birmingham monthly meeting of Friends, by its committee, respectfully represents :

That conscience, being God's vice-gerent in man, cannot be made subordinate to human laws, but must be left free to act. "No human authority can, in any case whatever, control or interfere with the rights of conscience."

Friends, and others, believe that all wars are wrong, and cannot conscientiously render military service. "When conscientiously scrupulous of bearing arms, shall not be compelled to do so." But this has been supplemented, and rendered inoperative by the contradictory proviso: "But shall pay an equivalent for personal service." Little does he know of the workings of conscience, who does not perceive that the same scruples would apply with equal force to paying an equivalent, as to rendering the service.

We, therefore, respectfully, but earnestly ask you to erase this inconsistent proviso from our fundamental law, and give back to conscience her "natural and infeasible rights."

Signed by direction of the meeting, held First month 25, 1873.

HALLIDAY JACKSON, *Clerk.*

On motion of Mr. Darlington,

Said memorial was referred to the Committee on Militia.

Mr. Biddle asked and obtained leave of absence for Mr. Dallas for a few days from to-day.

Mr. Clark offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of adopting the following provisions relative to the judiciary power of the Commonwealth.

JUDICIAL DEPARTMENT.

The judicial power of the Commonwealth shall be vested in the Supreme Court, circuit court, 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.

SUPREME COURT.

The Supreme Court shall consist of seven judges, one of whom shall be chief justice, and they shall, by virtue of their offices be justices of oyer and terminer and general jail delivery in the several courts; four of the judges shall constitute a quorum, and the concurrence of four be necessary to a decision. They shall be elected for a term of fifteen years, and shall be ineligible for re-election.

The jurisdiction of the Supreme Court shall extend over the State, the original jurisdiction of the Supreme Court; shall embrace all cases relating to the revenue in which the Commonwealth is a party *mandamus quo warranto*, as to all officers whose jurisdiction extends throughout the State and *habeas corpus*; the appellate jurisdiction by appeal, *certiorari* or writ of error, in all the cases following, viz :

First. From the circuit courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace.

Second. From the court of common pleas, orphans' court or register's court, when the matter in controversy shall exceed one thousand dollars in value.

Third. All cases which involve the constitutionality of this State, or of the United States.

Fourth. All cases from the circuit court in its appellate jurisdiction, in which the judges of the said court shall not have been unanimous in the judgment entered, or in which two of the judges of the said general circuit courts, before whom the cause was heard, may allow a writ of error to remove the same into the Supreme Court; and if such allowance be made, a writ of error may issue out of the Supreme Court to the said circuit courts, and may be proceeded in as other cases.

For the election of the Supreme Judges, the State shall be divided into three districts, of as nearly equal population as practical, to be known as the Eastern,

Middle and Western districts, and until otherwise provided by law the districts shall be as follows :

Eastern district to consist of the counties of Chester, Delaware, Philadelphia, Montgomery, Berks, Bucks, Lehigh, Northampton, Carbon, Monroe, Pike, Wayne, Susquehanna, Wyoming and Luzerne.

Middle district to consist of the counties of Lancaster, York, Adams, Franklin, Fulton, Huntingdon, Mifflin, Juniata, Perry, Cumberland, Dauphin, Lebanon, Schuylkill, Northumberland, Snyder, Union, Centre, Clinton, Lycoming, Montour, Columbia, Sullivan, Bradford, Tioga, Potter, Cameron, Blair and Bedford.

Western district to consist of the counties of Somerset, Fayette, Greene, Washington, Allegheny, Westmoreland, Cambria, Indiana, Armstrong, Butler, Beaver, Lawrence, Mercer, Venango, Clarion, Jefferson, Clearfield, Elk, Forrest, Crawford, Erie, Warren and M'Kean.

The several judges of the Supreme Court, in commission at the time of the adoption of this amended Constitution, shall hold their offices under their said commission during the terms for which they were elected respectively.

At the next general election after the adoption of this amended Constitution, and every fifteen years thereafter, one person shall be elected to the office of Supreme Judge by the qualified voters of the State at large.

At the same general election one person shall be elected to the said office by the qualified voters of the Middle district, to serve for a term of fourteen years only ; and one person to the same office by the qualified voters of the Eastern district, to serve for nine years only. At the general election in the year one thousand eight hundred and seventy-eight, one person shall be elected to the said office by the qualified voters of the Western district, to serve for six years only.

At the general election in the year one thousand eight hundred and eighty-two, and every fifteen years thereafter, two persons shall be elected to the said office by the qualified voters of the said Eastern district, such voter voting for one only to serve for the term of fifteen years. At the general election in the year one thousand eight hundred and eighty-four, and every fifteen years thereafter, two persons shall be elected to the said office by the qualified voters of the Western district, each voter voting for one only, to serve for a like term of fifteen years. At the general election in the year one thousand eight hundred and eighty-seven, and every fifteen years thereafter, two persons shall be elected to the said office by the qualified voters of the Middle district, each voter voting for one only, to serve for a term of fifteen years.

The judge oldest in commission shall be the Chief Justice, and in the event of commissions bearing even date, the right shall be determined by lot. All vacancies in the office of the judge of the Supreme Court occurring by death, resignation or otherwise, shall be filled for the unexpired term by appointment of the remaining judges of the said court, and the person so appointed shall be chosen from the class of voters who voted for, and from the district represented by the person whose office has become vacant.

No person shall be eligible to the office of judge of the Supreme Court unless he be at least thirty-five years of age, and a citizen of the United States, and has resided in and been in regular practice in the courts of this State for ten years. The judges shall be commissioned by the Governor, and shall reside in the district in which they are elected.

CIRCUIT COURTS.

The Legislature shall, at its first session after this amended Constitution shall be adopted, erect the several counties of this Commonwealth into ten judicial circuits, each circuit to consist of contiguous and compact territory, to be as nearly equal in population as may be practicable, and the several circuits shall be numbered, beginning in the eastern portion of the State, and the first, second, third, fourth, and fifth circuits, shall constitute the Eastern general circuit ; and the sixth, seventh, eighth, ninth and tenth circuits, shall constitute the Western general circuit.

At the next general election after the Legislature shall have created the said judicial circuits, and every twelve years thereafter, five judges shall be elected in each of the said general circuits, by the qualified voters thereof, each voter voting for three only ; and the judges so chosen shall be commissioned by the Governor, and shall serve for a term of twelve years, if they shall so long behave themselves well, and shall receive such salary as may be provided by law.

The judges of each general circuit, when sitting in banc, shall have, and exercise appellate jurisdiction within said general circuit, in all civil cases which can-

not be carried, by direct appeal *certiorari*, or writ of error, to the Supreme Court, and like jurisdiction in such criminal cases as may be conferred by law; and the judgment of said court upon appeal *certiorari*, or writ of error, shall be conclusive, as a court of last resort, unless removed to the Supreme Court, under the several provisions heretofore mentioned.

Three of the said judges shall constitute a quorum, and the concurrence of three be necessary to a decision.

The Legislature shall, at its first session after the adoption hereof, by appropriate legislation, create such sub-districts as may be deemed necessary, and shall designate the terms of said courts, and the terms and places when they shall be held.

All vacancies occurring by death, resignation or otherwise, in the said office, shall be supplied as provided in case of vacancy in the Supreme Court.

For the purpose of original jurisdiction, the said judges shall be assigned under such regulations as the Legislature may provide, each to his proper circuit; and such terms of the circuit court of original jurisdiction shall be held throughout the several counties composing the circuit, by the proper judge thereof, as the Legislature shall provide. And the said circuit courts shall have original jurisdiction of the civil cases at law or in equity, in which the subject matter in controversy exceeds the value of five hundred dollars.

The Legislature may also provide for the removal of causes from the court of common pleas to the circuit courts under such rules, and in such manner as may be deemed expedient, and shall provide such other enactments as shall carry into effect the provisions herein contained relative to the circuit courts.

COURTS OF COMMON PLEAS, &C., &C.

The courts of common pleas, orphan's court, register county courts of oyer, terminer and general jail delivery, and courts of quarter sessions of the peace, shall possess the same power and exercise the same jurisdiction they now possess and exercise until otherwise provided by law.

The Legislature shall, at the first session after the adoption of this amended Constitution, divide the State into judicial districts, and every county having a population of twenty-five thousand and upwards, shall be a separate judicial district. No county shall constitute more than one district, nor shall more than two counties be embraced in any one district. Each judicial district so constituted shall have one law judge and no more for every twenty-five thousand of population to be ascertained from the last Federal census, but districts of more than one county may be created, having less than twenty-five thousand, in which case such districts shall be entitled to one law judge.

At the next general election after the Legislature shall have created the said districts, and every ten years thereafter, judges of the courts of common pleas, orphans' courts, registers' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, shall be elected by the qualified voters of the said district, respectively, in such numbers as the said districts shall be entitled to as aforesaid: *Provided nevertheless*, That the judges of the said several courts in commission at the time of the adopting of this amended Constitution shall hold their said offices under their said commission during the terms for which they were elected respectively, if they so long behave themselves well, in the new districts so created, in which they actually reside, respectively: *And provided further*, That in the election of the said judges, in districts where two or more judges are to be chosen at the same election, the vote shall be restricted as follows: When judges, to the number of two, are to be elected, each voter shall vote for one only; when judges, to the number of three or four, are to be elected, each voter shall vote for two only; when judges, to the number of five or six, are to be chosen, each voter shall vote for three only; and on the same ratio for any number to which any district shall be entitled.

And the said judges shall be commissioned by the Governor, and hold their office for a term of ten years.

When any vacancy shall occur in the said office by death, resignation, or otherwise, the Governor shall appoint some suitable person to serve for the unexpired term; and such appointment shall be made from the class of voters who voted for the person whose office has thus become vacant.

Mr. Russell offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Resolved, That the Committee on the Declaration of Rights be instructed to inquire into the propriety of inserting a clause in the Declaration of Rights, by

which those citizens of the Commonwealth who conscientiously believe that the seventh day of the week is the true Sabbath, and observe it as such, shall be relieved from the penalties imposed by the act of 22d April, 1794.

A motion was made by Mr. Harry White,

That the Convention proceed to the second reading and consideration of the following resolution, viz :

Resolved, That in standing committees composed of fifteen in number, seven members thereof shall constitute a quorum to do business.

Which was determined in the negative.

Mr. Cuyler offered the following resolution, which was twice read, viz :

Resolved, That hereafter the daily sessions of this Convention shall be held from 12 o'clock M., until 3 o'clock P. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. M'Allister,

To amend the same, by striking out the word "twelve," and inserting in lieu thereof the word "eleven," and by striking out the word "three," and inserting in lieu thereof the word "two."

Which was agreed to.

The resolution as amended was then agreed to.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. John R. Read,

That the Convention do now adjourn ?

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

TUESDAY, JANUARY 28, 1873.

Mr. Turrell presented a petition of citizens of Susquehanna county, asking that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

On motion of Mr. Turrell,

Said petition was referred to the Committee on Judiciary.

Mr. M'Murray asked and obtained leave of absence for Mr. Andrews for a few days from to-day.

Mr. Ross asked and obtained leave of absence for Mr. Brodhead for a few days from to-day.

Mr. Newlin asked and obtained leave of absence for Mr. Bardsley for a few days from to-day.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, on article reported from Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

And on the question,

When shall the committee of the whole have leave to sit again?

Friday and to-morrow were named.

On the question,

Shall the committee of the whole have leave to sit on Friday?

It was determined in the negative.

To-morrow was then agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to,

Whereupon,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

WEDNESDAY, JANUARY 29, 1873.

The President laid before the Convention a communication from the prothonotary of Clinton county, which was read as follows, viz :

DEAR SIR:—The number of civil causes pending in this county, are as follows :

On writs issued in 1870, and now at issue,	-	-	-	-	-	81
Do. do. 1870, and pending, but not at issue,	-	-	-	-	-	130
Do. do. 1871, now at issue,	-	-	-	-	-	77
Do. do. 1871, pending, but not at issue,	-	-	-	-	-	99
Do. do. 1872, now at issue,	-	-	-	-	-	63
Do. do. 1872, pending, but not at issue,	-	-	-	-	-	181

If it is considered necessary to have a statement for years prior to the above, I will do so. It is a pretty tedious job.

Respectfully,
 W. H. BROWN,
Prothonotary of Clinton county.

To D. L. IMBRIE, Esq.,
Chief Clerk, &c.

Also, a communication from the prothonotary of Clearfield, which was read as follows, viz :

PROTHONOTARY'S OFFICE, CLEARFIELD COUNTY, }
Clearfield, Pa., January 28, 1873.

GENTLEMEN:—Your request in regard to giving you the number of civil causes pending on our dockets, would be a labor of days—many days.

After an experience of over four years in this office, I would say, without the least exaggeration, the records here would show at least *fifteen hundred* (1500) cases unsettled—hundreds of which are settled, *no doubt*, but no evidence here to show the cost paid or any settlement.

I am satisfied that there are now *five hundred* cases, that have *merit* in them, unsettled in this court.

Also, a communication from the prothonotary of Bradford county, which was read as follows, viz :

PROTHONOTARY'S OFFICE, BRADFORD CO., PA., }
January 28, 1873.

D. L. IMBRIE, Esq. :

SIR:—In compliance with the resolution passed in Constitutional Convention on the 22d instant, requesting the prothonotary to furnish the Convention the number of civil causes pending on the docket, arranged according to the year in which the writs were issued, beg leave to report :

That in the year 1861, one case ; 1863, one case ; 1864, one case ; 1866, one case ; 1867, five cases ; 1868, nine cases ; 1869, fourteen cases ; 1870, twenty-five cases ; 1871, thirty-one cases ; and 1872, thirty cases—making total of one hundred and eighteen (118) at issue.

The number of cases not at issue, estimated to equal the number at issue furnished in the above list.

All of which is respectfully submitted.

Respectfully yours,
 BENJ. M. PECK,
Prothonotary.

A motion was made by Mr. MacVeigh,
 That said communications be referred to the Committee on Judiciary.
 Which was agreed to.

The President also laid before the Convention a communication from Messrs. Petry, Geissel, Bayha & Co., which was read as follows, viz:

PHILADELPHIA, *January 28, 1873.*

HON. WM. M. MEREDITH,

President Constitutional Convention:

DEAR SIR:—We think that, as the Convention is revising our State Constitution, it would be well to make a provision therein, in which a chattle mortgage could be security on movable property. Almost every State in the Union hold chattle mortgages good, and it would be an advantage to this State also. You will oblige us very much by bringing this before the Convention for their deliberation. Enclosed please find blank chattle mortgage of State of Illinois.

Yours truly,

PÉTRY, GEISSEL, BAYHA & CO.,
Per J. H. FAUNCE.

Also, a communication from Spencer High, a citizen of Philadelphia.

Which was laid on the table.

Mr. Terrell presented a communication from the New England Historic Genealogical society, which was read as follows, viz:

BOSTON, *January 23, 1873.*

DEAR SIR:—I see by the report, or the proceedings of your body, that a vote was passed to present to the Chicago public library, and to certain other libraries, one copy, daily, of the Debates and proceedings of the Convention.

Our library is much used for historical purposes, both by citizens of New England and people from abroad. If your members think proper to present us with a copy, we should be very happy to receive it, and keep it for public use.

Respectfully yours,

JOHN WARD DEAN.

To the Chief Clerk of the Constitutional Convention, Philadelphia.

Laid on the table.

Mr. Davis presented a petition from citizens of Monroe, asking that the Constitution be so amended that the sale of intoxicating beverages be prohibited.

Laid on the table.

A motion was made by Mr. Patton,

That the petition presented by him, on the twentieth instant be referred to the Committee on Legislation.

Which was agreed to.

Mr. M'Allister asked and obtained leave of absence for Mr. Curtin for a few days from to-day.

Mr. Samuel A. Purviance offered the following resolution, which was referred to the Committee on Schedule, viz:

Resolved, That the Committee on Schedule be instructed to inquire into the expediency of incorporating therein the following:

The Senators, now in office, shall remain until the expiration of the terms for which they were elected.

The Senators chosen under this Constitution, shall be elected as provided for by law at the general election next after the expiration of the term of service of the Senators now in office.

Mr. D. N. White offered the following resolution, which was referred to the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office, viz:

Resolved, That the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office be requested to take into consideration the following amendment:

The administration of oath, by any person authorized to administer the same within this State, touching all matters concerning political elections, whether primary or otherwise, is and shall be lawful.

Mr. Bowman offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on the Declaration of Rights take into consideration the propriety of so amending the same as to provide that the writ of error shall be the writ of right in all capital cases, and shall operate as a super-seedeas to stay execution of the sentence of death, until the order of the Supreme Court is had thereon.

Mr. Howard offered the following resolution, which was referred to the Committee on Cities and City Charters, viz :

Resolved, That for the consideration of the Committee on Cities and City Charters, solicitors for cities, counties and boroughs shall be chosen by the qualified electors of said cities, counties and boroughs at the next election for city, county and borough officers after the adoption of this provision, and every three years thereafter.

He also offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That for the consideration of the Committee on Legislation : "Special legislation shall be lawful in no case except when the proposed special act shall be published at length in one or more newspapers in the locality where the special act is intended to operate. An act to repeal, amend or revive a special act, shall be published as required for original special legislation."

Mr. Newlin offered the following resolution, which was referred to the Committee on Cities and City Charters, viz :

Resolved, That all municipal commissions are abolished, and none shall hereafter be created. The powers now exercised by them shall be vested in departments of municipal government, subject to the control of the councils.

Mr. Mann offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the use of this hall be given to the Committee on Legislation and on Industrial Interest and Labor, on Friday evening next, for the purpose of having the representatives of the industrial interests of this city present their views of the true relation that should exist between capital and labor.

Mr. Terrell offered the following resolution, which was twice read, viz :

Resolved, That the Clerk be directed to send a copy of our daily Debates and proceedings to the New England Historical and Genealogical society, at Boston, Mass.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

That the same be referred to the Committee on Printing and Binding.

Which was agreed to.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Chares A. Black in the Chair, on articles reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Stanton,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JANUARY 30, 1873.

The President laid before the Convention a communication from the Board of Public Charities, which was read as follows, viz :

BOARD OF PUBLIC CHARITIES,
OFFICE OF THE EXECUTIVE COMMITTEE,
737 Walnut street, Philadelphia, January 30, 1873. }

Hon. WILLIAM M. MEREDITH, *President, &c. :*

I am instructed by the Board of Public Charities of the Commonwealth of Pennsylvania, to submit for the consideration of the Convention, of which you are the President, an extract from their annual report to the Legislature now in session.

The accompanying paper presents the views and suggestions of the Board on Crime and Prison Economy. A copy has been addressed to each member of the Convention.

Very respectfully,
GEORGE L. HARRISON.

The communication, together with the accompanying document, were laid on the table.

Mr. Minor offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be instructed to inquire whether it is expedient to insert such provision in the Constitution as will authorize the Legislature to modify the existing rules as to qualifications of jurors, and if so, in what manner, and to what extent.

Mr. Clark offered the following resolution, which was referred to the Committee on Schedule, viz :

Resolved, That the Committee on Schedule be instructed to inquire into the expediency of providing as follows :

“Senators elected before the adoption of this amended Constitution shall hold their office for the terms for which they were elected respectively ; and at the first general election after the adoption of this amended Constitution, eleven Senators shall be elected by the qualified voters of the proper districts, as now constituted, to succeed those Senators whose terms of office then expire, to serve for two years. At the second general election after the adoption of the amended Constitution,

eleven Senators shall be elected by the qualified voters of the proper districts as now constituted, to succeed those Senators whose terms of office then expire, to serve for one year. And at the next general election then next ensuing, the whole number of Senators shall be chosen from the several districts throughout the State, as they shall be at the time constituted by law. All those Senators chosen from districts numbered with odd numbers, to be elected for two years; and those Senators chosen from districts numbered with even numbers, to be elected for a full term of four years. And thereafter, as the term of office of Senators shall expire, their successor shall be elected for a full term."

Mr. Mantor offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz:

Resolved, That the Committee on Suffrage and Election be requested to inquire into the necessity of inserting a section in the Constitution, as follows:

"SECTION —. No person authorized to vote under this Constitution shall be disfranchised, nor shall the right of suffrage be abridged: *Provided however*, That laws shall be passed by the first Legislature assembled after the adoption of this Constitution, excluding from the right to vote all persons who may pay or receive money, or any other thing of value, or promise any consideration, place or office with the view of securing or preventing the election of any candidate for Federal, State or local office, or who may be engaged in buying or selling votes, or in any way preventing the purity of the ballot or the freedom of election."

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, on articles reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Hanna,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, JANUARY 31, 1873.

The President laid before the Convention a communication from the prothonotary of Jefferson county, which was read as follows, viz:

BROOKVILLE, *January 28, 1873.*

D. L. IMBRIE, *Chief Clerk Constitutional Convention, Philadelphia, Pa.:*

DEAR SIR:—In compliance with resolution of 22d inst., I herewith transmit "number of civil causes pending on the dockets of Jefferson county," according to the years in which the writs were issued:

1859.	1860.	1861.	1862.	1863.	1864.	1865.	1865.	1867.	1868.	1869.	1870.	1871.	1872.	1873.
6	4	8	15	20	27	36	75	101	115	127	156	173	193	60

Very respectfully,

J. B. HENDERSON, *Prothonotary.*

Also, a communication from the prothonotary of Forest county, which was read as follows, viz:

Number of civil causes pending in the court of common pleas of Forest county, Pennsylvania:

In the year A. D.	1869,	.	.	.	.	.	.	.	.	.	.	.	.	.	2
"	"	"	1870,	.	.	.	.	.	.	.	.	.	.	.	13
"	"	"	1871,	.	.	.	.	.	.	.	.	.	.	.	12
"	"	"	1872,	.	.	.	.	.	.	.	.	.	.	.	53
"	"	"	1873,	.	.	.	.	.	.	.	.	.	.	.	8
Total,	.	.	.	.	.	.	.	.	.	.	.	.	.	.	88

COMMONWEALTH OF PENN'A, }
Forest county, } ss:

I, J. B. Agnew, prothonotary of the court of common pleas in and for said county, do certify that the above is the correct number of civil causes now pending in said court, as appears of record.

Witness my hand and seal, this 28th day of January, A. D. 1873, at Tionesta, Pennsylvania.

[SEAL.]

J. B. AGNEW, *Prothonotary.*

Said communication was referred to the Committee on Judiciary.

Mr. Joseph Baily, of Perry, presented the petition of citizens of Perry county, praying for the incorporating certain restrictions in the Constitution, relating to railroad and canal companies.

On motion of Mr. Baily, of Perry,

Said petition was referred to the Committee on Railroads and Canals.

Mr. Knight presented a memorial from the yearly meeting of the Religious Society of Friends, held in Philadelphia, which was read as follows, viz:

PHILADELPHIA, *First month 24th, 1873.*

To the Convention of Delegates to Revise the Constitution of the State of Pennsylvania, now sitting:

This memorial of the Representative Committee for the yearly meeting of the Religious Society of Friends, held in Philadelphia, respectfully represents:

That the evil arising from the sale and use of intoxicating liquors, as a drink, having claimed our serious consideration, we have felt it to be our duty to endeavor briefly to call your attention to the subject in all its bearings.

The practice is utterly void of advantage to the individual or the State. We believe it to be the most fruitful known source of crime, entailing misery and wretchedness, both physical and mental, upon its immediate victims and their posterity; that it supplies more inmates to insane asylums, prisons and almshouses, than any other cause; that the cost to the community in money, in addition to the moral depravity it engenders, in the occupancy of courts of justice in prosecutions for crimes committed under its influence, and the increase of taxes for the support of almshouses, necessitated by the poverty it produces, far exceeds the income derived to the State from the sale of licenses. Were it otherwise, has the State a moral right to license this fruitful source of crime for the purpose of revenue? The places where liquor is sold are legion. The foul taint thereof is upon the breath of youth and age, in most places of public resort. We believe the increasing magnitude of this evil to be so great, that it is second to none that can claim your attention.

We respectfully, but most earnestly appeal to you, as a body chosen by a professed Christian community, whose duty it is to exercise the powers delegated to you for the promotion and protection of virtue as the surest guarantee for the public good, solemnly to consider the subject, and do what you can to arrest and diminish this flood of iniquity. The Constitution, as it now stands, requires the enactment of laws for the *protection* of property and life, whilst it sanctions the sale, by license, of means which more than any other cause *endangers* property and life, and may prove destructive to the soul. We, therefore, request that you will so amend the Constitution, that it will take from the Legislature of this Commonwealth the power to grant licenses for the sale of intoxicating liquors as a drink, and substitute provisions prohibiting such sale. Whilst we thus desire that the poisonous streams now surrounding the paths of the youth, luring them to destruction, shall forever cease, we shall hail with joy *any* modification of our laws approximating to so desirable an end.

Signed by direction and on behalf of the Representative Committee aforesaid.

RICHARD MOORE,
JOHN SELLERS,
WILLIAM DORSEY,
JOSEPH C. TURNPENNY,
HENRY M. LAENG,
JOHN SAUNDERS,
CALEB CLOTHIER.

On motion of Mr. Knight,

Said memorial was referred to the Committee on Legislature.

Also, a memorial from the same society, which was read as follows, viz :

PHILADELPHIA, *First month 24th, 1873.*

To the Convention of Delegates to Revise the Constitution of the State of Pennsylvania, now sitting :

This memorial of the Representative Committee for the yearly meeting of the Religious Society of Friends, held in Philadelphia, respectfully sheweth :

That the Constitution of the State of Pennsylvania, as it now stands, requires of the Legislature the enactment of laws, demanding from all citizens of the State, between certain ages, capable of bearing arms, the performance of military service, excepting that "*those conscientiously scrupulous to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.*" (See article six, section two, Constitution of the State of Pennsylvania.) We consider such Constitutional provisions and laws to be in disregard of the conscientious scruples upon the subject of war of a large class of the professors of Christianity in this Commonwealth; and deem it our duty earnestly and solemnly to remonstrate against them as a violation of our religious rights, guaranteed by William Penn, the founder of this Commonwealth, in his great charter, in the following remarkable language :

"Almighty God being the only Lord of conscience, Father of lights and spirits, and the author, as well as object, of all divine knowledge, faith and worship, who only doeth enlighten the mind and persuade and convince the understanding of people, I do hereby grant and declare, that no person or persons inhabiting this province or territories, who shall confess and acknowledge Almighty God, the Creator and upholder and ruler of the world, and profess him, or themselves obliged to live quietly under the civil government, shall be, in any case, molested

or prejudiced, in his or their person or estate, because of his or their conscientious persuasion or practice, or to do or suffer any other act, or thing, contrary to their religious persuasion.

"And, because the happiness of mankind depends so much upon the enjoying of liberty of their conscience as aforesaid, I do hereby solemnly declare, promise and grant, for me, my heirs and assigns, that the first article of this charter, relating to liberty of conscience, and every part and clause therein according to the true intent and meaning thereof, shall be kept, and remain, without any alteration, inviolably forever."

The Convention of 1790, which formed the first Constitution of this State, reaffirmed, in the Declaration of Rights, the great truths and rights granted by William Penn, and they were retained at the revision in 1837. Thus, in the existing Constitution of this State, it is declared, "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences;" also, "No human authority can, in any case whatever, control or interfere with the rights of conscience." It is likewise declared that everything in this article—that is, the Declaration of Rights—is excepted out of the general powers of government, and shall forever remain inviolate.

Thus it will be perceived that the present Constitution, whilst in theory it asserts and maintains the sacredness of the rights of conscience, also, by its future provisions in the matter to which we call your attention, violates said assertion as well as the guarantees of the great Charter of William Penn, by compelling us to do an act contrary to our religious persuasion, and interfering with our rights of conscience, or otherwise to suffer molestation in our person or estate.

We represent a people who cannot comply with any law requiring military service without disobeying the command of God to them. Neither can they pay a fine imposed for exemption therefrom, because in so doing they feel that they would implicate themselves in a violation of their conscientious scruples in this respect.

For more than two hundred years our society has held the doctrine that all wars and fightings were forbidden to them as followers of Christ—differing in this respect from nearly all other associations of men claiming the Christian name.

For asserting and maintaining this and other testimonies of the "truth as it is in Jesus," they were brought under cruel persecution, enduring the despoiling of their estates, incarceration in prisons and loathsome dungeons and death. Through this long season of darkness their dependence was upon the Divine Power, under which their patient suffering and earnest remonstrance obtained in some degree the favor of those in authority.

For the free enjoyment of civil and religious liberty, they came to this land, to seek amongst the so-called savages of the wilderness immunities and privileges denied them at the hands of a professed Christian nation. Here William Penn and his friends planted their infant colony, and proved the efficacy of the principle of peace. The conflict of arms was unknown, and history bears no record of strife between the Indian and the Friend.

We, their descendants, now appear before you, not alone with a view to shield ourselves from suffering, but, under a sense of duty to God, to assert the sacred rights of conscience, to raise the standard of the Prince of Peace before the people, and in His name to ask you so to frame and modify the Constitution, that it shall prohibit the Legislature from enacting laws which bring under persecution innocent men for obeying His commands. "Ye are my friends if ye do whatsoever I command you."

In thus defining our position, we enter not into judgment or condemnation of those who differ from us.

Trusting in the mercy of our Heavenly Father, we desire that He may so touch your hearts and understandings with His wisdom, that you may grant our petition.

Signed by direction and on behalf of the Representative Committee aforesaid.

RICHARD C. MOORE,
JOHN SELLERS,
WILLIAM DORSEY,
JOSEPH C. TURNPENNY,
HENRY M. LAENG,
JOHN SAUNDERS,
CALEB CLOTHIER.

CALEB CLOTHIER, *Clerk.*

On motion of Mr. Knight,

Said resolution was referred to the Committee on Militia.

Mr. Campbell presented the petition of E. M. Davis, Lucretia Mott, and five hundred and forty-eight other persons, asking for suffrage to the citizens of the United States, resident in the State of Pennsylvania.

On motion of Mr. Campbell,

Said petition was referred to the Committee on Suffrage, Election and Representation.

A motion was made by Mr. Davis,

That the resolution presented by him on January 29, relative to the prohibition of alcoholic beverages, be referred to the Committee on Judiciary.

Which was agreed to.

Mr. Lawrence asked and obtained leave of absence for Mr. Landis for a few days from to-day.

Mr. Kaine asked and obtained leave of absence for Mr. Buckalew and Mr. Wherry for a few days from to-day.

Mr. Turrell asked and obtained leave of absence for Mr. Long for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for himself for a few days from to-day.

Mr. M'Clean asked and obtained leave of absence for himself for a few days from to-day.

A motion was made by Mr. J. S. Black,

That the Committee on Legislation be discharged from the further consideration of the following resolution, offered by Mr. Stanton, January 10, viz:

Resolved, That the Committee on Legislation be instructed to inquire into the expediency of, and report a provision, as an amendment to the Constitution, prohibiting any art or trade association, or any combination of mechanics, or others, from making limitations upon the number of apprentices that may be employed by any master or association, for the purpose of carrying on any art, trade or mystery."

And that the same be referred to the Committee on Industrial Interests and Labor.

Which was agreed to.

Mr. Newlin offered the following resolution, which was referred to the Committee on Declaration of Rights, viz:

Amend the Declaration of Rights, by adding to section three: "The common school fund shall never be divided for sectarian purposes, and no money shall be appropriated by any State, county, municipal or other public authority, to any sectarian association or corporation for any purpose."

Mr. Brodhead offered the following preamble and resolution, which were referred to the Committee on State Institutions and Buildings, viz:

WHEREAS, It is but right and proper that the seat of the State government should be fixed by the choice of the majority of the people, and not be subject to location or removal by a vote of the Legislature, prompted by the passions and prejudices of the hour; therefore,

Resolved, That the following article be incorporated into the amended Constitution, viz:

"ARTICLE— The seat of government shall be fixed by the people. That at the time and place designated by this Convention for the people to vote for or against this Constitution, the people shall also vote upon the location of the seat of the State government. That each voter may vote for any one of the following places, viz: Pittsburg, Altoona, Harrisburg, Williamsport, Wilkesbarre, Reading, Bethlehem, Philadelphia.

That a majority of the whole number of votes cast shall be given for any one place, then such place shall thenceforth be the seat of the State government. But if a majority of votes cast shall not be given for any one place, those two places having the smallest number of votes shall be dropped from the list, and at the next ensuing general election the people shall again vote thereon, and if no one of the six places voted for shall have a majority, then the two places having the smallest number of votes shall be dropped from the list, and at the next ensuing general election the people shall again vote thereon, and if no one of the four places voted for shall receive a majority of the votes cast, then the two places having the smallest number of votes shall be dropped, and at the next ensuing general election the people shall finally vote thereon, and the place having the majority of the votes cast shall thenceforth be the State Capitol, and the Legislature shall provide by law for the proper carrying out by law of the objects of this provision.

Mr. Pughe offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on the Judiciary be instructed to inquire into the feasibility of inserting a clause in the Constitution, that whenever a city has a mayor's court, and contains less than sixty thousand inhabitants, said mayor's court shall be presided over by the president judge, or a law judge of common pleas of the county or district.

Also, the following resolution, which was referred to the Committee on Education, viz :

Resolved, That the Committee on Education be instructed to consider the expediency of establishing free schools in the mining districts for the study of geology, chemistry, mineralogy, mining, engineering and scientific ventilation of mines.

Mr. Lilly offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Accounts and Expenditures is hereby directed to estimate, as nearly as practicable, the probable amount of money that will be required to pay the expenses of this Convention, including salaries of members and officers, and all other probable expenses, and report the same to this House as early as practicable, that the same may be transmitted to the Legislature in time for the annual appropriation.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Newlin,

That the further consideration of the resolution be postponed for the present.

Which was agreed to.

Mr. Struthers offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be requested to report an article or section, securing the purity of elections, and guarding against corrupt practices in all departments of the government, under penalties embracing forfeiture of office, disqualification to hold office and by fine and imprisonment.

Mr. Davis offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourns to day, it will adjourn until Monday next at 11 o'clock, A. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hemphill,

To amend the same, by striking out all after the word, "resolved," and inserting in lieu thereof as follows, viz :

"That until otherwise ordered, this Convention will not sit on Saturdays."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Corbett and Mr. Cochran, and were as follow, viz:

Y E A S.

Messrs. Baker, Bannan, Bartholomew, Biddle, Boyd, Brodhead, Broomall, Buckalew, Cassidy, Clark, Corson, Cuyler, Davis, Elliott, Ellis, Ewing, Finney, Funck, Gibson, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Lilly, M'Camant, M'Clean, Metzger, Palmer, G. W., Pughe, Read, John R., Reynolds, S. H. Rooke, Runk, Simpson, Stanton, Wetherill, J. M., Wherry, Woodward and Worrell—40.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Black, Chas. A., Black, J. S., Bowman, Campbell, Carter, Cochran, Collins, Corbett, Craig, Curry, Curtin, Dallas, Darlington, De France, Dunning, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Knight, Lawrence, Littleton, M'Allister, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Smith, Henry W., Smith, W. H., Stewart, Struthers, Temple, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—62.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bardsley, Brown, Carey, Church, Cronmiller, Dimmick, Dodd, Edwards, Fell, Fulton, Gilpin, Gowen, Hall, Hopkins, Lamberton, Landis, Lear, Long, MacVeagh, Niles, Palmer, H. W., Parsons, Porter, Purviance, John N., Ross, Sharpe and Van Reed.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Alricks,

To amend the same, by striking out all after the word, "resolved," and insert in lieu thereof as follows, viz:

"That hereafter, until otherwise ordered, the Convention will meet on Saturday at ten o'clock, A. M., and adjourn at one o'clock, P. M., and meet on Monday at six o'clock, P. M., and adjourn at nine o'clock, P. M."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Littleton,

To lay the resolution on the table.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Corbett and Mr. Hay, and were as follow, viz:

Y E A S.

Messrs. Baker, Bannan, Bartholomew, Beebe, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Buckalew, Cassidy, Clark, Cochran, Corson, Curry, Curtin, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Funck, Gibson, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Lear, Lilly, M'Camant, M'Clean, Mott
16 CON. JOUR.

Newlin, Palmer, G. W., Patton, Pughe, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Wetherill, J. M., Wherry and Woodward—52.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Black, Chas. A., Campbell, Carter, Collins, Corbett, Craig, Darlington, De-France, Ewing, Fell, Finney, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Knight, Lawrence, Littleton, M'Allister, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Russell, Smith, H. G., Smith, W. H., Stewart, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Worrell, Wright and Meredith, *President*—53.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Andrews, Armstrong, Bardsley, Brown, Carey, Church, Cronmiller, Dimmick, Dodd, Edwards, Fulton, Gilpin, Gowen, Hall, Hopkins, Lamberton, Landis, Long, MacVeagh, Niles, Palmer, H. W., Parsons, Porter, Purviance, John N., Sharpe and Van Reed.

Agreeably to order,

The Convention again resolved itself in the committee of the whole, Mr. Charles A. Black in the chair, on article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Corbett,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at eleven o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, FEBRUARY 1, 1873.

The President laid before the Convention a communication from Jennie M. Petty, of Luzerne county.

Laid on the table.

Mr. Ewing presented the petition of citizens of Allegheny county, asking for an amendment to the Constitution to secure to woman the exercise of the right of suffrage.

On motion of Mr. Ewing,

Said petition was referred to the Committee on Suffrage, Election and Representation.

Mr. S. A. Purviance presented the petition of citizens of Allegheny and Washington counties, asking that the Constitution be so amended as to secure to women the exercise of the right of suffrage.

On motion of Mr. Purviance,

Said petition was referred to the Committee on Suffrage, Election and Representation.

Mr. Carter presented the petition of citizens of Lancaster county, asking that the Constitution be so amended as to secure to women the exercise of the right of suffrage.

On motion of Mr. Carter,

Said petition was referred to the Committee on Suffrage, Election and Representation.

A motion was made by Mr. Fell,

That the Committee on Education be discharged from the further consideration of the report of the Board of Public Charities, referred to them January 18, and that the same be referred to the Committee on State Institutions and Buildings.

Which was agreed to.

Mr. Baer asked and obtained leave of absence for Mr. Curry for a few days from to-day.

Mr. Corbett asked and obtained leave of absence for Mr. J. S. Black for a few days from to-day.

Mr. MacVeagh asked and obtained leave of absence for himself for a few days from to-day.

Mr. Howard asked and obtained leave of absence for Mr. Beebe for a few days from to-day.

Mr. Ainey offered the following resolution, which was read as follows, viz :

Resolved, That when this Convention adjourns to-day, it adjourn to meet on Monday next at seven o'clock P. M., and that hereafter the Saturday sessions shall be from ten o'clock A. M., until twelve o'clock noon, and on Monday from seven o'clock P. M., until ten o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Newlin offered the following resolution, which was referred to the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office, viz :

Resolved, That no member of the legislature or any municipal council shall, during the term for which he shall have been elected, be appointed to, or exercise any public office or employment whatever.

Mr. M'Allister, from the Committee on Suffrage, Election and Representation, reported the following article, viz :

ARTICLE —.

SECTION 1. Every male citizen of the United States, of the age of twenty-one years, having resided in the State one year, and in the election district where he offers to vote two months immediately preceding the election, shall enjoy the rights of an elector. But an elector of the State, who having removed therefrom and returned thereto, and who shall have resided in the election district as aforesaid, shall be entitled to vote after having resided in the State six months: *Provided*, No naturalized citizen shall enjoy the rights of an elector until one month shall have elapsed from the time he becomes a citizen.

SECTION 2. All elections of the citizens shall be by ballot. The ballots voted may be open or secret as the elector shall prefer, and they shall be numbered by the election officers when received. Each elector shall write his name upon his ballot, or cause it to be written thereon, and attested for him by another elector of the district, who shall not be an election officer.

SECTION 3. 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 therefrom.

SECTION 4. Whenever any of the qualified electors of this Commonwealth shall be in any actual military service under a requisition from the President of the United States, or by the authority of this Commonwealth, such electors may exercise the right of suffrage in all elections by the citizens under such regulations as are or shall be prescribed by law, as fully as if they were present at their usual place of election.

SECTION 5. The Legislature shall enact a uniform law for the registration of electors, but no elector shall be deprived of the right to vote by reason of not being registered.

SECTION 6. Any person who shall give or promise, or offer to give to an elector any money or other valuable consideration for his vote at an election, or for withholding the same, or who shall give such consideration to any other person or party for such elector's vote, or for the withholding thereof; and any elector who shall receive, or agree to receive, for himself, or for another, any money or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such election. And any elector whose right to vote shall be challenged for such cause before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue, before his vote shall be received.

SECTION 7. Every person convicted of any fraudulent violation of the election laws shall be deprived of the right of suffrage; but such right, in any particular case, may be restored by an act of the Legislature, two-thirds of each House consenting thereto.

SECTION 8. In cases of contested elections, no person shall be permitted to withhold his testimony upon the ground that it may criminate himself, or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding.

SECTION 9. No election or appointment to fill an official vacancy shall extend beyond the unexpired term.

SECTION 10. The Legislature shall provide by law, that in all elections for directors and managers of incorporated companies, every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of shares of his stock shall equal, or to distribute them, on the same principle, among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

SECTION 11. Wards of cities or boroughs, and townships, shall form or be divided into election districts, compact and contiguous territory, in such manner as the court of common pleas of the city or county in which the same are located may direct: *Provided*, All districts in cities of over one hundred thousand inhabitants shall be divided by the court of common pleas of said city whenever the preceding election shows the polling of more than two hundred voters; and in other election districts, whenever the court of the proper county shall be satisfied that the convenience of the electors and the public interests will be promoted thereby.

Said article was read the first time.

Mr. J. W. F. White, also from the Committee on Suffrage, Election and Representation, made a minority report, which was read as follows, viz :

I do not concur in the report of the majority of the Committee on Suffrage, Election and Representation, in the following particulars, viz :

1. I believe the section defining the qualifications of an elector, and some of the other sections might be more briefly and clearly expressed.

2. I object to requiring each voter to write his name on his ballot, because it will destroy the secrecy of the ballot, will be vexatious to electors, and will occasion much delay and trouble at elections.

3. A general act on the subject of restoring the right of suffrage in forfeited cases, will be more satisfactory than a special act in each case, and save a vast amount of very objectionable special legislation.

4. Election districts should be formed by general law, uniform throughout the State, with no special provisions for any locality. Besides the maximum of voters reported for city districts is too small.

5. The provision in reference to numbering the ballots is too indefinite.

6. The method of electing managers for corporations properly belongs to the Committee on Corporations, and not to this committee.

7. The proposition to *compel* witnesses in contested election cases to criminate themselves, without protection from prosecution, which must inevitably follow, is a dangerous innovation on American jurisprudence, will have no terrors to bad men, and presents to good men but one alternative—perjury or the State prison.

I, therefore, submit the following as a substitute for the article reported by the majority, and to present the article as a whole, the first two sections, already adopted by the Convention, are inserted.

J. W. F. WHITE.

I concur with the view expressed in the fifth paragraph of this report, relative to its numbering of ballots, but am in favor of electors endorsing their names in, or on their ballots.

I also prefer the wording of the section relating to the qualifications of electors to that presented in the majority report. I think it more perspicuous, and believe it would be more readily understood by election officers.

JOHN M'MURRAY.

ARTICLE —.

ELECTIONS AND SUFFRAGE.

SECTION 1. The general election shall be held on the Tuesday next following the first Monday of November, but the Legislature may, by general law, fix a different day, two-thirds of each House consenting thereto.

SECTION 2. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

SECTION 3. Every person possessing the following qualifications shall be an elector, and be entitled to vote at all elections, viz :

1. A male person twenty-one years of age.

2. He shall have been a citizen of the United States one month.

3. He shall have resided in the State one year, or, if he had previously been an elector of the State, removed therefrom and returned, six months immediately preceding the election.

4. He shall have resided in the election district where he offers to vote two months immediately preceding the election.

SECTION 4. No soldier, seaman or mariner in the army or navy of the United States shall be deemed a resident of this State, for the purpose of voting, in consequence of being stationed therein, nor shall any person gain a residence while confined in any public prison, or kept in any alms-house or other institution at the public expense.

SECTION 5. Whenever any of the qualified electors of the State shall be in any actual military service, under a requisition from the President of the United States, or by the authority of this State, such electors may exercise the right of suffrage in all elections by the people, under such regulations as are or shall be prescribed by law, as fully as if they were at their usual places of voting.

SECTION 6. Electors shall, in all cases, except treason, felony and breach or surety of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

SECTION 7. No person who shall have given or offered to give, received or agreed to receive, directly or indirectly, any money or other valuable thing, for the purpose of corruptly influencing the vote of an elector, or shall have made any bet or wager, or shall be interested in any bet or wager on the election or defeat of any candidate, or the result of any election, shall vote at such election: *Provided however*, If any elector be challenged for such cause, his vote may be received on his taking an oath or affirmation that the matter of such challenge is not true.

SECTION 8. All persons who shall hereafter be convicted, in any court of this State, of treason, bribery or perjury, or shall be convicted of fraudulently voting, or fraudulently interfering with the ballots or returns of any election, or of making any false and fraudulent count or return of the votes at any election, shall be deprived of the right of suffrage: *Provided however*, That the right may be restored after five years from conviction, in such manner as may be prescribed by law.

SECTION 9. All elections by the people shall be by ballot. The election officers shall enter and number the names of the electors on a list, in the order of their voting, and number each elector's ballot with his number on the list. Elections by persons in a representative capacity shall be *viva voce*.

SECTION 10. The Legislature shall, by general law, provide a mode for ascertaining and registering the voters in each election district; but no elector shall be deprived of his right to vote by reason of his name being omitted from the registry list.

SECTION 11. The Legislature shall provide, by general law, for establishing election districts of convenient size, and fixing the place of election in each; but no election district shall be created or divided, or the place of election be changed, except by the court of common pleas of the proper city or county, in such manner as may be prescribed by law.

Laid on the table.

Mr. Carter, also from the Committee on Suffrage, Election and Representation, made a minority report, which was read as follows, viz:

The undersigned, a minority of the Committee on Suffrage, Election and Representation, are unable to concur in so much of the report of said committee as favors the forfeiture for life of the right to vote of an elector who may be convicted of fraud, or of any violation of the election laws, unless pardoned by a two-third vote of both branches of the Legislature. We also cannot concur in requiring each voter to write, or cause to be written, his name on the ticket, &c. It has been a paramount object with the entire committee to guard the purity of the ballot-box by every possible and practicable means, but we think that object can be obtained by other means than the above. We think that disfranchisement after conviction of violation of election laws should be absolute for a period of five or more years, and would not have the Legislature entrusted with the pardoning power, thus introducing a new feature of special legislation, when all rather propose to curtail it. We disapprove of the endorsement of every ticket as reported, because it virtually, and in an indirect manner, does away with the secret ballot, while stating, at the same time, that the ballot *may* be either secret or open, which many would regard as adding insult to injury. We would only further add that it would, in our opinion, be found very inconvenient, and that the other means proposed will, to a great extent, effect the object in view.

H. CARTER,
LEVI ROOKE.

Laid on the table.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Charles A. Black in the chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the Committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

Saturday, the 8th inst., was named; Monday the 10th inst., was named; Wednesday, the 12th inst., was named.

On the question,

Shall the committee of the whole have leave to sit again on Wednesday, the 12th inst. ?

It was determined in the negative.

On the question,

Shall the committee of the whole have leave to sit again on Monday, the 10th inst. ?

It was determined in the affirmative.

On leave given, at this time,

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That the official reporter be instructed to omit the prayers offered daily, from the reported Debates of the Convention.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Collins and Mr. Simpson, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Baer, Baily, (Perry,) Bailey, (Huntingdon,) Biddle, Black, Charles A., Campbell, Carey, Carter, Corbett, Craig, Curtin, Cuyler, Dallas, Darlington, Ellis, Fell, Finney, Gibson, Guthrie, Hanna, Hazzard, Howard, Kaine, Lawrence, Littleton, MacConnell, M'Culloch, M'Murray, Mann, Metzger, Minor, Newlin, Palmer, G. W., Patterson, T. H. B., Patton, Read, John R., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Smith, Henry W., Smith, W. H., Stewart, Walker, Wetherill, Jno. Price, White, David N., White, Harry, Worrell and Meredith, *President*—51.

N A Y S .

Messrs. Alricks, Baker, Barclay, Bowman, Clark, Collins, Elliott, Ewing, Hemphill, Horton, M'Allister, M'Camant, Mantor, Mott, Purman, Purviance, Samuel A., Simpson, Stanton, Turrell, White, J. W. F., and Wright—21.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Achenbach, Andrews, Armstrong, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Cassidy, Church, Cochran, Corson, Cronmiller, Curry, Davis, De France, Dimmick, Dodd, Dunning, Edwards, Fulton, Funck, Gilpin, Gowen, Hall, Harvey, Hay, Heverin, Hopkins, Hunsicker, Knight, Lamberton, Landis, Lear, Lilly, Long, M'Clean, MacVeagh, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Reynolds, S. H., Rooke, Ross, Runk, Sharpe, Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, and Woodward.

A motion was made by Mr. Ellis,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday at 11 o'clock A. M.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

MONDAY, FEBRUARY 3, 1873.

The President laid before the Convention a communication from the prothonotary of Fulton county, which was read as follows, viz :

STATEMENT showing the number of civil causes pending in the court of common pleas of Fulton county, Pennsylvania, arranged according to date of commencement of actions.

PLAINTIFF.	DEFENDANT.	NATURE OF ACTION.	DATE OF ENTRY, &c.
John Kittel	H. H. Deitrich.....	Appeal by defendant,	Entered Jan. 6, '69
R. Beatty's adm'r.	Hugh Beatty.....	Foreign attachment..	Issued July 19, '69
Christ. Roetger	Geo. M'Govern.....	Appeal by defendant,	Entered Oct. 18, '69
O. Mellot's ex'r.....	Abin Clevenger.....	<i>Scire facias</i>	Issued Dec. 20, '69
Patterson & Bros..	Asa Morgret.....	Foreign attachment..	do.... Jan. 29, '70
H. M'Aleer, Jr.....	Myron Spear, et ux..	<i>Scire facias sur mort.</i>	do.... Feb. 22, '70
Wm. Cunningham,	M. H. Goodwin.....	Pet. to open judg't, &c.	do.... Aug. 10, '72
W. L. Mosebey.....	Chr. Harris, et al....	Ejectment.....	do.... July 13, '70
Asa S. Stevens.....	Cunningham, et al....	Appeal by defendant,	Entered July 23, '70
Jas. Clippinger.....	S. G. Wright.....	do..... do.....	do.... Jan. 9, '71
T. Northcraft.....	W. & S. Mahony.....	Foreign attachment..	Issued Jan. 14, '71
Wm. H. Folmer.....	Wm. L. Mosebey.....	Appeal by defendant,	Entered Mar. 16, '71
Jacob Glenn.....	The Twp. of Ayr.....	Summons in debt....	Issued June 8, '71
W. R. Keith.....	Geo. J. Pittman.....	Appeal by defendant,	Entered June 16, '71
H. Winter.....	Cyrus M'Gowen.....	do..... do.....	do.... July 31, '71
D. H. Myers.....	Henry Scott.....	do..... do.....	do.... Aug. 5, '71
Alice Swisher.....	A. Bexroth.....	Summons in debt....	Issued Aug. 21, '71
Geo. H. Whitfield..	Wm. Bossart, et al..	Summons in trespass,	do.... Oct. 4, '71
C. R. Horton's use,	Jacob Clippinger....	Appeal by defendant,	Entered Oct. 16, '71
E. H. Kime.....	Geo. M. Cook.....	Appeal by plaintiff..	do.... Oct. 16, '71
Ezra E. Selby's use,	Jos. W. Bedford.....	Foreign attachment..	Issued Feb. 6, '72
Jacob Bernhard.....	John Truxall.....	Summons in debt....	do.... Feb. 20, '72
Same.....	J. B. Hunter, et al..	<i>Scire facias</i>	do.... Feb. 20, '72
D. D. Mellott's use.	Adam Fink.....	Summ's in covenant,	do.... Mar. 9, '72
James Ensley.....	John M'Ilvaine.....	Ejectment.....	do.... Mar. 28, '72
G. A. Smith, Esq....	F. M. Bergstresser..	<i>Scire facias</i>	do.... Apr. 9, '72
Jno. R. Donehoo....	H. H. Deitrich, et al.	Summons in debt....	do.... July 2, '72
W. R. Keith.....	Chatfield & Co.....	Summons case.....	do.... July 2, '72
Banner Graves.....	Isaac Clark.....	Foreign attachment..	do.... July 10, '72
Mrs. Pym's adm'r.	Dr. W. F. Trout.....	Summons, &c.....	do.... July 30, '72
David Agnew.....	Samuel Agnew.....	do..... do.....	do.... Aug. 6, '72
State B'k, Harris'g,	P. Krichbaum.....	do..... do.....	do.... Aug. 7, '72
Mrs. Pym's adm'r.	Dr. W. F. Trout.....	D.S.B. & judg. open'd.	do.... Oct. 22, '72
Elizabeth Ott.....	Chas. Snider.....	Summons case.....	do.... Aug. 19, '72
Edward Borek.....	Jos. Carnell.....	Summons in debt....	do.... Sept. 6, '72
Benj. Sittman.....	B. F. Cook.....	Foreign attachment..	do.... Sept. 6, '72
D. Reihart's adm'r,	H. H. Deitrich, et al.	Appeal by defendant,	Entered Oct. 10, '72
Wm. L. M'Kibbin..	James Wilson.....	do..... do.....	do.... Oct. 11, '72
Johnson Stilwell..	Thos. B. Shaw.....	Summons in case.....	Issued Oct. 11, '72
J. Nelson Sipes.....	David Goldsmith....	Appeal by defendant,	Entered Nov. 5, '72
S. E. Duffield.....	David E. Foutz.....	Foreign attachment..	Issued Dec. 26, '72
John Peoples.....	Jacob Clouser, et al.	Summons in debt....	do.... Jan. 6, '73
John F. Johnson....	Henry Fisher, et al..	Summons case.....	do.... Jan. 6, '73
C. H. Taylor.....	David Peoples.....	do..... do.....	do.... Jan. 16, '72
John Forr.....	F. Harmony, et al..	<i>Sci. fia., sur judgm't.</i>	do.... Jan. 16, '73
Elizabeth Hess.....	Silas Hess.....	Foreign attachment..	do.... Jan. 18, '73
W. T. Clevenger....	J. Burtfield, et al..	Estreptment.....	do.... Jan. 23, '73
H. Lindsey.....	Eliza Johnson, et al.	Summons case.....	do.... Jan. 23, '73

PENNSYLVANIA, }
Fulton county, } ss:

I hereby certify that the foregoing is a correct statement of the causes remaining undetermined in the court of common pleas of Fulton county.

Witness my hand and the seal of said court at M'Connellsburg, January 31, A. D. 1873.

R. A. M'DONALD, Prothonotary.

Also, a communication from the prothonotary of Cambria county, which was read as follows, viz :

Hon. WM. M. MEREDITH,

President Constitutional Convention :

SIR:—In accordance with the request communicated by D. L. Imbrie, Chief Clerk, made pursuant to a resolution of your honorable body, passed the 22d of January, 1873, I beg herewith respectfully to report to your Convention the number of civil causes pending in the court of common pleas of Cambria county, arranged according to the years in which the writs were issued, from March term, 1868, until the end of December term, 1872, both terms inclusive :

1868.	
March term, 14; June term, 15; September term 16, and December term, 1868,	
6. Total for 1868.....	51
1869.	
March term, 12; June term, 13; September term, 9, and December term, 12.	
Total for 1868.....	46
1870.	
March term, 7; June term, 16; September term, 15, and December term, 6. Total for 1870.....	44
1871.	
March term, 17; June term, 4; September term, 9, and December term, 21. Total for 1871.....	51
1872.	
March term, 27; June term, 15; September term, 30, and December term, 32. Total for 1872.....	104

Also, a communication from the prothonotary of Cameron county, which was read as follows, viz :

STATE OF PENNSYLVANIA, }
Cameron county. }

To the Constitutional Convention of Pennsylvania at Philadelphia :

In obedience to resolution passed by you on 22d instant, requesting the prothonotaries of the several courts in the State to furnish to the Convention the number of civil causes pending on their respective dockets, I, J. M. Judd, prothonotary of said court, at Emporium, Cameron county, Pa., report the following, viz :

For the year 1862.....	pending.....	5 causes
Do.....1863.....	do.....	4 do.
Do.....1864.....	do.....	4 do.
Do.....1865.....	do.....	3 do.
Do.....1866.....	do.....	5 do.
Do.....1867.....	do.....	10 do.
Do.....1868.....	do.....	9 do.
Do.....1869.....	do.....	24 do.
Do.....1870.....	do.....	30 do.
Do.....1871.....	do.....	31 do.
Do.....1872.....	do.....	43 do.
Do.....1873.....	do.....	18 do.

Certified from the record, this 29th day of January, 1873.

J. M. JUDD,
Prothonotary.

Also, a communication from the prothonotary of Pike county, which was as following, viz :

STATEMENT

Of civil cases pending in the court of common pleas of Pike county, for the years 1868, 1869, 1870, 1871 and 1872.

TERMS.

YEAR.	Feb.	May.	Sept.	Dec.	Total.
1868.....	1	3	13	4	21
1869.....	6	3	6	2	17
1870.....	2	3	6	9	20
1871.....	12	7	22	20	61
1872.....	10	14	17	20	61
Total number cases pending.....					189

Respectfully,

W. K. RIDGWAY,
Prothonotary.

A motion was made by Mr. Collins,

That the foregoing communications be referred to the Committee on Judiciary.

Which was agreed to.

Mr. Broomall presented the memorial of the Chester Monthly Meeting of Friends, which was read as follows, viz :

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of Chester Monthly Meeting of Friends, by its committee, respectfully represent :

That we are deeply impressed with the injurious results of the traffic in intoxicating beverages, wherever permitted and however restricted. And believing their use, as such, to be a fruitful source of demoralization, poverty and crime, involving communities, more than any other cause, in the resulting expenses of criminal prosecutions, and the support of houses of correction, penitentiaries, alms-houses and lunatic asylums; and feeling sure that no adequate good ever has or ever can grow out of their manufacture, sale and use, we do earnestly request that you will engraft a clause in our new Constitution, so far as practicable, to prohibit the making, vending and using of intoxicating beverages, and to exclude their sale from under the authority and protection of the law, within our otherwise prosperous Commonwealth.

Approved and united with by the Friends of Chester Monthly Meeting, held at Providence, First month 21, 1873, and directed to be signed and forwarded by the following named committee :

ISAAC HALDEMAN,
THOS. REECE,
HENRY B. FUSSELL,
THOS. S. FOULKE,
Committee.

On motion of Mr. Broomall,

Said memorial was referred to Committee on Legislation.

Also, a memorial from the same Society, which was read as follows, viz :

To the Constitutional Convention of Pennsylvania, now in session :

The memorial of Chester Monthly Meeting of Friends, by its committee, respectfully represents :

That conscience, being God's vice-gerent in man, cannot be made subordinate to human laws, but must be left free to act. "No human authority can, in any case whatever, control or interfere with the rights of conscience."

Friends, and others, believe that all wars are wrong, and cannot conscientiously render military service. "When conscientiously scrupulous of bearing arms,

shall not be compelled to do so."—But this has been, strangely enough, supplemented and rendered inoperative, by the contradictory proviso.—“But shall pay an equivalent for personal service.” Little does he know of the workings of conscience; who does not perceive that the same scruples would apply with equal force to paying an equivalent, as to rendering the service.

We, therefore, respectfully, but earnestly, ask you to erase this inconsistent proviso from our fundamental law, and give back to conscience her “natural and infeasible rights.”

Approved and united with by friends of Chester Monthly Meeting, held at Providence First month 21, 1873, directed to be signed and forwarded by the following named committee:

ISAAC HALDEMAN,
THOS. REECE,
HENRY B. FUSSELL,
THOS. S. FOULKE,
Committee.

On motion of Mr. Broomall,

Said memorial was referred to Committee on Militia.

Also, a memorial from the same society, which was read as follows, viz:

To the Constitutional Convention of Pennsylvania, now in session:

The memorial of Chester Monthly Meeting of Friends by its committee, respectfully represents:

That the infliction of capital punishment is cruel and vindictive—that it does not deter from the commission of crimes, and is not in accordance with the moral precepts and benevolent teachings of the Gospel of Jesus Christ.

Your memorialists, therefore, earnestly request that you will amend our new Constitution, so that it shall erase the death penalty from our statutes.

Approved and united with by Friends of Chester Monthly Meeting, held at Providence, First month 21, 1873, and directed to be signed and forwarded by the following named committee:

ISAAC HALDEMAN,
THOMAS REECE,
HENRY B. FUSSELL,
THOMAS S. FOULKE,
Committee.

On motion of Mr. Broomall,

Said memorial was referred to the Committee on Judiciary.

Mr. Boyd asked and obtained leave of absence for Mr. Darlington for to-day.

Mr. Mantor asked and obtained leave of absence for Mr. Church for a few days from to-day.

Mr. John R. Read asked and obtained leave of absence for Mr. Hemphill for to-day.

Mr. Stanton offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Revenue, Taxation and Finance be instructed to inquire into and report the propriety of exempting from levy and sale on execution or distress for rent and from taxation all household furniture, beds and bedding, and watches, in actual use, in any family, as well as wearing apparel, books and one piano, melodeon or parlor organ, and that no waiver of the exemption shall hereafter be permitted in any case whatever. And that no law exempting any personal property from taxation, for State, county or city purposes, shall hereafter be operative.

Mr. Lilly offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Revenue, Taxation and Finance, be instructed to inquire, and if they find necessary and advisable, to report an article restricting the State Treasurer from farming out the funds of the Commonwealth.

A motion was made by Mr. Boyd,

That the Committee on Executive Department be discharged from the further consideration of the following resolution offered by him January 7th, viz :

To create the following new offices, viz : One Lieutenant Governor, to be elected by the people at large ; one Commissioner of Insurance, and one Inspector General of Iron, to be appointed by the Governor."

And that the same be referred to the Committee on Commissions, Offices, Oath of Office and incompatibility of Office.

Mr. Lilly offered the following resolution which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing, &c., be instructed to inquire why the report of the Committee on Suffrage, Election and Representation is not printed and laid on the table of the members, and to report or apply a remedy against a recurrence of such neglect.

Mr. Campbell presented the minority report from the Committee on Suffrage, Election and Representation, which was read as follows, viz :

MINORITY REPORT OF THE COMMITTEE ON SUFFRAGE, ELECTIONS AND REPRESENTATION.

The undersigned, members of the Committee on Suffrage, Election and Representation, dissent from that part of the majority report of said committee which limits the right of suffrage to male electors. We recommend that the question, Shall women exercise the right of suffrage? be submitted by the Convention to the qualified electors of this Commonwealth; and also upon the same day therewith, to those women of the Commonwealth who, upon the day of voting, shall be of the age of twenty-one years and upwards, and have been residents of the State one year, and in the district where they offer to vote at least sixty days prior thereto; and that if a majority of all the votes cast at said election should be in the affirmative, then the word *male* as a qualification for an elector, contained in section — of article — on Suffrage and Elections shall be stricken out, and women in this State shall thereafter exercise the right of suffrage, subject only to the same restrictions as are placed upon male voters.

JOHN H. CAMPBELL,
LEWIS C. CASSIDY,
LEVI ROOKE.

Laid on the table,

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Lawrence in the Chair, on the article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

On leave given at this time,

Mr. Kaine offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That three hundred copies of the proposed texts of the Constitution, as reported by any of the standing committees, shall be printed in the form of legislative bills for the use of the Convention, for the purpose of consideration and amendment, and that the resolution adopted by the Convention on the 15th day of January, relative to the number of said texts to be printed is hereby rescinded.

A motion was made by Mr. Harry White,
That the Convention do now adjourn.
Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest:
L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, FEBRUARY 4, 1873.

The President laid before the Convention a communication from the officers of the Pittsburg Woman Suffrage association, which was read as follows, viz:

HON. WILLIAM M. MEREDITH,
President of the Constitutional Convention:

At the earnest solicitation of the officers of the Pittsburg Woman Suffrage association, Bishop Simpson, of the Methodist Episcopal church, has consented to deliver an address to such members of the Convention as may attend, on the subject of granting to women the elective franchise. We, therefore, ask this honorable body the use of Convention Hall on next Friday evening, for the purpose of giving him a hearing.

MATILDA HINDMAN,
President.

MRS. J. HERON FOSTER,
Vice President.

Laid on the table.

A motion was made by Mr. J. W. F. White,
That the use of the Hall be granted the Woman's Suffrage association on Friday evening next, for the purpose stated in the foregoing communication.
Which was agreed to.

The President also laid before the Convention a communication from the prothonotary of Dauphin county, which was read as follows, viz:

PROTHONOTARY'S OFFICE, }
Harrisburg, February 3, 1873. }

D. L. IMBRIE, ESQ.,
Chief Clerk Constitutional Convention:

DEAR SIR:—I herewith furnish you with statement of civil causes pending on the docket of the court of common pleas of Dauphin county, arranged according to the years in which the writs were issued.

YEAR.	Summons.	S. Facias.	Appeals.	Total.
1867		2	6	40
1868		3	8	32
1869		5	11	68
1870		2	6	63
1871		2	16	83
1872			3	24
Total	246	14	50	310

The foregoing presents the number of cases at issue, and not marked settled, on the docket for the years mentioned.

Very respectfully,

JOSEPH H. NISLEY,
Prothonotary.

Referred to the Committee on Judiciary.

Mr. MacConnell presented a petition from the citizens of Allegheny county, praying that the Constitution be so amended as to grant to women the right of suffrage.

On motion of Mr. MacConnell,

Said petition was referred to the Committee on Suffrage, Election and Representation.

Mr. John Price Wetherill presented the memorial of the Citizens' Municipal Reform association, which was read as follows, viz:

Memorial to the Constitutional Convention, from the Citizens' Municipal Reform Association:

ROOMS OF THE EXECUTIVE COMMITTEE, }
No. 711 Sanson street, February 3, 1873. }

It was not the intention of the Citizens' Municipal Reform association to intrude upon the attention of your honorable body with any suggestions as to provisions for guarding against election frauds. Several members of the Convention, however, having asked us for such suggestions, we venture to lay before you some ideas which appear to us likely to exercise a wholesome influence in checking the systematic perversion of the elective franchise, which is one of the most dangerous symptoms of the time.

It would be difficult to exaggerate the evils of this kind which exists in a great city like Philadelphia, presenting, as it does, so wide a field and such boundless opportunities for the exercise of fraudulent ingenuity. Our present system, peculiar to Philadelphia, which virtually gives to the party which may be dominant the right to say, in advance of an election, who shall vote, and after an election how the vote shall be counted, renders fraud so easy that temptation to commit it becomes almost irresistible. While, during a period of a generation, the tendency has been to render all other officers elective, the Legislature has, within a few years, depriving the citizens of Philadelphia of the right of choosing those who control the suffrage and count the votes, and has lodged in the hands of the board of aldermen, a body neither deserving nor enjoying popular confidence, this power, which is the very foundation stone of our political edifice. With such an example before us of the abuse of legislative authority, the people of Philadelphia have a right to ask that such provisions shall be inserted in our organic law as may render it impossible, in the future, that any community within the State shall be subject to a law so flagrant. The primary object of a written constitution is to protect the minority from oppression by the majority. In this, citizens of every shade of political opinion have an equal interest, for experience shows us how ready is every party, when it triumphs, to retaliate upon its defeated antagonist the wrongs which it had endured before achieving success.

In the following suggestions you will observe that the object in view is:—

I. To diminish the chance of successful frauds by so reducing the size of the election divisions as to render it possible to have some knowledge of every lawful voter.

II. To restore to the people the right of choosing their own election officers, and to do so in a manner that will secure, as far as practicable, to every political party a representative.

III. To take the control of elections out of the hands of those who, by holding or expecting office, are exposed to the strongest temptation to betray their trust; and to render the position, an unpleasant one at best, attractive to disinterested and impartial men by exemption from the burden of jury duty.

IV. To stamp the crime of election frauds with a stigma not quickly effaced, and to visit it with a deprivation of the rewards, in the hope of which it is generally committed.

V. To give to each body of candidates the right to know what occurs in the polling place, thus exercising a preventive influence on the commission of fraud and facilitating its exposure.

On motion of Mr. J. Price Wetherill,

Said memorial was referred to the Committee on Suffrage, Election and Representation.

Mr. Broomall presented six petitions from citizens of Delaware and Chester counties, praying that the Constitution be so amended as to secure to women the exercise of the right of suffrage.

On motion of Mr. Broomall,

Said petition was referred to the Committee on Suffrage, Election and Representation.

Mr. Darlington presented a petition from 169 citizens of Chester county, praying that the Constitution be so amended as to prohibit the manufacture and sale of intoxicating liquors as a beverage.

On motion of Mr. Darlington,

Said petition was referred to the Committee on Legislation.

Mr. Hemphill offered the following resolution, which was read as follows, viz :

Resolved, That the rules of the Convention be amended, by adding an additional committee, as follows, viz :

No. 28. A Committee of seven (7) on Salaries, Fees and Compensation of Officers, State and County.

Laid on the table.

* Mr. Brodhead offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz :

Resolved, That the Committee on Agriculture, Mining, Manufactures and Commerce be requested to report the following article, viz :

ARTICLE —. The Legislature shall provide by law for an equitable assessment of benefits in favor of mine owners and operators, whenever by works and expenditures in mines, by pumping, draining or tunneling, they produce results which enure directly or indirectly to the benefit and advantage of any contiguous or adjoining mines.

Mr. Alricks offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the Committee on the Bill of Rights inquire into the expediency of so amending the same, that it shall contain the following proviso :

“That the people of this State have the sole and exclusive right of governing and regulating the internal police of the same.”

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Andrew Reed,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 11 o'clock.
D. L. IMBRE,
Clerk.

Attest:
L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, FEBRUARY 5, 1873.

The President laid before the Convention a communication from James Ross Snowden, Prothonotary of the Supreme Court of Pennsylvania, Eastern District, which was read as follows, viz :

OFFICE OF THE PROTHONOTARY,
SUPREME COURT OF PA., E. D., }
Philadelphia, Feb., 1873. }

To D. L. IMBRIE, ESQ.,
Chief Clerk Constitutional Convention of Pennsylvania :

SIR :—I received, a few days ago, a copy of your printed letter requesting the prothonotaries of the several courts of record of the State to furnish to the Convention the number of civil causes pending on their respective dockets, arranged according to the years in which the writs were issued. I am at a loss to know at what period I am to commence this statement; that is to say, what number of years are required. Is the resolution intended to embrace cases *in banc* and at *nisi prius*? Does it call for the cases in equity?

Very respectfully yours,
JAMES ROSS SNOWDEN,
Prothonotary Supreme Court of Pa., E. D.

Mr. Temple presented the petition of a number of citizens of Philadelphia, praying that the Constitution be so amended as to secure a more faithful collection of the poll tax, by requiring the judges of each division to pay into the city treasury an amount corresponding to the number of votes returned by the inspectors of said divisions.

On motion of Mr. Temple,
Said petition was referred to the Committee on Legislation.

Mr. Turrell presented the petition of citizens of Susquehanna county, praying for a Constitutional provision prohibiting the manufacture and sale of intoxicating liquors as a beverage.

On motion of Mr. Turrell,
Said petition was referred to the Committee on Legislation.

Mr. Armstrong presented two petitions from citizens of Lycoming county, praying for a constitutional provision to limit the sale of intoxicating liquors.

On motion of Mr. Armstrong,
Said petitions were referred to the Committee on Legislation.

Mr. Charles A. Black asked and obtained leave of absence for Mr. Purman for a few days from to-day.

Mr. Hazzard offered the following resolution, viz :

Resolved, That upon the subject of woman suffrage, no member shall speak twice until all have spoken who wish to speak, and no one shall speak more than ten minutes at one time.

Laid on the table.

Mr. Stewart offered the following resolution, which was referred to the Committee on Declaration of Rights, viz :

Resolved, That the second paragraph of section 10, article IX, in the Constitution, be so amended as to read : "In all cases where there has been a final verdict of acquittal or conviction, upon an adequate indictment, the defendant shall not again be proceeded against criminally for the same offence."

Mr. Finney offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That at every general or municipal election held in and after 1885, every elector who shall not heretofore have voted within this State, shall be able to read the Constitution of the United States and of this State, and to write his own name.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on the article reported from the Committee on Suffrage Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given at this time,

Mr. Dallas offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing be requested to report to the Convention whether any arrangement has been made to secure greater speed in the printing and delivery of the Debates to the Convention.

A motion was made by Mr. Hanna,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, FEBRUARY 6, 1873.

The President laid before the Convention a communication from the trustees of the University of Pennsylvania, which was read as follows, viz:

UNIVERSITY OF PENNSYLVANIA, }
Philadelphia, February 5, 1873. }

To the Members of the Constitutional Convention:

GENTLEMEN:—The trustees of the University of Pennsylvania, anxious to avail themselves of the occasion which has brought so many distinguished visitors together in our city, to attract their attention to the important changes which have recently been effected in that institution, extend a cordial invitation to the members of the Constitutional Convention to visit the new university building on Saturday, February 8th, at two o'clock. The cars of the Walnut street line pass close to the grounds. A collation will be served at three o'clock.

Very respectfully,

CADWALADER BIDDLE, *Secretary.*

The President also laid before the Convention a communication from the prothonotary of York county.

Which was referred to the Committee on Judiciary.

Mr. Campbell presented a memorial from the Monthly Meeting of the Religious Society of Progressive Friends of Longwood, Chester county, which was read as follows, viz:

To the Constitutional Convention of the State of Pennsylvania:

We, the undersigned, firmly believing that "all just governments derive their powers from the consent of the governed," and that taxation without representation is anti-republican, respectfully petition your honorable body to so amend the Constitution of the State as to secure to women the exercise of the right of suffrage.

At a monthly meeting of the Religious Society of Progressive Friends, held at Longwood, in Chester county, this 2d day of February, 1873, the above petition was read and unanimously approved, and the clerks were directed to sign, on behalf of the meeting, and forward it to the Convention.

ISAAC MENDENHALL,
DINAH MENDENHALL,
Clerks.

Referred to the Committee on Suffrage, Election and Representation.

Mr. Campbell presented the petition of citizens of Bradford county, asking for an amendment to the Constitution granting to women the right of suffrage.

Also, one of like import from citizens of Pennsylvania.

Which petitions were referred to the Committee on Suffrage, Election and Representation.

Mr. Broomall presented a memorial from the Kennet Monthly Meeting of Friends, which was read as follows, viz:

To the Constitutional Convention of Pennsylvania, now in session:

The memorial of Kennet Monthly Meeting of Friends, by its committee, respectfully represents:

That we are deeply impressed with the injurious results of the traffic in intoxicating beverages, wherever permitted and however restricted. And believing their use, as such, to be a fruitful source of demoralization, poverty and crime, involving communities, more than any other cause, in the resulting expenses of criminal prosecutions, and the support of the houses of correction, penitentiaries, alms-houses and lunatic asylums; and feeling sure that no adequate good ever has or ever can grow out of their manufacture, sale and use, we do earnestly request that you will engraft a clause in our new Constitution, so far as practicable,

to prohibit the making, vending and using of intoxicating beverages, and to exclude their sale from under the authority and protection of the law, within our otherwise prosperous Commonwealth.

WILLIAM CHANDLER,
BENJAMIN KENT,
JOHN LAMBORN,
SOLOMON MERCER,
ANNA MARY MARTIN,
SARAH ANN T. HEALD,
ANNA W. BARNARD,
MARTHA M. TUSSEY,
Committee.

Referred to the Committee on Legislation.

He also presented a memorial from the same society, which was read as follows, viz:

To the Constitutional Convention of Pennsylvania, now in session:

The memorial of Kennet monthly meeting of Friends, by its committee, respectfully represents:

That the infliction of capital punishment is cruel and vindictive—that it does not deter from the commission of crimes, and is not in accordance with the moral precepts and benevolent teachings of the Gospel of Jesus Christ.

Your memorialists, therefore, earnestly request that you will amend our new Constitution, so that it shall erase the death penalty from our statutes.

WILLIAM CHANDLER,
BENJAMIN KENT,
JOHN LAMBORN,
SOLOMON MERCER,
ANNA MARY MARTIN,
SARAH ANN T. HEALD,
ANNA W. BARNARD,
MARTHA M. TUSSEY,
Committee.

Referred to the Committee on Judiciary.

He also presented a memorial from the same society, which was read as follows, viz:

To the Constitutional Convention of Pennsylvania, now in session.

The memorial of Kennet monthly meeting of Friends, by its committee, respectfully represents:

That conscience, being God's vice-gerent in man, can not be made subordinate to human laws, but must be left free to act. "No human authority can, in any case whatever, control or interfere with the rights of conscience."

Friends, and others, believe that all wars are wrong, and can not conscientiously render military service. "When conscientiously scrupulous of bearing arms, shall not be compelled to do." But this has been, strangely enough, supplemented and rendered inoperative by the contradictory proviso: "But shall pay an equivalent for personal service." Little does he know of the working of conscience, who does not perceive that the same scruples would apply with equal force to paying an equivalent, as to rendering the service.

We, therefore, respectfully, but earnestly ask you to erase this inconsistent proviso from our fundamental law, and give back to conscience her "natural and in-defeasible rights."

WILLIAM CHANDLER,
BENJAMIN KENT,
JOHN LAMBORN,
SOLOMON MERCER,
ANNA MARY MARTIN,
SARAH ANN T. HEALD,
ANNA W. BARNARD,
MARTHA M. TUSSEY,
Committee.

Referred to the Committee on Militia.

Mr. Carter presented the petition of citizens of Lancaster county, praying that the Constitution be so amended as to prohibit the sale of alcoholic beverages.

Mr. Mann presented the petition of citizens of Lycoming county, praying that a clause prohibiting the sale of intoxicating drinks may be inserted in the Constitution.

Mr. Parsons presented the petition of 100 citizens of Williamsport, praying for a clause in the Constitution prohibiting the sale of intoxicating liquors.

Said petitions were referred to the Committee on Legislation.

On motion of Mr. Horton,

The petition of citizens of Wyoming county, relative to prohibition, presented by himself on January 18, and laid on the table, was referred to the Committee on Legislation.

Mr. Wright asked and obtained leave of absence for Mr. Craig for a few days from to-day.

Mr. S. A. Purviance offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Suffrage be instructed to report to the Convention, for its consideration, two separate propositions, one in favor of female suffrage, and the remaining one in favor of prohibiting the sale of intoxicating drinks as a beverage; and that said propositions be so framed that, if approved by the Convention, they may be submitted to the people for their ratification or rejection as separate amendments to the Constitution.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Addicks and Mr. Campbell, and were as follow, viz :

YEAS.

Messrs. Achenbach, Addicks, Ainey, Baker, Bannan, Beebe, Black, Chas. A., Bowman, Broomall, Brown, Buckalew, Campbell, Carter, Cassidy, Cochran, Collins, Craig, Curry, De France, Dunning, Edwards, Finney, Funck, Hall, Howard, Knight, Lear, M'Allister, MacConnell, M'Murray, Mann, Mantor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Samuel A., Rooke, Russell, Sharpe, Smith, H. G., Struthers, Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Wright—51.

NAYS.

Messrs. Alricks, Baer, Baily, (Perry,) Bailey, (Huntingdon,) Barclay, Bardsley, Bartholomew, Boyd, Clark, Corbett, Corson, Cronmiller, Curtin, Dallas, Davis, Elliott, Ellis, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Heverin, Hopkins, Horton, Hunsicker, Kaine, Lawrence, Lilly, Long, M'Clean, M'Culloch, Metzger, Minor, Mott, Niles, Patterson, D. W., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Smith, Henry W., Smith, W. H., Stanton, Stewart, Temple, Van Reed, Walker, Wetherill, John Price, and Woodward—53.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Andrews, Armstrong, Biddle, Black, J. S., Brodhead, Carey, Church, Cuyler, Darlington, Dimmick, Dodd, Ewing, Fell, Fulton, Hemphill, Lamberton, Landis, Littleton, M'Camant, MacVeagh, Newlin, Purman, Purviance, John N., Runk, Simpson, White, Harry, Worrell and Meredith, *President*.

Mr. D. N., White offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the following proposed amendments be referred to the Committee on Legislation, viz :

"The manufacture of alcoholic liquors, whether fermented, brewed or distilled, or any admixture, part of which is alcoholic, and adapted to be used as a beverage, is prohibited.

"The manufacture and sale of such liquors for exportation, for medicinal, sacramental, mechanical or artistic purposes, by agents specially provided by law, are excepted.

"The General Assembly shall, within one year from the adoption of the Constitution, enact laws with adequate penalties for the enforcement of this provision."

Mr. Stanton offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the use of the hall be granted to the Board of Public Education, for next Tuesday afternoon at 3 o'clock.

Mr. Funck offered the following resolution, viz:

Resolved, That when this Convention goes into committee of the whole upon the article reported from the Committee on Suffrage, Election and Representation, discussion shall terminate at 1 o'clock P. M. to-day, and that a vote shall then be taken on the pending proposition, and all amendments offered, or to be offered, without further debate.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Lilly and Mr. Corbett, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baily, (Perry.) Bailey, (Huntingdon,) Baker, Bannan, Barclay, Beebe, Black, Charles A., Bowman, Boyd, Brown, Campbell, Clark, Collins, Corbett, Cronmiller Curry, Davis, De France, Dunning, Edwards, Finney, Fulton, Funck, Guthrie, Hanna, Harvey, Hay, Hazzard, Hunsicker, Lear, Long, M'Cullough, M'Murray, Minor, Niles, Parsons, Patterson, T. H. B., Pughe, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Russell, Smith, Henry W., Smith, W. H., Struthers, Van Reed, Wetherill, Jno. Price, and Woodward—52.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Baer, Bardsley, Bartholomew, Biddle, Black, J. S., Broomall, Buckalew, Carter, Cassidy, Cochran, Corson, Craig, Curtin, Dallas, Elliott, Ellis, Gilpin, Gowen, Hall, Heverin, Hopkins, Horton, Howard, Kaine, Knight, Lawrence, Lilly, M'Allister, M'Clean, MacConnell, Mann, Mantor, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Read, John R., Sharpe, Smith, H. G., Stanton, Stewart, Temple, Turrell, Walker, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Wright—54.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Andrews, Armstrong, Brodhead, Carey, Church, Cuyler, Darlington, Dimmick, Dodd, Ewing, Fell, Gibson, Hemphill, Lamberton, Landis, Littleton, M'Camant, MacVeagh, Newlin, Porter, Purman, Purviance, John N., Purviance, Samuel A., Simpson, White, Harry, Worrell and Meredith, *President*.

Mr. Hopkins offered the following resolution, viz:

Resolved, That from and after Monday next, the Convention will meet at 10 o'clock A. M., and adjourn at 1 o'clock P. M., and meet at 3 P. M. and adjourn at 5 P. M.

On the question,

Will the Convention proceed to the third reading and consideration of the resolution?

It was determined in the negative.

Mr. Porter offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing be requested to inquire and report whether the printer of this Convention is furnishing a copy of the proceedings of this body to papers published within the State.

Mr. Cochran, from the Committee on Railroads and Canals, submitted the following resolution, which was twice read, viz :

Resolved, That it is contrary to public policy, and against the public interest, that laws shall be enacted conferring unlimited power upon railroad or other corporations to increase capital stock and issue bonds.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hanna,

That the resolution be re-committed to the Committee on Railroads and Canals.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lawrence,

To amend the motion by adding to the end thereof as follows, viz : "And that the Committee on Railroads be instructed to report an article for our consideration or adoption, which shall prevent the Legislature hereafter from authorizing any railroad company from increasing its stock, except under proper limitations to be therein designated."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Howard and Mr. Lilly, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Bear, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Clark, Collins, Corbett, Craig, Cronmiller, Curry, Dallas, Davis, De France, Dunning, Edwards, Elliott, Ellis, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Heverin, Hopkins, Horton, Howard, Hunsicker, Kaine, Knight, Lawrence, Lear, Lilly, Long, M'Allister, M'Clean, MacConnell, M'Murray, Mann, Mantor, Metzgar, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Smith, W. H., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward and Wright—98.

N A Y S .

Messrs. Baily, of Perry, Beebe, Cochran, Curtin, M'Cullough, Patterson, T. H. B., Sharpe and Simpson—8.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Andrews, Armstrong, Black, J. S., Brodhead, Church, Cuyler, Darlington, Dimmick, Dodd, Ewing, Fell, Hemphill, Lamberton, Landis, Littleton, M'Camant, MacVeagh, Newlin, Pughe, Purman, Purviance, John N., Rooke, Struthers, White, Harry, Worrell and Meredith, *President*.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, ask leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived, the President adjourned the Convention until to-morrow morning at eleven o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, FEBRUARY 7, 1873.

The President laid before the Convention a communication from the Chicago public library, which was read as follows, viz :

THE CHICAGO PUBLIC LIBRARY, }
Chicago, February 4, 1873. }

D. L. IMBRIE, Esq., *Chief Clerk, &c. :*

DEAR SIR :—Your letter, informing of the action of your Convention in reference to presenting a complete copy of your Debates and proceedings to this library, when ready for distribution was, on Saturday, the 1st inst., laid before this board ; and I am authorized to extend to the Constitutional Convention, through you, the thanks of the board for its favorable consideration of our request.

I have the honor to be, sir,

Your obedient servant,

W. B. WICKERSHAM,
Secretary.

Laid on the table.

The President also laid before the Convention a communication from the prothonotary of Potter county.

Which was referred to the Committee on Judiciary.

Mr. Knight presented a memorial from the Fishing Creek monthly meeting of Friends, praying that the death penalty be erased from the Constitution.

He also presented a memorial from the same meeting, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which memorials were referred to the Committee on Legislation.

He also presented a memorial from the same meeting, praying that the Constitution be amended so that all persons who are conscientiously opposed to military service be exempt from the same.

Which was referred to the Committee on Militia.

Mr. DeFrance presented the petition of 280 citizens of Mercer county, praying that a clause be inserted in the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Mr. Parsons presented the petition of citizens of Lycoming county, in favor of inserting a clause in the Constitution prohibiting the sale of intoxicating beverages.

Mr. Darlington presented a memorial from the Bradford monthly meeting of Friends, asking that the Constitution be amended so as to prohibit the sale of intoxicating beverages.

Which petitions and memorial were referred to the Committee on Legislation.

Also, a memorial from the same meeting, praying that the death penalty be erased from our statutes.

Which was referred to the Committee on Judiciary.

Also, a memorial from the same meeting, praying that the Constitution be so amended, that all persons who are conscientiously opposed to military duty be exempted from the same.

Mr. Lear presented a memorial from the Backingham monthly meeting, asking that all persons who are conscientiously opposed to military duty be exempt from the same.

Which memorials were referred to the Committee on Militia.

Also, a memorial from the same meeting, praying that the Constitution be amended so as to erase the death penalty from our statutes.

Which was referred to the Committee on Judiciary.

Also, a memorial from the same meeting, praying for a clause in the Constitution prohibiting the sale of intoxicating beverages.

Also, the petition of citizens of Solesbury township, Bucks county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which memorial and petition were referred to the Committee on Legislation.

Mr. Campbell presented the petition of a number of citizens of Pennsylvania, praying for an amendment to the Constitution granting to women the right of suffrage.

Which was referred to the Committee on Suffrage, Election and Representation.

Mr. Hopkins asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-morrow.

Mr. Woodward offered the following resolution, which was twice read, viz:

Resolved, That the debate in committee of the whole in reference to woman suffrage terminate at one P. M. to-day, and that the question thereon be then taken without further debate.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Guthrie,

To amend the same, by striking out all after the word "resolved," and inserting in lieu thereof as follows, viz:

"That the final vote upon the pending amendments to the first section of the report of the Committee on Suffrage, Election and Representation be taken to-day, and that the hour of adjournment be postponed, if necessary, for that purpose."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Simpson,

To amend the resolution, by striking out the words, "terminate at one P. M. to-day," and inserting in lieu thereof the words, "be confined to two hours."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Wherry,

To amend the same, by striking out the word "one," and inserting in lieu thereof the word "two."

Which was not agreed to.

The resolution was then agreed to.

Mr. D. W. Patterson offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals are requested to consider the expediency of restraining (by the organic law) the Legislature from creating any corporations for the construction of railroads, canals, &c., except for municipal purposes, for a longer period than forty years.

Mr. Ross offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be directed to inquire into the expediency of providing, by a constitutional provision, that the Legislature shall pass no enactment, the operation, force or effect of which shall be limited or conditioned, upon its approval by a majority at a general or special election; and that no law shall be enacted which shall be dependent upon a majority vote for its enforcement.

Mr. Brodhead offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That hereafter no petitions or memorials be printed, except by special order of the Convention.

Mr. H. W. Palmer offered the following resolution, viz :

Resolved, That to enable the members of the Convention to accept the polite invitation of the trustees of the University of Pennsylvania for Saturday at two P. M., this Convention, when it adjourns to-day, will adjourn to meet on Monday next at twelve noon.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Corbett and Mr. Mann, and were as follow, viz :

YEAS.

Messrs. Addicks, Alricks, Armstrong, Baer, Baker, Bannan, Bartholomew, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Cassidy, Clark, Collins, Corson, Dallis, Davis, Dunning, Elliott, Ellis, Gibson, Guthrie, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Lilly, Long, M'Camant, M'Clean, Metzgar, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Read, John R., Rooke, Ross, Runk, Sharpe, Smith, Henry W., Stanton, Temple, Wetherill, J. M., Wherry and Woodward—51.

NAYS.

Messrs. Achenbach, Baily, (Perry,) Bailey, (Huntingdon,) Barclay, Bardsley, Beebe, Black, Charles A., Brown, Campbell, Carter, Cochran, Corbett, Cronmiller, Curry, Curtin, Darlington, De France, Edwards, Ewing, Fulton, Gilpin,

Hall, Hay, Hazzard, Hopkins, Horton, Howard, Lawrence, Lear, M'Allister, MacConnell, M'Culloch, Mann, Mantor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, Samuel A., Reynolds, J. L., Russell, Simpson, Smith, H. G., Smith, W. H., Struthers, Turrell, Walker, Wetherill, John Price, White, David N., White, J. W. F., and Wright—52.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Andrews, Buckalew, Carey, Church, Craig, Cuyler, Dimmick, Dodd, Fell, Finney, Funck, Gowen, Kaine, Knight, Lamberton, Landis, Littleton, M'Murray, MacVeagh, Newlin, Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Stewart, Van Reed, White, Harry, Worrell and Meredith, *President*.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

One o'clock to-day was named and agreed upon.

A motion was made by Mr. Lawrence and Mr. John Price Wetherill,

That the Convention re-consider the vote had upon the adoption of the resolution fixing one P. M. to-day for closing the debate in committee of the whole upon the subject of woman suffrage.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Woodward and Mr. Corbett, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Baker, Bartholomew, Beebe, Biddle, Black, J. S., Brodhead, Broomall, Brown, Buckalew, Campbell, Cassidy, Clark, Cochran, Corson, Curry, Dallas, Darlington, De France, Dunning, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gowen, Hall, Heverin, Hopkins, Horton, Howard, Knight, Lawrence, Lear, M'Allister, M'Camant, M'Clean, Mann, Mantor, Metzgar, Mott, Niles, Palmer, G. W., Palmer, H. W., Patton, Pughe, Purviance, Sam'l A., Read, John R., Rooke, Sharpe, Smith H. G., Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wherry, White, David N., White, J. W. F. and Wright—62.

NAYS.

Messrs. Achenbach, Armstrong, Baer, Baily, (Perry,) Bailey, (Huntingdon,) Bannan, Barclay, Bardsley, Black, Charles A., Bowman, Boyd, Collins, Corbett, Cronmiller, Davis, Edwards, Finney, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lilly, Littleton, Long, MacConnell, M'Culloch, Minor, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Reynolds, James L., Ross, Runk, Russell, Simpson, Smith, Henry W., Smith, W. H., Stanton, Wetherill, John Price and Woodward—45.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Alricks, Andrews, Carey, Carter, Church, Craig, Curtin, Cuyler, Dimmick, Dodd, Funck, Kaine, Lamberton, Landis, M'Murray, MacVeagh, Newlin, Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Stewart, Van Reed, White, Harry, Worrell and Meredith, *President*.

The hour of one o'clock having arrived, the Convention again resolved itself into committee of the whole, Mr. Lawrence in the chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and Monday were named.

On the question,

Shall the committee of the whole have leave to sit on Monday ?

The yeas and nays were required by Mr. Darlington and Mr. H. W. Smith, and were as follow, viz :

YEAS.

Messrs. Addicks, Alricks, Baker, Bartholomew, Bowman, Cassidy, Clark, Corson, Dunning, Elliott, Ellis, Gibson, Harvey, Lilly, M'Camant, Metzger, Niles, Palmer, G. W., Parsons, Read, John R., Sharpe, Simpson, Smith, Henry W., Stanton, Wherry, White, Harry, and Woodward—27.

NAYS.

Messrs. Achenbach, Bear, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Biddle, Brodhead, Brown, Buckalew, Campbell, Carter, Cochran, Collins, Corbett, Cronmiller, Curtin, Dallas, Darlington, Davis, De France, Edwards, Ewing, Fell, Finney, Fulton, Gilpin, Gowen, Guthrie, Hall, Hanna, Hay, Hazard, Hopkins, Horton, Howard, Knight, Lawrence, Long, M'Allister, M'Clean, MacConnell, M'Culloch, Mann, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Sam'l. A., Reynolds, James L., Russell, Smith, H. G., Smith, W. H., Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White J. W. F., Worrell and Wright—66.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Ainey, Andrews, Armstrong, Bannan, Bardsley, Black, Charles A., Black, J. S., Boyd, Broomall, Carey, Church, Craig, Curry, Cuyler, Dimmick, Dodd, Funck, Hemphill, Heverin, Hunsicker, Kaine, Lamberton, Landis, Lear, Littleton, M'Murray, MacVeagh, Newlin, Palmer, H. W., Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Rooke, Ross, Runk, Stewart, Temple, Van Reed and Meredith, *President*.

On the question,

Shall the committee of the whole have leave to sit to-morrow ?

It was determined in the affirmative.

The hour of two o'clock having arrived, the President adjourned the Convention until to-morrow morning at eleven o'clock.

D. L. IMBRE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, FEBRUARY 8, 1873.

The President laid before the Convention a communication from the Board of Public Education of Philadelphia, which was read as follows, viz :

PHILADELPHIA, February 8, 1873.

HON. WILLIAM M. MEREDITH,

President of the Constitutional Convention :

SIR :—The Board of Public Education of Philadelphia respectfully request the attendance of the members of the Constitutional Convention at the commencement exercises of the Boys' Central High School, at the Academy of Music, on Thursday next, at 10 o'clock, A. M.

Respectfully,

M. HALL STANTON,
Clerk.

H. W. HOLLIWELL,
Secretary.

Laid on the table.

On motion of Mr. M'Clean,

Said invitation was accepted, with the thanks of the Convention.

The President also laid before the Convention communications from the prothonotaries of Huntingdon, Pike, Mercer and Schuylkill counties.

Which was referred to the Committee on Judiciary.

Also, two petitions of citizens of Juniata county, asking that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

- Mr. Niles presented the petition of one thousand citizens of Tioga county, praying for the submission of a prohibitory liquor clause to the people.

Which petitions were referred to the Committee on Legislation.

Mr. Armstrong offered the following resolutions, which were twice read, considered and agreed to, viz :

Resolved, That this Convention has heard with deep regret of the sudden death of John W. Geary, late Governor of the State.

Resolved, That we tender to his bereaved family our most sincere sympathy, and that as a mark of our respect for his memory, both as a private citizen and a public officer, this Convention do now adjourn.

Resolved, That the Clerk forward to the family of the deceased a copy of these resolutions.

Whereupon,

The President adjourned the Convention until Monday morning at eleven o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, FEBRUARY 10, 1873.

The President laid before the Convention a communication from the prothonotary of M'Kean county.

Which was referred to the Committee on Judiciary.

Mr. Fulton presented the petition of 425 citizens of Westmoreland county, praying that the Convention adopt, as a part of the Constitution, an article prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Mr. M'Allister presented the petition of 215 citizens of Phillipsburg and vicinity, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Knight presented a memorial from the Abington Monthly Meeting of Friends, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which petitions were referred to the Committee on Legislation.

Also, one from the same Meeting, praying that the Constitution be amended so that all persons who are conscientiously opposed to military service be exempt from the same.

Which was referred to the Committee on Militia.

Also, one from the same Meeting, praying that the death penalty be erased from the Constitution.

Which was referred to the Committee on Judiciary.

Mr. Broomall presented memorials from the Concord and Roaring Creek Monthly Meetings of Friends, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which was referred to the Committee on Legislation.

Also, memorials from the same Meetings, praying that the death penalty be erased from the Constitution.

Which was referred to the Committee on Judiciary.

Also, one from the Roaring Creek Monthly Meeting of Friends, praying that the Constitution be so amended that all persons who are conscientiously opposed to military service be exempt from the same.

Which was referred to the Committee on Militia.

Also, a petition from a number of citizens of Unionville, Chester county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which was referred to the Committee on Legislation.

Mr. M'Cullough asked and obtained leave of absence for Mr. John M. Bailey for to-day.

Mr. Gilpin asked and obtained leave of absence for Mr. M'Murray for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for Mr. H. W. Palmer for a few days from to-day.

Mr. Broomall asked and obtained leave of absence for Mr. Darlington for to-day.

Mr. Howard offered the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz :

Resolved, That the officers of all primary meetings or primary elections, for the nomination of candidates for office, or the election of delegates to put in nomination said candidates, shall be sworn or affirmed, before entering upon their duties, to fairly and truly conduct the proceedings, and fairly and truly make up the result ; and any wilful violation of said oath or affirmation shall be perjury, and indictable and punishable as such.

Mr. Wherry offered the following resolution which was twice read, considered and agreed to, viz :

Resolved, That the Postmaster be directed to keep the post office in this hall open between the hours of 9 and 10 A. M. and 4 and 5 P. M. on Sundays, and that measures be taken by the Postmaster, through the Messenger, to have the mails brought to the hall on Sunday morning.

Mr. Corson offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on House be instructed to report what progress has been made in draping the windows of this hall, in obedience to the resolution of the Convention authorizing said committee to proceed in the premises.

Mr. Mantor offered the following resolution, which was read as follows, viz :

Resolved, That no member of this Convention be permitted to speak for a longer time than twenty minutes on any question before this Convention.

Laid on the table.

Mr. Turrell offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals be requested to prepare and report an article for the Constitution, providing that any combination, understanding or agreement by and between any railroad companies, or by and between any coal companies, or by and between any railroad and coal companies, relative to increasing their rates of transportation of freights and passengers, or either, or relative to increasing the price of mining products, shall be cause for forfeiture of their charters, and that the Legislature shall provide by law for the proper enforcement of this section.

Mr. Dallas offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Railroad Corporations be instructed to report how far the chartered privileges of existing corporations are in the nature of contracts with the State, and as such not subject to the provisions upon the subject of corporations, which may be incorporated in the Constitution.

Mr. Finney offered the following resolution, which was referred to the Committee on Suffrage, Election and Representation, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to inquire into the propriety of inserting a clause in the Constitution, and to the people separately, permitting female citizens to exercise the same right of suffrage as male citizens, in all municipal, county and township elections.

A motion was made by Mr. Lilly,

That the consideration of the article reported from the Committee on Legislature, which was made the order for to-day in committee of the whole, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Convention again resolved itself in the committee of the whole, Mr. Lawrence in the chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow morning at eleven o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, FEBRUARY 11, 1873.

Mr. Hay presented the memorial of James B. Fulton and others, praying for an amendment of the Constitution prohibiting the sale of intoxicating beverages.

Mr. Wright presented the petition of 273 citizens of Kingston, Luzerne county, praying for an article, as part of the Constitution, to prohibit the manufacture and sale of intoxicating liquors as a beverage.

Also, one of like import, from 103 of the mothers, wives, sisters and daughters of Kingston, Luzerne county.

Mr. Dodd presented the petition of citizens of Reno, Venango county, praying for a clause in the Constitution prohibiting the sale of intoxicating beverages.

Mr. Mantor presented the petition of numerous citizens of Pennsylvania, praying that a clause be inserted in the Constitution prohibiting the sale of intoxicating beverages.

Which several petitions were referred to the Committee on Legislation.

Mr. Howard presented two petitions from citizens of Allegheny county, asking that the Constitution be so amended as to confer upon woman the right of suffrage.

Mr. Carter presented the petition of citizens of Lancaster county, praying that the right of suffrage be extended to women by a constitutional provision.

Said petitions were referred to the Committee on Suffrage, Election and Representation.

Mr. Carter also presented a memorial from a committee of a yearly meeting of the Society of Friends, representing members who reside in the counties of Chester, Lancaster, York, Adams, Centre, Clearfield and Bedford, praying that the death penalty for crime be erased from the Constitution, and that imprisonment for a term of years or for life be substituted.

Which was referred to the Committee on Legislation.

Mr. Landis presented the petition of citizens of Pennsylvania, praying that the Constitution be so amended as to impose certain restrictions upon the corporate rights of railroad and canal companies.

Which was referred to the Committee on Railroads and Canals.

Mr. Parsons asked and obtained leave of absence for Mr. Metzger to-day.

Mr. Barclay asked and obtained leave of absence for Mr. H. W. Smith for a few days from to-day.

Mr. Broomall offered the following resolution, which was twice read, viz :

WHEREAS, The printer for the Convention is under contract to furnish the Debates on the day after delivery, and the Journal on the day after approval, and is not entitled to any compensation unless he complies strictly with his contract :

And whereas, Serious loss is likely to be entailed upon that gentleman, if the Convention shall insist upon its just and legal rights ; therefore,

Resolved, That unless the printing shall be at any time more than one month behind, the printer shall be allowed the contract given, with an abatement of two per cent. for every day any portion of the printing is behind.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Broomall,

That the resolution be referred to the Committee on Printing.

Which was agreed to.

Mr. Kaine offered the following resolution, which was twice read, viz :

Resolved, That the Clerk is hereby directed to have the present Constitution of Pennsylvania correctly printed in bill form and put on the files of the members.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

On motion of Mr. Hopkins,

The Convention resumed the consideration of the following resolution, viz :

Resolved, That from and after Monday next, the Convention will meet at ten o'clock A. M., and adjourn at one o'clock P. M., and meet at three o'clock P. M., and adjourn at five o'clock P. M.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,

To amend the same, by striking out the word "ten," and inserting in lieu thereof the word "eleven," and by striking out the word "one," and inserting in lieu thereof the word "two," and by striking out the words, "and meet at three P. M., and adjourn at five P. M."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Armstrong,

To amend the amendment, by striking out the word "eleven," and inserting in lieu thereof the word "ten."

On the question,

Will the Convention agree so to amend the amendment ?

A motion was made by Mr. Hopkins,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

On motion of Mr. Mantor,

The Convention resumed the consideration of the following resolution, viz:

Resolved, That no member of this Convention be permitted to speak for a longer time than twenty minutes on any question pending in Convention or in committee of the whole.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "twenty," and inserting in lieu thereof the word "ten."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Buckalew,

To amend the amendment, by striking out all after the word "resolved;" and inserting in lieu thereof as follows, viz: "That no member shall be permitted, without leave, to speak more than twenty minutes at any one time in committee of the whole."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Cochran and Mr. Lilly, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Armstrong, Baer, Baily, (Perry,) Bailey, (Huntingdon,) Baker, Barclay, Bartholomew, Black, Chas. A., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Carey, Carter, Church, Clark, Collins, Corbett, Corson, Cronmiller, Curry, Cuyler, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Hopkins, Horton, Howard, Hunsicker, Kaine, Knight, Lambertson, Landis, Lawrence, Lilly, Long, M'Allister, MacConnell, M'Culloch, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Reynolds; S. H., Rooke, Russell, Sharpe, Simpson, Smith, H. G., Smith, W. H., Stewart, Struthers, Temple, Turrell, Walker, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward, Worrell and Wright—88.

NAYS.

Messrs. Campbell, Cochran, Craig, Dallas, Darlington and Patterson, D. W.—6.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Alricks, Andrews, Bannan, Bardsley, Beebe, Biddle, Black, J. S., Cassidy, Curtin, Dimmick, Fell, Gibson, Gowen, Harvey, Heverin, Lear, Littleton, M'Camant, M'Clean, M'Murray, MacVeagh, Metzger, Newlin, Palmer, H. W., Pughe, Purman, Purviance, John N., Read, John R., Ross, Runk, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., White, Harry and Meredith, *President*.

A motion was made by Mr. Hopkins,

That the Convention resume the consideration of the following resolution, viz:

Resolved, That this Convention will adjourn *sine die* on Thursday the 27th day of March.

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, FEBRUARY 12, 1873.

The President laid before the Convention a communication from the Board of Public Education of the First district of Pennsylvania, which was read as follows, viz :

OFFICE OF THE BOARD OF PUBLIC EDUCATION, }
Philadelphia, February 12, 1873.

At a meeting of the Board of Public Education, First district of Pennsylvania, held at their Chamber on Tuesday, February 11, 1873, the following resolution was adopted, viz :

Resolved, That the thanks of this Board be and are hereby tendered to the Constitutional Convention for the use of the Hall, occupied by them, for the meeting of this Board. [*From the Minutes.*]

H. W. HALLIWELL,
Secretary.

Laid on the table.

The President also laid before the Convention communications from the prothonotaries of Carbon and Fayette counties.

Which were referred to the Committee on Judiciary.

Mr. Wright presented two petitions from four hundred and five citizens of Kingston, Luzerne county, praying for a Constitutional provision to prohibit the manufacture and sale of intoxicating liquors as a beverage.

Mr. Parsons presented the petition of citizens of Lycoming county, in favor of inserting a clause in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Darlington presented the petition of numerous citizens of West Chester, Chester county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which petitions were referred to the Committee on Legislation.

A motion was made by Mr. Armstrong,

That the Committee on Judiciary be discharged from the further consideration of the following resolution, viz :

Resolved, That the Committee on Declaration of Rights take into consideration the following proposed addition to that section of the Constitution, viz :

"That married women shall have the same rights over the acquisition, control or disposition of their separate property, real or personal, as men have over theirs."

And that the same be referred to the Committee on Declaration of Rights.

Which was agreed to.

A motion was made by Mr. Armstrong,

That the Committee on the Judiciary be discharged from the further consideration of the following resolution, viz :

Resolved, That the Committee on Railroad Corporations be instructed to report how far the chartered privileges of existing corporations are in the nature of contracts with the State, and as such not subject to the provisions upon the subject of corporations, which may be incorporated in the Constitution.

On motion of Mr. Cochran,

Said resolution was laid on the table.

Mr. Broomall offered the following resolution, which was twice read, viz :

Resolved, That hereafter the sessions of the Convention shall begin at 10 A. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hopkins,

To amend the same, by adding to the end thereof the following, viz : " And adjourn at 1 P. M., and meet at 3 P. M., and adjourn at 5 P. M."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Broomall,

To postpone the question, together with the further consideration of the resolution for the present.

Which was agreed to.

Mr. Armstrong offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Clerk procure for the use of the Convention five copies of the new edition of Purdon's Digest, which shall not be removed from the Convention building.

Mr. Patton offered the following preamble and resolution, which were referred to the Committee on Counties, Townships and Boroughs, viz :

WHEREAS, Under the present practice regulating the publication of legal notices, sheriffs' sales, &c., such publication now generally reaches the attention of but a portion of the citizens of each county, in consequence of said publication being committed to newspapers circulating exclusively among the citizens belonging to one political party, whereby nearly one-half of the citizens, in many instances, are deprived of information seriously affecting their interests :

And whereas, This system of partial publication is the continual cause of dissatisfaction, and operates greatly to the inconvenience and injustice of a great portion of the people :

And whereas, It is eminently proper that the largest publicity should be given to official notices of a public character, and that the fullest opportunity be given the citizen to have information of all process or proceedings affecting his property, rights or interests; therefore, be it

Resolved, That the Committee on Counties, Townships and Boroughs, is hereby requested to inquire into the propriety and justices of reporting to this Convention, for its consideration, an amendment to the Constitution providing that all notices emanating from the courts and public offices in the respective counties of this Commonwealth, now or hereafter required to be published for public or private information, shall be published in the two newspapers, issued in the county where such courts or public offices are situated, which have the largest circulation.

Mr. Landis offered the following resolution, which was twice read, viz:

Resolved, That in respect to the memory of the late John W. Geary, in view of his distinguished services as a soldier and a citizen, and as the late Chief Magistrate of the Commonwealth, during whose administration this Convention was called to revise the Constitution, a committee of eight members be appointed to represent this Convention at the funeral ceremonies to take place at Harrisburg on the thirteenth inst.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof, as follows, viz:

"That as a further mark of respect to the deceased, when this Convention adjourns to-day, it will adjourn to meet on Friday next, at eleven o'clock, A. M., so that the members of this Convention may attend the funeral to-morrow."

Which was not agreed to.

The resolution was then agreed to.

Ordered, That Messrs. Landis, Mantor, Niles, Temple, John Price Wetherill, Guthrie, Addicks and Alricks be said committee.

Mr. Darlington offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That hereafter all questions as to the time of meeting and adjournment of the Convention shall be decided without debate.

Mr. T. H. B. Patterson offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on the Judiciary inquire into the expediency of introducing into the Constitution such proposition as the following:

That no person shall be eligible to be elected to the office of mayor of a city, burgess of a borough, alderman or justice of the peace, within this Commonwealth, until he shall have passed an examination before a committee of three competent citizens, appointed annually by the judges of the courts of common pleas of the several counties, and receive their certificate that he is legally competent to discharge the duties of the office to which he aspires or is elected, and that he is of good moral character.

Mr. Dodd offered the following resolution, which was read, viz:

Resolved, That Rule XXV be altered by striking out the words, "oftener than twice," and inserting "but once."

Laid on the table.

Mr. Newlin, from the Committee on Printing, made a report, which was read as follows, viz:

That Mr. B. Singerly, the Printer of this Convention, has been ready to send out the copies of the Debates ordered to be transmitted to the various newspapers

published in the State, and others entitled to receive them by mail, but has been unable to do so, because payment of postage thereon is required to be made in advance. In order to obviate the difficulty, the committee submit the following resolution:

Resolved, That Mr. Singerly be requested and authorized to pay the postage necessary for the purpose of sending the copies of the Debates of this body, ordered to be transmitted to the several newspapers in the State, and others entitled to receive them by mail, and that he furnish his account for the same, duly authenticated, to the Committee on Accounts of this body.

On motion of Mr. Newlin,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Harry White,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz:

That the Committee on Printing be, and is hereby instructed to confer, at the earliest practicable moment, with the Post Office Department at Washington, and secure, if possible, an arrangement for forwarding the copies of the Debates by the State Printer to the different newspapers of the State, at newspaper rates, paid quarterly in advance, and to make report thereof to the Convention.

Which was agreed to.

The resolution, as amended, was then agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures, which was directed by the Convention to settle the accounts of A. M. Martin and H. J. Mason, for reporting the proceedings of this Convention during its sessions at Harrisburg, made a report, which was read as follows, viz:

That A. M. Martin and H. J. Mason were appointed by the Secretary of the Commonwealth, at the opening of the sessions of the Convention, to act as stenographic reporters until the Convention should supply their places, and were continued in the discharge of their duties during the session at Harrisburg. No fixed compensation was agreed upon at the time of their employment, and the committee is of opinion that these reporters should, therefore, receive a fair compensation for their services, which should not be determined by the rate fixed by the Convention for its official reporter. The committee has, therefore, reported to be paid Messrs. Martin and Mason, a sum somewhat larger than would be paid the present official reporter for the same work.

The following resolution is accordingly reported for the action of the Convention, viz:

Resolved, That warrants be drawn in favor of A. M. Martin and H. J. Mason, for the sum of three hundred dollars each, in full payment for their services rendered to the Convention as reporters of its proceedings and Debates at the Harrisburg session.

On motion of Mr. Hay,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Bowman,

To amend the same, by striking out the word "three," and inserting in lieu thereof the word "four."

Which was not agreed to.

The resolution was then agreed to.

Mr. M'Allister, from the Committee on Suffrage, Election and Representation, reported the following article, viz :

Second Supplementary and Partial Report.

ARTICLE —.

SUFFRAGE, ELECTIONS AND REPRESENTATION.

SECTION —. All elections by persons in a representative capacity shall be by *viva voce*.

SECTION —. Females of the age of twenty-one years or upwards, shall be eligible for election or appointment to any office of control or management under the school laws of the State.

Said article was read the first time and laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow morning at eleven o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, FEBRUARY 13, 1873.

The President, *pro tem.* (Mr. Walker in the chair,) laid before the Convention the following communications from the President, in reference to filling the chair during his absence, said communications having been received on the several dates named, viz :

In pursuance of the authority conferred by the first clause of the sixth rule, I name the Hon. John H. Walker to perform the duties of the chair until the adjournment of the Convention this day.

W. M. MEREDITH.

TUESDAY, February 4, 1873.

In pursuance of authority conferred by the sixth rule, I appoint the Hon. John H. Walker, President, *pro tem.*, from the meeting of the Convention to-day until its adjournment on Saturday, the 8th inst.

W. M. MEREDITH.

WEDNESDAY, February 5, 1873.

In pursuance of authority conferred by rule sixth, I appoint Hon. John H. Walker President, *pro tem*. This appointment to continue until the adjournment of the Convention on Friday next, the 14th inst.

W. M. MEREDITH.

PHILADELPHIA, *Monday, Feb. 10, 1873.*

Laid on the table.

The President also laid before the Convention a petition of citizens of Philadelphia, praying that a clause be inserted in the Constitution prohibiting the sale of intoxicating beverages.

Which was referred to the Committee on Legislation.

Also, a communication from the prothonotary of Lawrence county.

Which was referred to the Committee on Judiciary.

Mr. Parsons presented the petition of citizens of Lycoming county, in favor of inserting a clause in the Constitution prohibiting the sale of intoxicating beverages.

Which was referred to the Committee on Legislation.

Mr. Harry White asked and obtained leave of absence for Mr. Dallas for a few days from to-day, on account of death in his family.

Mr. John M. Baily asked and obtained leave of absence for Mr. Hall for a few days from to-day.

Mr. Turrell asked and obtained leave of absence for Mr. Davis for a few days from to-day.

Mr. Edwards offered the following resolution, which was read as follows, viz.:

To amend Rule XXV, after the word "whole," in the fourth line, by striking out, and inserting the following, viz.:

No member shall speak more than twice on the same subject, nor more than once until every member who chooses, to speak shall have spoken.

Laid on the table.

Mr. Worrell offered the following resolution, which was referred to the Committee on Judiciary, viz.:

Resolved, That the Committee on Judiciary be requested to consider the propriety of having the compensation of judicial officers fixed by the Constitution.

A motion was made by Mr. Broomall,

That the Committee on Revenue, Taxation and Finance, be discharged from the further consideration of the following resolution, viz.:

Resolved, That the Committee on Revenue, Taxation and Finance, be requested to consider the expediency of so amending the Constitution, as to establish the legal rate of interest at seven per cent.

And that the same be referred to the Committee on Agriculture, Mining, Manufacture and Commerce.

Which was agreed to.

A motion was made by Mr. Hopkins,

That the Convention resume the consideration of the following resolution, viz.:

Resolved, That from and after Monday next the Convention will meet at ten o'clock A. M., and adjourn at one o'clock P. M., and meet at three P. M., and adjourn at five P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Parsons and Mr. D. N. White, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Bailey, (Huntingdon,) Bannan, Barclay, Bartholomew, Black, Charles A., Bowman, Boyd, Broomall, Brown, Carter, Cronmiller, Darlington, De France, Edwards, Elliott, Funck, Gilpin, Harvey, Hay, Hazzard, Hopkins, Hunsicker, Lawrence, Lilly, Long, Metzger, Mott, Parsons, Patterson, T. H. B., Porter, Rooke, Russell, Simpson, Smith, W. H., Stewart, Struthers, Turrel, Walker, Wherry, White, David N., White, J. W. F., Woodward and Wright—44.

N A Y S.

Messrs. Baer, Baily, (Perry,) Baker, Beebe, Buckalew, Cassidy, Clark, Cochran, Collins, Corbett, Craig, Curry, Curtin, Davis, Dodd, Dunning, Ewing, Fell, Gowen, Hanna, Heverin, Horton, Howard, Kaine, Knight, Lamberton, M'Allister, M'Culloch, Mann, Newlin, Palmer, G. W., Patton, Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Sharpe, Wetherill, J. M., White, Harry and Worrell—40.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Bardsley, Biddle, Black, J. S., Brodhead, Campbell, Carey, Church, Corson, Cuyler, Dallas, Dimmick, Ellis, Finney, Fulton, Gibson, Guthrie, Hall, Hemphill, Landis, Lear, Littleton, M'Camant, M'Clean, MacConnell, M'Murray, MacVeagh, Mantor, Minor, Niles, Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Reynolds, James L., Reynolds, S. H., Ross, Smith, H. G., Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, John Price and Meredith, *President*.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "one," and inserting in lieu thereof the word "two," and by striking out the words, "and meet at three P. M., and adjourn at five P. M."

On the question,

Will the Convention agree so to amend?

It was determined in the affirmative.

The resolution as amended was then agreed to.

A motion was made by Mr. Dodd,

That the Convention resume the consideration of the following resolution, viz: *Resolved*, That Rule XXV. be altered, by striking out the words, "oftener than twice," and inserting the words, "but once."

Which was agreed to.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by adding the words, "without leave."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Hazzard,

To amend the amendment, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That no member shall speak but once until all have spoken that wish to speak, and only twenty minutes at one time: *Provided*, This rule shall not apply to the chairman of the committee on presenting this article."

On the question,

Will the Convention agree so to amend the amendment ?

A motion was made by Mr. John R. Road,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Lilly ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To postpone the question, together with the further consideration of the resolution, until to-morrow.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "words," and inserting in lieu thereof the words, "a delegate may speak oftener than twice on the subject, nor can," and to further amend the rule by inserting after the word "question," in the last line, the words, "shall not."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Broomall,

To amend the same, by adding to the end thereof as follows, viz :

"And the Convention may, at any time, by resolution, limit debate on questions pending in committee of the whole.

Which was agreed to.

The resolution as amended was agreed to.

On leave given,

Mr. Hanna presented a communication from the Board of Inspectors of the Eastern Penitentiary, which was read as follows, viz :

PHILADELPHIA, February 13, 1873.

To the Members of the Convention to amend the Constitution of the Commonwealth of Pennsylvania :

GENTLEMEN :—I have been directed by the Board of Inspectors of the Eastern Penitentiary to extend to the members of your body a cordial invitation to visit and examine the penitentiary at such day and hour as may best suit your convenience.

It will afford the inspectors much pleasure to meet you on the occasion of your visit, if you will designate the time.

I have the honor to remain,

Your obedient servant,

CHARLES THOMSON JONES,
Secretary of the Board.

Laid on the table.

On motion of Mr. Corson,
Said invitation was accepted, with the thanks of the Convention.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived,

The President adjourned the Convention until to-morrow morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, FEBRUARY 14, 1873.

The President, *pro tem.*, laid before the Convention communications from the prothonotaries of Adams and Westmoreland counties.

Which communications were referred to the Committee on Judiciary.

Also, a communication from the directors of the Franklin Reformatory Home for Inebriates, which was read as follows, viz:

PHILADELPHIA, February 14, 1873.

To the President of the Constitutional Convention:

SIR:—In behalf of the directors of the Franklin Reformatory Home for Inebriates, I beg your acceptance of the accompanying tickets for the demonstration at the Academy of Music, to take place this evening, the 14th instant. It is hoped that the members of the Convention will attend, if practicable.

Very respectfully,

GEORGE W. MOORE,
Secretary.

Laid on the table.

Mr. Turrell presented the petition of citizens of Susquehanna county, praying for constitutional prohibition of the manufacture and sale of intoxicating liquors as a beverage.

Which was referred to the Committee on Legislation.

Mr. Lamberton asked and obtained leave of absence for Mr. Funck for a few days from to-day.

Mr. Collins asked and obtained leave of absence for Mr. Baily, of Perry, for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for Mr. D. W. Patterson and himself for a few days from to-day.

Mr. Charles A. Black asked and obtained leave of absence for Messrs. Ewing and S. A. Purviance for a few days from to-day.

Mr. William H. Smith asked and obtained leave of absence for Mr. Stewart for a few days from to-day.

Mr. Lilly asked and obtained leave of absence for Mr. John M. Bailey, of Huntingdon, for a few days from to-day.

Mr. Newlin offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Governor may approve any appropriation, and disapprove any other appropriation, in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved, and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated, and the same proceedings shall be had as in case of other bills disapproved by the Governor.

Mr. Mott offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz :

Resolved, That the Committee on Agriculture, Mining, Manufactures and Commerce be requested to take into consideration the propriety of reporting a section prohibiting any incorporated company, organized for mining purposes, or possessed of mining privileges, from owning, holding or possessing the soil or surface right of more than one thousand acres of land at any one time, exclusive of lands held for right of way for railroad purposes by due appropriation of law.

Mr. Bowman offered the following resolution, viz :

Resolved, That when this Convention adjourns to-day, it will be to meet at ten o'clock, A. M., on Monday next.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Hay and Mr. Lawrence, and were as follow, viz :

YEAS.

Messrs. Addicks, Ainsy, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Beebe, Black, Charles A., Bowman, Brodhead, Broomall, Corson, Curtin, Dunning, Elliott, Ellis, Ewing, Fell, Funck, Hanna, Harvey, Hemphill, Lilly, M'Camant, Mann, Metzger, Newlin, Niles, Palmer, G. W., Parsons, Rooke, Runk, Sharpe, Simpson, Stanton, Struthers, Temple, Walker, Wetherill, J. M., Wherry, White, Harry, and Worrell—43.

NAYS.

Messrs. Achenbach, Alricks, Baily, of Perry, Boyd, Brown, Carter, Clark, Collins, Corbett, Craig, Cronmiller, Darlington, De France, Edwards, Guthrie, Hay, Hazzard, Hopkins, Herton, Howard, Kaine, Lamberton, Landis, Lawrence, M'Allister, M'Clean, MacConnell, M'Culloch, MacVeagh, Mantor, Mott, Patterson,

T. H. B., Patton, Porter, Reynolds, James L., Russell, Smith, H. G., Smith, W. H., Turrell, Wetherill, John Price, White, David N., and White, J. W. F.—42.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Andrews, Armstrong, Baker, Bardsley, Biddle, Black, J. S., Buckalew, Campbell, Carey, Cassidy, Church, Cochran, Curry, Cuyler, Dallas, Davis, Dimmick, Dodd, Finney, Fulton, Gibson, Gilpin, Gowen, Hall, Heverin, Hunsicker, Knight, Lear, Littleton, Long, M'Murray, Minor, Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, S. H., Ross, Smith, Henry W., Stewart, Van Reed, Woodward, Wright and Meredith, *President*.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Newlin to amend the same, by striking out the word, "ten," and inserting in lieu thereof the word, "eleven."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Hopkins and Mr. Edwards, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Biddle, Bowman, Brodhead, Brogman, Brown, Cochran, Corson, Curtin, Dunning, Elliott, Ellis, Ewing, Funck, Harvey, Hemphill, Knight, Lilly, M'Camant, Mann, Metzger, Niles, Palmer, G. W., Parsons, Patton, Read, John R., Runk, Simpson, Stanton, Struthers, Walker, Wetherill, J. M., Wherry and White, Harry—41.

NAYS.

Messrs. Achenbach, Alricks, Baily, (Perry,) Beebe, Boyd, Campbell, Carter, Collins, Corbett, Craig, Cronmiller, Darlington, De France, Edwards, Fell, Gilpin, Guthrie, Hay, Hazzard, Hopkins, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, M'Allister, M'Clean, MacConnell, M'Culloch, MacVeagh, Mantor, Minor, Mott, Newlin, Patterson, T. H. B., Porter, Reynolds, James L., Russell, Sharpe, Smith, H. G., Smith, W. H., Temple, Turrell, Wetherill, Jno. Price, White, David N., White, J. W. F., and Worrell—48.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Andrews, Armstrong, Bardsley, Black, Charles A., Black, J. S., Buckalew, Carey, Cassidy, Church, Clark, Curry, Cuyler, Dallas, Davis, Dimmick, Dodd, Finney, Fulton, Gibson, Gowen, Hall, Hanna, Heverin, Hunsicker, Lear, Littleton, Long, M'Murray, Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, S. H., Rooke, Ross, Smith, Henry W., Stewart, Van Reed, Woodward, Wright and Meredith, *President*.

Mr. MacVeagh presented the following letter of resignation, viz:

PHILADELPHIA, *January 22, 1873.*

Hon. WM. M. MEREDITH, *President*:

SIR:—Permit me, through you, to tender to the Constitutional Convention, my resignation as a member thereof.

I have the honor to be,

Most respectfully,

Your obedient servant,

SAM'L E. DIMMICK.

A motion was made by Mr. Ainey,

That the resignation be accepted and referred to the committee of fourteen delegates at large, first named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. John R. Read,

To amend the motion by laying the resignation on the table.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion?

Mr. Hopkins called for a division of the question.

On the question,

Will the Convention agree to the first division, viz: "That the resignation be accepted."

It was determined in the affirmative.

On the question,

Will the Convention agree to the second division, viz: "and referred to the committee of fourteen delegates first named in the proclamation of the Governor."

It was determined in the affirmative.

Mr. John Price Wetherill offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the use of this hall be given, on Wednesday evening next, to the Centennial committee of citizens of Philadelphia, for the purpose of holding a meeting in reference to the Centennial Exposition.

Mr. M'Allister, from the Committee on Suffrage, Election and Representation, reported the following article, viz:

Third Supplementary and Partial Report of the Committee on Suffrage, Election and Representation.

ARTICLE —.

SECTION —. For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States, nor while engaged in the navigation of the waters of the State or of the United States, or on the high seas, nor while a student of any seminary of learning, nor while kept in any poor house or other asylums, nor while confined in any public prison: *Provided*, That when any student shall have wholly abandoned his former residence, he may acquire a new residence as any other citizen.

Said article was read the first time and laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and Monday were named.

On the question,

Shall the committee of the whole have leave to sit on Monday next ?

It was determined in the negative.

On the question,

Shall the committee of the whole have leave to sit to-morrow ?

It was determined in the affirmative.

Mr. Ainey asked leave to offer a resolution at this time.

On the question,

Will the Convention agree to the introduction of the resolution at this time ?

A motion was made by Mr. Hay,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Worrell and Mr. Heverin, and were as follow, viz :

Y E A S .

Messrs. Bear, Baily, of Perry, Baker, Bartholomew, Black, J. S., Boyd, Brodhead, Broomall, Brown, Campbell, Cassidy, Craig, Cronmiller, Curtin, Darlington, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Guthrie, Hay, Heverin, Hopkins, Hunsicker, Kaine, Knight, Lamberton, Lawrence, Lilly, Littleton, M'Alister, M'Camant, M'Clean, Mann, Niles, Patton, Porter, Smith, W. H., Turrell, Walker, White, Harry, White, J. W. F., Woodward and Worrell—46.

N A Y S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Beebe, Biddle, Black, Chas. A., Carter, Church, Collins, Corbett, Corson, De France, Gilpin, Hanna, Hazzard, Howard, Landis, MacConnell, MacVeagh, Mantor, Metzgar, Minor, Mott, Newlin, Parsons, Patterson, T. H. B., Read, John R., Reynolds, James L., Russell, Sharpe, Simpson, Stanton, Temple, Wetherill, J. M., Wetherill, John Price, Wherry and White, David N.—38.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Andrews, Armstrong, Bailey, of Huntington, Bannan, Barclay, Bardsley, Bowman, Buckalew, Carey, Clark, Cochran, Curry, Cuyler, Dallas, Davis, Dimmick, Dodd, Finney, Fulton, Funck, Gibson, Gowen, Hall, Harvey, Hemphill, Horton, Lear, Long, M'Cullough, M'Murray, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, S. H., Rooke, Ross, Runk, Smith, H. G., Smith, Henry W., Stewart, Struthers, Van Reed, Wright and Meredith, *President*.

Whereupon,

The President, *pro tem.*, adjourned the Convention until to-morrow morning at 11 o'clock.

D. I. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, FEBRUARY 15, 1873.

The President laid before the Convention a communication from the prothonotary of Greene county, which was referred to the Committee on Judiciary.

He also laid before the Convention three petitions of citizens of Pennsylvania, praying for a constitutional provision prohibiting the sale of intoxicating liquors as a beverage.

Mr. Hay presented a petition of 252 citizens of Allegheny county, praying for an amendment against the manufacture and sale of intoxicating liquors.

Which several petitions were referred to the Committee on Legislation.

Mr. J. W. F. White asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-day.

Mr. Landis asked and obtained leave of absence for Mr. Curry for a few days from to-day.

Mr. Niles asked and obtained leave of absence for Mr. Bowman for a few days from to-day.

Mr. Church asked and obtained leave of absence for Mr. Parsons for a few days from Monday next.

Mr. Beebe asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. Simpson asked and obtained leave of absence for himself for Tuesday and Wednesday next.

Mr. Newlin offered the following resolution, which was referred to the Committee on Education, viz:

Resolved, That the Governor, Attorney General and Superintendent of Common Schools shall constitute a State Board of Education. They shall appoint county superintendents, and shall have supervision of public instruction, subject to such regulations as may be prescribed by law.

A motion was made by Mr. Lawrence,

That the Committee on Counties, Townships and Boroughs be discharged from the further consideration of the following resolution, viz:

Resolved, That the officers of all primary meetings, or primary elections for the nominations of candidates for office, or the election of delegates to put in nomination said candidates, shall be sworn or affirmed before entering upon their duties, to fairly and truly conduct the proceedings, and fairly and truly make up the result, and any wilful violation of said oath or affirmation shall be perjury, and indictable and punishable as such.

Which was agreed to.

And said resolution being again before the Convention,

A motion was made by Mr. Howard,

That the same be referred to a select committee of five members.

Which was agreed to.

Ordered, That Messrs. Howard, Clark, Mantor, Baker and Newlin be said committee.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

Monday was named and agreed upon.

The hour of two o'clock having arrived,

The President adjourned the Convention until Monday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, FEBRUARY 17, 1873.

Mr. DeFrance presented the petition of citizens of Mercer county, praying for an amendment to the Constitution granting to woman the right of suffrage.

Laid on the table.

Mr. Craig presented two petitions from citizens of Lawrence county, and one petition of citizens of Washington county, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating beverages.

Which were laid on the table.

Mr. Kaine asked and obtained leave of absence for Mr. Collins for a few days from to-morrow.

Mr. William H. Smith asked and obtained leave of absence for Mr. Baer for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for Mr. Darlington for a few days from to-day.

Mr. Elliott asked and obtained leave of absence for Mr. Mann for a few days from to-day.

Mr. Broomall offered the following resolution, which was twice read, viz:

Resolved, That general debate be closed in committee of the whole on the section pending, but that any member offering an amendment shall be allowed five minutes to advocate it, and the same time shall be allowed to some one opponent.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. D. N. White,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof the following, viz:

"That debate on the article on Suffrage, Election and Representation, now under consideration, shall be limited in committee of the whole to five minute speeches."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Dunning,
To postpone the question, together with the further consideration of the resolution, indefinitely.

Which was agreed to.

Mr. Mantor offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Printing be requested to confer with the State Printer, and have all printed matter, that is necessary for the Convention, ready each day by nine o'clock, A. M.

On the question,
Will the Convention agree to the resolution ?

It was determined in the negative.

Mr. Newlin, from the Committee on Printing, to whom was referred the subject of postage on the Debates to be sent to the newspapers of the State, submitted the following correspondence, viz :

COMMONWEALTH OF PENNSYLVANIA
CONSTITUTIONAL CONVENTION,
Philadelphia, Feb. 12, 1873. }

Hon. J. A. J. CRESWELL,
Postmaster General :

SIR:—I have the honor to call your attention to the following resolution adopted to-day by the Constitutional Convention :

Resolved, That the Committee on Printing be and it is hereby instructed to confer, at the earliest practical moment, with the Postmaster General, and secure, if possible, an arrangement for forwarding the copies of the Debates by the State Printer to the different newspapers of the State, at newspaper rates, paid quarterly in advance, and to make report thereof to the Convention.

The Journals and Debates of the House and Senate at Harrisburg are paid for in this manner, and in obedience to the instruction of the Convention, I have the honor to request that you will issue an order to the Harrisburg Postmaster, in accordance with the request of the Convention.

Respectfully yours,
(Signed) JAMES W. M. NEWLIN,
Chairman Committee on Printing.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE. }
Washington D. C., February 13, 1873. }

J. W. M. NEWLIN, Esq.,
Chairman Com. on Printing, Constitutional Convention :

SIR:—Your letter of February 12th, is received. Be pleased to call on the postmaster of your city, who has this day been instructed as to his duty in the premises.

Very respectfully,
J. W. MARSHALL,
First Assistant P. M. General.

Laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given,

A motion was made by Mr. Corson,

That the members of the Convention visit the Eastern Penitentiary on Saturday next, at 3 o'clock P. M., in response to the invitation extended by the Board of Inspectors on the 13th inst.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. John R. Read,

To amend the same, by striking out the word "Saturday," and inserting in lieu thereof the word "Friday."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hopkins,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, FEBRUARY 18, 1873.

The President laid before the Convention a communication from D. J. Morrell and Asa Packer, of the United States Centennial commission, which was read as follows, viz :

UNITED STATES CENTENNIAL COMMISSION, }
PHILADELPHIA, February 17, 1872. }

Hon. WM. M. MEREDITH,

President Constitutional Convention :

SIR:—We, joint committee, having in charge the arrangements for Pennsylvania's grand mass convention to provide for the celebration of the Centennial anniversary of American Independence, 22d instant, at the Academy of Music, respectfully ask your honorable body to be present on that occasion, trusting that you will send us an early reply.

We are, respectfully, yours,

D. J. MORRELL,
ASA PACKER,
Commissioners of Penn'a.

On motion of Mr. John Price Wetherill,

The invitation was accepted with thanks of the Convention.

Also, a communication from the executive committee of the Philadelphia Social Science association, which was read as follows, viz :

523 WALNUT STREET, *February 17, 1873.*

HON. WM. M. MEREDITH,

President Constitutional Convention :

DEAR SIR:—I am instructed by the executive committee of the Philadelphia Social Science association, to invite the members of the Constitutional Convention to attend the next stated meeting of the association, on Thursday evening, February 20, at 8 o'clock, when Mr. Sydney Biddle will read a paper on the work of the Constitutional Convention, at the Mercantile Library Hall, Tenth street, between Market and Chestnut.

Very respectfully, &c.,

L. G. ROSENGARTEN,
Secretary.

On motion of Mr. Newlin,

The invitation was accepted with the thanks of the Convention.

Also, a communication from the prothonotary of Erie county.

Which was referred to the Committee on the Judiciary.

Mr. Carter presented the petition of two hundred citizens of Lancaster county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Andrews presented the petition of one hundred and eleven citizens of Pennsylvania, praying that the Constitution be so amended as to prohibit the manufacturing and sale of intoxicating beverages.

Which petitions were referred to the Committee on Legislation.

Mr. Pughe presented a memorial of citizens of Luzerne county, praying the insertion of a clause in the Constitution, that in all counties having a population exceeding one hundred thousand, the Legislature shall have the power to make sub-division thereof establishing in each sub-division all the necessary courts pertaining to counties, with exclusive or concurrent jurisdiction, and officers for recording deeds, granting letters of administration, and proving wills: *Provided*, That such sub-division shall not contain less than forty thousand inhabitants.

Which was referred to the Committee on the Judiciary.

Mr. Lear presented a memorial from the Solebury Monthly Meeting of Friends, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Also, one from the same meeting, praying that the death penalty be erased from the Constitution.

Which were referred to the Committee on Legislation.

Also, one from the same meeting, praying that the Constitution be amended, so that all persons who are conscientiously opposed to military service be exempt from the same.

Referred to the Committee on Militia.

Mr. Mantor asked and obtained leave of absence for Mr. Church for a few days from to-day.

Mr. Newlin offered the following resolution, which was referred to the Committee on Executive Department, viz :

Resolved, That the principal officer in each of the Executive Departments shall have the privilege of discussing in either House any measure appertaining to his department.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President again resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Bartholomew,

That the Convention do now adjourn.

Which was not agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,

Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

WEDNESDAY, FEBRUARY 19, 1873.

A motion was made by Mr. Hay,

That the members of the Convention visit the Eastern penitentiary, in response to the invitation extended by the board of inspectors, on the 13th inst., on Saturday next, at three P. M.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Temple,

To amend the motion, by striking out the word "Saturday," and inserting in lieu thereof the word "Friday."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Knight,

To amend the amendment, by striking out the words, "Friday next," and inserting in lieu thereof the words, "Saturday week."

Which was agreed to.

The amendment as amended, and motion as amended were then agreed to.

Mr. D. W. Patterson presented a memorial of a citizen of Lancaster county, praying that there be a change in the Constitution respecting private corporations.

Which was referred to the Committee on Private Corporations, &c.

Mr. Clark presented a communication from the prothonotary of Indiana county.

Which was referred to the Committee on Judiciary.

Mr. MacVeagh presented the petition of citizens of Millersburg, Dauphin county, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Mr. Carter presented the petition of citizens of Marietta, Lancaster county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Corbett presented five (5) petitions of the citizens of the State of Pennsylvania, praying for an article in the Constitution prohibiting the sale of intoxicating beverages.

Mr. John N. Purviance presented the petition of citizens of Butler county, praying the Convention to adopt an article prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Which were referred to the Committee on Legislation.

Mr. Kaine offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Clerk is hereby directed to have the Constitution of the State correctly printed in bill form, and placed on the files of the members, so that its amendment may be properly considered by the Convention.

Mr. Hemphill offered the following resolution, which was read, viz:

Resolved, That the Committee on Suffrage, Election and Representation be instructed to repeal a section providing for *viva voce* voting in all Federal, State and municipal elections.

On the question,

Will the Convention agree to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Walker, from the Committee on Cities and City Charters, reported the following article, viz:

Report of the Committee on Cities and City Charters.

SECTION 1. The Legislature shall pass general laws whereby a city may be established whenever a majority of the electors of any town or borough, voting at any general election, shall vote in favor of the same being established.

SECTION 2. Every city now existing or hereafter established shall be governed by a mayor and a select and common council, in whom the legislative power shall be vested.

SECTION 3. The mayor shall have a qualified veto on all the acts and ordinances passed by the councils, shall see that the duties of the several officers are faithfully performed, but shall exercise no judicial functions, civil or criminal.

SECTION 4. The Legislature shall pass no special law enacting any municipality or regulating its form of government, or the management of its internal affairs, or altering the charter of any city now existing, or creating a public commission for any purpose, unless such law is specially asked for by a majority of each council for a definite object; nor shall such special law prove any force or effect unless accepted by a majority of each council, and by a majority of the legal voters voting at the next municipal election after the acceptance by the councils. Every municipality shall have power to pass laws for its own regulation not repugnant to the Constitution of the United States or of this Commonwealth.

SECTION 5. No city shall have the power to create hereafter a debt exceeding two and one half per cent. upon the assessed valuation of the real and personal estate within its corporate limits, except to suppress rebellion or repel an invasion of the State.

SECTION 6. Every city shall create a sinking fund, which shall be inviolably pledged for the redemption of its permanent debt.

SECTION 7. No city shall, by a vote of its citizens, or otherwise, become a stockholder in any company, association or corporation, or obtain money for, or loan its credit to any corporation, association or party.

SECTION 8. A municipal officer who has not accounted for and paid over money officially in his hands shall be ineligible to any municipal office.

SECTION 9. The Legislature shall not except any property, real or personal, within any city from municipal taxation, except such as is exempted throughout the State by general law.

SECTION 10. The select and common councils, or either of them, shall have power to appoint a committee of their bodies or body to investigate official misconduct, with power to subpoena witnesses, compel their attendance, examine them under oath, and require the production of books, papers, documents and vouchers, and in case of the neglect or refusal of a witness to appear, the court of common pleas of the county in which the city is, upon proof of the service of the subpoena, shall issue an attachment, and compel the appearance.

In case a witness shall appear, but refuse to testify, upon the same being brought before the court, it shall commit the witness for contempt, and impose such fine as in its discretion shall seem meet.

If the charge is established, and the finding is approved by the councils, or council appointed by the committee, then the office shall be declared vacated, and the officer shall be ineligible to any office of trust or profit under the municipality, and may be prosecuted in the criminal courts.

Willful false swearing before such committee shall be deemed perjury.

Said report was read the first time and laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, FEBRUARY 20, 1873.

The President laid before the Convention a communication from the prothonotary of Tioga county.

Which was referred to the Committee on Judiciary.

Also, a communication from the Citizens' Suffrage association, which was read as follows, viz :

PHILADELPHIA, *February 20, 1873.*

Mr. President and Gentlemen of the Constitutional Convention :

The Citizens' Suffrage association being desirous that Mrs. Elizabeth Cady Stanton should deliver an address on the subject of Woman Suffrage, may I be permitted to ask for the use of Convention Hall for that purpose, on Monday evening next.

Most respectfully,

ELIZABETH S. BLADEN,
Chairman Executive Committee.

Laid on the table.

A motion was made by Mr. Broomall,

That the use of the Hall be granted the Citizens' Suffrage association in accordance with the above request.

Which was agreed to.

Mr. Darlington presented a memorial from the London Grove Monthly Meeting of Friends, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Also, one from the same meeting, praying that the death penalty be erased from the Constitution.

Which was referred to the Committee on Legislation.

Also, one from the same meeting, praying that the Constitution be amended so that all persons who are conscientiously opposed to military service be exempt from the same.

Which was referred to the Committee on Militia.

Mr. Craig presented the petition of citizens of Lawrence county, asking that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Landis presented the petition of citizens of Blair county, praying an insertion in the Constitution of an article prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Mr. Hazzard presented a memorial from the Monongahela Valley District Convention of I. O. G. T., held at Pittsburg, praying that the Convention submit to a vote of the people a separate clause of the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Which was referred to the Committee on Legislation.

Mr. Lilly offered the following resolution, which was twice read, viz :

Resolved. That when the Convention adjourns to-morrow, it will be until Monday next at ten o'clock A. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Alricks,

To amend the same, by striking out the word "ten," and inserting in lieu thereof the word "eleven."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Hay and Mr. Cochran, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Baker, Bartholomew, Beebe, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Clark, Craig, Curry, Curtin, Dallas, Davis, De France, Edwards, Elliott, Ellis, Gibson, Gowen, Guthrie, Hanna, Horton, Huusicker, Knight, Lambertou, Landis, Lawrence, Lear, Lilly, Long, M'Clean, MacConnell, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patton, Pughe, Purviance, John N., Ross, Runk, Sharpe, Simpson, Stanton, Stewart, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, Worrell, Wright and Meredith, *President*—61.

N A Y S.

Messrs. Baily, (Perry,) Bailey, (Huntingdon,) Biddle, Campbell, Carter, Cochran, Corbett, Darlington, Fell, Gilpin, Hay, Hazzard, Hopkins, Howard, M'Allister, M'Cullough, M'Murray, Patterson, T. H. B., Purman, Reed, Andrew, Russell, Smith, Henry W., Smith, W. H., White, David N., and White, J. W. F.—25.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Armstrong, Baer, Banan, Barelay, Bardsley, Black, J. S., Bowman, Brown, Carey, Cassidy, Church, Collins, Corson, Crommiller, Cuyler, Dimmick, Dodd, Dunning, Ewing, Finney, Fulton, Funck, Hall, Harvey, Hemphill, Heverin, Kaine, Littleton, M'Camant, MacVeagh, Mann, Metzger, Palmer, H. W., Parsons, Porter, Purviance, Samuel A., Read, John R., Reynolds, James L., Reynolds, S. H., Rooke, Smith, H. G., Struthers, Turrell, White, Harry, and Woodward.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz:

That it has examined the following accounts for expenses of the Convention, viz:

1. John Smith, for clearing ice and snow from the yard of the Hall occupied by the Convention, carting away same, \$25.

2. A number of accounts for printing and advertising proposals for the printing and binding of the Convention, done by direction of the Committee on Printing, as follows:

Messrs. M'Laughlin Brothers, printing.....	\$36 00
Evening Herald, Philadelphia, advertising.....	10 00
Evening Bulletin..... do..... do.....	17 60
Evening Star..... do..... do.....	8 00
Evening City Item..... do..... do.....	10 50
Evening Telegraph..... do..... do.....	13 20
The Inquirer..... do..... do.....	13 20
The Day..... do..... do.....	8 00
The Ledger..... do..... do.....	19 60
The Age..... do..... do.....	8 80
The Press..... do..... do.....	11 00
The Public Record..... do..... do.....	8 80
State Journal, Harrisburg..... do.....	5 50

Together, amounting to..... 170 20

And that said accounts are for proper expenses of the Convention, and should, therefore, be paid.

The following resolution is accordingly reported, viz:

Resolved, That the Chief Clerk be directed to pay to the persons entitled to receive the same, the several amounts reported as proper to be paid in the above report of the Committee on Accounts and Expenditures.

On motion of Mr. Hay,
Said resolution was twice read, considered and agreed to.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

On leave given at this time,
Mr. MacConnell asked and obtained leave of absence for Mr. Porter for a few days from to-day.

Mr. Woodward asked and obtained leave of absence for Mr. Armstrong for a few days from to-day.

A motion was made by Mr. Bartholomew,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, FEBRUARY 21, 1873.

The President laid before the Convention a communication from D. J. Morrell, which was read as follows, viz:

UNITED STATES CENTENNIAL COMMISSION, }
Philadelphia, Feb. 20, 1873. }

HON. WM. M. MEREDITH:

DEAR SIR:—We have the honor to enclose stage tickets for all the members of the Constitutional Convention.

And remain respectfully,
D. J. MORRELL.

Laid on the table.

Also, a communication from the prothonotary of Franklin county.

Which was referred to the Committee on Judiciary.

Messrs. Wright, Pughe, G. W. Palmer and Mott, presented petitions of the citizens of Luzerne county, praying that a clause be inserted in the Constitution, "That in all counties having a population exceeding 100,000, the Legislature shall have the power to make sub-division thereof, establishing in each sub-division all the necessary courts pertaining to counties."

Which petitions were referred to the Committee on Judiciary.

Mr. Horton presented the petition of citizens of Bradford county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. S. A. Purviance presented the petition of two hundred citizens of Allegheny county, praying for a Constitutional provision prohibiting the sale of intoxicating liquors as a beverage.

Which petitions were referred to the Committee on Legislation.

Mr. Boyd asked and obtained leave of absence for Mr. Hunsicker for a few days from Monday next.

Mr. DeFrance offered the following resolution, viz :

Resolved, That this Convention will hereafter grant leave of absence from its sessions to none of its members, except in the case of sickness of members or their families.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Messrs. Hay, Wm. H. Smith, Corbett, Russell, T. H. B. Patterson, Gilpin, Hopkins, J. M. Bailey, J. W. F. White, Purman, D. N. White and Darlington, presented the following reasons for their vote upon the resolution adopted yesterday, for an adjournment over Saturday the 22d inst., viz :

1. The example of the Constitutional Convention of 1837-8 is against unnecessary adjournments; that body having sat on the fourth day of July, on Christmas day, on New Year's day and on the Twenty-second of February, when it adjourned.
2. That as Washington was distinguished for his steady, untiring devotion to the performance of every duty, public and private, it would seem that the fittest way for this Convention to honor his memory would be to remain in session on his birth-day, as on other days, giving attention to the discharge of the public duties for which it is assembled.
3. That as the State is at considerable expense for every day during which the sessions of the Convention are prolonged, whether any business is transacted or not, this fact should induce the Convention to remain in actual working session on every day when there does not exist a public necessity for an adjournment over.

MALCOLM HAY,
J. W. F. WHITE,
WM. HOPKINS,
WM. L. CORBETT,
JNO. GILPIN,
WM. H. SMITH,
JNO. M. BAILEY,
D. N. WHITE,
S. L. RUSSELL,
A. A. PURMAN,
T. H. BAIRD PATTERSON,
WM. DARLINGTON.

Laid on the table.

Mr. Fell, from the committee to whom was referred the resignation of Samuel E. Dimmick, a delegate-at-large, made a report, which was read as follows, viz :

The delegates-at-large, to whom was referred the subject of the vacancy occasioned by the resignation of Samuel E. Dimmick, a delegate for the State at large, do report the following resolution :

Resolved, That Henry Green be and hereby is appointed a member of this Convention, to fill the vacancy caused by the resignation of Samuel E. Dimmick, a delegate for the State at large.

W. M. MEREDITH,
JNO. H. WALKER,
J. G. FELL,
G. V. LAWRENCE,
WM. LILLY,
LIN BARTHOLOMEW,
H. N. M'ALLISTER,
WM. DAVIS,
JAMES L. REYNOLDS,
D. N. WHITE,
WM. H. AINEY.

Whereupon,

Mr. Green appeared and was duly qualified.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday next was named and agreed upon.

On leave given,

Mr. Curtin, from the Committee on the Executive Department, reported the following article, viz :

EXECUTIVE DEPARTMENT.

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

SECTION 2. The supreme executive power shall be vested in a Governor, who shall take care that the laws be faithfully attended to. He shall be chosen on the day of the general election by the qualified electors 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 3. The Governor shall hold his office during four years from the third Tuesday of January next ensuing his election, and shall not be capable of holding the office for the term next succeeding the term for which he was elected.

SECTION 4. A Lieutenant Governor shall be chosen in the same manner, at the same time and for the same term, and subject to the same provisions. He shall be President of the Senate, but shall have no vote unless they be equally divided.

SECTION 5. No person shall be eligible to the office of Governor or Lieutenant Governor, except a citizen of the United States, who shall have attained the age of thirty years, and have been seven years next preceding his election an inhabitant of the State, unless he shall have been absent on the public business of the United States or of this State.

SECTION 6. No member of Congress or person holding any office under the United States or of this State, shall exercise the office of Governor or Lieutenant Governor.

SECTION 7. The Governor and Lieutenant Governor shall, at stated times, receive for their services a compensation, which shall be neither increased nor diminished after their election, nor during the term for which they shall have been elected.

SECTION 8. The Governor 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 9. He shall nominate, and by and with the advice and consent of two-thirds of all the members of the Senate, appoint a Secretary of the Commonwealth and an Attorney General during pleasure, and such other officers of the Commonwealth as he is or may be authorized by law to appoint. He shall have power to fill all vacancies in office to which he may appoint, that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session. He shall have power to fill any vacancy that may happen during the recess of the Senate in the office of Auditor General, State Treasurer, Secretary of Internal Affairs, Superintendent of Public Instruction, in a judicial office, or in any other elective office which he is or may be authorized so to fill. If the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate before their final adjournment a proper person to fill said vacancy; but in any such case of vacancy in an elective office a person shall be chosen to said office at the next annual election of Representatives, unless the vacancy shall happen within three calendar months immediately preceding such annual election, in which case the election for said office shall be held at the second succeeding annual election of Representatives. 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, which shall be entered on the Journal.

SECTION 10. He shall have power to remit fines and forfeitures, to grant reprieves, commutations of sentences and pardons, except in cases of impeachment, but only upon the recommendation in writing of the Secretary of the Commonwealth, Attorney General, Superintendent of Public Instruction, Secretary of Internal Affairs, or any three of them—and such recommendation, with the reasons therefor at length, shall be recorded and filed in the Department.

SECTION 11. He may require information, in writing, from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

SECTION 12. 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 13. 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 14. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the powers, duties and emoluments of the office for the remainder of the term, or until the disability be removed, shall devolve upon the Lieutenant Governor.

SECTION 15. The Senate shall, at the beginning and close of each regular session, and at such other times as a vacancy may occur in said office, elect a Senator President *pro tempore*, whose duty it shall be to preside over the Senate during the temporary absence of the Lieutenant Governor, and in case of a vacancy in the office of Lieutenant Governor, or on his conviction on impeachment, or disability, the powers, duties and emoluments of the office for the remainder of the term or until the disability be removed, shall devolve upon the President *pro tempore*, and he shall in like manner become Governor if a vacancy or disability shall occur. His office of Senator shall become vacant when he becomes Lieutenant Governor, and shall be filled by election, as any other vacancy in the Senate.

SECTION 16. 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, which 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, the same 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 17. The Governor shall have power to disapprove of any item or items of any bill making appropriation of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items disapproved shall be void unless re-passed according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

SECTION 18. If the trial of a contested election of Governor or Lieutenant Governor shall continue longer than until the third Monday of January next ensuing the election of Governor or Lieutenant Governor, the person who is then exercising the authority of the office in reference to which the contest is pending shall continue therein until the determination of such contested election, and until his successor be qualified.

SECTION 19. 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 upon him by law.

SECTION 20. The Secretary of Internal Affairs shall exercise all the powers and duties devolved by law upon the Surveyor General, and the Office of Surveyor General shall cease when the Secretary of Internal Affairs shall be duly qualified. His Department shall embrace a bureau of industrial statistics, and such duties relating to the charitable institutions, the agricultural, manufacturing, mining, mineral, timber and other material or business interests of the State, as may be by law assigned thereto. He shall annually make report to the Legislature, and at such other time as may be required by law.

SECTION 21. The Superintendent of Public Instruction shall exercise all the powers, and perform all the duties devolved by law upon the Superintendent of Common Schools, and the office of Superintendent of Common Schools shall cease when the Superintendent of Public Instruction shall be duly qualified.

SECTION 22. The term of the Secretary of Internal Affairs and Superintendent of Public Instruction shall be four years; of the Auditor General three years, and of the State Treasurer two years. These officers shall be chosen by the qualified electors of the State on the day of the general election. No person elected to the office of Auditor General or State Treasurer shall be capable of holding the same office for two consecutive terms.

Said article was read and laid on the table.

On leave given,

Mr. John N. Purviance, from the Committee on Executive Department, submitted a minority report, which was read as follows, viz:

I concur in the report of the majority of the Committee on Executive Department, in all respects, except as to Attorney General. In my opinion that officer should be elected.

If he were exclusively the legal advisor of the Governor, it would be proper and right that he should be appointed by the Chief Executive officer, but as he is the law officer of the Commonwealth, and as such is required to give his opinion on all legal questions affecting the interests of the people of the State, especially upon questions of taxation, legislation and revenue laws, it is believed that his election by the people would place him in a position of greater independence of thought and action than if he held his office upon any uncertain tenure.

In times of political excitement, when grave constitutional questions require deliberate consideration, and when the Governor would desire to be sustained in his views, which might be wholly of a partisan character, a difference of opinion between him and the Attorney General might result in the removal of the latter, that his place be filled by one more pliable and less conscientious in the performance of his duties.

The Attorney General, in the discharge of his duties as to constitutional questions arising from the power of the Legislature to grant corporate privileges and acts on other subjects, many of which may conflict with the rights and interests of the people, should not be restrained or influenced by partisan sympathy or the power of removal from office.

It may happen, too, that partisan zeal and activity, rather than fitness and honesty, may prompt the dispensation of patronage, and combinations of factions, operating as well in the concentration of power in nominating conventions as in the popular sentiment, may control appointments prejudicial to the general welfare.

Respectfully submitted.

JOHN N. PURVIANCE.

Laid on the table.

On leave given at this time.

Mr. Lilly offered the following resolution, viz :

Resolved, That in committee of the whole, hereafter, speeches upon any proposition or amendment to propositions, shall be restricted to one speech of not more than ten minutes without permission.

Which was laid on the table.

A motion was made by Mr. Worrell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at 11 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, FEBRUARY 24, 1873.

Mr. DeFrance presented a memorial of Abner Applegate, of Mercer county, praying that there be no amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which was referred to the Committee on Legislation.

Mr. Mantor presented two petitions of citizens of Pennsylvania, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Turrell presented the petitions of citizens of Susquehanna county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Fulton presented the petition of citizens of Westmoreland county, praying that the Constitution be so amended as to prohibit the manufacture and sale of intoxicating liquors as a beverage.

Mr. Curry presented the petition of citizens of Blait county, praying that the Constitution be so amended as to prohibit the sale intoxicating liquors as a beverage.

Which several petitions were referred to the Committee on Legislation.

Mr. D. N. White asked and obtained leave of absence for Mr. MacConnell for for a few days from to-day.

Mr. Curry asked and obtained leave of absence for Mr. Russell for a few days from to-day.

Mr. Dallas asked and obtained leave of absence for Mr. Corson for a few days from to-day.

Mr. Lilly asked and obtained leave of absence for Mr. Davis for a few days from to-day.

Mr. Hemphill asked and obtained leave of absence for Messrs. Broomall and Boyd for a few days from to-day.

Mr. Bardsley offered the following resolution, which was referred to the Committee on Judiciary, viz:

Resolved, That the Committee on Judiciary be requested to report a section in the Constitution, to give to the judges of the courts of common pleas and quarter sessions, of the several counties of the State, the power to enter, or cause to be entered, by the proper officers of the courts, any institution of any character whatever, for the purpose of examining the same, or any of the inmates thereof.

On motion of Mr. Lilly,

The Convention proceeded to the consideration of the following resolution, which was laid on the table, February 21, viz:

Resolved, That in committee of the whole, hereafter, speeches upon any proposition or amendment to propositions, shall be restrained to one speech of not more than ten minutes, without permission."

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Cochran and Mr. Addicks, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Baker, Black, Charles A., Carter, Corbett, De France, Dunning, Gilpin, Guthrie, Hanna, Hopkins, Horton, Knight, Landis, Lawrence, Lilly, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Ross, Simpson, Smith, H. G., Smith, Henry W., Stewart, Struthers, Turrell, Walker, Wetherill, John Price, White, David N., White, J. W. F., and Woodward—43.

N A Y S .

Messrs. Alricks, Baily, of Perry, Bardsley, Campbell, Cochran, Craig, Curry, Curtin, Cuyler, Dallas, Dodd, Elliott, Fulton, Hay, Hemphill, Heverin, Howard, Kaine, Lear, M'Allister, M'Clean, Niles, Wherry, Worrell and Meredith, *President*—25.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Carey, Cassidy, Church, Clark, Collins, Corson, Cronmiller, Darlington, Davis, Edwards, Ellis, Ewing, Fell, Finney, Funck, Gibson, Gowen, Green, Hall, Harvey, Hazzard, Hunsicker, Lambertson, Littleton, Long, M'Camant, MacConnell, MacVeagh, Metzger, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Read, John R., Reynolds, James L., Reynolds, S. H., Rooke, Runk, Russell, Sharpe, Smith, W. H., Stanton, Temple, Van Reed, Wetherill, J. M., White, Harry, and Wright.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, FEBRUARY 25, 1873.

The President laid before the Convention a communication from the Reform Club of Philadelphia, which was read as follows, viz:

REFORM CLUB, 1520 CHESTNUT ST., }
Philadelphia, February 24, 1873. }

Hon. WM. M. MEREDITH,

President of the Constitutional Convention:

SIR:—At the last meeting of the board of governors of the Reform Club, a resolution was unanimously adopted, tendering to the members of the Constitutional Convention the use of the house of the Club during the session of the Convention.

It affords me very great pleasure to transmit to you this invitation, and ask that it be communicated to the Convention. It is the hope of the Reform Club that their house may be freely resorted to by the delegates, and they regret that it has not been earlier in order for the reception of visitors.

Very respectfully,

JOHN WELSH,
President of the Club.

On motion of Mr. M'Clean,

Said invitation was accepted, with thanks of the Convention.

Mr. Darlington presented the memorial of the Fallowfield Monthly Meeting of Friends, praying that the death penalty be erased from our statutes.

Also, the petition of citizens of Chester county, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Mr. Baily, of Perry, presented the petition of citizens of Liverpool, Perry county, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating beverages.

Which memorial and petitions were referred to the Committee on Legislation,

Also, the petition of citizens of Perry county, praying that certain provisions be incorporated into the Constitution imposing restraints on corporations.

Which was referred to the Committee on Railroads and Canals.

Mr. Patton asked and obtained leave of absence for Mr. Horton for a few days from to-morrow, on account of sickness.

Mr. Hopkins asked and obtained leave of absence for Mr. Elliott for a few days from to-day.

Mr. Ellis asked and obtained leave of absence for Mr. Bartholomew for a few days from to-day.

Mr. Corbett offered the following resolution, which was twice read as follow, viz:

Resolved, The Committee on Accounts be requested to report a resolution directing warrants to be drawn for thirty per cent. of the pay of the clerks and other officers of this Convention.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Baily, of Perry,

To amend the resolution, by striking out the word, "thirty," and inserting in lieu thereof the word, "twenty."

Which was not agreed to.

The resolution was then agreed to.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, and the chairman reported the article with amendments, as follows, viz:

By striking out the first section, and inserting in lieu thereof the following, viz:

SECTION 1. Every person possessing the following qualifications shall be an elector, and be entitled to vote at all elections, viz:

1. A male person twenty-one years of age.
2. He shall have been a citizen of the United States at least one month.
3. He shall have resided in the State one year, or if he had previously been a qualified elector of the State, removed therefrom and returned, six months immediately preceding the election.
4. He shall have resided in the election district where he offers to vote two months immediately preceding the election.
5. If twenty-two years of age or upwards, he shall have paid within two years a State or county tax, which had been assessed at least two months, and paid at least one month before the election."

By striking out the second section, and inserting in lieu thereof as follows, viz:

SECTION 2. All elections of the citizens shall be by ballot. Every ballot voted shall be numbered in the order in which it is received, and the number recorded by the election officers opposite the name of the elector who presents the ballot. Each elector shall endorse his name upon his ballot, or cause it to be endorsed thereon and attested by another elector of the district, who shall not be an election

officer, and the oath prescribed for the election officers shall require secrecy as to the contents of every ballot cast at the election."

Third section amended, by striking out after the word, "treason," in the first line, the word, "or."

Fourth section amended, by striking out after the words, "authority of," in the third line, the word, "the," and inserting in lieu thereof the word, "this," and by making the word, "elections," in the last line, read "election."

Fifth section amended, by striking out the same, and inserting in lieu thereof as follows, viz :

"SECTION 5. All laws regulating elections by the people, or for the registry of electors, shall be uniform in their operation throughout the State ; but no elector shall be deprived of the privilege of voting by reason of his name not being upon the registry."

Sixth section amended, by inserting after the word, "give," in the third line, the following words, viz : "or promise to give."

Sections nine and ten were stricken out.

Eleventh section amended, by striking out the words, "common pleas," where they occurs, and inserting in lieu thereof the words, "quarter sessions," and by inserting after the word, "hundred," in the seventh line, the words, "and fifty ;" by adding three new sections, as follows, viz :

SECTION —. All elections by persons in a representative capacity shall be *viva voce*.

SECTION —. Women of the age of twenty-one years or upwards shall be eligible to any office of control or management under the school laws of this State.

SECTION —. For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States ; nor while engaged in the navigation of the waters of the State or of the United States, or on the high seas ; nor while a student of any seminary of learning ; nor while kept in any poor house or other asylum, at public expense ; nor while confined in any public prison.

A motion was made by Mr. Darlington,

That the article from the Committee on Suffrage, Election and Representation, as reported from the committee of the whole, be printed for the use of the Convention.

Which was agreed to.

The next business in order being the consideration of article No. 4,
On the question,

Will the Convention proceed to the consideration of said article ?

It was determined in the negative.

The next business in order being the consideration of article No. 5,
On the question,

Will the Convention proceed to the consideration of said article ?

It was determined in the negative.

A motion was made by Mr. MacVeagh,

That the Convention again resolve itself into the committee of the whole, on article reported from the Committee on Legislature.

Which was agreed to.

Whereupon,

The Convention again resolved itself into the committee of the whole, Mr. Hopkins in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Wright,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. I. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, FEBRUARY 26, 1873.

The President announced that he had appointed Mr. Green to fill the vacancies on the Committees on Legislation and Private Corporations, occasioned by the resignation of Mr. Dimmick.

He also laid before the Convention a communication from Hon. John M. Read, which was read as follows, viz :

PHILADELPHIA, February 26, 1873.

To the Hon. WILLIAM M. MEREDITH,

President of the Constitutional Convention :

DEAR SIR :—At the last October election, 118,719 votes were polled for a municipal officer, the receiver of taxes. The Convention proposes to separate the election of the municipal officers of the city from the general election, and have fixed the third Monday of February as the day on which it is to take place. By the consolidation act of 1854, which had been framed with great care, and after an ample discussion by the general executive consolidation committee of the citizens of the city and county of Philadelphia, the first Tuesday in May was appointed for the municipal election, being in a mild season of the year, and when a full vote could be brought out. The day selected by the Convention is, in the most inclement season of the year, in mid-winter, with the streets filled with snow and ice, and with ice gorges in the Schuylkill and the Susquehanna. Sunday, the 16th of February, was a day on which no one ventured into the streets, except under the pressure of absolute necessity. How many votes would be polled on such a day, or on the succeeding Monday ? If it is intended to have a real separate municipal election, some other day must be selected, and I know none more suitable than the first Tuesday in May.

The city of Philadelphia covers 130 square miles, and has a larger number of houses in proportion to its population than any other large city in America, and the honest mechanic and operative can have his separate dwelling, with water and gas. It is the greatest manufacturing city in the United States, and is commencing to regain its foreign commerce by establishing lines of iron steamships, built by American mechanics on the shores of the Delaware.

She has within a fraction of one-fifth of the population of the State, and her list of taxables entitles her to six Senators, out of the thirty-three Senators, which I feel the justice of the Convention will give her.

I am, with great respect,

JOHN M. READ.

Also, a statement accompanying the foregoing letter, which was read as follows, viz:

By the census of 1870—

The population of the State is.....	3,521,791
The population of the city is.....	674,022

By the triennial assessment—

The taxables of the State were.....	861,498
The taxables of the city were.....	158,622
For each Senator required.....	26,106

Which would give the city of Philadelphia six Senators out of thirty-three Senators.

In 1799, the population of the State was.....	434,373
In 1790, the population of the county, now city of Philadelphia, was.....	54,391

Showing the increase of the city much larger than the rest of the State.

Said communication and statement were laid on the table.

Messrs. Andrew Reed, Hazzard, Turrell, Long, Dunning, H. W. Palmer and Curry, presented petitions of citizens of Juniata, Washington, Wayne, Lycoming, Columbia, Carbon, Luzerne and Blair counties, praying that the Constitution be so amended as to prohibit the manufacture and sale of intoxicating beverages.

Which petitions were referred to the Committee on Legislation.

Mr. H. G. Smith presented a memorial from the Pennsylvania Editorial association on the subject of libel.

Which was referred to the Committee on Declaration of Rights.

Mr. Dunning presented four petitions from citizens of Scranton, Luzerne county, in reference to the division of counties.

Which were referred to the Committee on Counties, Townships and Boroughs.

Mr. Wright offered the following resolution, which was read, viz:

Resolved, That when in committee of the whole, a motion is made to extend the time of a member in debate, the length of time shall be fixed in the motion.

Laid on the table.

Mr. Darlington offered the following resolution, which was read, viz:

Resolved, That the resolution limiting debate in committee of the whole to one speech of ten minutes for each member, without leave, be rescinded.

Laid on the table.

Mr. Lilly offered the following resolution, which was twice read, viz:

Resolved, That the State Printer be and he is hereby required to furnish this Convention one hundred and forty-five copies of Smull's Hand-Book for 1873: *Provided*, That the cost of the same shall be the same as is charged the State for those furnished to the Legislature.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Cochran and Mr. Campbell, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntington, Bardsley, Black, J. S., Brodhead, Buckalew, Carter, Clark, Curry, De

France, Dunning, Edwards, Ellis, Ewing, Fell, Fulton, Gibson, Green, Guthrie, Hanna, Hemphill, Heverin, Howard, Knight, Lamberton, Landis, Lilly, Long, MacConnell, M'Allister, M'Camant, M'Clean, M'Murray, Mann, Mantor, Metzger, Minor, Niles, Palmer, H. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, S. H., Ross, Runk, Smith H. G., Smith, W. H., Stanton, Stewart, Temple, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., and Wright—64.

N A Y S.

Messrs. Baily, of Perry, Campbell, Cochran, Corbett, Craig, Curtin, Cuyler, Darlington, Dodd, Funck, Hay, Hazzard, Hopkins, Kaine, Lawrence, Patterson, D. W., Patterson, T. H. B., Reed, Andrew, Rooke, Smith, Henry W., Struthers, Turrell, Walker, Wetherill, John Price, and Meredith, *President*—25.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Carey, Cassidy, Church, Collins, Corson, Cronmiller, Dallas, Davis, Elliott, Finney, Gilpin, Gowen, Hall, Harvey, Horton, Hunsicker, Lear, Littleton, M'Culloch, MacVeagh, Mott, Newlin, Palmer, G. W., Parsons, Read, John R., Reynolds, James L., Russell, Sharpe, Simpson, Wetherill, J. M., Woodward and Worrell.

Mr. Ellis offered the following resolution, which was twice read, viz:

Resolved. That the Clerk be instructed to procure from the State Printer, for the use of the members, — skeleton maps of the State, with the population and taxable inhabitants of each county thereon printed.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Knight,

To amend the same, by filling the blank with the words, "one hundred and forty."

Mr. Lamberton named "three hundred."

Mr. Ellis named "five hundred."

On the question,

Will the Convention agree to fill the blank with the words, "five hundred."

It was determined in the affirmative.

The resolution as amended was then agreed to.

Mr. Niles asked and obtained leave of absence for Mr. Beebe for a few days from to-day.

Mr. Darlington asked and obtained leave of absence for Mr. Dallas for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for Mr. G. W. Palmer for a few days from to-day.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Mott for a few days from to-day.

Mr. Hay, from the Committee on Accounts and Expenditures, made report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention, in accordance with the terms of the following resolution, adopted by the Convention on the twenty-fifth of February instant, viz:

Resolved. That the Committee on Accounts be requested to report a resolution directing warrants to be drawn for thirty per cent. of the pay of the clerks

and other officers of this Convention," respectfully report the following resolution:

Resolved, That warrants be drawn in favor of the persons below named for the amounts placed opposite their respective names, to wit:

D. L. Imbrie, Chief Clerk.....	\$450 00
Lucius Rogers, Assistant Clerk.....	360 00
A. D. Harlan.....do.....	360 00
John L. Linton, Transcribing Clerk.....	300 00
A. T. Parker.....do.....	300 00
James Onslow, Sergeant-at-Arms.....	255 00
C. M. Brown, Assistant Sergeant-at-Arms.....	180 00
Clement Evans, Door-keeper.....	180 00
Frank Bentley, Assistant Door-keeper.....	150 00
Henry B. Price, Post-master.....	240 00
B. F. Major, Assistant Post-master.....	180 00

And the resolution accompanying the report was twice read, considered and agreed to.

Agreeably to order,

The Convention proceeded to the second reading and consideration of article three, from the Committee on Suffrage, Election and Representation.

On the question,

Will the Convention agree to the first section?

A motion was made by Mr. Kaine,

To postpone the question, together with the further consideration of the article, for the present.

Which was agreed to.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Hopkins in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, FEBRUARY 27, 1873.

The President laid before the Convention the petition of citizens of the State of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Porter presented two petitions of citizens of Indiana county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Darlington presented the petition of citizens of Coatesville borough, Chester county, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Turrell presented the petition of citizens of New Milford and Great Bend, Susquehanna county, praying for an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Clark presented the petition of citizens of Indiana county, praying that the Constitution be so amended as to prohibit the manufacture and sale of intoxicating liquors as a beverage.

Mr. Fulton presented the petition of six hundred and sixty citizens of Irwin borough, Westmoreland county, praying the Convention to adopt, as part of the Constitution of the State, an article prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Mr. Lear presented the memorial of the Makefield Monthly Meeting of the Society of Friends, praying for an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Darlington presented the petition of citizens of the State, praying that the death penalty be erased from our statutes.

Which petitions and memorial were referred to the Committee on Legislation.

Mr. Lear presented a memorial from the Makefield Monthly Meeting of Friends, praying that the Constitution be amended so as to exempt from military duty all who are conscientiously opposed to the same.

Which was referred to the Committee on Militia.

Also, one from the same Meeting, praying that the death penalty be erased from our statutes.

Which was referred to the Committee on Legislation.

Mr. MacVeagh asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Alricks asked and obtained leave of absence for Mr. M'Allister for a few days from to-morrow, on account of sickness.

Mr. Mantor offered the following resolution, which was twice read, viz:

Resolved, That from and after Monday, March 3, this Convention will hold two sessions each day; first session, from ten A. M., until two P. M.; second session, from four P. M. to six P. M.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Hemphill and Mr. Temple, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bartholomew, Boyd, Campbell, Carter, Corbett, De France, Edwards, Fulton, Funck,

Green, Hay, Hopkins, Howard, Lawrence, Lear, Long, MacConnell, M'Camant, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Metzger, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Sam'l A., Rooke, Runk, Smith, W. H., Stanton, Struthers, Van Reed, Walker, Wetherill, John Price, Wherry, White, David N., White, J. W. F. and Wright—48.

N A Y S.

Messrs. Baily, of Perry, Bardsley, Black, Charles A., Brodhead, Clark, Cochran, Corson, Craig, Curry, Curtin, Cuyler, Darlington, Dunning, Ellis, Ewing, Gibson, Guthrie, Hanna, Hemphill, Kaine, Knight, Lambertson, Lilly, M'Clean, Minor, Mott, Patterson, D. W., Pughe, Read, John R., Reynolds, S. H., Ross, Simpson, Smith, H. G., Smith, Henry W., Temple, Turrell and Meredith, *President*—37.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Armstrong, Baker, Bannan, Barclay, Beebe, Biddle, Black, J. S., Bowman, Broomall, Brown, Buckajew, Carey, Cassidy, Church, Collins, Cronmiller, Dallas, Davis, Dodd, Elliott, Fell, Finney, Gilpin, Gowen, Hall, Harvey, Hazzard, Heverin, Horton, Hunsicker, Landis, Littleton, M'Allister, Newlin, Palmer, G. W., Parsons, Patton, Reed, Andrew, Reynolds, James L., Russell, Sharpe, Stewart, Wetherill, J. M., White, Harry, Woodward and Worrell.

Mr. Stanton offered the following resolution, viz :

Resolved, That this Convention adjourn *sine die* on the third day of June.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

A motion was made by Mr. Darlington,

That the Convention proceed to the second reading and consideration of the resolution laid on the table February 26, as follows, viz :

Resolved, That the resolution limiting debate in the committee of the whole to one speech of ten minutes for each member, without leave, be rescinded.

And on the question,

Will the Convention agree to the motion ?

It was determined in the negative.

A motion was made by Mr. Wright,

That the Convention proceed to the second reading and consideration of the resolution laid on the table February 26, as follows, viz :

Resolved, That when, in committee of the whole, a motion is made to extend the time of a member in debate, the length of time shall be fixed in the motion.

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

It was determined in the affirmative.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Hopkins in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

The hour of two o'clock having arrived,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, FEBRUARY 28, 1873.

The President laid before the Convention three petitions of citizens of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Ewing presented two petitions of the citizens of Allegheny county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. John M. Bailey, of Huntingdon, presented the petition of citizens of Birmingham, Huntingdon county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Corson presented the petition of 244 citizens of Montgomery county, praying for a Constitutional provision prohibiting the sale of intoxicating liquors as a beverage.

Which several petitions were referred to the Committee on Legislation.

Mr. Wherry asked and obtained leave of absence for Mr. Lamberton for a few days from to-morrow.

Mr. Guthrie asked and obtained leave of absence for Mr. Curry for a few days from to-day.

Mr. Lawrence asked and obtained leave of absence for Mr. Hopkins for a few days from to-day.

Mr. D. N. White asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Niles asked and obtained leave of absence for Mr. Kaine for a few days from to-morrow.

Mr. Alricks asked and obtained leave of absence for himself for a few days from Monday.

Mr. Lilly asked and obtained leave of absence for Mr. Gilpin for a few days from to-morrow.

Mr. Andrew Reed asked and obtained leave of absence for Mr. Wherry for a few days from to-morrow.

Mr. Joseph Baily asked and obtained leave of absence for Mr. Stewart for a few days from to-morrow.

Mr. Lamberton offered the following resolution, which was twice read, viz :

Resolved, That on and after Monday next the sessions of the Convention will be held from ten A. M. to three P. M.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Lamberton and Mr. Temple, and were as follow, viz :

YEAS.

Messrs. Alricks, Andrews, Baer, Baily, (Perry,) Baker, Black, Charles A., Brodhead, Carter, Corbett, Craig, Darlington, Ewing, Gilpin, Guthrie, Hay, Hemphill, Kaine, Knight, Lamberton, Landis, Lear, Lilly, Long, M'Clean, Mann, Mantor, Minor, Patterson, D. W., Porter, Pughe, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Stanton, Stewart, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price and Meredith, *President*—47.

NAYS.

Messrs. Achenbach, Bailey, (Huntingdon,) Campbell, Clark, Cochran, Corson, De France, Dodd, Edwards, Fulton, Gibson, Green, Hazzard, Howard, Lawrence, MacConnell, M'Camant, M'Gulloch, M'Murray, Metzgar, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purviance, Samuel A., Rooke, Walker, Wherry, White, David N., White, J. W. F., and Wright—32.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Biddle, Black, J. S., Bowman, Boyd, Broomall, Brown, Buckalew, Carey, Cassidy, Church, Collins, Crommiller, Curry, Curtin, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Finney, Funck, Gowen, Hall, Hanna, Harvey, Heverin, Hopkins, Horton, Hunsicker, Littleton, M'Allister, MacVeagh, Mott, Parsons, Patton, Read, John R., Reynolds, J. L., Reynolds, S. H., Russell, Smith, H. G., Turrell, White, Harry, Woodward and Worrell.

Mr. Lamberton offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Auditor General be requested to furnish, as soon as printed, for the use of the Convention, copies of his report for the fiscal year ending November 30, 1872.

Mr. Darlington, from the Committee on Education, reported the following article, viz :

EDUCATION.

SECTION 1. The Legislature shall provide for the maintenance and support of a thorough and efficient system of public schools, wherein all the children of this Commonwealth, above the age of six years, may be educated.

SECTION 2. They shall appropriate at least one million of dollars for each year, to be annually distributed among the several school districts according to law, and applied to public school purposes only.

SECTION 3. No money raised in any way whatever for the support of public schools shall ever be appropriated to, or used by any religious sect for the maintenance or support of schools exclusively under its own control.

SECTION 4. A Superintendent of Public Instruction shall be appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office for the term of four years, and his duties and compensation shall be prescribed by law.

SECTION 5. Neither the Legislature, nor any county, city, borough, school district, or other public or municipal corporation, shall ever make any appropriation, grant or donation of land, money or property of any kind to any church or any religious society, or to any university, academy or school, or any literary, scientific or charitable institution or society controlled or managed by any church or sectarian denomination.

SECTION 6. The arts and sciences may be encouraged and promoted in colleges, and other institutions of learning, under the exclusive control of the State.

SECTION 7. The Legislature may establish industrial schools, and require the attendance therein of vagrant, neglected and abandoned children.

SECTION 8. They may by law require that every child of sufficient mental and physical ability shall attend the public schools, unless educated by other means.

Said article was read the first time and laid on the table.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Charles A. Black in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

One o'clock ~~to-day~~ was named and agreed upon.

On leave given at this time,

A motion was made by Mr. Darlington,

That the amendment offered by him, together with the amendment to the amendment, offered by Mr. Lilly, to the twentieth section of the article reported from the Committee on Legislature, now pending in committee of the whole, be printed for the use of the Convention.

Which was agreed to.

On leave given at this time,

Mr. Simpson offered the following resolution, which was twice read, viz:

Resolved, That the following be printed for the use of the Convention, viz:

SECTION —. Until the apportionment to be made under the next decennial census of the United States, the city of Philadelphia shall be divided into three Senatorial districts, each thereof to choose three Senators, and into Representative districts, not exceeding — in number, each thereof to choose not less than three nor more than six Representatives, under the direction of the court of common pleas of said city, in manner following, to wit: The said court, all the judges thereof concurring, shall appoint two commissioners of apportionment, who, after being duly sworn or affirmed to perform their duties justly and truly under this Constitution, shall divide said city into Senatorial and Representative districts as aforesaid, and make report of their apportionment to the court, subject to its unanimous approval and confirmation; and upon confirmation thereof, the same shall be entered of record in said court, and a certified copy thereof shall be transmitted to the Governor of the Commonwealth, to be by him laid before the two Houses of the Legislature to be entered on their Journals. Each of the Senatorial and Representative districts so formed shall have a population proportioned, as nearly as may be, to the number of Senators or Representatives assigned to it, and shall be composed of connected, compact territory, but no ward shall be divided in the formation thereof. The said districts shall also be formed so as to secure the proportionate, full and just representation of each division of the electors of said city, as exhibited in the returns of popular elections; and in choosing

Senators and Representatives therefrom, each voter may distribute or contentrate his votes as he shall think fit, or bestow them in equal divisions upon candidates, and candidates highest in vote shall be declared elected.

SECTION —. Until the apportionment to be made under the next decennial census of the United States, the city of Pittsburg shall be entitled to choose one Senator and three Representatives, and the county of Allegheny three Senators and nine Representatives; and the Representatives from said city, and the Senators and Representatives from said county, shall be voted for and chosen in the same manner as the Senators and Representatives from the city of Philadelphia under the preceding section.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. D. N. White,

To amend the same, by adding to the end thereof as follows, viz :

“SECTION 20. The State shall be divided into fifty territorial districts of compact and contiguous territory, and of as equal a number of taxables as possible, and each district shall be entitled to elect one Senator. No county shall be divided in the formation of a district, unless such county is entitled to two or more members; and no city or county shall be entitled to more than one-sixth of the number of members.”

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Corson,

To amend the same, by adding to the end thereof as follows, viz :

“That every county in the State shall be entitled to one Senator, and the whole population of all the counties, divided by the number of counties, shall be the basis of Senatorial representation for all cities containing a population exceeding one hundred thousand.”

Which was agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. S. A. Purviance,

To amend the same, by adding to the end thereof as follows, viz :

“Every county shall be entitled to one Representative, and for every forty thousand inhabitants shall be entitled to an additional member in the lower House of Representatives.

“The manner of ascertaining the population of the counties shall be prescribed by law; and whenever it shall appear that any county has attained the requisite population for an additional member, the Governor shall make his proclamation of the same, and the additional member or members shall be elected at the next general election thereafter.”

Which was agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Hemphill,

To amend the same, by adding to the end thereof as follows, viz :

“SECTION 20. The Senate shall be composed of one Senator from each county.

“SECTION 21. The House of Representatives shall be composed of three times as many members as there are members of the Senate; and the General Assembly shall ascertain the ratio of representation every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the

State according to the last preceding Federal census by the number of members required, and the quotient, excluding fractions, shall be the ratio of representation. The General Assembly shall, at the same time, apportion the State as follows:

“Every county having the ratio, shall have one Representative; if double the ratio, two Representatives, and so on. Counties not having the ratio, shall be formed into representative districts, by being united with a contiguous county or counties, and shall be entitled to representation in the same manner as is provided for single counties. But no representative district shall be composed of more than three counties; nor shall any county be divided; nor shall any two counties, each of which shall have the ratio required to entitle it to one Representative, be united in one district. And those counties and districts having one or more Representatives, and the largest fraction of the ratio remaining, shall be entitled each to an additional Representative, until the whole number required is obtained.”

Which was agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Mann,

To amend the same, by adding to the end thereof as follows, viz:

“Representatives shall be distributed throughout the State as follows, viz: The qualified electors of each county shall elect one Representative, and one additional for each thirty-five thousand inhabitants, as determined by the preceding census of the United States; and in counties entitled to three or more Representatives, each voter may cast as many votes for each candidate as there are Representatives to be elected, or may distribute the same among the candidates as he shall see fit; and the candidates receiving a majority of said vote shall be declared elected.”

Which was agreed to.

The resolution as amended was then agreed to.

The hour of one o'clock having arrived,

The Convention again resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Carter,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, MARCH 1, 1873.

The President laid before the Convention a communication from the Hon. John Scott, which was read as follows, viz:

UNITED STATES SENATE CHAMBER, }
Washington, February 28, 1873. }

HON. WM. M. MEREDITH,
President of the Constitutional Convention, Philadelphia, Pa.:

DEAR SIR:—Several members of the Constitutional Convention having requested copies of the "Ninth Census of the United States," and the number of copies allotted to each Senator for distribution being very small, I have concluded to address a copy to you, as President of the Convention, for the use of the members of the Convention.

The entire report will be embraced in three volumes. The first volume, giving population and social statistics, is the only one yet printed for distribution.

Respectfully,
JOHN SCOTT.

Laid on the table.

He also laid before the Convention two petitions from citizens of Philadelphia, praying that there be a constitutional provision prohibiting the sale of intoxicating liquors as a beverage.

Mr. M'Murray presented the petition of citizens of Forest county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Which petitions were referred to the Committee on Legislation.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-day.

Mr. Purman asked and obtained leave of absence for Mr. Charles A. Black for a few days from Monday.

Mr. Newlin asked and obtained leave of absence for Mr. Bardsley for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for himself for a few days from Monday.

Mr. Worrall asked and obtained leave of absence for Mr. Addicks for a few days from to-day.

Mr. Stanton asked and obtained leave of absence for Mr. Brown, Assistant Sergeant-at-Arms, for a few days from Monday.

Mr. Mann offered the following resolution, which was read, viz:

Resolved, That hereafter, in committee of the whole, no delegate shall speak longer than fifteen minutes at one time, nor more than once on the same proposition.

Laid on the table.

Mr. Baer offered the following resolution, which was read, viz:

WHEREAS, All the resolutions adopted by this Convention, which operate as a change, alteration or modification of Rule XXV have thus far only impeded the progress of the business of the Convention, and, in effect, are a dead letter upon the records; therefore,

Resolved, That all resolutions violative of Rule XXV be and are hereby rescinded and annulled, and the rule reinstated as originally adopted.

Laid on the table.

Mr. J. W. F. White offered the following resolution, which was read, viz:
Resolved, That the following method be adopted in revising the Constitution:
First. That the articles and titles of the Constitution be as follow:

PREAMBLE.

- | | |
|---------|--|
| ARTICLE | I. Declaration of Rights. |
| | II. Distribution of Powers. |
| | III. The Legislative Department. |
| | IV. The Executive Department. |
| | V. The Judicial Department. |
| | VI. Elections and Suffrage. |
| | VII. Education and Labor. |
| | VIII. Municipal Corporations. |
| | IX. Corporations other than Municipal. |
| | X. Taxation, Finance, Public Debt. |
| | XI. Disqualifications for Office. |
| | XII. Official Terms, Vacancies, Salaries. |
| | XIII. Impeachment and Removal from Office. |
| | XIV. Miscellaneous. |

SCHEDULE.

Second. That the standing committees make their reports under one of the above articles; and when two or more have subjects which should be embraced in the same article, they unite in reporting a full article.

Third. That section four of Rule VII be stricken out, and section six be changed as follows:

1. The articles and sections shall be considered in consecutive order, first in committee of the whole.
2. After all the articles and sections shall have been considered in committee of the whole, they shall be considered in the same order in Convention on second reading.
3. They shall then be considered in the same order in Convention on third reading.

Laid on the table.

Mr. Howard offered the following resolution, which was read, viz:

Resolved, That on and after Monday next, this Convention will meet at 10 o'clock, A. M. and adjourn at 1 P. M., and will meet at 3 P. M. and adjourn at 6 P. M.

On the question,

Will the Convention agree to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Harry White, from the committee on Legislation, reported the following article, viz:

ARTICLE No. 10.

LEGISLATION.

SECTION 1. Before any member shall take his seat in the body to which he has been elected, he shall take the following oath:

I, A B, do solemnly swear (or affirm) that I will support the Constitution of the United States, and that, as a member of the Legislature, I will in all things support, obey and defend the Constitution of Pennsylvania, and discharge the duties of my office with fidelity. And I do furthermore swear, that I believe myself to be lawfully elected a member of this House, without any false return, bribery, corruption or fraud committed by me or others with my consent.

Which oath shall be administered by one of the judges of the Supreme Court or court of common pleas, learned in the law, in the hall of the House to which the member is elected, and shall be subscribed by the member taking it, and filed of record in the office of the Secretary of the Commonwealth, Any member elect

refusing to take this oath shall not be admitted to his seat; and any member violating his said oath shall be guilty of perjury, and on conviction thereof, in addition to such punishment as may by law be prescribed, shall forfeit his office, and be ineligible thereafter to either House of the Legislature.

SECTION 2. Each House shall judge of the qualification of its members, but contested elections for members of either House shall be determined by the court of common pleas of the county in which the returned member lives, in such manner as shall be prescribed by law.

SECTION 3. Each House shall keep a journal of its proceedings, and publish them daily, 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 4. Either House shall have power to punish for contempt or disorderly behavior in its presence, to enforce obedience to its process, to preserve order in the House, or in committees, protect its members against violence, or offers of bribes, or private solicitation, and with a concurrence of two-thirds, expel a member for misconduct, not a second time, for the same cause; but a member who has been expelled for corruption, shall not be eligible thereafter to either House. Punishment for contempt, or disorderly behavior, shall not bar an indictment for the same act.

SECTION 5. No law shall be passed except by bill, which shall be preceded by a preamble, briefly reciting the reason of the Legislature for its passage; and no bill shall be so altered or amended, in the course of its passage through either House, as to change its original purpose.

SECTION 6. Bills may originate in either House, but may be altered, amended or rejected in the other. No bill shall be considered, unless reported from a committee, and printed for the use of the members.

SECTION 7. No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except appropriation bills.

SECTION 8. Every bill shall be read at length on three different days in each House; all amendments thereto shall be printed before the final vote is taken, and no bill shall become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the persons voting for and against be entered on the journal, and a majority of the members elected to each House be recorded on the journal thereof as voting in its favor.

SECTION 9. No amendment to bills, by one House returned to the other for concurrence, shall be concurred in except by the vote of a majority of the members elected to the House to which the amendments are so returned, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either House, only by the vote of a majority of the members elected to each House, taken by yeas and nays, and the names of those voting for and against recorded upon the journals.

SECTION 10. No law shall be revived, amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, extended or conferred shall be re-enacted and published at length.

SECTION 11. The Legislature shall not pass any local or special law—

Authorizing the creation, extension or impairing of liens.

Regulating the affairs of counties, cities, townships, wards, boroughs or school districts.

Changing the names of persons or places.

Changing the venue in civil or criminal cases.

Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys.

Relating to or incorporating ferries or bridges.

Vacating roads, town plats, streets or alleys.

Relating to cemeteries, grave-yards or public grounds.

Authorizing the adopting or legitimating of children.

Locating or changing county seats, erecting new counties, or changing county lines.

Incorporating cities, towns or villages, or changing their charters.

For the opening and conducting of elections, or fixing or changing the place of voting.

Granting divorces.

Erecting new townships or boroughs, changing township lines or borough limits.

Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts.

Changing the law of descent or succession.

Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chancery or other tribunals.

Regulating or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

Regulating the management of common schools, the building of school houses, and the raising of money for that purpose.

Fixing the rate of interest.

Affecting the estates of minors, or persons under disability.

Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury.

Exempting property from taxation.

Creating corporations, or amending, renewing or extending the charters thereof.

Granting to any corporation, association or individual, any special or exclusive privilege or immunity.

Granting to any corporation, association or individual, the right to lay down a railroad track.

Nor shall any bill be passed granting any powers or privileges in any case where the manner, form or authority to grant such powers and privileges shall have been provided for by general law; and in no case where a general law can be made applicable, nor in any other case where the courts have jurisdiction, or are competent to grant the powers or give the relief asked for.

SECTION 12. No local or special bill shall be passed, unless public notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated; which notice shall be at least sixty days prior to the introduction into the Legislature of such bill, and in the manner to be provided by law. The giving of such notice shall not be waived by any person or interest, and the evidence of such notice having been published, shall be exhibited in the Legislature before such act shall be passed.

SECTION 13. The Speaker of each House shall, publicly, in the presence of the House over which he presides, while the same is in session, sign all bills and joint resolutions passed by the Legislature.

SECTION 14. The Legislature shall prescribe by law the number, character, duties and compensation of the officers and employees of each House; and no payment shall be made from the State Treasury, or be in any way authorized to any person acting as such officer or employee, except they shall have been elected or appointed in pursuance of law.

SECTION 15. All stationery, printing paper and fuel, used in the Legislative and other departments of government, shall be furnished, and the printing, binding and distributing of the laws, journals, department reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the Legislature and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price, and under such regulations as shall be prescribed by law. No member, or officer of any department of the government, shall be in any way interested in such contracts; and all such contracts shall be subject to the approval of the Governor, Auditor General and State Treasurer.

SECTION 16. No law shall be passed which shall operate to extend the term of any public officer, nor to increase or diminish his salary or emoluments after his election or appointment.

SECTION 17. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other bills.

SECTION 18. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the Commonwealth, interest on the public debt, and for common schools; all other appropriations shall be made by separate bill, each embracing but one subject.

SECTION 19. The general appropriation bill shall, before it becomes a law, be presented to the Governor. If he disapprove the bill, or any item or appropriation therein contained, he shall communicate such disapproval, with his reasons therefor, to the House in which the bill originated, who shall enter such reasons at large upon the Journals thereof, and immediately proceed to reconsider such

bill, or the separate items thereof disapproved. All items in said bill not so disapproved shall have the force and effect of law. Any item so disapproved shall be void, unless re-passed by two-thirds of each House. And as to such bill, of any item disapproved, the vote shall be taken by yeas and nays, the names of the persons voting yea and nay to be entered on the Journals of each House according to rules and limitations hereinbefore prescribed as to other bills.

SECTION 20. No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, except by a vote of three-fourths of all the members elected to each House.

SECTION 21. No appropriation shall be made to any person or community, nor to any denominational or sectarian institution, corporation or association, for charitable, educational or benevolent purposes.

SECTION 22. The credit of the Commonwealth shall not, in any manner or event, be pledged or loaned to any individual, company, corporation or association whatever; nor shall the Commonwealth hereafter become a joint owner or stockholder in any company or association or corporation.

SECTION 23. The Legislature shall not authorize any county, city, borough, township or incorporated district, by virtue of a vote of its citizens or otherwise, to become a stockholder in any company, association or corporation, or to obtain money for or to loan its credit to any corporation, association, institution, company or individual.

SECTION 24. The Legislature shall not delegate to any commission of private persons, corporation or association, and power to make, supervise or interfere with any public improvement, or to levy taxes or perform any municipal function whatever.

SECTION 25. The Legislature shall not create offices for inspecting, weighing or gauging any merchandise, produce, manufactures or commodity; this shall not, however, affect any office created or to be created to protect the public health and safety, or for supplying the public with correct standards of weights and measures.

SECTION 26. No act of Assembly shall limit the amount to be recovered for injuries to person or property, and in case of death from such injuries, the right of action shall survive, and the Legislature shall prescribe for whose benefit such actions shall be prosecuted.

SECTION 27. The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such manner as shall be regulated by law.

SECTION 28. No money shall be paid out of the treasury but in consequence of appropriations made by law, and on warrants drawn by the proper officer in pursuance thereof.

SECTION 29. No obligation or liability of any railroad, or other corporation, held or owned by the Commonwealth, shall ever be transferred, remitted, postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be released, except by payment thereof into the State Treasury.

SECTION 30. No bill shall be passed giving any extra compensation to any public officer, servant, employee, agent or contractor after services shall have been rendered or contract made, nor providing for the payment of any claim or part thereof now existing or hereafter created against the Commonwealth without previous authority of law, and all such unauthorized contracts and agreements shall be void.

SECTION 31. Every bill which shall have passed both Houses shall be presented to the Governor; if he approves 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 reconsider 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 and 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, the same shall be a law in like manner as if he had signed it, unless the Legislature by their adjournment prevent its return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of the Commonwealth, and give public notice thereof, by proclamation, within thirty days after such adjournment.

SECTION 32. No corporate body for banking and discounting privileges shall be created or organized in pursuance of any law, without three months previous public notice at the place of the intended location of the intention to apply for such privileges, in such manner as shall be prescribed by law. Nor shall a charter for such privilege 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.

SECTION 33. The Legislature shall have the power to alter, revoke or annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any hereafter to be conferred by or under any law, whenever, in their opinion, it may be injurious to the citizens of this 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.

SECTION 34. 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.

SECTION 35. Any bill passed in disregard of the provisions and directions prescribed in this article shall be void and of no effect; and when the validity of any law passed by the Legislature is questioned in any court of record, it shall be competent for such court to inspect the Journals of either House, and if it does not appear thereon that all the forms of legislation, in both Houses, as hereinbefore prescribed, have been observed in the passage of such law, the same shall be adjudged by such court to be void.

SECTION 36. A member of the Legislature shall be guilty of bribery, and punished as shall be provided by law, who shall solicit, demand or receive, or consent to receive, directly or indirectly, from any corporation, company or person, any money, testimonial, reward, thing of value, or of personal advantage, or of promise thereof, for his vote or official influence, or with an understanding, expressed or implied, that his vote or official action in any way is to be influenced thereby; or who shall, after his election and during his term of office, consent to become, or continue to act as the agent, attorney or other employee of any corporation or person, knowing such corporation or person has, or expects to have, any personal or special interest in the legislation of the Commonwealth.

SECTION 37. Any person who shall, directly or indirectly, or by means of or through any artful or dishonest device, offer, give or promise any money, goods, things of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the Legislature of this Commonwealth, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and punished in such manner as shall be provided by law.

SECTION 38. The Legislature, at its first session after the adoption of this Constitution, shall provide by law to compel any person who may have offered or promised a bribe, or solicited or received one, to testify against any person who may have committed the offence of bribery, as defined in the foregoing sections, and the person so compelled to testify shall be exempt from punishment for the offence concerning which he is so required to testify, and of which he may be guilty; and any person convicted of the offence of bribery, as hereinbefore defined, shall, as part of the punishment therefor, be disqualified from holding office or position of honor, trust or profit in this Commonwealth.

SECTION 39. Nothing in the foregoing sections shall effect the validity of any existing statutes in relation to the offence of bribery.

SECTION 40. A member who has a personal or private interest in any measure or bill proposed, or pending before the Legislature, shall disclose the fact to the House of which he is a member, and shall not have the right to vote thereon.

All of which is respectfully submitted.

HARRY WHITE,
WM. L. CORBETT,
A. A. PURMAN,
JNO. S. MANN,
G. W. ANDREWS,
THOS. EWING,

A. C. FINNEY,
JAS. W. CURRY,
S. H. REYNOLDS,
W. B. HANNA,
JOHN R. READ.

Said article was read the first time, and laid on the table.

Mr. Harry White, also from the Committee on Legislation, reported the following section, with instructions from the committee that it be submitted separately to a vote of the people, viz :

SECTION —. No license shall be granted to sell vinious, spirituous or malt liquors, or any admixture thereof, or any other intoxicating drinks; and any sale of such liquors, except for mechanical, medicinal or sacramental purposes, shall be a misdemeanor and punished as shall be provided by law.

Which was laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Chas. A. Black in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the quesiton,

When shall the committee of the whole have leave to sit again ?

Monday next was named and agreed upon.

A motion was made by Mr. Newlin,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MARCH 3, 1873.

The hour of 10 o'clock A. M. having arrived,

The Convention was called to order by the President, and there not being a quorum of members present,

By order of the President the roll was called, and the following members answered to their names :

Messrs. Achenbach, Andrews, Bear, Baily, of Perry, Baker, Bartholomew, Biddle, Bowman, Brown, Campbell, Carter, Cassidy, Clark, Corbett, Craig, Curtin, Darlingon, De France, Dunning, Edwards, Elliott, Ewing, Fell, Fulton, Guthrie, Hanna, Hay, Hazzard, Heverin, Howard, Knight, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Newlin, Niles, Palmer, G. W., Purviance, John N., Purviance, Sam'l. A., Read, John R., Sharpe, Smith, H. G., Smith, Henry W., Smith, W. H., Stanton, Struthers, Turrell, Walker, Wetherill, Jno. Price, White, Harry, White J. W. F., Wright and Meredith.
President—58.

ABSENT—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Beebe, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Carey, Church, Cochran, Collins, Corson, Cronmiller, Curry, Cuyler, Dallas, Davis, Dodd, Ellis, Finney, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hemphill, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, Mac Veagh, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Russell, Simpson, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward and Worrell.

A motion was made by Mr. John R. Read,

That the Convention do now adjourn for want of a quorum.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington and Mr. Heverin, and were as follow, viz:

YEAS.

Messrs. Baer, Bartholomew, Brown, Corbett, Dunning, Edwards, Fell, Hanna, Heverin, Newlin, Palmer, G. W., Purviance, Samuel A., Read, John R., Sharpe, Walker and White, Harry—16.

NAYS.

Messrs. Achenbach, Andrews, Baily, of Perry, Baker, Biddle, Bowman, Campbell, Carter, Cassidy, Clark, Craig, Darlington, De France, Elliott, Ewing, Fulton, Guthrie, Hay, Hazzard, Howard, Knight, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Niles, Purviance, John N., Smith, H. G., Smith, Henry W., Smith, W. H., Stanton, Struthers, Turrell, Wetherill, John Price, White, J. W. F., Wright and Meredith, *President*—41.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Beebe, Black, Chas. A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Carey, Church, Cochran, Collins, Corson, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Dodd, Ellis, Finney, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hemphill, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, Mac Veagh, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Russell, Simpson, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward and Worrell.

A motion was made by Mr. Darlington,

That the Sergeant-at-Arms be directed to bring in the absentees.

Which was agreed to.

A motion was made by Mr. Harry White,

That the Convention do now adjourn, for want of a quorum.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington and Mr. Newlin, and were as follow, viz:

YEAS.

Messrs. Bear, Baker, Bartholomew, Biddle, Brown, Clark, Corbett, Dunning, Fulton, Gowen, Heverin, Knight, M'Cullough, Newlin, Palmer, G. W., Purviance, Samuel A., Sharpe, Stanton, Walker and White, Harry—20.

N A Y S .

Messrs. Achenbach, Andrews, Baily, of Perry, Bowman, Campbell, Carter, Cassidy, Church, Craig, Cuyler, Darlington, De France, Edwards, Elliott, Ewing, Fell, Guthrie, Hay, Hazzard, Howard, Lilly, MacConnell, M'Murray, Mann, Mantor, Metzgar, Minor, Niles, Purviance, John N., Read, John R., Simpson, Smith, H. G., Smith, Henry W., Smith, W. H., Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Wright and Meredith, *President*.—41.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Beebe, Black, Chas. A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Carey, Cochran, Collins, Corson, Cronmiller, Curry, Curtin, Dallas, Davis, Dodd, Ellis, Finney, Funck, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hemphill, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, MacVeagh, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Russell, Stewart, Temple, Van Reed, Wherry, White, David N., Woodward and Worrell.

After some time a quorum of members appeared, when the President laid before the Convention a telegram from Mr. Long, which was read as follows, viz:

LEHIGHTON, PA., *March 3.*

W. M. MEREDITH,

President Constitutional Convention, Philadelphia:

I ask leave of absence for a few days from to-day, on account of the death of a relative.

Z. H. LONG.

Delegate Carbon and Lehigh District.

On leave given,

Mr. Newlin asked and obtained leave of absence for Mr. Long for a few days from to-day.

The President also laid before the Convention a communication from the prothonotary of the county of Chester.

Which was referred to the Committee on the Judiciary.

Also, the first volume of the ninth census of the United States.

Laid on the table.

Mr. Turrell asked and obtained leave of absence for Mr. M'Allister for a few days from to-day, on account of sickness.

Mr. Corbett asked and obtained leave of absence for Mr. Purman for a few days from to-day, on account of sickness.

Mr. Howard offered the following resolution, which was read, viz:

Resolved. That leave of absence shall not be granted in any case, unless the reason shall be fully stated, and the Convention in every case shall decide upon the sufficiency of the reasons; and in case of absence without leave, the Sergeant-at-Arms shall be directed to bring in the absent members, and upon their appearance, they shall be reprimanded by the President at the bar of the Convention.

Laid on the table.

Mr. Lilly offered the following resolution, which was read, viz:

Resolved. That hereafter all resolutions in relation to time of adjournment, and hours of sessions of this Convention, shall be open to amendments, and all speeches on such resolutions shall be confined to three minutes, and that no member shall speak more than once on the same.

Laid on the table.

Mr. Cuyler offered the following resolution, which was referred to the Committee on the Legislature, viz :

Resolved, That the Committee on the Legislature be and they are hereby instructed to consider and report in what method it is practicable to prevent the decisions of caucusses of members of the Legislature from controlling the judgment and action of members in the discharge of their duties.

Mr. Henry W. Smith offered the following resolution, which was read, viz :

Resolved, That the names of the delegates be called every morning at ten o'clock, and all who are not present and do not answer, shall not be allowed to speak on that day.

Laid on the table.

Mr. Niles offered the following resolution, which was read, viz :

Resolved, That from and after this date the Convention will meet ten A. M., and adjourn at one P. M., and meet at three P. M., and adjourn at six P. M. of each day.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Metzger offered the following resolution, which was read, viz :

Resolved, That after the adjournment of the Legislature, *sine die*, this Convention hold its sessions at Harrisburg.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz :

The Committee on Accounts and Expenditures of the Convention respectfully report :—

That it has examined the account of J. M. Hafeigh & Co., for four dozen towels, purchased for the use of the Convention, by direction of the Committee on House, and certified to be correct by the chairman of that committee, amounting to,	\$19 00
Also, the account of Kay & Brother, for five copies of Purdon's Digest, purchased by order of the Convention, and certified by the Chief Clerk to have been actually furnished,	67 50
Also, two bills of the Philadelphia gas works, for gas consumed at the hall of the Convention, together, amounting to,	<u>204 29</u>

That said accounts are correct, and are for proper expenses of the Convention, and should therefore be paid.

The committee further reports, that to enable the Chief Clerk to pay such expenses and accounts as he is or may be authorized to pay by the Convention, it is requisite that a warrant should be drawn in his favor for the sum of two thousand dollars.

The following resolutions are accordingly reported :

Resolved, That a warrant be drawn in favor of D. L. Imbrie, Chief Clerk of the Convention, for the sum of two thousand dollars, for the payment of such expenses and accounts as he may be authorized to pay by the Convention.

Resolved, That the accounts of Kay & Brother, J. M. Hafeigh & Co., and the Philadelphia gas works, mentioned in the foregoing report of the Committee on Accounts and Expenditures, be approved, and the Chief Clerk be directed to pay the same.

The resolutions accompanying said report were twice read, considered and agreed to.

A motion was made by Mr. Mann,

That the Convention proceed to the second reading and consideration of the following resolution, laid on the table March 1, viz:

Resolved, That hereafter, in committee of the whole, no delegate shall speak longer than fifteen minutes at one time, nor more than once on the same proposition.

Which was agreed to.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To amend the same, by striking out the word "fifteen," and inserting in lieu thereof the word "twenty."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Darlington,

To amend the same, by adding to the end thereof the words, "without permission of the committee."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. John N. Purviance,

To amend the same, by striking out the word, "twenty," and inserting in lieu thereof the word, "fifteen."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Howard,

To amend the amendment, by striking out the word, "fifteen," and inserting in lieu thereof the word, "thirty."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

A motion was made by Mr. Hazzard,

To amend the amendment, by adding to the end of the resolution as follows, viz: "until all have spoken who wish to speak."

Which was not agreed to.

And the question again recurring,

Will the Convention agree so to amend ?

A motion was made by Mr. S. A. Purviance,

To amend the amendment, by striking out the word, "fifteen," and inserting in lieu thereof the word, "twenty-five."

Which was not agreed to.

And the question again recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,
Will the Convention agree to the resolution as amended?

A motion was made by Mr. Darlington,
To amend the same, by striking out the word, "twenty," and inserting in lieu thereof the word, "thirty."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Lilly and Mr. Mann, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Andrews, Baker, Barclay, Bartholomew, Biddle, Bowman, Brodhead, Campbell, Carter, Cassidy, Church, Corbett, Darlington, Elliott, Fell, Finney, Hazzard, Knight, Lilly, Littleton, MacConnell, M'Culloch, Mann, Mantor, Metzger, Minor, Niles, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, White, J. W. F., Worrell and Wright—37.

N A Y S.

Messrs. Baer, Baily, of Perry, Brown, Clark, Craig, Curtin, Cuyler, De France, Dunning, Edwards, Ewing, Fulton, Gowen, Guthrie, Hay, Heverin, Howard, M'Murray, Newlin, Palmer, G. W., Purviance, John N., Purviance, Samuel A., Read, John B., Sharpe, Simpson, Struthers, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, Harry, Woodward and Meredith, *President*—32.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Bardsley, Beebe, Black, Charles A., Black, J. S., Boyd, Broomall, Buckalew, Carey, Cochran, Collins, Corson, Cronmiller, Curry, Dallas, Davis, Dodd, Ellis, Funck, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hemphill, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Long, M'Allister, M'Camant, M'Clean, MacVeagh, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Russell, Stewart, Van Reed, Wherry and White, David N.

A motion was made by Mr. Harry White,

That sections twentieth and twenty-first of the article reported by the Committee on the Legislature, together with the amendments proposed thereto in committee of the whole, be referred back to the Committee on the Legislature, with instructions to make report thereon to the Convention at as early a day as practicable.

On the question,
Will the Convention agree to the motion?

A motion was made by Mr. Lilly,
To amend the same, by striking out the word, "Legislature," and inserting in lieu thereof the words, "Suffrage, Election and Representation."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the resolution?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Clark in the Chair, on article reported from the Committee on Legislature.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Harry White,

That the vote be re-considered by which the committee of the whole was given leave to sit again to-morrow, on article reported from the Committee on Legislation.

Which was agreed to.

And the question being again before the Convention,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

And on the question.

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MARCH 4, 1873.

Mr. Broomall presented memorials from Radnor and Goshen monthly meeting of Friends, praying that those who are conscientiously opposed to military duty be exempted from the same.

Said memorials were referred to the Committee on Militia.

Also, memorials from the same meetings, praying that the death penalty be erased from our statutes.

Which were referred to the Committee on the Judiciary.

Also, memorials from the same meetings, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which were referred to the Committee on Legislation.

Mr. Armstrong presented the petition of citizens of Lycoming county, praying for a Constitutional prohibition of the sale of intoxicating liquors as a beverage.

Which was referred to the Committee on Legislation.

Mr. Howard offered the following resolution, which was twice read, viz :

Resolved, That on and after to-morrow this Convention will meet at ten A. M., and adjourn at one P. M., and meet at three P. M., and adjourn at five P. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Ewing,

That the rule which prohibits debate on resolutions of adjournment, be in that case suspended.

Which was agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "three," and inserting in lieu thereof the word "five," and by striking out the words "and adjourn at five P. M."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Littleton,

To amend the same, by striking out the words "three" and "five," and inserting in lieu thereof the words "four" and "seven."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Stanton,

To postpone the further consideration of the resolution indefinitely.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Knight,

To amend the same, by striking out all after the word "resolved," and inserting in lieu thereof as follows, viz : "That on and after Monday next the Convention will hold sessions from ten A. M. to two P. M.; and on Mondays, Wednesdays and Fridays, afternoon sessions from four to eight P. M."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Brodhead,

To amend the same, by adding to the end thereof as follows, viz : "And on Saturdays there shall be no session."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Corbett and Mr. Simpson, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baer, Baker, Bannan, Bartholomew, Brodhead, Broomall, Buckalew, Corson, Curtin, Davis, Ewing, Funck, Gibson, Gowen, Green, Hanna, Harvey, Lilly, Mann, Rooke, Ross, Simpson, Smith, H. G., Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., Woodward and Meredith, *President*—30.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, (Perry,) Bailey, (Huntingdon,) Barclay, Biddle, Bowman, Brown, Campbell, Carter, Church, Clark, Cochran, Corbett, Craig, Cuyler, Darlington, De France, Dunning, Edwards, Elliott, Fell, Finney, Fulton, Guthrie, Hazzard, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Sharpe, Smith, Wm. H., Struthers, Turrell, Walker, Wherry, White, Harry, White, J. W. F., and Wright—56.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Alricks, Bardsley, Beebe, Black, Chas. A., Black, J. S., Boyd, Carey, Cassidy, Collins, Cronmiller, Curry, Dallas, Dodd, Ellis, Gilpin, Hall, Hay, Hemphill, Heverin, Hopkins, Horton, Hunsicker, Kaine, Lambertson, Landis, Long, M'Allister, M'Camant, M'Clean, MacVeagh, Mott, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Reed, John R., Reynolds, S. H., Runk, Russell, Stewart, Temple, Wetherill, John Price, White, David N., and Worrell.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Mann,

To amend the same, by adding to the end of the resolution the words, "excepting on Monday, when the Convention shall meet at eleven A. M., and on Saturday, when there shall be no afternoon session."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Corbett and Mr. Bartholomew, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Andrews, Bailey, of Huntingdon, Bannan, Bartholomew, Bowman, Brodhead, Buckalew, Carter, Craig, Curtin, Davis, De France, Dunning, Elliott, Ewing, Fell, Fulton, Funck, Gibson, Gowen, Green, Hanna, Harvey, Howard, Lawrence, Lear, M'Murray, Minor, Newlin, Niles, Palmer, G. W., Rooke, Sharpe, Smith, Henry W., Temple, Van Reed, Wherry, White, Harry, White, J. W. F., Worrell and Wright—42.

N A Y S .

Messrs. Armstrong, Baer, Baily, of Perry, Baker, Barclay, Biddle, Broomall, Brown, Campbell, Church, Clark, Cochran, Corbett, Corson, Cuyler, Darlington, Edwards, Finney, Guthrie, Hazzard, Knight, Lilly, Littleton, MacConnell, M'Culloch, Mann, Mantor, Palmer, H. W., Patterson, D. W., Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, James L., Ross, Simpson, Smith, H. G., Smith, W. H., Stanton, Struthers, Turrell, Walker, Wetherill, J. M., Woodward and Meredith, *President*—45.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Ainey, Alricks, Bardsley, Beebe, Black, Charles A., Black, J. S., Boyd, Carey, Cassidy, Collins, Cronmiller, Curry, Dallas, Dodd, Ellis, Gilpin, Hall, Hay, Hemphill, Heverin, Hopkins, Horton, Hunsicker, Kaine, Lamberton, Landis, Long, M'Allister, M'Camant, M'Clean, MacVeagh, Metzger, Mott, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Read, John R., Reynolds, S. H., Runk, Russell, Stewart, Wetherill, Jno. Price, and White, David N.

A motion was made by Mr. Harry White,

That the committee of the whole be and is hereby discharged from the consideration of the article reported from the Committee on the Legislature, and the same, together with the amendments made and proposed thereto by the committee of the whole, be re-committed to the Committee on the Legislature, with instructions to confer with the Committee on Suffrage, Election and Representation, and to report the same back to the Convention at as early a day as practicable.

Which was agreed to.

Mr. Dunning offered the following resolution, which was referred to the Committee on Counties, Townships and Boroughs, viz:

Resolved, That the Committee on Counties, Townships and Boroughs be requested to take into consideration the propriety of reporting a section providing that all counties having a population exceeding one hundred thousand, the Legislature shall have the power to make sub-division thereof, establishing in each sub-division all the necessary courts pertaining to counties, with exclusive or concurrent jurisdiction, and offices for recording deeds, granting letters of administration and proving wills: *Provided*, That such sub-division shall contain not less than twenty thousand inhabitants.

A motion was made by Mr. Lilly,

That the Convention proceed to the second reading and consideration of the resolution laid on the table March 3, viz:

Resolved, That hereafter all resolutions in relation to time of adjournment and hours of sessions of this Convention shall be open to amendment, and all speeches on such resolutions shall be confined to three minutes, and that no member shall speak more than once on the same."

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

A motion was made by Mr. Baer,

That the Convention proceed to the second reading and consideration of the resolution laid on the table March 1, viz:

"WHEREAS, All resolutions adopted by this Convention, which operate as a change, alteration or modification of Rule XXV, have thus far only impeded the progress of the business of the Convention, and, in effect are a dead letter upon the record; therefore,

Resolved, That all resolutions violative of Rule XXV be and are hereby rescinded and annulled, and the rule re-instated as originally adopted."

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

Said resolution was read a second time:

And on the question,

Will the Convention agree to the resolution?

It was determined in the negative.

A motion was made by Mr. Howard,

That the Convention proceed to the second reading and consideration of the resolution laid on the table March 3, viz :

“*Resolved*. That leave of absence shall not be granted in any case, unless the reasons shall be fully stated, and the Convention, in every case, shall decide upon the sufficiency of the reasons : and in case of absence without leave, the Sergeant-at-arms shall be directed to bring in the absent members, and upon their appearance they shall be reprimanded by the President at the bar of the Convention.”

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Woodward in the Chair, on article reported from the Committee on the Executive Department.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MARCH 5, 1873.

The President laid before the Convention a communication from Adelaide U. Murdoch, which was read as follows, viz :

PHILADELPHIA, *March 5, 1873.*

HON. WM. M. MEREDITH,
President of the Constitutional Convention :

RESPECTED SIR :—You will oblige me if you would lay before the honorable body over which you are now presiding, (on my behalf,) an earnest invitation to be present at a lecture, which I propose giving on the evening of Saturday, March 15, 1873, against female suffrage.

Yours, very respectfully,

ADELAIDE U. MURDOCH,
U. S. Treasury Department, Philadelphia.

Laid on the table.

Mr. Wright presented the petition of the citizens of Luzerne county, praying for a provision in the Constitution against the making and selling of intoxicating liquors as a beverage.

Mr. Parsons presented the petition of citizens of Williamsport, praying for a clause to be inserting in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. S. A. Purviance presented the petition of citizens of Butler and Allegheny counties, praying for a clause in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Darlington presented a memorial of the Longwood Monthly Meeting of Progressive Friends, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Which petitions and memorial were referred to the Committee on Legislature.

Mr. Parsons presented the petition of Hon. A. C. Bush, praying that there be no change in the article in the present Constitution in relation to the formation of new counties or dividing old ones.

Which was referred to the Committee on Counties, Townships and Boroughs.

Mr. Hay asked and obtained leave of absence for himself for to-morrow.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day, on account of sickness.

Mr. Broomall offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the General Assembly shall apportion the State for the election of Senators and Representatives, according to population as ascertained by the last preceding census, every ten years, commencing at the first session after the adoption of this Constitution. Senators and Representatives shall be chosen in single districts of contiguous territory, and as nearly as possible of equal population, the boundaries being county or city lines where practicable, otherwise by township or ward lines ; the number of Senators shall be thirty-three, and the number of Representatives one hundred.

Mr. Baer offered the following resolution, which was referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be requested to take into consideration the propriety of reporting a section, which shall substantially provide—

First. That the State shall be divided into six Senatorial districts upon the basis of population, of which Philadelphia shall always be one.

Second. Each district shall elect six Senators. Each voter shall vote for not more than four persons, and the six persons highest in vote shall be declared elected.

Third. The House of Representatives shall consist of two hundred members, to be elected from districts based upon population.

Fourth. Districts shall be formed of compact and contiguous territory.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Woodward in the Chair, on article reported from the Committee on the Executive Department.

After some time the President resumed the Chair, and the chairman reported the article amended, as follows, viz :

First section amended, by striking out the word "State," in the second line, and inserting in lieu thereof the following words, viz : "the Commonwealth," and inserting after the words, "Auditor General," in the third line of the same section, the following words, viz : "State Treasurer."

Second section amended, by striking out the word "Speaker," in the sixth line, and inserting in lieu thereof the word "President."

Tenth section amended, by striking out the word "only," in the third line, and inserting in lieu thereof the following words, viz: "no pardon shall be granted, nor sentence commuted, except;" and also, amending the same section, by inserting after the word "them," in the fifth line, the following words, viz: "after full hearing of the parties upon due public notice, and in open session."

Sixteenth section amended, by striking out all after the word "unless," in the last line, and inserting in lieu therefore the following words, viz: "he shall file the same with his objections in the office of the Secretary of the Commonwealth, and give notice thereof by public proclamation within thirty days after each adjournment."

Twentieth section amended, by inserting after the word "general," in the second line, the following words, viz: "subject to such change as shall be made by law."

And also, by striking out the word "national," in the sixth line, and inserting in lieu thereof the word "material."

Section twenty-one amended, by inserting after the word, "schools," in the third line, the following words, viz: "subject to such change as shall be made by law."

Section twenty-two amended, by striking out the words "and superintendent of public instruction."

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Darlington in the Chair, on article reported from the Committee on Cities and City Charters.

After some time the President resumed the Chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MARCH 6, 1873.

The President laid before the Convention a telegram received by him yesterday at 4 o'clock P. M., which was read as follows, viz:

PITTSBURG, March 6, 1873.

Hon. WM. M. MEREDITH:

Col. Wm. Hopkins died at 2 o'clock to-day.

J. GRAYSON.

On leave given at this time,

Mr. Lawrence offered the following resolutions, which were twice read, viz

WHEREAS, This Convention has been informed of the sudden and most unexpected death of Hon. William Hopkins, of Washington county, a delegate from: the Twenty-sixth Senatorial district; therefore,

Resolved, That it is with the deepest feeling and most uneffected regret we have heard of the sudden death of Hon. William Hopkins, a member of this Convention, so universally esteemed and so highly respected.

Resolved, That in his death this body has lost a faithful and honest member, society a useful and intelligent citizen, and his family a tender and devoted parent.

Resolved, That in this hour of deep affliction and grief we tender to his family, so deeply stricken, our most sincere condolence and profound sympathy.

Resolved, That as an evidence of our respect for the memory of the deceased, we do hereby appoint a committee of this Convention to attend his funeral at Washington, Pa.

Resolved, That the Chief Clerk be directed to forward to the family of the deceased a copy of these resolutions, and that we do now adjourn.

The first, second and third resolutions were unanimously agreed to.

On the question,

Will the Convention agree to the fourth resolution?

A motion was made by Mr. Lawrence,

To insert after the word "committee," the words, "of five."

Which was agreed to.

The resolution as amended was then unanimously agreed to.

The President announced Messrs. Lawrence, Woodward, J. W. F. White, Guthrie and M'Lean, the committee to attend the funeral.

The fifth resolution was then unanimously agreed to, and the Convention adjourned until to-morrow morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

FRIDAY, MARCH 7, 1873.

Mr. Mann presented two petitions of citizens of Westmoreland and Potter counties, praying for an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Dunning presented the petition of the citizens of Carbondale, Luzerne county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which petitions were referred to the Committee on Legislation.

Mr. Curry presented the petition of citizens of Altoona, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Wright presented the petition of citizens of Luzerne county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Horton presented the petition of citizens of the State of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Which petitions were laid on the table.

Mr. Wm. H. Smith presented the memorial of Alexander W. Foster, praying for a change in the Constitution, by which there shall be a better system of selecting members of the General Assembly.

Mr. Lear presented the petition of citizens of Bucks county, praying that the Constitution be so amended as to grant to all citizens of mature age the right of suffrage.

Which memorial and petition were referred to the Committee on Suffrage, Election and Representation.

Mr. Jno. P. Wetherill offered the following resolution, which was referred to the Committee on Schedule, viz:

The amendments proposed by this Convention shall be submitted to the qualified electors of this Commonwealth, at a special election to be held on the — Tuesday of — next. The said election shall be held, regulated and conducted in the several counties of this Commonwealth, according to existing laws. The said election shall be held, conducted and regulated in cities of over 100,000 population, under the authority and supervision of three commissioners of elections, to be chosen by this Convention; which said board of commissioners, or a majority thereof, shall appoint for each election division within said cities two canvassers to register voters, and one judge, two window inspectors, and two return inspectors to hold the said election in the said divisions respectively. If the said registers shall differ in opinion as to the right of any citizen to be registered, the said board, or a majority thereof, shall decide. No registry shall be conclusive evidence of the residence or other qualifications of any registered citizen, and no name shall be erased therefrom after registration. Nor shall the omission of any name therefrom, disqualify any citizen legally entitled to vote. The returns of all the elections herein authorized shall be certified by the officers thereof, in duplicate originals, one whereof shall be forthwith transmitted to the Secretary of the Commonwealth, and the other thereof shall be filed in the office of the prothonotary of the court of common pleas of the proper county.

The said board of commissioners, or a majority thereof, shall have full power to make all necessary rules for the making and publishing of the said register, and when and how the same shall be done, and all other proper rules as to the details thereof, and shall receive such compensation for their services as the Legislature may hereafter provide.

The canvassers and officers of election aforesaid shall be paid according to the existing laws providing for the compensation of such officers.

Mr. Barclay offered the following resolution, which was referred to the Committee on Cities and City Charters, viz :

WHEREAS, It has been held by the Supreme Court of Pennsylvania, as a general rule of law, that municipal corporation is not liable for consequential damages to private property by reason of any act done in pursuance of any change or alteration in the grade of any street, even though such private property should be altogether destroyed by such act; therefore,

Resolved, That the committee to whom this resolution shall be referred, be instructed to inquire into the expediency of providing in the new Constitution, that in all cases hereafter, when private property shall be injured in consequence of any act done by any municipal corporation, in pursuance of any alteration or change of the grade of any street, such corporation shall be liable for such consequential damages to the party injured, in the same manner as when private property is actually taken for public use.

Mr. Wright asked and obtained leave of absence for Mr. Craig for a few days from to-day.

Mr. Porter asked and obtained leave of absence for Mr. Fulton for a few days from to-day.

Mr. S. A. Purviance asked and obtained leave of absence for Mr. Brown for a few days from to-day.

Mr. H. W. Palmer offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Printing be instructed to procure the printing of the proceedings of the Convention on the occasion of the death of Hon. William Hopkins, in memorial form, and that five hundred copies be furnished the members for distribution.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Brodhead,

To amend the same, by striking out, "five hundred," and insert in lieu thereof, "one thousand."

Which was not agreed to.

The resolution was then agreed to.

Mr. Baer offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourns on Wednesday, the 26th day of March, it will do so to meet again on Thursday, the 6th day of April.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Niles and Mr. Dunning, and were as follow, viz :

YEAS.

Messrs. Achenbach, Addicks, Baer, Barclay, Biddle, Curtin, Gibson, Hall, Hunsicker, Long, MacVeagh, Porter, Pughe, Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stewart, Wherry, White, Harry and Wright—22.

NAYS.

Messrs. Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bowman, Boyd, Brodhead, Broomall, Clark, Corbett, Corson, Cronmiller, Curry, Darlington, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Finney, Funck, Green, Hanna, Hazzard, Horton, Howard, Knight, Landis, Lear, Lilly, Littleton, MacConnell, M'Camant, M'Culloch, Mann, Mantor, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Rooke, Ross, Smith, H. G., Stanton, Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, David N. and Meredith, *President*—63.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Alricks, Baker, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Church, Cochran, Collins, Craig, Cuyler, Dallas, Fell, Fulton, Gilpin, Gowen, Guthrie, Harvey, Hay, Hemphill, Heverin, Kaine, Lamberton, Lawrence, M'Alister, M'Clean, M'Murray, Metzger, Mott, Patterson, D. W., Purman, Purviance, John N., Read, John R., Reynolds, S. H., Runk, Van Reed, White, J. W. F., Woodward and Worrell.

Mr. De France offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourns on Saturday, the 29th of March, it be to Monday, the 14th day of April, at 10 o'clock of said day.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Corbett and Mr. DeFrance, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Baer, Brodhead, Clark, Cochran, Corson, Curry, Davis, De France, Dunning, Funck, Gibson, Green, Hall, Hunsicker, Lear, Litteton, Long, MacVeagh, Metzger, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Samuel A., Read, John R., Rooke, Ross, Russell, Sharpe, Simpson, Smith, Henry W., Smith, W. H., Temple, Wherry, White, Harry, and Wright—44.

N A Y S .

Messrs. Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Bowman, Boyd, Broomall, Corbett, Cronmiller, Darlington, Edwards, Elliott, Ellis, Ewing, Hanna, Hazzard, Horton, Howard, Knight, Landis, Lilly, MacConnell, M'Camant, M'ulloch, Mann, Mantor, Minor, Niles, Reynolds, James L., Smith, H. G., Stanton, Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., and Meredith, *President*—40.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Alricks, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Church, Collins, Craig, Curtin, Cuyler, Dallas, Dodd, Fell, Finney, Fulton, Gilpin, Gowen, Guthrie, Harvey, Hay, Hemphill, Heverin, Kaine, Lamberton, Lawrence, M'Allister, M'Clean, M'Murray, Purman, Purviance, John N., Reed, Andrew, Reynolds, S. H., Runk, Stewart, Van Reed, White, J. W. F., Woodward and Worrell.

Mr. Harry White offered the following resolution, which was read, viz :

Resolved, That the official reporter be directed to furnish the State Printer, as reported matter, the reports of all standing and select committees of the Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Struthers offered the following resolution, which was read, viz :

Resolved, That the XVIIIth Rule be amended, so that motions for adjournment beyond the next succeeding day may be debated.

Laid on the table.

Mr. Armstrong offered the following resolution, which was twice read, considered and agreed to, viz :

WHEREAS, It is impossible for the accounts of Benjamin Singerly, as printer, to be settled by the Convention, because a great portion of the work must be done after the Convention shall have adjourned; therefore,

Resolved, That in the judgment of this Convention, it is expedient that the Legislature provide for the settlement of his accounts by the proper accounting officers of the State, on the terms and conditions of his contract with the Convention, and for the payment of such sum as he may be entitled to receive.

Mr. Lear offered the following resolution, which was read, viz :

Resolved, That the resolution which prohibits debate on resolutions fixing the times for adjournment and meeting of this Convention be and the same is hereby rescinded.

Laid on the table.

Agreeably to order,

The Convention proceeded to the second reading and consideration of article No. 7, reported from the Committee on Executive Department.

The first section was agreed to.

On the question,

Will the Convention agree to the second section ?

A motion was made by Mr. John M. Bailey,

To amend the same, by striking out the word "Legislature," wherever it occurs, and inserting in lieu thereof the words, "General Assembly."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the second section ?

A motion was made by Mr. Ewing,

To postpone the question, together with the further consideration of the article, for one week.

Which was agreed to.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Darlington in the Chair, on the article reported from the Committee on Cities and City Charters.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday, Tuesday and Wednesday were named.

On the question,

Shall the committee of the whole have leave to sit on Wednesday ?

It was determined in the affirmative.

Agreeably to order,

The Convention resolved itself into the committee of the whole, Mr. Curtin in the Chair, on article reported from the Committee on Education.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. D. W. Patterson,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, MARCH 8, 1873.

The President laid before the Convention the petition of citizens of the State of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Which was referred to the Committee on Legislation.

Mr. Bardsley offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Committee on Judiciary be requested to frame a section authorizing the courts of quarter sessions of each county, on the application of parties in interest, to appoint a jury to assess damages for the taking of adjoining lots of ground for the purpose of squaring up irregular tracts of adjoining land fronting on any street laid down on the plan of any city or borough : *Provided*, That the whole sum of such damages shall be assessed on the property thus benefited.

Mr. Armstrong offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That every report from standing committees, considered in and reported from the committee of the whole with amendments, shall be printed in bill form with the amendments for the use of the Convention.

A motion was made by Mr. Struthers,

That the Convention proceed to the second reading and consideration of the following resolution, laid on the table March 7, viz :

Resolved, That the XVIIIth Rule be amended, so that motions for adjournment beyond the next succeeding day may be debated.

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by adding to the end thereof the following words, viz :
 "That speeches be limited to two minutes, and no member shall be allowed to speak more than once upon the subject."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Parsons,

To amend the same, by adding to the end thereof the following words, viz :
 "That speeches be limited to five minutes, and no member shall speak more than once upon the same subject."

On the question,

Will the Convention agree so to amend ?

It was determined in the affirmative.

The resolution as amended was then agreed to.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Curtin in the Chair, on article reported from the Committee on Education.

After some time the President resumed the Chair, and the chairman reported the article with amendments as follows, viz :

First section amended, by inserting after the word "age," in the third line, the word "of."

Second section amended, by striking out the word "they," in the first line, and inserting in lieu thereof the word "the;" and also by inserting after the word "the" the word "Legislature."

Third section amended, by inserting after the word "of," in the second line, the word "the;" and also by inserting after the word "schools," in the same line, the words, "of the Commonwealth;" also by striking out the words, "exclusively" and "own," in the third line.

Section four amended, by striking out "A," in the first line, and inserting in lieu thereof the word "The."

Section five amended, by inserting after the words, "or to," in the fourth line, the words, "or for the use of;" also, by inserting after the word "managed," in the sixth line, the words "either in whole or in part;" and also by striking out the word "any," where it occurs in the sixth line, and inserting in lieu the word "a."

Sixth, seventh and eighth sections were stricken out.

On leave give at this time,

A motion was made by Mr. Struthers and Mr. Harry White,

That the vote by which the following resolution was adopted be reconsidered, viz :

Resolved, That the XVIIIth Rule be amended, so that motions for adjournment beyond the next succeeding day may be debated, that speeches be limited to five minutes, and no member shall speak more than once upon the subject.

Which was agreed to.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the negative.

On leave given,

Mr. Struthers offered the following resolution, viz :

Resolved, That the order made by the Convention on the 12th day of February, prohibiting debate on questions, as to the time of meeting and adjournment, be rescinded.

On the question,

Will the Convention proceed to the second reading and consideration of the same ?

It was determined in the negative.

On leave given,

Mr. Harry White offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Hall be draped for thirty days, as a mark of respect to the memory of the late Hon. William Hopkins.

On leave given at this time,

A motion was made by Mr. Clark and Mr. Biddle,

That the Convention reconsider the vote by which the following resolution was adopted, viz :

WHEREAS, It is impossible for the accounts of Benjamin Singerly, as printer, to be settled by the Convention, because a great portion of the work must be done after the Convention shall have adjourned ; therefore,

Resolved, That in the judgment of this Convention it is expedient that the Legislature provide for the settlement of his accounts by the proper accounting officers of the State, on the terms and conditions of his contract with the Convention, and for the payment of such sum as he may be entitled to receive.

Which was agreed to.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Harry White,

That the resolution be referred to the Committee on Accounts and Expenditures, with instructions to report a resolution for the payment of such amount as shall be found due the printer on his contract with the Convention.

Which was agreed to.

A motion was made by Mr. Newlin,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MARCH 10, 1873.

The President laid before the Convention two petitions of citizens of Pennsylvania, praying for the insertion of a clause in the Constitution prohibiting the sale of intoxicating beverages.

Mr. Andrews presented the petition of citizens of Pennsylvania, praying for an article in the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Said petitions were referred to the Committee on Legislation.

Mr. De France presented the petition of four thousand citizens of Mercer county, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Laid on the table.

Mr. De France presented five (5) petitions of citizens of Lycoming county, praying that there be a clause inserted in the Constitution requiring every railroad in this State now made, or hereafter made, to be substantially fenced and maintained by the owners of the railroad company thereof.

Which was referred to the Committee on Railroads and Canals.

Mr. Horton asked and obtained leave of absence for Mr. Patton for a few days from to-day.

Mr. Andrews asked and obtained leave of absence for Mr. M'Murray for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for Mr. Darlington for to-day.

Mr. Alricks asked and obtained leave of absence for Mr. Metzger for a few days from to-day, on account of sickness.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for to-day.

Mr. Wherry offered the following resolution, which was referred to the Committee on Education, viz:

Resolved, That it is the duty of the State to provide effective measures for the moral, mental and industrial training of incorrigible, truant, neglected, vagrant and orphan children, and children and youth in jails, alms-houses and dependent families, who are wholly or in part the wards of the State, whereby no child in this State shall be permitted to grow up in ignorance, idleness and vice.

Mr. Broomall offered the following resolution, which was referred to the Committee on Railroads and Canals, viz:

Resolved, The Legislature shall enact a general railroad law, by virtue of which any individual, company or corporation, organized for the purpose, shall have power to construct a railroad between any two points in the State, he or they paying all damages thereby caused to individual owners, or to the public where streets or roads are occupied. No ground shall be taken for the purpose of constructing or operating a railroad, unless the same be necessary; and the question of necessity shall be determined by proper tribunals under general laws.

Mr. S. A. Purviance offered the following resolution, which was referred to the Committee on Railroads and Canals, viz:

Resolved, That the Committee on Railroads be instructed to inquire into the expediency of reporting an amendment providing for an election by the people, every three years, of a board of railroad inspectors, composed of five persons, whose duty it shall be to examine and report upon any insufficient construction of the railroads within the State, which, in their judgment, might imperil life or property, and to provide a remedy therefor, to be enforced after due notice to the companies on pain of forfeiture of charter.

Mr. Baker offered the following resolutions, which were referred to the Committee on Legislation, viz :

Resolved, That the Committee on Legislation be instructed to inquire into and report to the Convention a clause in the Constitution, making the owner of the property in which a gambling saloon is held, or in which games of chance are allowed to be played, directly responsible to any person or persons who may therein lose any sums of money in any game of chance, or in any gambling operation whatever for the amount so lost. The same to be recovered, together with the costs of prosecution, by due process of law, and the same to constitute a first lien on the property in which such loss was incurred.

Resolved, That the owner of the real estate in which any saloon for the sale of intoxicating liquors shall be kept, shall be personally responsible for any damage or injury that may be inflicted by any person while under the influence of intoxicating drinks procured in the said saloon, whether the damage be personal or otherwise, or be the cause of withholding from any family the necessaries and comforts of life, which could have been procured with the money spent for liquor. And the Committee on Legislation is hereby instructed to present a clause of the Constitution carrying this provision into effect.

Mr. John Price Wetherill offered the following resolution, which was referred to the Committee on Schedules, viz :

Resolved, That in proceeding to the election for the adoption or rejection of the amendments proposed by this Convention, where the canvassers shall not agree in registering a name, such name shall be placed on a disputed list, and the right to vote be decided by the election officers on the day of election.

Mr. Addicks, from the Committee on the House, made a report, which was read as follows, viz :

That during the arrangement of the fitting up of this hall, and during part of the month of January, until the Convention determined what employees were required, the Committee on House had employed, as messenger, and for general duty, Thomas Cooper.

Annexed is his account for services at \$2½ per day. Total amount due, \$47 50.

On reference of said bill to the Committee on Accounts, said committee declined to order its payment, for the reason that the employment of said Cooper was not authorized or approved by the Convention.

In answer to this, your committee desire to state that the said Cooper was of great service, and his engagement, by the Committee on House, was a matter of necessity.

We respectfully request that the Convention will adopt the annexed resolution, viz :

Resolved, That the Chief Clerk be and is hereby directed to pay to Thomas Cooper \$47 50, in settlement of his account for services rendered under direction of the Committee on House.

On motion of Mr. Addicks,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hay,

To amend the same, by striking out all after the word "*Resolved*," and inserting in lieu thereof as follows, viz : "That the employment of Thomas Cooper by the House Committee, as messenger, during a part of the month of January, be approved by the Convention."

Which was agreed to.

The resolution as amended was then agreed to.

Agreeably to order,

The Convention resolved itself into committee of the whole, Mr. Armstrong in the Chair, on article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Landis,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MARCH 11, 1873.

The President laid before the Convention a communication from M. L Williams, which was read as follows:

INDUSTRIAL HOME FOR BLIND WOMEN, }
3921 LOCUST STREET, }
PHILADELPHIA, March 7, 1873. }

Hon. WM. M. MEREDITH,
President of the Constitutional Convention :

SIR:—At a meeting of the managers of the Industrial Home for blind women, held on the 6th instant, it was

Resolved, That an invitation be extended to the members of the Constitutional Convention now in session in this city, together with their families, to visit the institution on Thursday, the 13th inst., from 3 to 4 o'clock P. M.

Will you have the kindness to present this invitation to the members of the Convention.

Respectfully,

M. L. WILLIAMS, *Secretary pro tem.*

By order of the Board.

Laid on the table.

On motion of Mr. Darlington,

The invitation was accepted, with the thanks of the Convention.

Mr. John M. Bailey, of Huntingdon, presented petitions of citizens of Orbisonia and Carbon townships, Huntingdon county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Carter presented two petitions of citizens of Juniata county, praying for an amendment to the Constitution so as to prohibit the sale of intoxicating liquors as a beverage.

Messrs. G. W. Palmer and Harry White presented the petition of citizens of the State of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Mr. Dunning presented the petition of citizens of Luzerne county, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Wright presented the petition of citizens of Shickshinny, county of Luzerne, praying for a clause in the Constitution, so as to prohibit the sale of intoxicating liquors as a beverage.

Which petitions were laid on the table.

Mr. Runk offered the following resolutions, which were referred to the Committee on Legislature, viz :

Resolved, The ratio of Senatorial representation shall be determined every ten years, by dividing the population of the State, ascertained by the last preceding national census, by one hundred. The quotient shall be the ratio of representation in the Senate. Counties containing not less than the ratio, and three-fifths thereof, shall each elect two Senators, and one additional Senator for each additional number of inhabitants equal to the ratio. Counties entitled to more than one Senator shall be divided into as many Senatorial districts as there are Senators to be elected, from each of which one Senator shall be chosen. Each district shall be composed of compact, contiguous territory, containing as nearly equal population as possible. But no election precinct shall be divided in forming a Senatorial district, and no county shall have less than one Senator.

2. The representation in the House of Representatives shall be determined at the same time and in the same manner, except that the ratio of representation shall be ascertained by dividing the said population of the State by three hundred instead of one hundred.

Mr. Broomall offered the following resolution, which was referred to the Committee on the Judiciary, viz :

Resolved, That the Legislature shall provide a means in the nature of a proceeding in partition for the extinguishment of irredeemable ground rents.

Mr. Lilly offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the House Committee be requested to make arrangements to ventilate the hall by other means than opening the front windows.

Mr. Curtin offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing be instructed to ascertain at what cost full reports of the amendments proposed and debates can be published in two daily newspapers of Philadelphia, and print one thousand copies of each paper for the use of the members, and make report to the Convention.

Mr. D. W. Patterson offered the following resolution, which was read, viz :

Resolved, That the following be adopted as an additional Rule of the Convention, to be numbered the XLIIIId Rule :

“That when any article or articles of amendment proposed to the Constitution shall have received three several readings, and been finally passed by the Convention, that *one-third* of all the members of the Convention shall have the right (by motion or resolution in the usual manner) to require the separate and distinct submission to a popular vote of any such article or amendment, or separable section proposed and finally passed, as above stated, by the Convention.”

Laid on the table.

A motion was made by Mr. Boyd and Mr. Curtin,

That the vote be reconsidered by which the following resolution was negatived on the 7th of March, viz :

“*Resolved*, That the official reporter be directed to furnish the State Printer, as reported matter, the reports of all standing and select committees of the Convention.”

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And the resolution being again before the Convention,
And the question recurring,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Broomall and Mr. Andrew Reed, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baer, Baily, of Perry, Bardsley, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Campbell, Carter, Clark, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Finney, Fulton, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Lambertson, Landis, Lear, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Mott, Niles, Palmer, G. W., Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., and Wright—68.

N A Y S .

Messrs. Ainey, Andrews, Bailey, of Huntingdon, Bartholomew, Broomall, Church, Cochran, Davis, Funck, Hall, Knight, Lilly, Long, Reed, Andrew, Reynolds, James L., Rooke, Smith, Henry W., Struthers, Turrell, Walker, Wetherill, John Price, and Meredith, *President*—22.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Baker, Bannan, Barclay, Beebe, Black, Charles A., Brown, Buckalew, Carey, Cassidy, Collins, Corson, Craig, Cuyler, Fell, Gibson, Gilpin, Gowen, Green, Guthrie, Hanna, Harvey, Hay, Heverin, Lawrence, Littleton, M'Allister, M'Camant, M'Murray, MacVeagh, Metzgar, Minor, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Temple, Van Reed, Woodward and Worrell.

A motion was made by Mr. S. A. Purviance and Mr. Wherry,

That the vote be re-considered, by which the following resolution of March 7 was agreed to, viz :

Resolved. That when this Convention adjourns on Saturday the 29th of March, it be to Monday the 14th day of April, at 10 o'clock of said day.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Edwards and Mr. Lilly, and were as follow, viz :

Y E A S .

Messrs. Addicks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Biddle, Bowman, Boyd, Brodhead, Broomall, Campbell, Carter, Corbett, Curtin, Dallas, Darlington, Dodd, Edwards, Ellis, Ewing, Finney, Hanna, Hay, Horton, Howard, Landis, Lilly, Littleton, MacConnell, M'Cullough, Mann, Mantor, Niles, Pughe, Purviance, Samuel A., Read, John R., Reynolds, James L., Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, White, David N., White, J. W. F., Wright and Meredith, *President*.—48.

N A Y S .

Messrs. Achenbach, Ainey, Alricks, Bear, Baker, Bartholomew, Black, J. S., Church, Clark, Cochran, Cronmiller, Curry, Davis, De France, Dunning, Elliott, Fulton, Funck, Hazzard, Hemphill, Hunsicker, Kaine, Knight, Lambertson, Lear, Long, M'Clean, MacVeagh, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Reynolds, S. H., Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stewart, Wetherill, J. M., Wherry and White, Harry—46.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Bannan, Barclay, Beebe, Black, Chas. A., Brown, Buckalew, Carey, Cassidy, Collins, Corson, Craig, Cuyler, Fell, Gibson, Gilpin, Gowen, Green, Guthrie, Hall, Harvey, Heverin, Lawrence, M'Allister, M'Camant, M'Murray, Metzgar, Minor, Newlin, Palmer, H. W., Parsons, Patton, Purman, Purviance, John N., Rooke, Temple, Van Reed, Woodward and Worrell.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by striking out the words, "Saturday, the twenty-ninth," and inserting in lieu thereof "Friday, the twenty-eighth," and striking out the words, "Monday, the fourteenth," and inserting in lieu thereof the words, "Tuesday, the eighth."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Andrew Reed,

To amend the amendment, by striking out the word "eighth," and inserting in lieu thereof the word "twenty-second."

On the question,

Will the Convention agree so to amend the amendment ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Lilly ?

It was determined in the affirmative.

On the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Mann and Mr. Horton, and were as follow, viz :

YEAS.

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Bardsley, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Campbell, Carter, Cochran, Curry, Curtin, Dallas, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Hall, Hanna, Hemphill, Horton, Hunsicker, Kaine, Knight, Lambertson, Lilly, MacConnell, M'Clean, MacVeagh, Mott, Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, Samuel A., Read, John R., Reynolds, S. H., Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F. and Wright—62.

NAYS.

Messrs. Ainey, Andrews, Bailey, of Huntingdon, Bowman, Broomall, Church, Clark, Corbett, Cronmiller, Darlington, De France, Edwards, Hay, Hazzard, Howard, Landis, Lear, Littleton, Long, M'Culloch, Mann, Mantor, Minor, Niles, Palmer, G. W., Porter, Reed, Andrew, Reynolds, James L., Smith, Henry W., Stewart, Struthers, Turrell, Walker, Wetherill, John Price and Meredith, *President*—35.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Bannan, Barclay, Beebe, Black, Chas. A., Brown, Buckalew, Carey, Cassidy, Collins, Corson, Craig, Cuyler, Fell, Gibson, Gilpin, Gowen, Green, Guthrie, Harvey, Heverin, Lawrence, M'Allister, M'Camant, M'Murray, Metzger, Newlin, Palmer, H. W., Parsons, Patton, Purman, Purviance, John N., Temple, Van Reed, Woodward and Worrell.

A motion was made by Mr. Finney,

That the Committee on Agriculture, Mining, Manufactures and Commerce be discharged from the further consideration of the following resolution, viz:

Resolved, That no incorporated company, organized for mining purposes or possessed of mining privileges, shall own, hold or possess the soil or surface right of more than one thousand acres of land at any one time, exclusive of lands held for right of way for railroad purposes by due appropriation of law, and that the same be referred to the Committee on Private Corporations, &c.

Which was agreed to.

The first business in order being the second reading and consideration of article eight, reported from the Committee on Education.

On the question,

Will the Convention proceed to the second reading and consideration of said article?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Armstrong in the Chair, on the article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow, Thursday and Friday were named.

On the question,

Shall the committee of the whole have leave to sit on Friday?

It was determined in the negative.

On the question,

Shall the committee of the whole have leave to sit on Thursday?

It was determined in the negative.

On the question,

Shall the committee of the whole have leave to sit to-morrow?

It was determined in the affirmative.

On leave given,

Mr. J. S. Black, from the committee composed of those gentlemen elected Delegates-at-Large, who are last named in the proclamation of the Governor, made a report, which was read as follows, viz:

The Delegates-at-Large, to whom it was referred to fill the vacancy in the membership of the Convention, occasioned by the death of Hon. William Hopkins, of the Twenty-sixth Senatorial district, do report they have come to the following resolution:

Resolved, That Lewis Z. Mitchell be and is hereby appointed a member of the Convention, to fill the vacancy in the representation of the Twenty-sixth Sena-

torial district, caused by the death of Hon. William Hopkins, the member elect from said district.

(Signed)

R. A. LAMBERTON,
GEO. M. DALLAS,
WM. I. BEAR,
WM. T. CORBETT,
JAS. ELLIS,
SAM'L H. REYNOLDS,
J. S. BLACK,
GEO. W. WOODWARD,
A. G. CURTIN,
S. C. T. DODD,
JOHN H. CAMPBELL,
WM. H. SMITH.

Laid on the table.

A motion was made by Mr. Darlington,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MARCH 12, 1873.

Mr. John M. Baily presented the petition of citizens of Lincoln, Lower West, Shirley, Pennsylvania and Oneida townships, and Petersburg, in the county of Huntingdon, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Messrs. Craig, Wright, Wetherill and De France presented petitions of citizens of Lawrence, Luzerne, Philadelphia and Mercer counties, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Said petitions were laid on the table.

Mr. Hay offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Printing be requested to have prepared a proper index for each of the volumes of the Journal and Debates.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by adding to the end thereof as follows, viz : "and that each volume contain at least one thousand pages."

Which was agreed to.

And on the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Corbett,
To amend the same, by striking out the word "proper," and inserting in lieu thereof the word "general," and by striking out the words, "each of."

Which was not agreed to.

The resolution as amended was then agreed to.

Mr. Porter, from the Committee on Militia, reported the following article, viz :

ARTICLE —.

SECTION 1. 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, and the Legislature shall provide for maintaining the militia by direct appropriation from the State Treasury.

Said article was read the first time and laid on the table.

A motion was made by Mr. D. W. Patterson,

That the Convention proceed to the second reading and consideration of the resolution, laid on the table March 11, viz :

Resolved, That the following be adopted as an additional rule of the Convention, to be numbered the XLIII Rule :

"That when any article or articles of amendment proposed to the Constitution shall have received three several readings, and been finally passed by the Convention, that *one-third* of all the members of the Convention shall have the right (by motion or resolution in the usual manner) to require the separate and distinct submission, to a popular vote of any such article or amendment, or separable section proposed and finally passed, as above stated, by the Convention."

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And said resolution was read a second time.

And on the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To postpone the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Corbett and Mr. Darlington, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Bailey, of Huntingdon, Bardsley, Bartholomew, Biddle, Boyd, Church, Curry, Darlington, Eliis, Finney, Hay, Heverin, Hunsicker, Kaine, Lilly, M'Culloch, Minor, Mott, Pughe, Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Runk, Smith, Henry W., Smith, W. H., Stewart, Wetherill, J. M., Wetherill, Jno. Price, Woodward and Meredith, *President*—33.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Andrews, Baer, Baily, of Perry, Beebe, Bowman, Brodhead, Broomall, Campbell, Carter, Cochran, Corbett, Craig, Cronmiller, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Guthrie, Hanna, Horton, Howard, Lamberton, Lawrence, Lear, Long, MacConnell, M'Clean, Mann, Mantor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Rooke,

Russell, Sharpe, Stanton, Struthers, Turrell, Walker, White, David N., White, Harry, White, J. W. F., and Wright—55.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Ainey, Baker, Bannan, Barclay, Black, Charles A., Black, J. S., Brown, Buckalew, Carey, Cassidy, Clark, Collins, Corson, Curtin, Cuyler, Dallas, Fell, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hazard, Hemphill, Knight, Landis, Littleton, M'Allister, M'Camant, M'Murray, MacVeagh, Metzger, Newlin, Parsons, Patton, Purman, Purviance, John N., Simpson, Smith, H. G., Temple, Van Reed, Wherry and Worrell.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the affirmative.

The first business in order being the second reading and consideration of article eight from the Committee on Education.

On the question,

Will the Convention proceed to the second reading and consideration of said article ?

It was determined in the negative.

The next business in order being the consideration, in committee of the whole, of article six from the Committee on Cities and City Charters.

On the question,

Will the Convention go into committee of the whole on said article ?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Armstrong in the Chair, on the article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE, *Clerk.*

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

THURSDAY, MARCH 13, 1873.

Mr. Dunning presented the petition of 900 citizens of Pittston, Luzerne county, praying that the Constitution be so amended, as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Horton presented the petition of citizens of Rome, Bradford county, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Which petitions were laid on the table.

Mr. De France presented the petition of citizens of Lycoming county, praying for a clause in the Constitution, requiring every railroad now made, or hereafter made, to be substantially fenced and maintained by the owners of the railroad companies thereof.

Which was referred to the Committee on Railroads and Canals.

Mr. Carter presented the petition of citizens of Lancaster county, praying for an amendment to the Constitution to secure to women the right of suffrage.

Which was referred to the Committee on Suffrage, Election and Representation.

Mr. Lilly offered the following resolution, which was referred to the Committee on the Judiciary, viz :

Resolved, That the Supreme Court shall consist of ——— judges learned in the law, who shall be appointed by the Governor, by and with the consent of the Senate. They shall continue in office during good behavior : *Provided*, The said judges shall be retired at the age of seventy-five years, (or for mental or physical disability,) upon full pay.

That the State shall be divided into districts as from time to time shall be necessary, and that a sufficient number of judges learned in the law shall be appointed from time to time, as they may be required, to perform the requisite duties. When such appointments are required, the Supreme Court shall name to the Governor at least five names of gentlemen learned in the law for each appointment to be made, from which number the Governor shall appoint.

That all judges learned in the law shall hold office during life or good behavior : *Provided*, That all judges shall be retired at the age of seventy-five years, (or for mental or physical disability,) upon full pay. No judge of any court of this Commonwealth, learned in the law, shall be eligible to any office, either appointive or elective, (except in the judiciary) while in commission, nor until after at least two years have elapsed after retiring from the office of judge.

Mr. Broomall offered the following resolution, which was referred to the Committee on Education, viz :

Resolved, The Legislature shall enact proper laws for the arrest of all vagrants, and the employment of the adults, the compulsory education of the young, and the care and protection of the aged and infirm among them.

Mr. Jno. M. Bailey asked and obtained leave of absence for Mr. Hall for a few days from to-day.

Mr. Alricks asked and obtained farther leave of absence for Mr. M'Allister on account of sickness.

Mr. Guthrie asked and obtained leave of absence for Mr. Curry for a few days from to-day.

A motion was made by Mr. Lawrence,

That the Committee on Counties, Townships and Boroughs be discharged from the further consideration of the following resolution, viz :

WHEREAS, Under the present practice regulating the publication of legal notices, sheriffs' sales, &c., such publication now generally reaches the attention

of but a portion of the citizens of each county, in consequence of said publication being committed to newspapers circulating exclusively among the citizens belonging to one political party, whereby nearly one-half of the citizens, in many instances, are deprived of information seriously affecting their interest :

And whereas, This system of partial publication is the continual cause of dissatisfaction, and operates greatly to the inconvenience and injustice of a great portion of the people :

And whereas, It is eminently proper that the largest publicity should be given to official notices of a public character, and that the fullest opportunity be given the citizen to have information of all process or proceedings affecting his property, rights or interests; therefore, be it

Resolved, That the Committee on Judiciary is hereby requested to inquire into the propriety and justice of reporting to this Convention for its consideration, an amendment to the Constitution providing that all notices emanating from the courts and public offices in the respective counties of this Commonwealth, now or hereafter required to be published for public or private information, shall be published in the two newspapers, issued in the county where such courts or public offices are situated, which have the largest circulation, and that the same be referred to the Committee on the Judiciary.

Which was agreed to.

The first business in order being the second reading and consideration of article eight, reported from the Committee on Education.

On the question,

Will the Convention proceed to the second reading and consideration of said article ?

It was determined in the negative.

The next business in order being the consideration in the committee of the whole of article six from the Committee on Cities and City Charters.

On the question,

Will the Convention go into the committee of the whole on said article ?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Armstrong in the Chair, on the article reported from the Committee on Legislation.

After some time the President resumed the chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Hemphill,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MARCH 14, 1873.

The President laid before the Convention the petition of citizens of the State of Pennsylvania, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Mr. Corson presented the petition of citizens of Montgomery county, praying for an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which petitions were laid on the table.

Mr. Porter offered the following resolution, which was read, viz:

Resolved. That on and after Monday next the sessions of this Convention shall be held from 10 o'clock A. M. to 1 o'clock P. M., and from 3 o'clock P. M. to 6 o'clock P. M., except on Saturday, when only a morning session shall be held.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. J. M. Wetherill offered the following resolution, which was read, viz:

Resolved. That when the Convention adjourns to-day, it be to meet on Monday next at 11 o'clock A. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Mann and Mr. T. H. B. Patterson, and were as follow, viz:

Y E A S.

Messrs. Ainey, Armstrong, Baer, Baker, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Brodhead, Broomall, Carter, Clark, Cochran, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Ewing, Hemphill, Hunsicker, Kaine, Lambertson, Lilly, M'Camant, Newlin, Niles, Palmer, H. W., Parsons, Pughe, Rooke, Runk, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., and Wherry—42.

N A Y S.

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Boyd, Campbell, Church, Corbett, Craig, Darlington, De France, Dodd, Edwards, Hall, Hay, Hazzard, Horton, Howard, Lawrence, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Patterson, T. H. B., Porter, Purviance, Sam'l A., Russell, Smith, Wm. H., Struthers, Turrell Walker, Wetherill, John Price, White, David N., White, J. W. F., Wright and Meredith. *President*—40.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Addicks, Barclay, Black, Charles A., Brown, Buckalew, Carey, Cassidy, Collins, Corson, Cronmiller, Curry, Cuyler, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Guthrie, Hanna, Harvey, Heverin, Knight, Landis, Lear, Littleton, Long, M'Allister, M'Murray, MacVeagh, Metzger, Minor, Mott, Palmer, G. W., Patterson, D. W., Patton, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Smith, H. G., Temple, White, Harry, Woodward and Worrell.

And on the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Corbett and Mr. Joseph Baily, and were as follow, viz:

Y E A S .

Messrs. Ainey, Armstrong, Baer, Baker, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Brodhead, Broomall, Carter, Clark, Cochran, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Ewing, Hemphill, Hunsicker, Kaine, Lambertson, Lilly, M'Camant, Newlin, Niles, Palmer, H. W., Parsons, Pughe, Rooke, Runk, Sharpe, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., and Wherry—41.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Boyd, Campbell, Church, Corbett, Craig, Darlington, De France, Dodd, Edwards, Hay, Hazzard, Horton, Howard, Lawrence, Lear, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Patterson, T. H. B., Porter, Purviance, Sam'l A., Russell, Simpson, Smith, Wm. H., Struthers, Turrell, Walker, Wetherill, Jno. Price, White, David N., White, J. W. F., Wright and Meredith, *President*—41.

So the question was determined in the negative.

ABSENT AND NOT VOTING—Messrs. Addicks, Barclay, Black, Charles A., Brown, Buckalew, Carey, Cassidy, Collins, Corson, Cronmiller, Curry, Cuyler, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Guthrie, Hall, Hanna, Harvey, Heverin, Knight, Landis, Littleton, Long, M'Allister, M'Murray, MacVeagh, Metzger, Minor, Mott, Palmer, G. W., Patterson, D. W., Patton, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Smith H. G., Temple, White, Harry, Woodward and Worrell.

Mr. Cochran asked and obtained leave of absence for himself for a few days from to-day.

Mr. Clark asked and obtained leave of absence for Mr. Fulton and Mr. Elliott for a few days from to-day.

A motion was made by Mr. Newlin,

That the Committee on Printing have leave to sit during the session of the Convention to-day.

Which was agreed to.

The first business in order being the second reading and consideration of article seven, from the Committee on the Executive Department.

On the question,

Will the Convention proceed to the second reading and consideration of said article?

It was determined in the negative.

The next business in order being the second reading and consideration of article eight, from the Committee on Education.

On the question,

Will the Convention proceed to the second reading and consideration of said article?

It was determined in the negative.

The next business in order, being the consideration, in committee of the whole, of article six from the Committee on Cities and City Charters.

On the question,

Will the Convention go into the committee of the whole on said article?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself into the committee of the whole, Mr. Armstrong in the Chair, on the article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and Monday were named.

On the question,

Shall the committee of the whole have leave to sit on Monday ?

It was determined in the negative.

To-morrow was then agreed upon.

On leave given,

Mr. Finney, from the Committee on Agriculture, Mining, Manufacture and Commerce, reported the following article, viz :

SECTION 1. In the absence of special contracts, the legal rate of interest and discount shall be seven per centum per annum, but special contracts for higher or lower rates shall be lawful. All National, and other banks of issue, shall be restricted to the rate of seven per centum per annum.

SECTION 2. The Legislature may provide for the establishment of mining schools, to be located in the coal regions of Pennsylvania, for free instruction in mining, and the mechanic arts and sciences.

SECTION 3. No combinations of employers or employed, to enable the one to control the business operations of the other, combinations to maintain arbitrary prices for manufactures, merchandise or the products of labor of any description, or for labor itself (including professional services) shall be allowed. Nor shall any combinations of individuals, associations or corporations, to obstruct the free course of trade, or to make or maintain arbitrary rates for freight or passage on rivers, railways or canals, be permitted, and the Legislature shall pass laws to prevent and punish such combinations.

SECTION 4. The Legislature shall provide by law for such appliances and regulations in mines, manufactures and workshops, and in the erection of buildings, as may be necessary to protect the health and secure the safety of the operatives, and shall by law regulate, and may prohibit, the employment of children under the age of ten years in mines and manufactories.

SECTION 5. The Legislature shall regulate by law the manufacture and sale of Carbon oil, so as to insure the safety of life in its use for light.

SECTION 6. The Legislature shall provide by law for an equitable assessment of benefits in favor of mine owners and operators, whenever, by works and expenditures in mines, draining or tunneling, they produce results which inure, directly or indirectly, to the benefit and advantage of any contiguous or adjoining mines.

Said article was read the first time, and laid on the table.

A motion was made by Mr. De France,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, MARCH 15, 1873.

The hour of ten o'clock, A. M. having arrived, the Convention was called to order by the President, and there not being a quorum of members present, by order of the President the roll was called, and the following members answered to their names, viz:

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Biddle, Bowman, Brodhead, Campbell, Carter, Corbett, Craig, Curtin, Dallas, Darlington, Davis, De France, Dodd, Ellis, Ewing, Guthrie, Hanna, Hay, Horton, Kaine, Knight, Landis, Lawrence, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Mott, Newlin, Parsons, Porter, Purviance, Sam'l A., Russell, Sharpe, Smith, W. H., Stewart, Struthers, Turrell, Walker, Wetherill, Jno. Price, Wherry, White, David N., White, Harry, White J. W. F., Worrell and Meredith, *President*—57.

ABSENT—Messrs. Addicks, Ainey, Bannan, Bardsley, Beebe, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Buckalew, Carey, Cassidy, Church, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Cuyler, Dunning, Edwards, Elliott, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hazard, Hemphill, Heverin, Howard, Hunsicker, Lamberton, Lear, Lilly, Littleton, Long, M'Allister, M'Camant, M'Murray, MacVeagh, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Reed, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Simpson, Smith, H. G., Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., Woodward and Wright.

A motion was made by Mr. Bartholomew,

That the Convention do now adjourn for want of a quorum.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Dallas, and were as follow, viz:

YEAS.

Messrs. Bartholomew, Carter, Curtin, Ellis, Ewing, Hanna, Kaine, Landis, Parsons, Porter, Struthers and Worrell—12.

NAYS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Beebe, Biddle, Bowman, Boyd, Brodhead, Campbell, Corbett, Craig, Dallas, Darlington, Davis, De France, Dodd, Guthrie, Hay, Horton, Knight, Lawrence, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Minor, Mott, Newlin, Purviance, Samuel A., Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Walker, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—52.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Bannan, Bardsley, Black, Chas. A., Black, J. S., Broomall, Brown, Buckalew, Carey, Cassidy, Church, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Cuyler, Dunning, Edwards, Elliott, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hazard, Hemphill, Heverin, Hunsicker, Lamberton, Lear, Lilly, Littleton, Long, M'Allister, M'Camant, M'Murray, MacVeagh, Metzger, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Reed, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Runk, Simpson, Smith, Henry W., Van Reed, Wetherill, J. M., Wetherill, John Price, Woodward and Wright.

A motion was made by Mr. Struthers,
That the Sergeant-at-Arms be directed to bring in the absentees.

Which was agreed to.

After some time a quorum of members appeared,

When the President laid before the Convention a memorial from members of the Frankford social temple of True Templars, No. 12, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

The President also laid before the Convention a memorial from the Philadelphia annual conference of the Methodist Episcopal church, which was read as follows, viz :

At a session of the Philadelphia annual conference of the Methodist Episcopal church, held at Columbia, Pennsylvania, March 5, 1873, the following resolution was unanimously adopted :

Resolved, That as members and ministers of the Philadelphia annual conference of the Methodist Episcopal church, in conference assembled, and as citizens of the State of Pennsylvania, we do earnestly petition the Constitutional Convention of Pennsylvania, to put into the amended Constitution a clause prohibiting the manufacture and sale of intoxicating liquors to be used as beverages.

ROBT H. PATTISON,
Secretary of Philadelphia Conference.

Mr. Dodd presented the petition of citizens of Venango county, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which memorials and petition were laid on the table.

Mr. Armstrong presented the petition of citizens of Lycoming county, praying for a constitutional provision requiring railroad companies to fence their roads.

Which was referred to the Committee on Railroads and Canals.

Mr. Lawrence presented three petitions from citizens of Washington county, praying that the Constitution be so amended that there be a full recognition of God as the ultimate law of authority in civil government, and the Lord Jesus Christ as the ruler of the nation, and the Bible as the supreme rule of conduct.

Which was laid on the table.

Mr. Alricks offered the following resolution, which was read, viz :

Resolved, That the XIIIth rule for the regulation of the proceedings of the Convention, requiring a member to be at his desk, when he makes a motion or address, be rescinded.

Laid on the table.

Mr. Kaine offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Printing is hereby directed to have the proceedings of the Convention, on the death of Hon. William Hopkins, heretofore ordered to be printed, printed in this city in pica type, double leaded, with black rules around each page, carefully printed on superfine tinted paper, and bound in fine cloth, octavo form, with a portrait and autograph of the deceased.

Mr. Darlington asked and obtained leave of absence for Mr. Henry W. Smith for a few days from to-day.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-day.

Mr. Parsons asked and obtained leave of absence for Mr. Elliott for a few days from to-day.

Mr. Newlin asked and obtained leave of absence for Mr. Sharp for Monday and Tuesday.

The first business in order being the second reading and consideration of article reported from the Committee on the Executive Department:

On the question,

Will the Convention proceed to the second reading and consideration of said article.

It was determined in the negative.

The next business in order being the second reading and consideration of article reported from the Committee on Education.

On the question,

Will the Convention proceed to the second reading and consideration of said article.

It was determined in the negative.

The next business in order being the consideration in committee of the whole of article reported from the Committee on Cities and City Charters.

On the question,

Will the Convention go into committee of the whole on said article ?

It was determined in the negative.

Agreeably to order,

The Convention again resolved itself in the committee of the whole, Mr. Armstrong in the Chair, on the article reported from the Committee on Legislation.

After some time the President resumed the Chair, and the chairman reported that the committee had risen for want of a quorum.

A motion was made by Mr. S. A. Purviance,

That the Sergeant-at-Arms be directed to bring in the absentees.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Harry White,

That the Convention no now adjourn for want of a quorum.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Boyd and Mr. Darlington, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baer, Bailey, of Huntingdon, Bartholomew, Beebe, Black, J. S., Bowman, Brodhead, Carter, Corbett, Craig, Dallas, Davis, Ellis, Ewing, Guthrie, Hanna, Landis, MacConnell, M'Camant, Mott, Newlin, Porter, Read, John R., Simpson, Stanton, Struthers, Walker, Wherry, White, Harry, Woodward and Worrell—32.

N A Y S .

Messrs. Alricks, Armstrong, Baily, of Perry, Biddle, Boyd, Church, Curtin, Cuyler, Darlington, De France, Dodd, Hay, Horton, Howard, Kaime, Lawrence, M'Clean, M'Culloch, Mann, Mantor, Minor, Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Russell, Smith, H. G., Smith, Wm. H., White, J. W. F. and Meredith, *President*—29.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Black, Charles A., Broomall, Brown, Buckalew, Campbell, Carey, Cassidy, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Dunning,

Edwards, Elliott, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lamberton, Lear, Lilly, Little, Long, M'Allister, M'Murray, MacVeagh, Metzger, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Reynolds, S. H., Rooke, Ross, Runk, Sharpe, Smith, Henry W., Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N. and Wright.

Whereupon,

The President adjourned the Convention until Monday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MARCH 17, 1873.

Mr. De France offered the following resolution, which was read as follows, viz:

Resolved, That this Convention will hereafter hold two daily sessions as follows: From ten o'clock A. M., to one o'clock P. M., and from three o'clock P. M., to six o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Darlington asked and obtained leave of absence for Mr. Boyd for a few days from to-day.

Mr. S. A. Purviance asked and obtained leave of absence for Mr. Turrell for a few days from to day.

A motion was made by Mr. Stanton,

That the Convention again resolve itself into the committee of the whole, on article reported from the Committee on Legislation.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Armstrong in the Chair, on article reported from the Committee on Legislation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. M'Clean,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MARCH 18, 1873.

The President laid before the Convention a communication from the manager of the Industrial Home for the Blind, which was read as follows, viz:

PHILADELPHIA, *March 18, 1873.*

The gentlemen of the Convention are respectfully invited to attend a musical entertainment, to be given this evening at the Industrial Home for the Blind, at 3921 Locust street, bringing with them such friends as may be agreeable to them.

MRS. H. M. WILSON,
Manager.

On motion of Mr. Simpson,

The invitation was accepted, with the thanks of the Convention.

Mr. H. W. Palmer presented petitions of citizens of Scranton and Plains township, Luzerne county, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Fulton presented two petitions of citizens of Westmoreland county, praying for an amendment to the Constitution prohibiting the sale of intoxicating beverages.

Which petitions were laid on the table.

Mr. MacVeagh offered the following resolution, which was twice read, viz:

Resolved, That all the standing committees of this Convention, except the Committees on Schedule and Revision, and **Adjustment**, be requested to present their reports in time, that the same may be printed before the adjournment of this Convention, on the 28th instant.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Bowman,

To amend the same, by inserting after the word "Adjustment," the following words, viz: "And Committee on Constitutional Sanction."

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

The resolution was then agreed to.

Mr. John M. Wetherill offered the following resolution which was twice read, viz:

Resolved, That the Committee on Printing be directed to have printed a sufficient number of the reports of committees, that each officer and member of the Convention may be furnished with three copies.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

A motion was made by Mr. Stanton,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Legislation.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Armstrong in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Dunning,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MARCH 19, 1873.

Mr. Broomall presented the petition of citizens of Harrisburg, praying that the Constitution be so amended as to grant to women the right of suffrage.

Which was referred to the Committee on Suffrage, Election and Representation.

Mr. Mantor presented the petition of three hundred citizens of Somerhill township, Crawford county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquor.

Laid on the table.

Mr. Corson offered the following resolution, which was referred to the Committee on Judiciary, viz :

Resolved, That the Judiciary Committee be requested to inquire into the propriety of reporting a section providing that every county containing a population of over sixty thousand, shall be a separate judicial, senatorial and representative district.

Mr. Corbett asked and obtained leave of absence for Mr. Andrews for a few days from to-day.

Mr. Church asked and obtained leave of absence for Mr. Finney for a few days from to-day.

Mr. McClean asked and obtained leave of absence for himself for a few days from to-day.

Mr. Biddle, from the Committee on Impeachment and Removal from Office, reported the following article, viz :

ARTICLE —.

OF IMPEACHMENT AND REMOVAL FROM OFFICE.

SECTION 1. The House of Representatives shall have the sole power of impeaching.

SECTION 2. All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the members present.

SECTION 3. 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 honor, 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.

SECTION 4. All officers shall hold their offices only on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office, or of any infamous crime. Appointed officers may be removed at the pleasure of the power by which they are appointed. Elected officers, other than Governor, Lieutenant Governor, members of the General Assembly, and judges of courts of record, shall be removed by the Governor, for reasonable cause, on the address of two-thirds of the Senate.

Said article was read the first time and laid on the table.

A motion was made by Mr. Mann,

That the Convention again resolve itself into the committee of the whole, on article reported from the Committee on Legislation.

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Armstrong in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MARCH 20, 1873.

The President laid before the Convention a communication from Mrs. Elizabeth Cady Stanton, which was read as follows, viz:

On behalf of the Citizens Suffrage Association, to the Members of the Constitutional Convention of Pennsylvania:

HONORABLE SIRS:—I have watched your action and read your debates on the question of woman's suffrage with deep interest, and find in the exhaustive arguments of the friends of the measure but one point of importance left without consideration, and that is the fundamental right of all "the people" of a State to a voice in the revision of their Constitution.

In the course of the debate, Mr. Mann, in speaking to the proposition in the minority report "to submit the question of woman's suffrage to a vote of the people of the State," made the following remarks:

"I propose simply to look at facts as they are. We are to submit our work for ratification to the qualified voters of the State according to the recognized and established law of the State. Upon this subject, therefore, our hands are tied. We have no power to depart from that plain duty. However forcible the argument may be on the other side, we cannot pursue any course but this. It would be sheer nonsense to think of submitting with this Constitution to the people a proposition that is certain to be rejected. Therefore, common sense should teach us that we should conform to the inflexible requirements of our position."

It is evident that Mr. Mann has not considered the radical work a Constitutional Convention is authorized to do. It is broader and deeper than "recognized established law."

It is a revision of the fundamental principles of government. Some of our soundest lawyers and legislators have expressed the opinion "that in the revision of a State Constitution the State is, for the time being, resolved into its original elements, and all the people have a right to vote on the fundamental laws by which they are governed." [See letter of Judge Beach Lawrence to Charles Sumner, and the action of New York and Rhode Island Legislatures.]

Before the Constitutional Conventions of 1801 and 1821, at which time, in the State of New York, all men white or black voted on a property qualification; the Legislature decreed that this qualification should be set aside, and that all men should have the right to vote for members to the Constitutional Convention, as well as the right to sit therein as members themselves.

A right was thus accorded to all those then considered "the people," to a voice in the fundamental laws by which Governors, Senators and Legislators were created, though not permitted to vote in the general elections.

When Rhode Island framed her first Constitution in 1842, though foreigners then voted and still do in that State, on a property qualification, it was set aside by legislative decree, and all men voted for members to that Convention.

Thus it has been conceded by the example of States and the opinions of jurists, that "the people" should have a voice in the framing of a new Constitution, which is a revision of the fundamental principles of government.

Your committee, who submitted the minority report on suffrage were, no doubt, moved by this consideration in asking that the proposition to extend the right of suffrage to women should be submitted to "the people" of the State, both men and women.

If in New York in 1801, civilization had so far advanced as to include negroes and poor whites in "the people," it might be supposed that in Pennsylvania in 1873, after near a century of education, "the people" might include women also.

Honorable gentlemen, you are to-day framing a Constitution under which the women of Pennsylvania must live for years, yet they have no representation in your body; no choice in your members; no voice in your proceedings, and yet they are a part of your constituency, and will be taxed for the expense of your prolonged deliberations.

While other States are discussing the wisdom of taking the word "male" out of their Constitutions, can it be possible that Pennsylvania will substitute "male" for the nobler word "freemen," which includes both sexes. Can it be that the Keystone State, that sent forth the Declaration of Independence, "all men are

created equal," that first rang the old liberty bell, whose echoes went round the world, the State that proposes now to celebrate the nation's centennial birthday in her metropolis. Can it be that her sons will deny their mothers, wives and sisters a voice in the laws under which they live?

No just government can be formed without the consent of the governed. Justice and consistency with our republican theory should prompt you, honorable gentlemen, to re-consider the proposition to submit the decision of this question to a vote of the people of the State.

If, as Mr. Mann says, the proposition would be rejected, then the men of Pennsylvania would have the proud satisfaction of knowing that they were indeed the chosen rulers of the whole people.

And the women would have an opportunity of recording their verdict in favor of a male dynasty—an aristocracy of sex, that makes all men sovereigns—all women slaves.

The submission of this proposition inviting, as it would, conventions in every part of the State; meetings in every school district, and a general distribution of tracts and documents; would be a grand educational work for the people in the first principles of government, for the discussion of the rights of any one class of citizens, secures a better understanding of the liberties of all.

Yours very respectfully,

ELIZABETH CADY STANTON.

Laid on the table.

Mr. Newlin presented the petition of citizens of the State of Pennsylvania, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Which was laid on the table.

Mr. Curry asked and obtained leave of absence for Mr. Baer for a few days from to-morrow.

Mr. Corson offered the following resolution, which was referred to the Committee on the Judiciary, viz:

Resolved, That practice in the courts of this Commonwealth shall be uniform throughout the State, and no special modes of trial shall be established in any one section.

Mr. Lilly offered the following resolution, which was read, viz:

Resolved, That the rules be altered, that the Convention may dispense with the reading of any memorial or petition by a majority vote.

Laid on the table.

Mr. John Price Wetherill presented the following resolution from the Board of Trade of Philadelphia, which was referred to the Committee on Agriculture, Mining, Manufacture and Commerce, viz:

WHEREAS, The propriety of establishing the principle of free trade in money, has at all times been maintained and advocated by this board, and is a necessity which becomes more apparent from each day's experience:

And whereas, The use of two currencies in trade, one of which is constantly changing in value, renders any price fixed by law obsolete and inoperative; therefore,

Resolved, That the Convention, now in session, be respectfully requested to incorporate such a provision in the revised Constitution of the State, as will for the future remove all restrictions and penalties, and allow individuals in any capacity as parties to a contract, the right to pay and to receive such rates for the use of money as they may agree upon.

Mr. Newlin, from the Committee on Printing and Binding, made a report, which was read as follows, viz:

To the Constitutional Convention:

The Committee on Printing submit the following:

Resolved, That it is inexpedient to print the Debates at the expense of the Convention in the daily papers.

On motion of Mr. Newlin,
Said resolution was twice read, considered and agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz :

The Committee on Accounts and Expenditures of the Convention respectfully reports :

That it has examined the account of the Chief Clerk for expenditures made by him under the authority of the Convention, up to the 21st day of February last, showing the payment of the sum of \$1,911 00
And a balance in his hands on that date of 89 00

And that the same is correct according to the vouchers exhibited and statements made to the committee. An abstract of the account is herewith submitted, marked "A."

Also, the account of William W. Harding for 241 reams of paper, amounting to \$1,807 50, furnished to the printer under his contract ; and the account of Val. Hummel, amounting to \$16 25 for brooms and other articles furnished for the use of the Convention at Harrisburg, which is certified by the Chief Clerk.

These accounts are for the proper expenses of the Convention, and should, therefore be paid. The following resolution is accordingly reported :

Resolved, That the accounts of William W. Harding and Val. Hummel, mentioned in the foregoing report of the Committee on Accounts, are hereby approved ; and that a warrant be drawn in favor of William W. Harding for the amount of his account, and that the Chief Clerk pay the account of Val. Hummel.

[A.]

Abstract of Expenditures made by D. L. Imbrie, Chief Clerk, up to the 21st day of February, 1873.

To Jno. Patterson, Watchman, for services from January 8th until February 21, both days inclusive	\$157 50
To Joseph Ebersole, Janitor, for services from November 12, 1872, until February 21, both days inclusive	141 00
To Jas. Craig, Janitor, for services from 7th January until February 21, both days inclusive	117 00
To C. C. Mullen, Janitor, ten days at Harrisburg	30 00
To John Switzer, Fireman, for services from 12th November, 1872, until February 21, 1873, both days inclusive	164 50
To James Chambers, Assistant Fireman, for services from 7th January until February 21, both days inclusive	117 00
To D. Skerrett, Page, for services from January 7th to February 21, both days inclusive	58 50
To T. M'Gilloway, Page, for services from January 7th to February 21, both days inclusive	58 50
To Percy Myers, Page, for services from January 7th to February 21, both days inclusive	58 50
To J. B. Allen, Page, for services from January 7th to February 21, both days inclusive	58 50
To Charles Moore, Page, for services from January 7th to February 21, both days inclusive	58 50
To Frank Berlin, Page, for services from January 7th to February 21, both days inclusive	58 50
To W. A. Cassidy, Page, for services from January 7th to February 21, both days inclusive	58 50
To F. M'Reynolds, Page, for services from January 7th to February 21, both days inclusive	58 50
To T. Simpson, Page, for services from January 7th to February 21, both days inclusive	58 50
To Powell DeFrance, Page, in charge of cloak room, for services from January 7th to February 21, both days inclusive	76 50
To Josephine Thompson, for cleaning Hall from January 7th until February 21, both days inclusive	507 00
To John Smith, for cleaning yard	25 00
For postage and express charges, check book and advertising	49 00
	1,911 00

On motion of Mr. Hay,

The resolution accompanying the report was twice read, considered and agreed to.

Mr. Lawrence, from the Committee on Counties, Townships and Boroughs, reported the following article, viz:

SECTION 1. (The Legislature shall have power to erect new counties.) No new county shall have an area of less than three hundred square miles, nor a population of less than eighteen thousand, and no county shall be reduced to a less area than four hundred square miles. No new county shall be erected until the same shall be approved by three-fifths of the votes cast by the electors embraced within each of the sections of the counties taken to form the new county.

SECTION 2. That section of a new county taken from another county shall pay its equitable proportion of the existing indebtedness of the county from which it is taken, and if in the formation of a new county, any township be divided, the indebtedness of such township shall be equitably apportioned upon the respective divisions thereof.

SECTION 3. The Legislature shall, by general law, prescribe the powers of boroughs and townships, and confer upon the courts the authority to erect boroughs and townships, to change their boundaries, and divide boroughs into wards.

Said article was read the first time and laid on the table.

Mr. S. A. Purviance from the Committee on County, Township and Borough Officers, reported the following article, viz:

ARTICLE —.

SECTION 1. County officers shall consist of sheriffs, coroners, prothonotaries, registers of wills, recorders of deeds, county commissioners, county treasurers, county surveyors, clerks of the courts, district attorneys, and such others as may from time to time be established by law: *Provided*, That with the exception of the offices of sheriff and coroner, any two or more county offices may be filled by one person if so directed by law.

SECTION 2. County officers shall be elected at the general elections, and shall hold their offices for such terms as may be prescribed by law; all vacancies shall be filled in such manner as the Legislature may direct.

SECTION 3. All county, township and borough officers who receive compensation for their services, shall be paid by salary to be prescribed by law; and all fees attached to any county, township or borough office, shall be received by the proper officer for and on account of the State, county, township or borough, as may be directed by law: *Provided however*, That the annual salary of any such officer shall not exceed the aggregate yearly amount of fees collected by him.

SECTION 4. The salary of no county, township or borough officer shall be increased after his election, or during the term for which he was elected.

SECTION 5. The Legislature shall provide by law for the strict accountability of all county, township and borough officers, as well for the fees which may be collected by them, as for all public or municipal moneys which may be paid to them.

SECTION 6. Any person shall be eligible for election to any office of any county, township or borough, respectively, of which he is a qualified elector.

Said article was read the first time and laid on the table.

A motion was made by Mr. Mann,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Legislation.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Armstrong in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and Tuesday were named.

On the question,

Shall the committee of the whole have leave to sit on Tuesday ?

It was determined in the negative.

To-morrow was then agreed to.

A motion was made by Mr. Darlington,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MARCH 21, 1873.

The President laid before the Convention the following communication, which was read, viz :

PHILADELPHIA, *March 20, 1873.*

To the Hon. WM. M. MEREDITH,

President of the Convention :

DEAR SIR:—The undersigned, a committee representing petitioners for an acknowledgment of Almighty God, and the christian religion, in the Constitution of the Commonwealth of Pennsylvania, respectfully request the use of the hall of the Convention, on Monday evening, the 24th inst., for an argument in behalf of the proposed acknowledgment, before the members of the Convention and the public.

JOHN ALEXANDER,
ROBT. B. STERLING,
W. W. BARR,
T. P. STEVENSON.

A motion was made by Mr. D. N. White,

That the use of the hall be granted in accordance with the request.

Which was agreed to.

Messrs. Armstrong, Clark and MacConnell presented petitions from citizens of Pennsylvania, praying that there may be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which were referred to the Committee on Declaration of Rights.

Messrs. Clark and M'Murray presented petitions from citizens of Indiana and Jefferson counties, praying for the separate submission to the people of the Commonwealth of an article prohibiting the manufacture and sale of intoxicating liquors.

Which were laid on the table.

Mr. Alricks offered the following resolution, viz :

Resolved, That the Committee on the Judiciary inquire into the expediency of providing for the appointment of a competent person, whose duty it shall be to examine all bills that have passed third reading, and if the language of the act is not plain, and so clear that the will of the law-maker can be readily understood, or if technical words are so used as to create ambiguity, and lead to future litigation, in either event requiring said revisor to report the objections to the phraseology of the bill to the House in which it originated for correction, before the bill is presented to the Governor for his signature.

Which was referred to the Committee on the Judiciary.

Mr. Lilly offered the following resolution, viz :

Resolved, That when this Convention to-day resolve itself into committee of the whole upon the report of the Committee on Legislation, a vote shall be taken upon the pending section within two hours from the time the committee resume its sitting.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution ?

It was determined in the negative.

Mr. Niles offered the following resolution, viz :

Resolved, That from and after Monday next the Convention will hold two sessions daily ; the first to begin at ten A. M. and end at one P. M.; the second to begin at three P. M. and end at six P. M.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution ?

It was determined in the negative.

Mr. T. H. B. Patterson offered the following resolution, viz :

Resolved, That the committee of the whole on article on legislation be instructed to proceed to final vote on license section, now under consideration, within one hour after the Convention goes into committee of the whole to-day.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution ?

It was determined in the negative.

Mr. S. A. Purviance offered the following resolution, viz :

Resolved, That the chairman of the committee of the whole be authorized and required to call any member to order who, in the judgment of the chair, may not be speaking to the point or question before the committee.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution ?

It was determined in the negative.

A motion was made by Mr. D. N. White,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Legislation.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Armstrong in the Chair, on said article.

After some time the President resumed the chair, and the chairman reported the article amended as follows, viz :

SECTION 1. By striking out section.

SECTION 5. By striking out these words : "which shall be preceded by a preamble, briefly reciting the reason of the Legislature for its passage."

SECTION 11. By making 10th and 11th lines read as follows, viz : "Relating to ferries or bridges, or incorporating ferry and bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State.

Also, by adding to the end of the 28th line the following words, viz : "Or providing or changing methods for the collection of debts, or the enforcing of judgments, or providing the effect of judicial sales of real estate."

Also, by inserting after the word "regulating," in the 29th line, the words, "the fees."

Also, by striking out the word "common," in the 31st line, and inserting in lieu thereof the word "public;" and by inserting after the word "building," in the same line, the words, "or repairing."

Also, by striking out the word "that," in the 32d line, and inserting the word "such," and making the word "purpose" read "purposes."

Also, by adding after the word "disability," in the 34th line, these words, viz : "Except after due notice to all parties in interest to be recited in the special enactment."

Also, by inserting after the 37th line as follows, viz : "Regulating labor, trade, mining or manufacturing."

Also, by inserting after the 43d line as follows, viz : "Nor shall the Legislature indirectly create such special or local law by the partial repeal of any general law."

Also, by adding to the end of the section the following proviso, viz : "Provided however, That bills may be passed repealing local or special acts."

SECTION 12. By striking out the word "giving," in the 5th line, and all of the 6th line.

SECTION 13. By striking out section, and inserting in lieu thereof as follows, viz : "The presiding officer of each House shall, in the presence of the House over which he presides, sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read immediately before signing, and the fact of signing to be entered on the Journal."

SECTION 14. By striking out the word "character," in the 2d line.

Also, by inserting after the word "person," in the 4th line, the words, "except to an," and by striking out in the same line the words, "as such," and by striking out in the 4th and 5th line the words, "except they shall have been."

SECTION 16. By striking out in the first line the words, "be passed, which shall operate to," and in the second line by striking out the word "to," and making the word "nor" read "or."

SECTION 18. By striking out the word "common," in the fourth line, and inserting in lieu thereof the word "public."

SECTION 19. By striking out section.

SECTION 20. By inserting after the word "Commonwealth," in the 2d line, the following, viz : "Other than normal schools established by law for the professional training of teachers for the public schools of the State," and by striking out the word "three-fourths," in the third line, and inserting in lieu thereof the word "two-thirds."

SECTION 21. By striking out section, and inserting new section as follows, viz : "No appropriation (except for pensions and gratuities for military services) shall be made for charitable, educational or benevolent purposes to any person or community, nor to any denominational or sectarian institution, corporation or association."

SECTION 23. By inserting after the word "obtain," in the fourth line, the words, "or appropriate."

SECTION 24. By inserting after the word "any," in the first line, the word "special," and by striking out the word "of," in the same line, and by striking out the words, "private persons," in the second line, and by striking out the word "public," and inserting in lieu thereof the word "municipal," in the third line,

and by inserting after the word "improvement," in the same line, the following words, viz: "Money, property or effects, whether held in trust or otherwise."

SECTION 25. By striking out section.

SECTION 26. By striking out the word "Assembly," in the first line, and inserting in lieu thereof the words, "the Legislature," and by inserting after the word "injuries," in the second line, the words, "resulting in death or for injuries," and by adding to the end thereof as follows, viz: "Nor shall any act prescribe any limitation of time within which suits may be brought against corporations for injuries to person or property, or for other causes different from that fixed by the general laws prescribing the time for the limitation of actions, and existing laws so prescribing are annulled and avoided."

By inserting new section, as follows, viz: "No act of the Legislature shall authorize the investment of trust funds by executors, administrators, guardians, or other trustees, in the bonds or stock of any private corporation; and existing laws so authorizing are annulled and avoided, saving such investments heretofore made in good faith."

SECTION 29. By inserting after the word "be," in the second line, the word "exchanged."

Sections thirty-one, thirty-two and thirty-three stricken out, by inserting a new section as follows, viz: "When the Legislature shall be convened in special session, there shall be no legislation upon subjects other than those particularly mentioned in the proclamation of the Governor as reasons for holding such session."

Section thirty-five stricken out.

Section thirty-six stricken out, and a new section inserted, as follows, viz:

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

Section thirty-eight stricken out, and a new section inserted as follows, viz:

"Any person who may have offered or promised a bribe, or solicited or received one, may be compelled to testify in any judicial proceeding against any person who may have committed the offence of bribery as defined in the foregoing sections, and the testimony of such witness shall not be used against him in any judicial proceeding; and any person convicted of the offence of bribery, as hereinbefore defined, shall, as part of the punishment therefor, be disqualified from holding office or position of honor, trust or profit in this Commonwealth."

Section thirty-nine stricken out, and a new section inserted as follows, viz:

"The Legislature shall have no power to pass retrospective laws, but may, by general laws, authorize courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties and officers, by curing omissions, defects and errors in instruments and proceedings arising out of their want of conformity with the laws of this State."

By adding a new section as follows, viz:

"The sale of intoxicating liquors, or mixtures thereof containing the same for use as a beverage, shall hereafter be prohibited. The Legislature shall, within one year from the adoption of the Constitution, enact laws with adequate penalties for the enforcement of this provision."

By adding a new section as follows, viz:

"The Legislature shall, by law, empower the Secretary of Internal Affairs to prepare a system of weights and measures and gauges, for solid or liquid merchandise; and also the requisite implements, tests and instructions, and complements

of these shall be furnished to each county and municipality which may, each for itself, appoint officers for the inspection of merchandise, manufactures or live stock; but no State office shall be continued or created for such purposes."

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Cities and City Charters.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Darlington in the Chair on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow and Monday next were named.

On the question,

Shall the committee of the whole have leave to sit on Monday next?

It was determined in the negative.

To-morrow was then agreed upon.

On leave given at this time,

Mr. Brodhead offered the following resolution, viz:

Resolved, That when this Convention adjourn to-day, it shall be to meet on Monday, at 10 o'clock A. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. Hazzard, and were as follow, viz:

YEAS.

Messrs. Armstrong, Biddle, Black, Charles A., Brodhead, Broomall, Buckalew, Church, Cochran, Corson, Fell, Gowen, Hanna, Kaine, Lilly, Runk, Sharpe, Smith, Henry W., Stanton, Temple, White, J. W. F., and Woodward—21.

NAYS.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Baker, Bowman, Boyd, Brown, Craig, Dallas, Darlington, Dodd, Edwards, Ellis, Ewing, Guthrie, Hay, Hazzard, Horton, Lamberton, Lawrence, MacConnell, M'Culloch, M'Murray, MacVeagh, Mann, Mantor, Metzger, Minor, Mott, Newlin, Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Russell, Simpson, Smith, Wm. H., Struthers, Walker, White, David N., and Meredith, *President*—41.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Campbell, Carey, Carter, Cassidy, Clark, Collins, Corbett, Cronmiller, Curry, Curtin, Cuyler, Davis, De France, Dunning, Elliott, Finney, Fulton, Funck,

Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Howard, Hunsicker, Knight, Landis, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purman, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Smith, H. G., Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, Harry, Worrell and Wright.

On leave given at this time,

Mr. Temple asked and obtained leave of absence for himself for to-morrow.

A motion was made by Mr. MacVeagh,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

SATURDAY, MARCH 22, 1873.

The President laid before the Convention the petition of citizens of Pennsylvania, praying for the insertion of a clause in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which was laid on the table.

Mr. Clark presented four petitions of citizens of Indiana, Armstrong and Fayette counties, and in the city of Philadelphia, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Mr. MacConnell presented three petitions of citizens of Carbon, Mercer and Luzerne counties, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which petitions was referred to the Committee on Declaration of Rights.

Mr. John N. Purviance presented five petitions of citizens of Harrisonville and other parts of Butler county, praying for a clause in the Constitution prohibiting the manufacture and sale of intoxicating beverages.

Which petitions were laid on the table.

Mr. Armstrong offered the following resolution, viz :

Resolved, That the Convention will not proceed to the consideration on second reading of any article of the Constitution until all the articles reported from standing committees have been considered in committee of the whole.

Laid on the table.

Mr. Addicks, from the Committee on House, made a report, which was read as follows, viz :

That the annexed bills for cost of maintaining the property of the Convention, for the purchase of additional furniture for the use of the Convention and its

officers, for the purchase of fuel, for draping the Hall, &c., have been presented for payment. They, therefore, submit the following resolution, viz:

Resolved, That the bills presented to the House Committee for certain expenses incurred for the use of the Convention, be referred to the Committee on Accounts for examination and payment.

On motion of Mr. Addicks,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. Walker,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Cities and City Charters.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Darlington in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

Monday was named and agreed upon.

On leave given,

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention, to which was referred a resolution concerning the payment of the Printer of the Convention, "with instructions to report a resolution for the payment of such amount as shall be found due the Printer on his contract with the Convention," respectfully reports:

That it is not possible for the committee to report what exact amount is now due the Printer on his contract with the Convention, not having yet been able to procure such specific estimates, statements and information as it would be necessary to have, in order to make such report; but believing it to be right and proper that the Printer should be, at least, partially paid as the work progresses, and that up to the present time the value of the work done by him, under his contract with the Convention, and under its authority, and the value of the books furnished by him for its use, does not exceed the sum mentioned in the resolution appended to this report, the committee reports the following resolution:

Resolved, That a warrant be drawn in favor of Benjamin Slingerly, Printer for the Convention, for the sum of five thousand dollars, on account of printing done and books furnished for the Convention, to be accounted for in the settlement of his accounts.

On motion of Mr. Hay,

The resolution accompanying the report was twice read, considered and agreed to.

On leave given,

Mr. Lawrence asked and obtained leave of absence for Mr. Landis for a few days from to-day.

A motion was made by Mr. Simpson,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MARCH 24, 1873.

The President laid before the Convention the petition of 103 citizens of Snyder county, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Mr. Russell and Mr. MacConnell presented petitions of 150 citizens of Somerset and Huntingdon counties, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which petitions were referred to the Committee on Declaration of Rights.

Mr. Wright offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That when the Convention adjourn to-day, it be to meet on Wednesday next, at 10 o'clock A. M., in order to avail ourselves of the invitation of Mr. Knight, President of the American steamship company, to the launch of the steamship Indiana.

Mr. Patton offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Revenue, Taxation and Finance be instructed to inquire into the expediency of incorporating the following article in the amended Constitution, viz:

All taxes of this Commonwealth for revenue or public purposes shall only be assessed upon the net valuation of property, after deducting the indebtedness of its owner from its just valuation; a statement of such indebtedness shall be given to the assessor, under oath or affirmation, unless the person assessed shall waive his or her right to such deduction; and all moneys at interest, notes, bonds, judgments and other evidences of indebtedness shall be taxed to the owner thereof as personal property.

Mr. Lilly offered the following resolution, which was twice read, viz:

Resolved, That the official reporter of this Convention shall, in no case, withhold copy of Debates from the printer for revision, for more than two days after the debate is had.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Newlin,

To amend the same, by striking out "two" and inserting in lieu thereof "one," and also, by adding to the end of the resolution the following words, viz: "And unless returned within one day shall be omitted from the Debates."

On the question,
Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the affirmative.

A motion was made by Mr. Newlin,

That the Convention again resolve itself into committee of the whole, on article reported from the Committee on Cities and City Charters.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Darlington in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the negative.

A motion was made by Mr. Newlin,

That the report from the Committee on Cities and City Charters be re-committed to said committee.

Which was not agreed to.

Mr. Addicks, from the Committee on House, to whom was referred the following resolution, viz :

Resolved, That the House Committee be requested to make arrangements to ventilate the hall by other means than opening the front windows,"

Made a report which was read as follows, viz :

That they have conferred with Mr. John A. M'Arthur, architect, who advises the ventilation of the hall through the floor and ceiling, and estimates the cost of the same not to exceed five hundred dollars. The committee are not willing to have the work done without further instructions from the Convention.

Laid on the table.

A motion was made by Mr. Armstrong,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Wednesday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MARCH 26, 1873.

Mr. Lewis Z. Mitchell, who was appointed to fill the vacancy occasioned by the death of Mr. Hopkins, appeared and was duly qualified.

The President laid before the Convention a communication from Mr. Wm. P. Prickett, praying that there be a clause inserted in the Constitution authorizing the appointment of an inspector of intoxicating liquors.

Laid on the table.

Also, the petition of citizens of Luzerne county, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Messrs. Minor and J. Price Wetherill presented petitions of citizens of Crawford county and Philadelphia, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which petitions were referred to the Committee on Declaration of Rights.

Mr. Craig presented the petition of citizens of Lawrence county, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Messrs. MacConnell, Purman, Darlington and Turrell presented petitions from citizens of Chester, Greene and Susquehanna and other counties, praying that the Constitution be so amended as to prohibit the sale of intoxicating beverages.

Which petitions were laid on the table.

Mr. Woodward asked and obtained leave of absence for Mr. Gowen for a few days from to-day, on account of sickness.

Mr. Dunning asked and obtained leave of absence for Mr. Pughe for a few days from to-day, on account of sickness.

Mr. Clark offered the following resolution, viz :

Resolved. That when this Convention adjourns on the 28th inst., the time for the re-assembling of the Convention shall be extended to Wednesday, the 16th day of April next, at 12 o'clock, M.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution?

The yeas and nays were required by Mr. Mann and Mr. Addicks, and were as follow, viz :

YEAS.

Messrs. Addicks, Alricks, Armstrong, Baker, Bardsley, Black, Charles A., Bowman, Boyd, Clark, Cronmiller, Curry, Curtin, Davis, De France, Elliott, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Hunsicker, Kaine, Lambertson, Lawrence, Littleton, Long, MacConnell, M'Murray, Minor, Mitchell, Mott, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Ross, Russell, Simpson, Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Woodward, Worrell, Wright and Meredith, *President*—61.

NAYS.

Messrs. Baily, of Perry, Beebe, Brodhead, Broomall, Carter, Cochran, Corbett, Craig, Darlington, Dodd, Edwards, Ellis, Ewing, Horton, Lilly, M'Culloch,

Mann, Mantor, Niles, Patterson, D. W., Rooke, Smith, Henry W., Smith, Wm. H., Turrell, Walker, White, David N. and White, J. W. F.—27.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Achenbach, Ainey, Andrews, Baer, Bailey, of Huntington, Bannan, Barclay, Bartholomew, Biddle, Black, J. S., Brown, Buckalew, Campbell, Carey, Cassidy, Church, Collins, Corson, Cuyler, Dallas, Dunning, Fell, Finney, Gowen, Green, Heverin, Knight, Landis, Lear, M'Allister, M'Camant, M'Clean, MacVeagh, Metzger, Palmer, G. W., Parsons, Pughe, Reynolds, James L., Reynolds, S. H., Runk, Sharpe, Smith, H. G., Stewart, Wherry and White, Harry.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Corbett,

To amend the resolution, by striking out the words, "Wednesday, the 16th day of April," and inserting in lieu thereof the words, "the first Monday in May."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Brodhead,

To amend the amendment, by striking out the words, "the first Monday in May," and inserting in lieu thereof the words, "Tuesday, the 15th day of April."

On the question,

Will the Convention agree so to amend the amendment ?

The yeas and nays were required by Mr. Corbett and Mr. Knight, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Armstrong, Baker, Black, Charles A., Boyd, Brodhead, Brown, Cassidy, Church, Clark, Cronmiller, Curtin, Dallas, Davis, De France, Dunning, Elliott, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Lamberton, Lawrence, Littleton, Long, MacConnell, M'Cullough, M'Murray, Minor, Mitchell, Mott, Niles, Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Ross, Russell, Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N., Woodward, Worrell and Meredith, *President*.—66.

N A Y S .

Messrs. Alricks, Baily, of Perry, Bardsley, Beebe, Bowman, Broomall, Campbell, Carter, Corbett, Cochran, Craig, Curry, Darlington, Dodd, Edwards, Knight, Lilly, Mann, Mantor, Newlin, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Rooke, Simpson, Smith, Henry W., Smith, Wm. H., Turrell, Walker, White, J. W. F. and Wright—31.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Andrews, Baer, Bailey, of Huntington, Bannan, Barclay, Bartholomew, Biddle, Black, J. S., Buckalew, Carey, Collins, Corson, Cuyler, Fell, Finney, Gowen, Heverin, Landis, Lear, M'Allister, M'Camant, M'Clean, MacVeagh, Metzger, Palmer, G. W., Parsons, Pughe, Reynolds, James L., Reynolds, S. H., Runk, Sharpe, Smith, H. G., Stewart, Wherry and White, Harry.

The amendment as amended was then agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Mann,

To amend the same, by adding to the end thereof as follows, viz: "And thereafter the meetings of the Convention shall be held in the city of Harrisburg."

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. D. W. Patterson and Mr. Darlington, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baker, Black, Charles A., Bowman, Boyd, Brodhead, Cassidy, Church, Clark, Cronmiller, Curry, Curtin, Dallas, Davis, De France, Dunning, Elliott, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Lamberton, Littleton, Long, MacConnell, M'Murray, Minor, Mitchell, Mott, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Ross, Simpson, Stanton, Van Reed, Wetherill, J. M., Wetherill, John Price, Woodward, Worrell and Wright—61.

NAYS.

Messrs. Baily, of Perry, Barclay, Beebe, Broomall, Brown, Campbell, Carter, Cochran, Corbett, Craig, Darlington, Dodd, Edwards, Ellis, Ewing, Hay, Horton, Howard, Knight, Lawrence, Lilly, M'Culloch, Mann, Mantor, Niles, Patterson, D. W., Rooke, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Temple, Turrell, Walker, White, David N., White, J. W. F., and Meredith, *President*—38.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Buckalew, Carey, Collins, Corson, Cuyler, Fell, Finney, Gowen, Landis, Lear, M'Allister, M'Camant, M'Clean, MacVeagh, Metzger, Palmer, G. W., Parsons, Pughe, Reynolds, James L., Reynolds, S. H., Runk, Sharpe, Stewart, Wherry and White, Harry.

Mr. Broomall offered the following resolution, which was referred to the Committee on Revenue, Taxation and Finance, viz:

Resolved, That the Committee on Finance, Revenue and Taxation inquire into the expediency of prohibiting the Legislature from imposing any tax upon inheritances, unless the same be imposed equally upon all inheritances, lineal as well as collateral.

Mr. Broomall also offered the following resolution, which was referred to the Committee on the Judiciary, viz:

Resolved, That the Committee on the Judiciary inquire into the expediency of reporting the following provision:

The Legislature shall provide by law for the election, by a vote at large throughout the State, of any number of judges not exceeding six, who shall have the requisites and powers of judges of courts of common pleas, and who shall be assigned from time to time by the Supreme Court to hold courts in the several judicial districts, in cases where the judges are interested or unable to act, or where the business of the district requires additional judicial aid.

Mr. John N. Purviance offered the following resolution, which was twice read, considered and unanimously agreed to, viz:

Resolved, That the thanks of this Convention are hereby tendered to the Hon. E. C. Knight, president of the American steamship company, for the courteous accommodation which it was his pleasure to extend to the members of this Con-

vention, yesterday, on board the steamboat "Twilight," on the occasion of the launching of the steamship Indiana; and the Convention expresses its hearty desire for the entire success of the enterprise.

Mr. Brodhead offered the following resolution, which was twice read, viz:

Resolved, That on and after Tuesday, April 15, proximo, this Convention will hold evening sessions from 7 P. M. to 9 P. M.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Mr. Struthers offered the following resolution, which was read, viz:

Resolved, That the Judiciary Committee be instructed to inquire into and report whether the printer is justified by his contract in repeating in the record of Debates the Journal of proceedings of the Convention, and whether the Convention has power to prohibit such double printing.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Boyd,

To lay the resolution on the table.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "Judiciary," and inserting after the word "Committee," the words, "on Printing."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Brodhead offered the following resolution, which was read as follows, viz:

Resolved, That the Committee on the Judiciary be instructed to report tomorrow morning, and that fifteen hundred copies of their report, and also the same number of any dissenting reports, be printed and delivered to the members of this Convention on Friday morning next.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Hay, from the Committee on Accounts and Expenditures, submitted the following resolution, viz:

Resolved, That a warrant be drawn in favor of D. F. Murphy, official reporter of the Convention, for the sum of five thousand dollars, to be accounted for by him in the settlement of his accounts.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

A warrant was accordingly so drawn.

A motion was made by Mr. Porter,
That the Convention resolve itself into committee of the whole on article reported from the Committee on Militia.

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Samuel A. Purviance in the Chair, on said article.

After some time the President resumed the Chair, and the chairman reported the article as amended, as follows, viz:

In the first and only section, by striking from the second line the words, "for its defence when and," and in the same section in the fourth line, by striking out the word "direct" and the word "State," and by adding to the section the following words, viz: "Of the Commonwealth, but the Legislature may exempt from military service those persons having conscientious scruples against bearing arms."

On leave given,

Messrs. Cuyler, Lawrence, Broomall, Russell, John N. Purviance, Harvey and Stanton presented petitions from citizens of Philadelphia, Washington, Delaware, Bedford, Butler and Lehigh counties, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which petitions were referred to the Committee on Declaration of Rights.

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Impeachment and Removal from Office.

Which was agreed to.

A motion was made by Mr. Dallas and Mr. Ewing,

That the vote first taken be re-considered.

Which was agreed to.

And the question recurring,

Will the Convention resolve itself into committee of the whole on article reported from the Committee on Impeachment and Removal from office?

A motion was made by Mr. Wright,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MARCH 27, 1873.

Messrs. MacVeagh, Lear, Cronmiller, John N. Purviance and Ross, presented petitions from citizens of Dauphin, Bucks, Union, Snyder and Butler counties, paying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Which petitions were referred to the Committee on Declaration of Rights.

Messrs. Woodward and John N. Purviance presented petitions from citizens of Philadelphia and Butler county, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which petitions were laid on the table.

Mr. Wright presented the petition of 900 citizens of Luzerne county, praying that a clause be inserted in the Constitution "that in all counties having a population exceeding 100,000, the Legislature shall have the power to make sub-divisions thereof, establishing in each sub-division all the necessary courts pertaining to counties."

Laid on the table.

Mr. J. M. Wetherill presented a communication from the Board of Trade, which was read as follows, viz:

ROOMS OF BOARD OF TRADE, }
March 19, 1873. }

WHEREAS, The propriety of establishing the principle of free trade in money has, at all times, been maintained and advocated by this board, and is a necessity which becomes more apparent from each day's experience:

And whereas, The use of two currencies in trade, one of which is constantly changing in value, renders any price fixed by law obsolete and inoperative; therefore,

Resolved, That the Convention, now in session, be respectfully requested to incorporate such a provision in the revised Constitution of the State, as will for the future remove all restrictions and penalties, and allow individuals in any capacity as parties to a contract, the right to pay and to receive such rates for the use of money as they may agree upon.

Attest:

GEORGE L. BUZBY,
Secretary.

Laid on the table.

Mr. Bowman offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Accounts be requested to report a resolution directing warrants to be drawn for such proportion of the pay of the clerks and other officers of this Convention as they may deem proper.

Mr. Brodhead offered the following resolution, viz:

Resolved, That the Committee on Accounts are hereby directed to inquire into the cost of the publication of the Debates, by parties who will contract to furnish them to this Convention on the morning of the day after such debates were had, and if a satisfactory contract can be made, they shall rescind the now existing contract with B. Singerly for the printing of the same, on the ground of the non performance of the provisions thereof by the said Singerly, and contract with other parties for such printing, first submitting the provisions thereof to this Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

27 CON. JOUR.

Mr. Armstrong offered the following resolution, which was twice read, viz :

Resolved, That the Committee on Revision and Adjustment be instructed to consider and report in what order the several articles of the proposed Constitution shall be considered on second and third reading, and what articles, if any reported from standing committees, it would be appropriate to consider together, and consolidate in the same article.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,

To amend the same, by striking out the words, "the Committee on Revision and Adjustment," and inserting in lieu thereof the words, "a committee of nine be appointed who shall."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the affirmative.

Mr. J. W. F. White offered the following resolution, viz :

Resolved, That the Committee on Revision and Adjustment be increased to fifteen.

Laid on the table.

A motion was made by Mr. Stanton,

That the rule which requires the foregoing resolution to lie upon the table one day be in this case dispensed with, and that the Convention proceed to the second reading and consideration of the same.

Which was agreed to—two-thirds having voted in the affirmative.

And the resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. John Price Wetherill,

To amend the same, by adding to the end of the resolution as follows, viz : "The ten additional members thereof to be composed of the chairmen of the standing committees, to be selected by the President."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. H. W. Palmer,

To postpone the question, together with the further consideration of the resolution, indefinitely.

Which was agreed to.

Mr. MacVeagh, from the Committee on Legislature, to whom was re-committed the report of said committee, again reported the article as follows, viz :

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

SECTION 2. An election for members of the General Assembly shall be held on the day fixed for the general election next succeeding the adoption of this Constitution, and at the general election held two years thereafter. Their term of office shall begin on the first day of December next succeeding their election ; when any vacancy occurs in either House the Governor shall issue a writ of election to fill such vacancy for the remainder of the term in which such vacancy shall have occurred.

SECTION 3. Senators shall be elected for the term of four years.

SECTION 4. Representatives shall be elected for the term of two years.

SECTION 5. The General Assembly shall meet at twelve o'clock noon, on the first Tuesday of January succeeding the adoption of this Constitution, and the same hour on the first Tuesday of January every two years thereafter, unless sooner convened by the Governor in special session.

SECTION 6. 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 for 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 shall hold said office after he shall have removed from said district.

SECTION 7. 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 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 shall hold said office after he shall have removed from said district.

SECTION 8. 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 9. No person who has been, or hereafter shall be convicted of bribery, perjury or other infamous crime, or who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

SECTION 10. Every member of the General Assembly, before he enters on his official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of this Commonwealth, and will honestly and faithfully discharge the duties of Senator (or Representative) according to the best of my ability, and I do solemnly swear (or affirm) that I have not paid or contributed anything, or made any promise, in the nature of a bribe, to corruptly influence, directly or indirectly any vote at the election at which I was chosen to fill the said office; and I do further solemnly swear (or affirm) that I have not accepted or received, and I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

SECTION 11. The foregoing oath shall be administered by one of the judges of the Supreme Court, in the Hall of the House to which the member is elected; and the Secretary of State shall read and file the oath subscribed by such member; any member who shall refuse to take such oath shall forfeit his office; and every member who shall be convicted of having sworn falsely to, or of having violated his said oath, shall forfeit his office, and be disqualified thereafter from holding any office of profit or trust in this State.

SECTION 12. The members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation or payment whatever, whether for services as a member of any committee or otherwise, but no member of either House shall, during the term for which he may have been elected, receive any increase of salary, compensation or mileage under any law passed during such period.

SECTION 13. The Lieutenant Governor shall preside over the Senate, and in case of a vacancy in the office of Lieutenant Governor, the Senate shall elect one of its members as Speaker. The House of Representatives shall elect one of its members as Speaker. Each House shall choose its other officers, and shall judge of the election and qualifications of its members.

SECTION 14. A majority of each House shall constitute a quorum, 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 prescribed.

SECTION 15. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, 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 the Legislature of a free State.

SECTION 16. The doors of each House and of committees of the whole, shall be open unless when the business is such as ought to be kept secret.

SECTION 17. 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 18. The members of the General Assembly shall, in all cases except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses, and in going to and returning from the same. And for any speech or debate in either House they shall not be questioned in any other place.

SECTION 19. The Senate shall consist of fifty members and the House of Representatives shall consist of one hundred and fifty members.

SECTION 20. The General Assembly, at its first session after the adoption of this Constitution, and every ten years thereafter, shall apportion the State for the election of Senators and Representatives, according to its population as ascertained by the last preceding national census. Senatorial and Representative districts shall, in all cases, be composed of compact and contiguous territory, and shall contain, as nearly as possible, an equal number of inhabitants: *Provided however*, That no city or county shall be entitled to more than six Senators.

SECTION 21. No city or county shall be divided in any apportionment for the purpose of annexing any part thereof to any other city or county in the formation of any Senatorial or Representative district.

Mr. John Price Wetherill, from the same committee, submitted a minority report, which was read as follows, viz:

The undersigned, a minority of members of the Committee on Legislature, are unable to concur in so much of the report of that committee as proposes the following:

Provided, That no city or county shall elect more than six Senators.

The undersigned, therefore, respectfully submit that no such discrimination should be made, but that every city or county should be entitled to a full representation according to population, and therefore recommend the above proviso should be stricken from the section of the report as reported by the majority of the committee.

JNO. P. WETHERILL,
GEO. M. DALLAS.

Mr. Armstrong, from the Committee on the Judiciary, reported the following article, viz:

ARTICLE —.

OF THE JUDICIARY.

SECTION 1. The judicial power of the Commonwealth shall be vested in a Supreme Court, in a circuit court, in courts of oyer and terminer and general jail delivery, in a court of common pleas, orphans' court and a court of quarter sessions of each county, in justices of the peace, and in such other courts not of record as the Legislature may determine, with civil jurisdiction not exceeding three hundred dollars, and with such criminal jurisdiction and powers as shall be conferred by law. No court of record, other than those herein designated, shall be established.

SECTION 2. The Supreme Court shall consist of seven judges, who shall be nominated by the Governor, and by and with the advice and consent of two-thirds of all the members of the Senate appointed and commissioned by him. They shall hold their offices for the term of twenty-one years, if they shall so long behave themselves well, but shall not be re-appointed. The judges who shall be in office when this Constitution takes effect shall continue until their commissions shall severally expire. Two additional judges of the Supreme Court shall be nominated and appointed, whose term of office shall begin on the first Monday of one thousand eight hundred and and whose priority of commission shall be severally designated by the Governor when nominated. Any vacancies happening by death, resignation or otherwise, shall be filled by appointment for a full term, as hereinbefore provided. The judge whose

commission will first expire shall be chief justice, and thereafter each judge whose commission shall first expire, shall, in turn, be chief justice.

SECTION 3. The circuit court shall consist of nine judges, eight of whom shall be elected by the qualified electors of the Commonwealth at large. They shall hold their offices for the _____ years, if they shall so long behave themselves well, (subject to the allotment hereinafter provided for subsequent to the first election.) The first election shall take place at the general election next after the adoption of this Constitution. The persons who shall then be elected judges of the circuit court shall hold their offices as follows: One of them for two years, one for four years, one for six years, one for eight years, one for ten years, one for twelve years, one for fourteen years, one for sixteen years. The term of each shall, as soon after the election as convenient, be decided by lot by said judges, and the result certified by them to the Governor, who shall issue their commissions in accordance thereto.

Should any two or more judges of the circuit court, at any subsequent election, or any two or more judges of the court of common pleas, for the same district be elected at the same time, they shall, as soon after the election as convenient, cast lots for priority of commission, and certify the result to the Governor, who shall issue their commissions in accordance thereto.

One of the judges of the Supreme Court, designated from time to time by that court, shall be a justice of the circuit court, and shall preside as chief justice of the circuit court when sitting as an appellate court in banc, for the term for which he shall be so designated; but no justice of the Supreme Court shall be designated for more than three terms in succession. When sitting in banc, five of said judges shall be a quorum, and the concurrence of three shall be necessary to any decision; but when more than five are sitting, a majority shall be necessary. In the absence of the justice of the Supreme Court, the judge present whose commission will first expire shall preside.

SECTION 4. All judges required to be learned in the law, except the judges of the Supreme Court and the judges of the circuit court, shall be elected by the qualified electors of the respective districts over which they are to preside, and shall hold their offices for the term of ten years, if they shall so long behave themselves well, but for any reasonable cause which shall not be sufficient ground for impeachment, the Governor may remove any of them on the address of two-thirds of each branch of the Legislature.

SECTION 5. All the judges of the Commonwealth shall be commissioned by the Governor.

JURISDICTION OF SUPREME COURT.

SECTION 6. 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. They shall have original jurisdiction in cases of *habeas corpus* and *mandamus*, and cases of *quo warranto* as to all officers of the Commonwealth whose jurisdiction extends over the State, and in revenue cases in which the Commonwealth is a party, but shall not be invested with any other original jurisdiction. They shall have appellate jurisdiction by direct appeal, *certiorari* or writ of error, in all cases in which the subject matter in the controversy shall exceed in value two thousand dollars, to be determined as may be directed by law, or in which the judge who presided at the trial, shall certify that the constitutionality of any law of the State, or of the United States is involved, and of all judgments of the circuit court in the exercise of original jurisdiction, and in no other case whatever, and like jurisdiction by appeal, *certiorari* or writ of error, from the circuit court in the exercise of appellate jurisdiction in all cases in which the subject matter in controversy shall exceed in value five hundred dollars, to be determined as may be directed by law, and in all other cases in which the judgment of the circuit court shall not have been unanimous by all the judges before whom it was heard, or in which any one of the judges before whom it shall have been heard, shall certify that there is a question involved which ought to be submitted to the Supreme Court. Five of the judges shall be a quorum, and the concurrence of four shall be necessary to any decision. Every case in which four do not concur, shall be argued before the full bench, and no case shall be affirmed by an equal division of judges. All appeals from, or writs of error, or *certiorari* to the circuit court in banc, to be heard in the Supreme Court, shall be taken within such time, and upon such terms as shall be prescribed by law.

JURISDICTION OF CIRCUIT COURT.

SECTION 7. The circuit court shall have original jurisdiction in each county in cases of *habeas corpus* and *mandamus*, and in cases of *quo warranto*, and in election cases when directed by law, and in all civil cases at law, and in equity, in which the subject matter in controversy exceeds in value five hundred dollars, to be determined as may be directed by law. It shall have appellate jurisdiction in each appellate district in all civil cases which cannot be carried by direct appeal *certiorari* or writ of error, to the Supreme Court, and like jurisdiction in such criminal cases as may be conferred by law.

Their judgment in the exercise of appellate jurisdiction shall be final and conclusive as a court of last resort, unless carried to the Supreme Court as herein before provided by appeal, *certiorari* or writ of error, within such time and upon such conditions as may be prescribed by law.

The decisions of the circuit court shall not be published by authority of the State.

SECTION 8. For the purpose of appellate jurisdiction, the State shall be divided into six districts, in each of which the court sitting in banc, as a court of errors and appeals, shall hold at least one session each year, namely :

One at Philadelphia, which shall be call the First circuit, and shall embrace the city of Philadelphia, and the counties of Chester, Delaware, Montgomery and Bucks.

One at Harrisburg, which shall be called the Second circuit, and shall embrace the counties of Dauphin, Lebanon, Lancaster, York, Adams, Franklin, Fulton, Bedford, Huntingdon, Juniata, Perry, Cumberland, Berks and Schuylkill.

One at Pittsburg, which shall be called the Third circuit, and shall embrace the counties of Allegheny, Washington, Beaver, Fayette, Greene, Somerset, Bedford, Fulton, Indiana, Armstrong, Butler, Lawrence, Westmoreland, Blair and Cambria.

One at Franklin, which shall be called the Fourth circuit, and shall embrace the counties of Erie, Crawford, Mercer, Venango, Clarion, Forest, Warren, Elk, Jefferson and M'Kean.

One at Williamsport, which shall be called the Fifth circuit, and shall embrace the counties of Lycoming, Mifflin, Union, Snyder, Northumberland, Montour, Columbia, Sullivan, Clinton, Centre, Tioga, Potter, Clearfield and Cameron.

One at Wilkesbarre, which shall be called the Sixth circuit, and shall embrace the counties of Luzerne, Carbon, Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Lehigh and Northampton.

SECTION 9. For the purpose of original jurisdiction, each county shall be a sub-circuit, in which at least one term of the circuit court shall be held by one of the judges thereof, at the county seat every year, if the business shall require. The Legislature, at its first session after this Constitution shall be adopted, shall, and from time to time thereafter may, determine the time and continuance of the appellate terms of each circuit, and the time within which, and the terms upon which appeals from or writs of error or *certiorari* to the circuit court in appellate jurisdiction shall be taken, and the time and continuance of the terms of original jurisdiction, and shall provide for the removal thereto of such proceedings as are herein authorized to be removed into the circuit court, and for the summoning of jurors and witnesses, and generally for the efficient organization of said courts. The Legislature may, from time to time, increase the number of the justices of the circuit court, and, with the concurrence of two-thirds of all the members of each House, change the appellate circuits, but a majority may attach any new county to its appropriate circuit.

SECTION 10. The several terms of the circuit courts of original jurisdiction appointed by law, shall be held by one of the circuit judges by such assignment as they may themselves determine, but not by the Supreme Judge. Any proceedings in law or equity commenced in the court of common pleas, which might have been originally instituted in the circuit court, may be removed thereto by either party within such time, and upon such conditions as may be by law prescribed.

SECTION 11. No duties shall be imposed by law upon either the Supreme Court or circuit court, or any of the judges thereof, except such as are judicial, nor shall either of said courts, or any of the judges thereof, exercise any power of appointment except as herein provided. The court of *nisi prius* is hereby abolished, and no court of original jurisdiction to be presided over by any one or more of the judges of the Supreme Court shall be established.

COURT OF COMMON PLEAS.

SECTION 12. The commissions of the judges of the courts of common pleas shall continue as they are. Until otherwise directed by law, the jurisdiction and powers of the courts of common pleas shall continue as at present established, except as herein changed. Not more than four counties shall, at any time, be included in one judicial district organized for said courts.

SECTION 13. In the city of Philadelphia, and in the county of Allegheny, all the jurisdiction and powers now vested in the district courts, and the courts of common pleas, or either of them, in said city and county, subject to such changes as may be made by this Constitution or by law, shall be in the city of Philadelphia vested in four, and in the county of Allegheny in two distinct and separate courts of equal and co-ordinate jurisdiction, composed of three judges each, and in such additional courts of the same number of judges, and of like jurisdiction as may, from time to time, be by law added thereto. The said courts, in the city of Philadelphia, shall be designated respectively as the court of common pleas number one, number two, number three and number four, and in the county of Allegheny as the court of common pleas number one and number two; but the number of said courts may be by law increased from time to time, and shall be in like manner designated by successive numbers.

SECTION 14. Each court shall have exclusive jurisdiction of all proceedings at law and in equity commenced therein, subject to change of venue as hereinafter provided.

SECTION 15. For the city of Philadelphia there shall be one prothonotary's office, and one prothonotary for all said courts, to be appointed by the judges of said courts, and to hold office for six years, subject to removal by a majority of the said judges, and one chief clerk for each of said courts, to be appointed by such court, and to hold office for six years, subject to removal by said court. The said prothonotary and the said chief clerks shall, respectively, appoint such assistants as may be necessary; and the said prothonotary, and the chief clerks and their assistants, shall receive fixed salaries to be determined by law, and paid by said city; and all fees collected in said office, except such as may be by law due to the Commonwealth, shall be paid by such prothonotary into the city treasury. Each court shall have its separate dockets, except the judgment docket, which shall contain the judgments and liens of all the said courts, and of the circuit court, as are or may be directed by law.

SECTION 16. The said courts in the city of Philadelphia and county of Allegheny respectively shall, from time to time in turn, detail one or more of its judges to hold the criminal courts of said district, in such manner as may be directed by law.

JURISDICTION OF THE COURT OF COMMON PLEAS.

SECTION 17. Every judge of the court of common pleas shall, by virtue of his office and within his district, be a justice of oyer and terminer and general jail delivery for the trial of capital and other offenders therein, and shall be a justice of the peace therein, as far as relates to criminal matters, and shall be competent to hold the court of quarter sessions of the peace and the orphans' court thereof.

SECTION 18. 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, or into the circuit court, when authorized by law.

SECTION 19. The judges of the circuit court, in the exercise of appellate jurisdiction within each appellate circuit, and the judges of the court of common pleas within their respective counties, shall have power to issue writs of *certiorari* to the justices of the peace and other inferior courts not of record, and to cause their proceedings to be brought before them, and right and justice be done.

SECTION 20. When there is more than one judge of the court of common pleas for the same district, any two or more of them may sit in banc or in joint session for any purposes not appellate, which may be authorized by law.

SECTION 21. Until otherwise directed by law, the common pleas districts shall continue as they are.

Additional judges of the court of common pleas shall be elected at the first general election after this Constitution shall take effect, in the following districts, namely:

In the First district, composed of the city of Philadelphia, two judges.

In the Third district, composed of the counties of Northampton and Lehigh, one judge.

In the Fifth district, composed of the county of Allegheny, one judge.

In the Tenth district, composed of the counties of Westmoreland, Indiana and Armstrong, two judges.

In the Twelfth district, composed of the counties of Dauphin and Lebanon, one judge.

In the Fourteenth district, composed of the counties of Fayette and Greene, one judge.

In the Seventeenth district, composed of the counties of Butler and Lawrence, one judge.

In the Nineteenth district, composed of the counties of York and Adams, one judge.

In the Twenty-eighth district, composed of the counties of Mercer and Venango, one judge.

JUSTICES OF THE PEACE AND ALDERMEN.

SECTION 22. Justices of the peace and aldermen shall be elected at the election to be held on the third Tuesday in February, 1874, (and whenever thereafter vacancies shall occur) by the qualified electors in the several townships, boroughs and wards for the term of five years, to commence thirty days after the date of their election, and shall be commissioned by the Governor.

The number of such officers shall not exceed one for every township, borough or ward, and no person shall be elected to such office, unless he is a citizen of the United States, a qualified elector of good moral character and temperate habits, resident within the State for three years, and within the township, borough or ward for one year next preceding his election, nor if he has been convicted of any infamous crime, or been removed by the judgment of a court from any office of trust and profit.

Any justice of the peace or alderman may be removed from office by the judgment of any court of record having civil jurisdiction held within the county or the city where he resides, upon complaint of any ten citizens and due proof upon hearing of such misconduct or unfitness for office as shall be declared by law sufficient ground for removal.

In each city having a population exceeding two hundred thousand, there shall be established, in lieu of the office of alderman and justice of the peace, as the same now exists, one court, not of record, of police and small causes for each thirty thousand inhabitants. Such court shall be held by judges learned in the law, who shall have been admitted to and shall have had at least five years' practice in the court of common pleas of the judicial district in which said city is located. Their term of office shall be seven years, and they shall be elected on general ticket by all the qualified voters of such city. They shall be compensated only by fixed salaries, and shall exercise such jurisdiction, civil and criminal, as is now exercised by aldermen and justices of the peace, and such other jurisdiction as may be from time to time prescribed by law.

All costs and taxes on the business of such courts, and all fines and penalties shall be discharged only by a direct payment into the city treasury.

GENERAL PROVISIONS.

SECTION 23. The judges of the Supreme Court, the judges of the circuit court, and the judges of the several courts of common pleas, and all other judges required to be learned in law 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 and perquisites of office, nor hold any other office of profit under this Commonwealth, nor under the United States or any other State. Any judge of the Supreme Court, whose commission shall expire after the first day of January, 1874, and who shall have served a full term, shall receive two-thirds of his annual salary thereafter for the remainder of his life. Any judge of any other court of record, who shall be in commission when this Constitution shall take effect, or who may be thereafter commissioned, and who shall have served for twenty continuous years, and shall have attained the age of seventy years, may thereupon retire, and shall be entitled to receive two-thirds of his annual salary thereafter for the remainder of his life.

SECTION 24. The judges of the Supreme Court, and of the circuit court, during their continuance in office, shall reside within this Commonwealth, and the other

judges, during their continuance in office, shall reside within the district or county for which they shall respectively be elected.

No person shall be eligible to the office of judge of the Supreme Court unless he be at least forty years of age, nor to the office of judge of the circuit court unless he be at least thirty-five years of age, nor to the office of judge of the court of common pleas unless he be at least thirty years of age; nor shall any person be a judge of either of said courts unless he be a citizen of the United States, and have resided in this State five years next preceding his appointment or election, and shall have had at least five years' practice in some court of record in the State.

SECTION 25. The Supreme Court, and the circuit court, and the several courts of common pleas shall, besides the powers heretofore usually exercised by them, have the power of a court of chancery, so far as relates to the perpetuation 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 compos 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 26. A registers' 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. The registers' court is hereby abolished, and the jurisdiction and powers thereof are vested in the orphans' court. The Legislature shall, at its first session after this Constitution shall take effect, provide for the election, in the city of Philadelphia, of three judges, and in the county of Allegheny of two judges, and in any county having more than one thousand inhabitants, may provide for the election of one or more judges learned in the law, who shall be called judges of the orphans' court, and in whom shall be vested all the jurisdiction and powers to be exercised by the orphans' court of such county.

SECTION 27. 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.

SECTION 28. Any vacancy happening by death, resignation or otherwise in any of the said courts, except the Supreme Court, shall be filled by appointment by the Governor, to continue till the first Monday of December succeeding the next general election.

SECTION 29. The several district courts within this State are hereby abolished. All judges learned in the law, whose courts are abolished by this Constitution, and all associate judges learned in the law, shall, as soon as practicable after this Constitution shall be adopted, surrender their commissions to the Governor, who shall issue commissions to them respectively as judges of the court of common pleas for the unexpired term of their office, and all the jurisdiction and powers exercised by such courts, are hereby vested in the court of common pleas of such district.

SECTION 30. The office of associate judge not learned in the law is abolished, but the several judges in office, when this Constitution shall be adopted, may continue to serve for their unexpired terms. No such judge or judges shall be competent alone to hold a court.

SECTION 31. The nominations for judges of the Supreme Court shall be made by the Governor to the Senate of the Legislature next preceding the time when the term of office shall commence.

SECTION 32. All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction, power, proceedings and practice of all courts of the same class or grade, so far as regulated by law; and the force and effect of the process, judgement and decisions of such courts shall be uniform.

SECTION 33. It shall be the duty of the Supreme Court, as soon as practicable, and within one year after this Constitution shall take effect, and from time to time thereafter as may be necessary, to provide rules and regulations for a general system of practice in all the courts of record of the State, which shall be uniform in all courts of the same class or grade, and shall not be changed except by the Supreme Court: *Provided*, That special rules may be provided for cities exceeding one hundred thousand inhabitants; and special rules may be added thereto by the presiding judge in any judicial district, with the consent and approval of the Supreme Court.

SECTION 34. The judges of the several courts of record of this Commonwealth shall, in every case tried before them, respectively reduce the whole opinion and

charge of the court to writing, and deliver the same to the jury as written, and shall forthwith file the same of record; and any failure to do so, or any comments in the charge to the jury upon the law or the facts not reduced to writing and filed, shall, upon the allegation of the plaintiff in error, be inquired into by the appellate court into which the case has been removed by affidavit or otherwise; and the fact, when established, shall be conclusive ground of reversal.

SECTION 35. All applications for change of venue in any cause pending in any of the courts of record within either of said appellate circuits, shall be made to such circuit court in banc upon affidavits to be taken in accordance with the rules of court, to be established as hereinbefore provided; and such court shall have power to direct a change of venue.

SECTION 36. The Supreme Court shall appoint one reporter of its decisions, and one clerk for each appellate district, who shall each hold office for six years, subject to removal by the court; the circuit court shall appoint one clerk for each appellate district, who shall hold office for six years, subject to removal by the court. The prothonotary of each county shall be the clerk of the circuit court of original jurisdiction within the same.

SECTION 37. The parties, by agreement filed, may dispense with the trial by jury, and submit the decision of any case to the court having jurisdiction thereof, and such courts shall hear and determine the same. The evidence taken, and the law as declared, shall be filed of record with right of appeal from the final judgment as in other cases and with like effect as appeals in equity.

SCHEDULE.

SECTION 1. The courts of common pleas in the city of Philadelphia shall be composed of the present judges of the district court and court of common pleas of said city, until their commissions shall severally expire, and of such other judges as may from time to time, be elected. For the purposes of first organization in the city of Philadelphia, the judges of the court number one, shall be Judges Hare, Lynd and Mitchell; of the court number two, Judges Thayer, Paxson and Briggs; of the court number three, Judges Allison, Finletter and one other judge to be elected and of the court number four, Judges Ludlow, Pierce and one other judge to be elected. The judges first named shall be the president judges of said courts respectively, and thereafter the president judge shall be the judge oldest in commission.

In the county of Allegheny, for the purpose of first organization, the judges of the court number one shall be Judges Hampton, Kirkpatrick, and one other judge to be elected, and of the court number two, Judges Sterrett, Stow and Collier. The judges first named shall be the president judges of said courts respectively.

SECTION 2. The causes and proceedings pending in the district court of the city of Philadelphia shall be tried in courts number one and two. The causes and proceedings pending in the court of common pleas shall be tried in courts number three and four. The records and dockets of both said courts shall be transferred to the prothonotary's office of said district.

The causes and proceedings pending in the court of *nisi prius* shall be tried in the circuit court of said district, and the records and dockets of said court shall be transferred to the prothonotary's office of said district.

The causes and proceedings pending in the district court of Allegheny county shall be tried in court number one, and the causes and proceedings pending in the court of common pleas of said county shall be tried in court number two.

Said article was read the first time and laid on the table.

Mr. Kane, from the same committee, submitted a minority report, which was read as follows, viz:

The undersigned, dissenting from the report of the majority of the Judiciary Committee, desires to present some reasons and considerations for so doing.

First. He is not in favor of the appointment of the judges of the Supreme Court by the Governor, while all others are to be elected. The judges of the Supreme Court, heretofore elected, have generally given satisfaction to the people, who, in his opinion, desire no change in the Constitution in that particular.

Second. He is opposed to the establishment of a circuit court, as, in his opinion, the multiplication of tribunals would be burthensome, expensive, and only hinder and delay the administration of justice. A circuit court, much more simple than this, held by the judges of the Supreme Court, was tried in this State, found

to work badly, and was long since abandoned. The one now proposed by the report of the majority of the committee, is an innovation upon our judicial system—one to which our people are not accustomed, and which, in the opinion of the undersigned, would lead to confusion and delay.

Third. A remedy for existing and prospective difficulties might be found by increasing the number of the judges of the Supreme Court, and perhaps by a division of the judges of that court, so as to form two courts, each exercising supreme jurisdiction over different subjects, and over different classes of cases; and in a more efficient organization of the courts of common pleas.

In accordance with these views, the undersigned would suggest the following plans for the organization of the Supreme Court and the courts of common pleas:

THE SUPREME COURT.

The Supreme Court shall be composed of seven judges, who shall be learned in the law, one of whom shall be chief justice. Four shall constitute a quorum, and the concurrence of four shall be necessary to a decision. They shall be elected by the qualified voters of the State at large, for the terms of fifteen years, at the times and in the manner following, that is to say: At the general election, in the year one thousand eight hundred and seventy-three, three persons shall be elected judges of said court, and every fifth year thereafter two or more persons shall be elected, as may be necessary to maintain the number of seven judges of the said court; and in all elections of said judges, each qualified voter may distribute his votes to and among candidates as he shall think fit, or may bestow them all upon one, and when three judges are to be elected, he may divide his votes equally between two, and the persons highest in vote shall be declared elected. The judge whose commission will first expire shall be chief justice during his term, and thereafter each judge whose commission shall first expire shall in turn be chief justice, and if two or more commissions shall expire on the same day, the judges holding them shall decide by lot which shall be chief justice. In the absence of the chief justice, the judge oldest in commission, or oldest in commission and senior in age, shall act as chief justice. In case of a vacancy in the office of judge of said court, pending a term, the same shall be filled for the unexpired term, by an appointment to be made by the chief justice and remaining judges of said court, and all of them concurring therein; and all appointments, made as aforesaid, shall be certified to the Governor by the chief justice and judges making the same, and shall in each case be an elector of the State, duly qualified, who shall have voted for the judge whose seat is to be filled. The said judges, and all persons appointed or elected to fill casual vacancies in said court, shall be severally commissioned by the governor to hold their offices for the times or terms for which they shall be selected, if they so long behave themselves well. All regular terms of service in said court shall commence on the first Monday of December next following an election for filling the same.

FOR SCHEDULE.

The term of the two judges of the Supreme Court oldest in commission, shall expire on the first Monday of December, one thousand eight hundred and seventy-eight, and the term of the other two judges shall expire on the first Monday of December, one thousand eight hundred and eighty-three.

COURTS OF COMMON PLEAS.

SECTION —. The judges of the several courts of common pleas shall be learned in the law, and shall be elected by the qualified voters of the districts over which they are to preside, for the term of ten years, if they so long behave themselves well. Until otherwise provided by law, the State shall be divided into the following judicial districts, to wit:

First. The First district shall be composed of the counties of Chester, Delaware and Montgomery.

Second. The Second district of the counties of Bucks, Lehigh and Northampton.

Third. The Third district of the counties of Berks and Lebanon.

Fourth. The Fourth district of the county of Schuylkill.

Fifth. The Fifth district of the county of Luzerne.

Sixth. The Sixth district of the counties of Bradford, Tioga, Sullivan and Wyoming.

Seventh. The Seventh district of the counties of Columbia, Montour, Northumberland, Lycoming and Union.

Eighth. The Eighth district of the county of Lancaster.

Ninth. The Ninth district of the counties of York, Adams and Cumberland.

Tenth. The Tenth district of the counties of Westmoreland, Indiana and Armstrong.

Eleventh. The Eleventh district of the counties of Franklin, Fulton, Bedford, Blair and Huntingdon.

Twelfth. The Twelfth district of the counties of Dauphin, Perry, Juniata, Mifflin and Snyder.

Thirteenth. The Thirteenth district of the counties of Clinton, Centre, Clearfield, Cambria and Jefferson.

Fourteenth. The Fourteenth district of the counties of Fayette, Somerset, Washington and Greene.

Fifteenth. The Fifteenth district of the counties of Beaver, Butler, Lawrence and Mercer.

Sixteenth. The Sixteenth district of the counties of Crawford, Venango, Clarion and Forest.

Seventeenth. The Seventeenth district of the counties of Erie, Warren, M'Kean, Potter, Elk and Cameron.

Eighteenth. The Eighteenth district of the counties of Carbon, Monroe, Pike, Wayne and Susquehanna.

SECTION —. At the general election in the year one thousand eight hundred and seventy-three, and every tenth year thereafter, the qualified voters of each district aforesaid shall elect three judges, citizens of this Commonwealth, qualified as aforesaid; and in electing the same, each voter may distribute his votes among the candidates as he shall think fit; may concentrate them upon one, or divide them equally between two; and candidates highest in vote shall be declared elected. The aforesaid judges, during their continuance in office, shall reside within the district for which they shall be respectively elected; and when more than one county shall compose a district, they shall so alternate in holding courts in the several counties composing the district, that the same judge shall not sit oftener than once in every third successive regular term of the courts to be holden in said county, unless from some unavoidable cause it shall be rendered impracticable. Courts in banc shall be held by the judges of every district, or a majority of them at least once in every year, in each county, at such times and for the transaction of such business as may be prescribed by law. When holding courts in banc, the judge oldest in commission, or the oldest in commission and senior in age, shall preside.

SECTION—The county of Allegheny shall compose a judicial district, to be called the district of Allegheny, and shall elect seven judges, one of whom shall be president judge, who shall be elected by the qualified voters of the district at large, and in the election of other judges each voter may distribute his votes among candidates as he shall think fit, or may concentrate them all upon one, and the highest in vote shall be declared elected. The president and three other judges shall be elected at the general election in the year one thousand eight hundred and seventy-three, and every tenth year thereafter, and the other three judges shall be elected in the year one thousand eight hundred and seventy-eight, and every tenth year thereafter.

The city and county of Philadelphia shall compose a judicial district, to be called the district of Philadelphia, and shall elect thirteen judges, one of whom shall be president judge, who shall be elected by the qualified voters of the district at large, and in the election of the other judges each voter may distribute his votes among candidates as he shall think fit, or may concentrate them all upon one, and the highest in vote shall be declared elected. The president and six other judges shall be elected at the general election in the year one thousand eight hundred and seventy-three, and every tenth year thereafter, and the other six judges shall be elected at the general election in the year one thousand eight hundred and seventy-eight, and every tenth year thereafter. Any three of the judges of the districts of Allegheny or Philadelphia shall hold courts in banc at such times, and for the hearing and trial of such matters, as a majority of the judges of said districts may, by general rule prescribe, and when holding courts in banc the judge oldest in commission, and senior in age, shall preside.

SECTION —. The Legislature, at its session in the year one thousand eight hundred and eighty-two, and every tenth year thereafter, shall have power to either alter or increase the judicial districts as herein established, but not to change the

mode of electing judges. In case of a vacancy in the office of president judge, the judges of the district shall appoint a qualified person to fill the same until the first Monday of December following the next general election, which shall be held more than three months after such vacancy shall occur; or if the unexpired term shall be of less duration then only until it shall expire, and the said vacancy, if a continuous one, shall be further filled by a popular vote at said general election for the remainder of the unexpired term. In case of a vacancy in the office of judge, pending a term, the same shall be filled for the unexpired term by an appointment to be made by the remaining judges of the district; and all appointments made as aforesaid shall be certified by them to the Governor, and shall in each case be of an elector of the district duly qualified who shall have voted for the judge whose seat is to be filled. The said judges and all persons appointed or elected to fill casual vacancies in said courts, shall be severally commissioned by the Governor to hold their offices for the time or terms for which they shall be selected if they shall so long behave themselves well.

FOR SCHEDULE.

The court of *nisi prius* and all district courts are abolished. The commissions of the judges of the courts of common pleas, and district courts learned in the law, shall expire on the first day of December in the year one thousand eight hundred and seventy-three, except in the county of Allegheny and the city and county of Philadelphia; the commissions of the three judges in the county of Allegheny, and of the six judges in the city and county of Philadelphia, youngest in commission, shall not expire until the first day of December, in the year one thousand eight hundred and seventy-eight, and until that time they shall severally discharge the duties of the court of common pleas, whether elected judges of the common pleas or district courts. The associate judges of the several courts of this Commonwealth, not learned in the law, shall continue in office until their present commissions expire, at which time the office is abolished.

If the Convention should be of opinion that the judges of the Supreme Court should hold two separate courts of supreme jurisdiction over different subjects, and over different classes of cases, then one or perhaps two additional judges would be required in that court, so as to leave five judges for the Supreme Court and three for the other, which might be called "The Court of Appeals."

In addition to the provision in the present Constitution, that the salaries of the judges shall not be diminished during their continuance in office, I would provide that their salaries should neither be increased nor diminished during their continuance in office.

Some constitutional provision should be made in regard to aldermen and justices of the peace in the cities; but outside of them the present system for justices of the peace is perhaps as good as any we can get.

All of which is respectfully submitted.

D. KAINE.

Laid on the table.

Mr. S. A. Purviance, from the same committee, submitted a minority report, which was read as follows, viz:

The undersigned member of the Judiciary Committee of the Constitutional Convention, respectfully begs leave to dissent from all that part of the report of the majority of the committee which relates to the creation of a circuit court.

Also, to all that part of said report which relates to the limitation of the jurisdiction of the Supreme Court.

Also, to that part of the report which provides for the abolition of the office of alderman and justice of the peace in cities of two hundred thousand inhabitants, and the substitution, in lieu thereof, of courts of police for every thirty thousand inhabitants, to be presided over by law judges.

All of which is respectfully submitted.

SAMUEL A. PURVIANCE.

Laid on the table.

Mr. James L. Reynolds, from the same committee, submitted a minority report, which was read as follows, viz:

The undersigned, a member of the Committee on the Judiciary, dissent from the report of a majority of the committee in so far it recommends:

First. The creation of a circuit court; and, *Second.* The nomination of the judges of the Supreme Court by the Governor, and their confirmation by the Senate.

JAMES L. REYNOLDS.

Laid on the table.

Mr. Dallas, from the same committee, submitted a minority report, which was read as follows, viz:

The undersigned, a member of the Committee on Judiciary, respectfully dissents from the action of the majority of that committee, in reporting the article now before the Convention, because:

First. Said article provides for the appointment of the judges of the Supreme Court by the Governor, instead of for their election as heretofore.

Second. Said article fails to provide, in any manner, for a non-partizan judiciary, or for minority representation upon the bench of any of the courts of the Commonwealth.

Third. Said article creates a circuit court with original and appellate jurisdiction, to be composed of one judge of the Supreme Court, and of eight judges who shall not be judges of any other court.

Fourth. Said article fixes the term of all judges (other than of the proposed circuit court, and of the Supreme Court) at ten years. It is respectfully submitted that it should be extended to fifteen years.

Fifth. Said article fixes a money limit to the right of suitors to invoke the jurisdiction of the Supreme Court for the correction of errors.

Sixth. Said article creates four districts and separate courts of common pleas, of concurrent jurisdiction, for the city of Philadelphia, and provides for future additions to the number of such courts.

Seventh. Said article establishes a separate orphans' court, to be composed of three judges, for the city of Philadelphia.

Eighth. Said article makes no provision for official reporters to assist the courts.

Ninth. Said article limits the age at which a person, otherwise qualified, may be chosen to fill the office of judge.

The undersigned having thus briefly suggested the principal matters in which he finds himself unable to acquiesce in the article reported, will hereafter offer such amendments to, and so vote upon its several sections as to advance the views herein indicated.

GEO. M. DALLAS.

Laid on the table.

Mr. Dallas, also from the same committee, submitted a second minority report, which was read as follows, viz:

Minority Report of Messrs. Cuyler and Dallas.

The undersigned, members of the Committee on Judiciary, are unable to approve the sections reported by that committee in relation to the courts of Philadelphia, and in lieu thereof respectfully present the following, viz:

SECTION —. In the city of Philadelphia the district court, and the court of common pleas, and the jurisdiction, powers and duties of said courts, shall remain as at present, except that the district court shall not hereafter have any jurisdiction in equity, and all the jurisdiction of the court of common pleas for the trial of common law cases, and upon *certiorari* and appeal from any lower court or magistrate, is hereby transferred from said court of common pleas to, and vested exclusively in the said district court. This provision shall not affect any proceeding which may be actually pending when this Constitution shall go into effect.

SECTION —. The prothonotary of each of said courts shall be respectively selected by the judges thereof, and the numbers of his subordinates, and the general regulation of the business of his office shall also be prescribed by them. The said prothonotaries and subordinates shall be compensated only by fixed salaries, the amount of which shall be fixed by the court, and all fees collected in said offices, except such as may be by law due to the State, shall be paid into the city treasury.

SECTION 3. The Legislature shall provide for the employment of phonographic reporters in the said courts.

Respectfully submitted,

GEO. M. DALLAS,
THEO. CUYLER.

Laid on the table.

Report of a Minority of the Committee on the Judiciary.

The undersigned regrets that he cannot concur in the report of the Committee, and the more so that he seems to stand alone in his desire to leave the judiciary system substantially as it is. He would prefer the appointment of the judges by the Governor, with the consent of the Senate, if the old tenure "during good behavior" could be restored. But if the judges must look to a future term, it is quite as well that they should feel dependent upon the good opinion of the people of the district as upon that of a political Governor and Senate.

The circuit court, recommended by the committee, does not commend itself to the judgment of the undersigned. It would undoubtedly relieve the Supreme Court as far as it arrested and settled cases. But a large proportion of the cases it would arrest, might as well be finally settled in the common pleas.

The cases in which the circuit court is proposed to have original jurisdiction, would be very tedious in their progress. With a session of once a year, as there would be in most of the counties, it is frightful to think of the interminable length to which litigation might be drawn out by the ingenuity of counsel.

A single continuance would cover a year, and half a dozen of them are easily attainable by the inventive genius of the profession.

The undersigned can see no advantage in increasing the number of the supreme judges.

The pretext is that the Supreme Court is overworked—is behind with its business. The increase in the number of judges would not remedy this. Large bodies, if the components must act together, move slower than small ones. The evil exists, certainly, but it is the fault partly of the law and partly of the judges.

All cases involving a controversy purely about money, ought to be settled finally in the common pleas, when the amount in litigation does not exceed one hundred dollars.

When the cost of reversing a decision is equal to the amount involved, it is wrong to suffer the parties to litigate further, and the Constitution or the law should prevent it.

But the Supreme Court has brought this over-work upon itself. The disposition to accompany every decision with a treatise upon law, not only takes time but does damage. Where so much is said, something will be said that will mislead the profession, and bring cases up needlessly to be dismissed with explanatory treatises upon law, containing other extraneous and mischievous matter. The length of the decisions is even excelled in its evil tendency by the recklessness with which cases are over-ruled. A single case over-ruled give rise to hundreds. When judges learn that it is better that the law should be settled than that it should be right, much of this over-work will disappear. Adding additional judges would only put more pedantry upon the bench, causing more over-ruling and more mischievous *dicta*.

The undersigned would agree to extending the judicial term, and to retiring old and infirm judges on pay; to abolishing the court of *nisi prius* and the district courts, as recommended by the committee; also, to limiting the supreme judges to a single term.

JOHN M. BROOMALL.

Mr. Funck, from the Committee on Future Amendments, reported the following article, viz:

SECTION 1. At the general election to be held in the year 1894, and at the general election held every twentieth year thereafter, the electors of this Commonwealth shall vote for or against a Convention to amend the Constitution, and whenever, at any of said elections, a majority of the votes cast shall be in favor of such convention, then the same shall be held, and the Legislature shall provide for carrying out the provisions of this section.

SECTION 2. 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 two newspapers in every county in which two newspapers 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 the 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 electors of this State voting thereon, such amendment or amendments shall become a part of the Constitution: *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.

Said article was read the first time.

Laid on the table.

Mr. MacConnell, from the Committee on the Declaration of Rights, reported the following article, viz:

PREAMBLE.

We, the people of the Commonwealth of Pennsylvania, recognizing the sovereignty of God, and humbly invoking His guidance in our future destiny, ordain and establish this Constitution for its government:

ARTICLE I.

DECLARATION OF RIGHTS.

That the great and essential principles of liberty and free government may be recognized and unalterably established, we declare that—

SECTION 1. 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.

SECTION 2. 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 these ends, they have at all times an inalienable and inalienable right to alter, reform or abolish their government, in such manner as they may think proper.

SECTION 3. That all men have a natural and inalienable 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. 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 4. That no person who acknowledges the being of 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 profit or trust under this Commonwealth.

SECTION 5. That elections shall be free and equal, and no power, civil or military, shall at any time interfere with the free exercise of the right of suffrage.

SECTION 6. That trial by jury shall be as heretofore, and the right thereof remain inviolate.

SECTION 7. That the printing press shall be free to every person who undertakes to examine the proceedings of the Legislature, or any branch of the government, and no law shall ever be made to restrain the right thereof. The free communication of thought 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 publications of papers investigating the official conduct of officers, or men in public capacities, 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 8. That the people shall be secure in their persons, houses, papers and professions 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, subscribed to by the affiant.

SECTION 9. That 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 accusa-

tion against him, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor, and in prosecution 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 10. 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 or 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 the necessity for such taking being first ascertained by a jury and without just compensation being first made; the fee simple of land so taken and applied shall remain in the owner, subject to the use for which it was taken.

SECTION 11. 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, and that no law shall limit the amount of damages recoverable; and where an injury caused by negligence or misconduct results in death the action shall survive.

SECTION 12. That no power of suspending laws shall be exercised unless by the Legislature or its authority.

SECTION 13. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishment inflicted.

SECTION 14. That all prisoners shall be bailable by sufficient sureties, unless for capital offence, 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 15. That no commission of oyer and terminer or jail delivery shall be issued.

SECTION 16. 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.

SECTION 17. That no *ex post facto* law, nor any law impairing contracts, or making irrevocable any grant of special privileges or immunities, shall be passed.

SECTION 18. That no person shall be attainted of treason or felony by the Legislature.

SECTION 19. That no attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of the estate to the Commonwealth; that the estates of such persons as shall destroy their own lives shall descend or vest, as in cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

SECTION 20. That 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 21. That the right of the citizens to bear arms in defence of themselves and the State, shall not be questioned.

SECTION 22. 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.

SECTION 23. 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.

SECTION 24. That 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 25. The emigration from the State shall not be prohibited.

SECTION 26. To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government, and shall forever remain inviolate.

Said article was read the first time and laid on the table.

Mr. Newlin, from the same committee, submitted a minority report, which was read as follows, viz:

To the Constitutional Convention:

The undersigned, not expressing any opinion in relation to the amendments proposed by the Committee on the Declaration of Rights, dissents from so much of the report as recommends the adoption of sections 6 and 7, of article IX, of the present Constitution without change. The defects in the administration of justice under the present jury system and the unsatisfactory state of the press law, require radical remedies which should be provided in the fundamental law. It is submitted that these sections should be amended, so as to read as follows:

“SECTION 6. That the right of trial by jury shall remain inviolate, but may be waived by the parties in all civil proceeding in the manner prescribed by law. In civil proceedings three-fourths of a jury may find a verdict, after such length of deliberation as the Legislature may require.”

SECTION 7. Strike out the last sentence and insert in lieu thereof, “And in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defence, and the jury shall have the right to determine the law and the facts under the direction of the court, as in other cases.”

TRIAL BY JURY.

It will be observed that it is proposed simply to allow the parties to waive a trial and leave the law and the facts to the court if they so desire.

The details are left to the Legislature.

THE LAW IN OTHER STATES.

In Arkansas, Minnesota and Wisconsin, jury trial may be waived by the parties in all cases in the manner prescribed by law.

In New York, Vermont, Maryland, Michigan, North Carolina, Texas, California, Florida and Nevada, jury trial may be waived in civil cases.

OBJECTIONS ANSWERED.

It will be urged that this will throw too much responsibility upon the courts, and that, therefore, the system would not work well. To this it is answered that in equity and orphans' court proceeding the courts now, without the aid of a jury, dispose of all questions of law and fact, and that in point of magnitude the interests thus adjudicated far exceed those which are settled by jury trials. It simply substitutes the judge as the arbitrator instead of a layman. Again, it is intended that in civil cases, if the jury cannot agree, three-fourths may find a verdict. Requiring the jury to deliberate a certain length of time—say six hours, the period to be fixed by the Legislature—will prevent a majority acting with undue haste, and will secure a reasonable consideration of the views of the minority. In criminal cases a unanimous jury is required in all cases, for the reason that the Government, being a party, in times of public excitement might press for unjust convictions and obtain them.

The principle proposed is a novel one with us, and the supposed antiquity of jury trials, as we understand them, will be urged against any change.

HISTORY OF TRIAL BY JURY.

It is commonly, but most erroneously, supposed that trial by jury, as now constituted, is of very remote antiquity; some tracing it to the time of Alfred the Great; whilst by many it is supposed to have been in use amongst the Scandinavian nations, and that its origin is lost in the mist of ages.

In reality, juries, properly so called, were wholly unknown alike to the Scandinavian, the Teutonic and the Gothic nation. The requirement of unanimity in juries is generally supposed to have the same remote origin as the jury itself. It is an undeniable fact, however, that our present jury is not only purely English, but it has no greater antiquity than about the middle of the sixteenth century.

As the very reverse of this proposition is the usually received doctrine, a brief history of trial by jury is here given:

Anciently, in Norway, there was a court composed of thirty-six members, whose literal appellation was “law-amendment-men.” They were presided over by a “law-man.” In that rude age the “law-man” could recite all the laws. He

at first had no voice in the deliberations; afterwards he was given the casting vote, the decisions being by a majority. This was in no sense a jury, but was a court passing on questions both of law and fact.

The Swedish laws required twelve jurors, and seven found a verdict. They decided both law and facts.

In Denmark the number varied from twelve to fifteen, acting by a majority, and they composed a court for law and facts. The bishop, with the best eight men of the district, might reverse their finding. Where a majority of "best men" reversed a unanimous verdict, the jurors forfeited their property!

In Iceland, in criminal cases, the number varied according to the magnitude of the offence—from five to nine, and twelve. This was a regular court, adjudicating both the law and the facts by a majority of voices.

In ancient Germany the number was usually twelve, deciding both laws and facts by a majority merely.

Amongst the Anglo-Saxons jury trials were certainly wholly unknown. There was a court for law and facts composed of twelve persons. The laws of Ethelred ordained: "Let that stand which eight of them say."

Sometimes the number reached twenty-four, and they heard evidence, and to a certain extent resembled grand juries.

After the Norman Conquest very great changes took place. The facts were now decided, not by a jury to hear and determine the weight due to evidence, but by a jury of witnesses, who themselves furnished all, or nearly all, the evidence upon which their verdict was based. Now, it is a disqualification for a juror to have formed an opinion, and it would be improper for a jury to act on the personal knowledge of its own members. At that time, if a jury admitted in court that they knew nothing of the case, they were immediately discharged and another jury empanelled, composed of men who did know all about the matter in advance. In other words, the facts were tried by a jury of witnesses. A few instances will show the remarkable character of these tribunals so improperly called juries.

In the time of William the Conqueror, a great suit was pending between the King and Bishop Gandulf. The whole county was summoned, and a judgment given which was alleged to be false. Then twelve knights were chosen, and again a corrupt judgment was charged. The knights confessed to this, and their verdict was set aside by a court composed of the great barons.

In the year 1121, there is a case recorded in which the jury was composed of sixteen witnesses; and again, in 1153, in a case of much notoriety, a whole county was summoned.

In the reign of Henry II, (1154 to 1189,) a case occurred which not only shows conclusively that jury trials, as we understand them, were wholly unknown, but that even the jury of witnesses was without any regularity as to numbers or proceedings. This was a dispute between the Abbot of Abingdon and the town of Wallingford, as to the right of the former to hold a market in the town. The whole county was summoned, and twenty-four "eldermen" were chosen as juror-witnesses. They gave judgment for the Abbot. The town alleged corruption and a new trial was had, each side choosing jurors until twenty-four were obtained; the Earl of Leicester had been appointed by the King to preside at the trial. This second jury disagreed. The earl, however, had, when a boy, seen a market held there by the Abbot, and so he reported to the King, and the Abbot was so adjudged to have the market. Trial by witnesses was common after this time.

It has been erroneously supposed, even by some text-writers, notably by Blackstone, that jury trial was secured, or at least confirmed, by the provision in *Magna Charta* having regard to "*judicium parium*," or the trial or judgment by one's peers. This phrase occurs in the laws of Henry I, (1100-1135,) and was borrowed from the capitularies of Louis IX, of France, in which country jury trials were not known till the Revolution. It was nothing more than the trial of question of title by a feudal tribunal composed of the lord and his suitors in the baronial court. The suitors were the tenants of the lord, and in this way the "peers" of the one whose title was in dispute. But they were not jurors in any sense of the word. They sat as assessors or assistants to the lord, and with him formed a court which decided all questions, both of law and facts. They also acted as witnesses. The majority ruled.

UNANIMITY IN JURIES.

The requirement of the unanimous finding of twelve jurors arose in this way. The jurors were simply witnesses, and no verdict could be given unless twelve agreed upon the same statement of facts. There might be more than twelve, and the excess might be of a different opinion. When less than twelve agreed, the jury was "forced," *i. e.*, additional witness-jurors were added until twelve were found who could agree. If they were obstinate they were starved into a verdict.

In the reign of Henry III, 1216-1272, in the case of the *Abbot of Kirkstrede vs. De Eyncour*, the jury stood eleven for the Abbot and one for De Eyncour, and judgment was given for the Abbot. Not unfrequently a contumacious minority was fined and committed to jail.

In the reign of Edward III, 1327-1377, unanimity seems to have been required, and the court in one instance is reported as saying: "The judges of assize ought to carry the jury about with them in a cart until they agreed." In Scotland unanimity was not required.

In 1830, a Royal Commission, composed of the greatest legal minds in England, recommended that verdicts should be found by the concurrence of nine out of twelve jurors.

So much for the unanimity rule.

ASSISE OF HENRY II.

The assise of Henry II first gave regularity to these "witness-juries." The statute has not come down to us, but its provisions are well known. A writ issued to the sheriff to summon four knights, who, in their turn, summoned "twelve lawful knights who were most cognizant of the facts." The knights might be objected to for the same reasons, and in the same manner as is now customary with witnesses. When chosen, they were summoned by writ "to appear in court and testify on oath the rights of the parties." When the knights chosen did not know who was the rightful owner, (they originally being used only in real actions,) and they so testified in court, they were discharged and others were selected who were acquainted with the facts. If the jurors were not unanimous, additional ones were chosen until twelve agreed in favor of one side or the other. This was called "afforcing the assise."

Sometimes evidence was laid before the "recognitors," as they were called, but as they found according to their own knowledge, they generally paid no attention to the evidence.

Jocelin de Brakelonde's *Chronicle*, *crica*, gives instances in which six knights only were chosen; in some other cases sixteen were selected. A jury of eight settled question of minority of heirs.

Glanville puts a *query*, in case less than twelve knights could be found who knew anything of the facts of the case.

Bracton, *crica*. 1250, and Fleta, *crica*. 1285, give full accounts of the juries in those days, which were the same as above stated, both as to the jurors being witnesses merely, and in relation to "afforcing the assise," in order to obtain the concurrence of twelve witnesses. Names in deeds were originally summoned on the jury, but about the time of Edward III they had become separated, and were heard before the jury, which, however, might still act on its own knowledge, and disregard the testimony of these witnesses.

Temp. Henry IV, 1400-1413. By this time evidence was produced before the jury as now in all cases, but the jurors still acted on their own personal knowledge too, and were summoned from amongst those who were supposed to know the facts.

There is a case reported in Plowden's Com., p. 12, *Reniger vs. Fogossa* (4th, Edw. VI,) in which the Recorder of London says: "But here the issue is to be tried by twelve men, in which case witnesses are not necessary, for in many cases an inquest shall give a precise verdict, although there are no witnesses or no evidence given them * * * for when the witnesses for the trial of fact are joined to the inquest, if they cannot agree with the jurors, the verdict of the twelve shall be taken, and the witnesses shall be rejected."

In the 1498 there was a suit between the Bishop of Norwich and the Earl of Kent, in which a jury had been separated by a tempest "while the parties were showing their evidence," and one question raised for the opinion of the court was, whether, when the jury came together again, they were competent to proceed with the case and to give a verdict. The objection pressed was, that the jury had sepa-

rated before the evidence was given, to which it was answered, that "the giving the evidence was wholly immaterial, and made the matter neither better nor worse; that evidence was only given to inform the consciences of the jury respecting the rights of the parties, but that if neither party choose to give evidence, still the jury would be bound to deliver a verdict."

Indeed, prior to the sixteenth century, it is believed that there is an entire absence of all mention of evidence or witnesses, as contra-distinguished from jurors, in treatises, reports, records and statutes. Before the passage of the statute of 5 Eliz., ch. 9, (1562,) there was no positive law compelling the attendance of witnesses, or punishing them for false testimony or non-attendance, nor any process against them. In *Somers vs. Moseley*, 2 Crompton & Meeson, p. 485, Mr. Baron Bayley says, that he had been unable to find any precedents of the common *sub-pœna ad testificandum* of an earlier date than the reign of Elizabeth, and he conjectures that this process may have originated with the above-mentioned statute. It does not appear in the Register of Writs and Process until the reign of James I.

In the trial of Reading, 7 *State Trials*, 267, 1679, a juror was objected to as intimate with the prosecutor. Sir Francis North, Ld. Ch. J., said, "And do you challenge a juror because he is supposed to know something of the matter? For that reason the juries are called from the neighborhood, because they should not be wholly strangers to the fact."

In Bushell's case, 1670, *Vaughan's Rep.*, 147, it was said that the jury being returned from the vicinage where the cause of action arose, the law supposed them to have sufficient knowledge to try the matter in issue," and so they must, though no evidence were given on either side in court."

CONCLUSION.

The change from juries composed of witnesses to juries empanelled to hear witnesses and decide upon their testimony was very gradual, and was not effected by any positive alteration of the statutes, but was the growth of time. From the mass of evidence here briefly detailed, it is fair to claim that the change did not begin until almost the middle of the sixteenth century, and that jury trials as they now exist were not fully established until even a later period. Certainly the origin of the unanimity rule—simply requiring twelve to agree, and reaching that number by "afforcng" the jury—is not such as to give it any great merit. Again its being exclusively English, and all other tribunals and public bodies being governed by a majority, furnish ample reasons for abrogating what Hallam, in his *Middle Ages*, speaks of as that "preposterous relic of barbarism, the requirement of unanimity."

THE PRESS LAW.

The amendment proposed to the seventh section is to strike out the concluding sentence of the present section, and insert as follows: "And in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defence, and the jury shall have the right to determine the law and the facts under the direction of the court as in other cases."

THE LAW IN OTHER STATES.

In most of the States the truth can only be given in evidence in criminal cases, but in Illinois, Florida, Nevada, Kansas, Rhode Island and West Virginia, the change here advocated of permitting the truth to be given in evidence in all cases, both civil and criminal, has been made in the organic law.

The proposed amendments throw the doors wide open to the truth at all times and in all places, and both the public and the individual are amply protected by requiring that it shall be no defence, unless the jury shall find that the publication was made "with good motives, and for justifiable ends." No license is given here to publish mere private scandal, no matter how true it may be, and there is no danger of juries ever going out of their way to aid newspapers in such publications, by finding their motive "good," and their end "justifiable." It is impossible to specify in detail, or even in general phraseology, exactly what truths ought to be made public. The framers of the present Constitution, whilst seeking to shield the individual, have left the general public unprotected. There are numberless cases where, under our present libel law, "the greater the truth the greater the libel," the press could give invaluable aid to the cause of good government and sound public principles, but for the law which gives rise to this odious maxim. Open the columns of the daily press on all evil-doers whose wrongful acts

are a public injury, and only those will suffer who ought to feel the public indignation.

With the frailties of individuals the community has no concern, and were the proposed amendment adopted the veil of secrecy would still as inviolably shield them from the public gaze as now. But wherever the interests of the whole people require the truth to be disclosed, it should not only be the privilege but the duty of the press to proclaim it openly and without fear, and the law which inflicts penalties on it for so doing is contrary to all sound reason, and subversive of the best interests of society.

JAMES W. M. NEWLIN.

Mr. Broomall, from the Committee on Revenue, Taxation and Finance, reported the following article, viz:

SECTION 1. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. But the Legislature may, by general laws, exempt from taxation, except from the special assessments herein provided, public property used for public purposes, actual places of religious worship, places of burial, not used or held for private or corporate profit, and institutions of purely public charity.

SECTION 2. All laws heretofore passed, or hereafter to be passed, exempting property from taxation, other than the property above enumerated, shall be void.

SECTION 3. The Legislature may, by general laws, uniform as to the class and kind of improvements to be made, vest in the corporate authorities of cities, boroughs and townships the power to make, renew and maintain local improvements by special assessments or taxation, of contiguous property, or of property specially benefited thereby, without exception on account of use or ownership.

SECTION 4. The property and business of manufacturing corporations shall not be taxed in any other manner, or at any other rate than like property and business of individuals.

SECTION 5. No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, or to repeal invasion, suppress insurrection or defend the State in war, or to pay existing debt; and the debt created to supply deficiencies in revenue shall never exceed in the aggregate, at any one time, one million dollars.

SECTION 6. All laws authorizing the borrowing of money, shall specify the purpose for which the money is intended, and the money so borrowed, shall be used for the purpose specified, and no other.

SECTION 7. Neither the State, nor any county, city, borough, township or other municipality shall loan its credit or appropriate money to or assume the debt of, or become a shareholder, or joint owner in or with any private corporation or any company or person whatever.

SECTION 8. No municipal corporation shall become indebted, in any manner or for any purpose, to an amount (including indebtedness existing at the adoption of this Constitution) in the aggregate exceeding the following per cent. on the value of the taxable property therein, to be ascertained by the last assessment for county taxes, prior to the incurring such indebtedness, to wit: Counties, two per cent., cities and boroughs, six per cent., school districts, two per cent., and townships, one per cent.

SECTION 9. All contracts by which indebtedness beyond such limits would be incurred by any municipal corporation shall be void. Any municipal corporation incurring any indebtedness, shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest, and also the principal thereof, within twenty years.

SECTION 10. To provide for the payment of the present State debt, and any additional debt contracted as aforesaid, the Legislature shall continue and maintain the Sinking Fund sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof, by a sum not less than two hundred and fifty thousand dollars. The said Sinking Fund may be increased from time to time, by assigning to it any part of the taxes or other revenues of State, not required for the ordinary and current expenses of government, and unless in case of war, invasion or insurrection, no part of the said Sinking Fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five million dollars.

SECTION 11. The moneys of the State over and above the necessary reserve, which shall be as small as possible, consistent with the public demands, shall be

used in the payment of the debt of the State, either directly or through the Sinking Fund; and the moneys of the Sinking Fund shall never be invested in or loaned upon the security of anything except the bonds of the United States or of the State.

SECTION 12. All moneys of the State shall, as far as possible, be kept at interest for the benefit of the State in, or in loans upon the security of the bonds of the United States or of the State; and the Legislature shall provide means for the publication, at least once in every three months, of a statement showing the amount of all such moneys, where the same are deposited or loaned, and on what security.

Said article was read the first time and laid on the table.

Mr. Cochran, from the Committee on Railroads and Canals, reported the following article, viz:

ARTICLE —.

OF RAILROADS AND CANALS.

SECTION 1. Any individual, company or corporation, organized for the purpose, shall have the right to construct a railroad or canal between any two points in this State. Any railroad may intersect and connect with any other railroad, and no discrimination shall be made in passenger and freight tariffs on persons or property passing from one railroad to another, and no unnecessary delay interposed in the forwarding of such passengers and property to their destination. The Legislature shall, by general law, prescribing reasonable regulations, give full effect to these powers and rights.

SECTION 2. Every railroad or canal corporation, organized or doing business in this State, shall maintain a public office therein, for the transaction of its business, where transfers of its stocks shall be made, and books kept for public inspection, in which shall be recorded the amount of capital stock subscribed or paid in, and by whom; the names of the owners of its stock, and the amounts owned by them respectively; the transfers of said stock, and the names and places of residence of its officers. The chief officer, or director of every such corporation, shall annually make a report, under oath or affirmation, to the Secretary of Internal Affairs, which report shall include a detailed statement of its receipts and expenditures, assets and liabilities, and such other matters relating to its business as are now, or hereafter may be prescribed by law, or required by said Secretary.

SECTION 3. All property, real and personal, of railroad, canal and other joint stock corporations, shall be subject to taxation for all purposes.

SECTION 4. No railroad, canal or other corporation, nor the lessees, purchasers or managers of any railroad or canal corporation, shall consolidate the stock, property or franchises of such corporation with, nor lease, purchase, or in any way control any other railroad or canal corporation, owning or having under its control a parallel or competing line; nor shall any of the officers of such railroad or canal corporation act as an officer of any other railroad or canal corporation owning or having the control of a parallel or competing line; and whether railroads or canals are parallel and competing lines shall always be decided by a jury in a trial, according to the course of the common law.

SECTION 5. No railroad, canal or other transportation company shall consolidate its stock, property or franchises with any other corporation engaged in the business of a common carrier, nor purchase the property or franchises, directly or indirectly, of such company or corporation, nor in any case lease or contract for a lease thereof at any one time exceeding twenty-five years without the consent of a majority of two-thirds in value of its stockholders ratified by act of the Legislature; and no such ratification shall be made without proof that reasonable notice has been given to the stockholders, personally when practicable, and publicly at least sixty days in other cases, before any such application to the Legislature, nor without full consideration by the Legislature of the rights and interests of all the stockholders and the public.

SECTION 6. No railroad or canal corporation shall, either in its own name or in the names of its officers, or through the intervention of trustees or other agents, hold, guarantee or endorse shares in the capital stock, bonds or other indebtedness of any other railroad, canal or other corporation to any amount exceeding one-third of each thereof actually issued or incurred.

SECTION 7. No incorporated company doing the business of a common carrier, or the officers or managers thereof, shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for other persons or corporations, or for transportation on the works of said company: nor shall such company, directly or indirectly, engage in any other business than that of common carriers, or hold or acquire lands, freehold or leasehold, directly or indirectly, except such as shall be necessary for carrying on its business; but any mining and manufacturing company may carry the products of its mines and manufactories on its lateral railroad or canal not exceeding fifty miles in length.

SECTION 8. No corporation engaged in the transportation of freight or passengers in or through this State, shall make any discrimination in charges for the carriage of either freight or passengers against the people thereof, and such corporations shall carry the persons and goods of the people of this State on as favorable terms as those of other States brought into or through this State on the works owned or controlled by such corporation, and no higher rate per ton per mile shall be charged for the transportation of goods, or higher rate per mile for passengers, than shall be charged for like service in this State to the people of other States; and the rates for the same classes of freight shall be uniform, and the charges for freights or fares for passengers shall, for equal distances, be the same, and a higher charge shall never be made for a shorter distance than is made for a longer distance, and no drawback shall, either directly or indirectly, be allowed.

SECTION 9. All railroads and canals are declared public highways, and all individuals, partnerships and corporations, shall have equal right to transport persons and property thereon, except officers and partnerships or corporations, composed in whole or in part of officers of each respective railroad or canal, who are hereby prohibited from engaging in the business of forwarding or transporting on the lines thereof; and all regulations adopted by the companies owning, controlling or managing such railroads or canals, having the effect of hindering or discriminating against individuals, partnerships or corporations, except as above excepted, in the transportation of property on such railroads and canals, shall be void; and no railroad corporation, nor any lessee or manager of the works thereof, shall make any preference in their own favor, or between individuals, partnerships and companies shipping and transporting thereon, in furnishing cars or motive power, but shall supply the same in equal ratable proportions to each shipper or transporter in the order in which cars and motive power shall be called for and needed by them, as shippers or transporters on said railroad.

SECTION 10. Any combination, understanding or agreement, by and between any railroad companies, or by and between any railroad and coal or other companies, relative to increasing their rates of transportation of freight or passengers, or the prices of mined or manufactured products, shall work a forfeiture of their charters, and the Legislature shall provide by law for the proper enforcement of this section.

SECTION 11. No railroad or canal corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all stock dividends, and other fictitious increase of the capital stock or indebtedness of any such corporations, shall be void. The capital stock and corporate indebtedness of railroad, canal or other corporations, engaged in the business of common carriers or transporters, shall not be increased unless the act of Assembly by which such increase shall be authorized, shall strictly limit the amount thereof, and specify the object to which such increase shall be applied, nor unless sixty days' notice of an intended application to the Legislature for allowance of increase shall first have been published in such manner as shall be directed by law, nor without the consent of a majority in value of the stockholders of such corporation first obtained at a meeting to be held after sixty days' notice given in pursuance of law. All laws heretofore enacted by which an increase of the capital stock, or of the bonds or other evidences of indebtedness, of any corporation has been authorized, are hereby declared void, except so far as may be necessary to maintain the obligation of contracts made and executed in accordance therewith.

SECTION 12. No railroad, canal or other corporation engaged in the business of common carriers or transporters shall permit the gratuitous transportation over its road or canal, of any person or persons, except its own officers and employees, or poor and indigent persons. Every ticket, except excursion tickets, issued to any passenger by any incorporated company engaged in the transportation of passengers, shall entitle the holder of such ticket to transportation over the works of

said company, from his place of departure to his place of destination, either by continuous train or by any other train upon which the same rate of fare is charged; and no such company shall require any passenger to pay any additional fare, or subject him to any inconvenience, because of his stopping off at intervening points.

SECTION 13. Any violation by any railroad, canal or other corporation, of the provisions of the fourth or seventh sections of this article, shall be punished by a fine of five thousand dollars, and any violation of the provisions of the second, fifth, sixth, eighth, ninth, eleventh and twelfth sections thereof, by a fine of one thousand dollars, for the first offence, either by indictment or civil action, at the suit of the party injured, in addition to any damages which may be sustained by said party; and a continued or second offence shall work a forfeiture of the charter and franchises of such corporation, which shall be enforced by writ of *quo warranto*, sued out by the Attorney General, or by any citizen or citizens of this Commonwealth, and proceeded in according to law, and the Legislature is prohibited from restoring the charter and forfeited franchises to such offending corporation, or to any person or persons, so that they shall enure to its benefit. Every violation of the provisions of either of the sections of this article above referred to, by any officer or agent of such corporation, or by any other person, shall be a misdemeanor, and punished in such manner as shall be prescribed by general law.

SECTION 14. All railroad and canal corporations shall be liable for the payment of consequential damages committed in or resulting from the construction, repair or enlargement of their works, and the said damages shall be paid or secured to be paid before the injury is done.

SECTION 15. All railroads shall be substantially fenced by the owners or controllers thereof, wherever such roads shall pass through improved lands; and any railroad company, which shall neglect to erect and maintain such fences, shall be liable for all damages sustained in consequence of such neglect, and the Legislature shall, by a general law, provide for carrying this provision into effect.

SECTION 16. Every borough or city shall have power to regulate the grade of railroads and the rate of speed of railroad trains within its limits.

SECTION 17. No law shall be passed by the Legislature granting the right to construct or operate a street railroad within any city, borough or township without providing for the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

SECTION 18. No railroad, canal or other transportation company in existence at the time of the adoption of this article shall have any beneficial legislation by general or special laws, except on condition of complete acceptance of all the provisions of this article.

SECTION 19. The existing powers and duties of the Auditor General in regard to railroads, canals and other transportation companies are hereby transferred to the Secretary of Internal Affairs, subject to such regulations and alterations as shall be provided by law, and in addition to the annual reports now required to be made, said Secretary may require special reports, at any time, upon any subject relating to the business of said companies from any officer or officers thereof; and it shall be his duty, on complaint made against said corporations by any citizen, person or company interested, of a violation by law or any infraction of the rules of said corporation injurious to the rights or interests of such complainant to investigate said complaint, and if it shall appear that any such violation has taken place, he shall proceed either against said corporations or the officers thereof, or both; and if, on complaint made, or of his own knowledge, it shall appear that any railroad, or part thereof, is so insufficiently or carelessly constructed, supported, guarded, protected, or so out of repair as to imperil life or property, he shall at once notify such delinquent corporation of the same, and specify and direct the remedy to be applied, and it shall be the duty of such corporation to repair, support, make safe from, or remove said cause of peril under such regulation not inconsistent herewith as shall be prescribed by the Legislature to carry this section into full effect.

Said article was read the first time and laid on the table.

On leave given,

Mr. John N. Purviance offered the following resolution, which was twice read, viz:

Resolved, That one thousand copies of the report of the Judiciary Committee be printed for the use of the members of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,

To amend the same, by inserting after the word "committee," the words, "together with the minority reports from the same committee."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Darlington.

To amend the amendment, by inserting after the word "printed," the words, "in Journal form."

Which was agreed to.

The amendment as amended, and resolution as amended, were then agreed to.

On leave given,

Mr. Niles offered the following resolution, which was twice read, viz :

Resolved, That five hundred copies of the report of the Committee on Railroads be printed in Journal form, for the use of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Joseph Baily,

To amend the same, by inserting after the word "railroads," the words, "together with the minority reports from the same committee."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

That it has examined the account of the Chief Clerk for expenditures made by him under the authority of the Convention, from the 21st day of February to the 24th day of March instant, showing the payment during that time of \$1,413 34, and a balance in his hands on that day of \$675 66, and that the same is correct according to the vouchers exhibited to the committee. An abstract of the account is herewith submitted, marked "A."

The committee has also examined the following "accounts for certain expenses incurred for the use of the Convention, presented to the House committee," and referred to the Committee on Accounts on the 22d inst.

1. Philadelphia gas works, for gas used from February 21 to March 22.....	\$90 39
2. John A. Shermer, for repairs to water closet.....	19 00
3. Smith & Campion, locks and repairing desk.....	31 25
4. William Thornton, 10 tons coal, delivered.....	80 00
5. Littleton & Pidgeon 20....do.....do.....	170 00
6. Wolbert & Bro..... 10....do.....do.....	78 00
7. Joseph B. Hancock 10....do.....do.....	85 00
8. J. R. Warner, stretching wire across the Hall, to improve the sound....	4 00
9. John A. Voorhees, for coal barrow and other articles for the furnaces and firemen	20 25
10. J. E. Walraven, for draping the Hall, by direction of the Convention....	318 00
	<hr/>
	896 89

These accounts, excepting that of gas used, have been certified to be correct by the Committee on House, under whose direction the work was done and the supplies furnished for which they have been rendered. The accounts are for proper expenses of the Convention, and should therefore be paid.

The following resolution is accordingly reported :

Resolved, That the accounts of the Philadelphia gas works, John A. Shermer, Smith & Campion, William Thornton, Littleton & Pidgeon, Wolbert & Brother,

Joseph B. Hancock, T. R. Warner, John A. Voorhees and J. E. Walraven, mentioned in the foregoing report of the Committee on Accounts, and together amounting to the sum of \$896 89, are hereby approved, and that a warrant be drawn in favor of D. L. Imbrie, Chief Clerk, for the sum of \$896 89, for the payment of said accounts.

On motion of Mr. Hay,

The foregoing resolution was read a second time, considered and agreed to.

A warrant was accordingly so drawn.

[A.]

Abstract of Expenditures made by D. L. Imbrie, Chief Clerk, from February 21 to March 24, 1873, inclusive:

Paid to Powell DeFrance, Page, for services from February 22 to March 22, both days included.....	\$48 00
Paid to Frank M' Reynolds, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to T. D. M'Gilloway, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to Percy Meyer, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to David Skerrett, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to Charles Moore, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to J. B. Allen, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to W. A. Cassidy, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to F. Berlin, Page, for services from February 22 to March 22, both days included.....	35 00
Paid to Thomas Simpson, Page, for services from February 22 to March 22, both days included.....	36 00
Paid to Jno. Patterson, Watchman, for services from February 22 to March 22, both days included.....	101 50
Paid to Joseph Ebersole, Janitor, for services from February 22 to March 22, both days included.....	72 00
Paid to James Craig, Janitor, for services from February 22 to March 22, both days included.....	72 00
Paid to John Switzer, Fireman, for services from February 22 to March 22, both days included.....	84 00
Paid to Thomas H. Bartolet, Assistant Fireman, for services from February 22 to March 22, both days included.....	72 00
Paid to Josephine Thompson, for cleaning from February 22 to March 22, both days included.....	312 00
Paid for advertising in "Inquirer".....	\$13 20
Do.....do....."Ledger".....	19 60
Do.....do....."Star".....	8 00
	<hr/>
Paid to Thomas Cooper, Messenger.....	40 80
Paid for gas bills up to February 21, 1873.....	47 50
Paid to J. M. Haffey & Co. for towels, &c.....	204 29
Paid to Valentine Hummel for brooms, &c., at Harrisburg.....	19 00
	16 25
	<hr/>
Total.....	1,413 34
Balance in hands of Chief Clerk, March 24.....	675 68
	<hr/>
Grand total.....	2,089 00

On leave given,

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz:

That it has had under consideration the following resolution adopted by the Convention, March 27, to wit:

"Resolved, That the Committee on Accounts and Expenditures be requested to report a resolution directing warrants to be drawn for such proportion of the pay of the clerks, and other officers of this Convention, as they may deem proper."

And that, in its opinion, it would be proper at this time to pay the clerks and other officers thirty per cent. of the compensation fixed by the Convention, as follows:

D. L. Imbrie, Chief Clerk,	-	-	-	-	-	-	-	\$450 00
Lucius Rogers, Assistant Clerk,	-	-	-	-	-	-	-	360 00
A. D. Harlan,	-	-	-	-	-	-	-	360 00
John L. Linton, Transcribing Clerk,	-	-	-	-	-	-	-	300 00
A. T. Parke,	-	-	-	-	-	-	-	300 00
James Onslow, Sergeant-at-Arms,	-	-	-	-	-	-	-	255 00
C. M. Brown, Assistant Sergeant-at-Arms,	-	-	-	-	-	-	-	180 00
Clement Evans, Door-keeper,	-	-	-	-	-	-	-	180 00
Frank Bentley, Assistant Door-keeper,	-	-	-	-	-	-	-	150 00
Henry Price, Post-master,	-	-	-	-	-	-	-	240 00
B. F. Major, Assistant Post-master,	-	-	-	-	-	-	-	180 00

The committee, therefore, submits the following resolution, viz :

Resolved, That warrants be drawn for the payment to the Clerks and other officers of the Convention, as named in the above report, of the several amounts reported as proper to be paid to them respectively.

On motion of Mr. Hay,

Said resolution was read a second time, considered and agreed to.

Warrants were accordingly so drawn.

A motion was made by Mr. Lilly,

That the Convention resolve itself into committee of the whole on article reported from the Committee on County, Township and Borough Officers.

Which was not agreed to.

A motion was made by Mr. Lilly,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Counties, Townships and Boroughs.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Turrell in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and April 16 was named.

On the question,

Shall the committee of the whole have leave to sit on April 16 ?

It was determined in the affirmative.

On leave given,

A motion was made by Mr. Wright,

That when the Convention adjourns to-day, it will adjourn to meet on the 15th day of April next.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. D. W. Patterson,

To amend the same, by striking out the word "to-day," and inserting in lieu thereof the word "to-morrow," and by inserting after the word "on," the word "Wednesday," and by striking out the word "fifteenth," and inserting in lieu thereof the word "ninth."

On the question,

Will the Convention agree so to amend the motion?

A motion was made by Mr. Hunsicker,

To postpone the question, together with the further consideration of the motion, indefinitely.

Which was agreed to.

A motion was made by Mr. Buckalew,

That the Clerk of the Convention forward one copy of each of the reports made from committee this day to members of the Convention, as soon as the same shall be printed.

Which was agreed to.

A motion was made by Mr. Biddle,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Impeachment and Removal from Office.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Mann in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Wright,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MARCH 28, 1873.

The President laid before the Convention a communication from the prothonotary of Beaver county.

Referred to the Committee on the Judiciary.

Messrs. Patton, Hall, Lamberton, J. N. Purviance, De France, Sharpe, Lear, Hunsicker, Clark and H. G. Smith, presented petitions from citizens of Bradford, Sullivan, Elk, Dauphin, Butler, Mercer, Franklin, Bucks, Montgomery, Indiana and Lancaster counties, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Said petitions were referred to the Committee on Declaration of Rights.

Mr. Hall presented the petition of citizens of Clearfield county, praying for a clause in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Laid on the table.

Mr. Bannan presented several petitions from citizens of the State of Pennsylvania, praying that the Constitution be so amended as not to allow the legal rate of interest to be advanced above six per cent.

Said petitions were referred to the Committee on Revenue, Taxation and Finance.

Mr. Newlin offered the following resolution, viz:

Resolved, That Rule XXIX be amended, by adding a standing committee of fourteen, to be called the Executive Committee.

Laid on the table.

Mr. Addicks offered the following resolution, which was twice read, viz:

Resolved, That during the recess of the Convention the Committee on House shall take entire charge of the hall and the property therein; and they are hereby authorized, at their discretion, to engage such employees as may be required for such duty.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Buckalew,

To amend the same, by adding to the end thereof the words, "not exceeding three in number."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Buckalew and Mr. Russell, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Black, Charles A., Brown, Buckalew, Cassidy, Cochran, Darlington, Elliott, Fell, Gilpin, Hall, Hemphill, Lilly, M'Culloch, Mott, Palmer, G. W., Palmer, H. W., Patton, Purviance, John N., Rooke, Runk, Russell, Smith, Henry W., Walker and Woodward—28.

N A Y S.

Messrs. Addicks, Baker, Bannan, Beebe, Biddle, Bowman, Boyd, Brodhead, Broomall, Carter, Clark, Craig, Curtin, Davis, De France, Dodd, Edwards, Ellis,

Gibson, Green, Guthrie, Hanna, Hay, Heverin, Horton, Hunsicker, Kaine, Knight, Lamberton, Lear, Long, MacConnell, Mann, Mantor, Minor, Newlin, Niles, Patterson, D. W., Porter, Reed, Andrew, Reynolds, James L., Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Temple, Turrell, Wetherill, J. M., Wright and Meredith, *President*—51.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Ainey, Andrews, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Black, J. S., Campbell, Carey, Church, Collins, Corbett, Corson, Cronmiller, Curry, Cuyler, Dallas, Dunning, Ewing, Finney, Fulton, Funck, Gowen, Harvey, Hazzard, Howard, Landis, Lawrence, Littleton, M'Allister, M'Camant, M'Clean, M'Murray, MacVeagh, Metzger, Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, Samuel A., Read, John R., Reynolds, S. H., Ross, Stewart, Struthers, Van Reed, Wetherill, Jno. Price, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hay,

To amend the same, by striking out the word "engage," and inserting in lieu thereof the word "designate."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Lilly offered the following resolution, which was twice read, viz :

Resolved, That the matter of the number of pages of the volumes of the Debates be and is hereby referred to the Committee on Printing and Binding, and to be arranged as their discretion shall suggest.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Wm. H. Smith,

To amend the same, by adding to the end thereof as follows, viz : "*Provided*, The number of pages of each volume shall not exceed eight hundred or thereabouts."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Newlin,

To lay the resolution on the table.

Which was not agreed to.

The amendment offered by Mr. Smith, and the resolution as amended, were then agreed to.

Mr. Broomall, from the Committee on the Judiciary, submitted a minority report, which was read as follows, viz :

The undersigned regrets that he cannot concur in the report of the committee, and the more that he seems to stand alone in his desire to leave the judiciary system substantially as it is. He would prefer the appointment of the judges by the Governor, with the approval of the Senate, if the old tenure "during good behavior" could be restored ; but if the judges must look to a future term, it is quite as well that they should feel dependent upon the good opinion of the people of the district, as upon that of a political Governor and Senate.

The circuit court recommended by the committee, does not commend itself to the judgment of the undersigned. It would undoubtedly relieve the Supreme Court, as far as it arrested and settled cases, but a large proportion of the cases it would arrest might as well be finally settled in the common pleas.

The cases in which the circuit court is proposed to have original jurisdiction would be very tedious in their progress. With a session of once a year, as there

would be in most of the counties, it is frightful to think of the interminable length to which litigation might be drawn out by the ingenuity of counsel. A single continuance would cover a year, and half a dozen of them are easily attainable by the inventive genius of the profession.

The undersigned can see no advantage in increasing the number of the supreme judges. The pretext is that the Supreme Court is overworked—is behind with its business. The increase of the number of judges would not remedy this. Large bodies, if the components must act together, move slower than small ones. The evil exists, certainly, but it is the fault partly of the law and partly of the judges. All cases involving a controversy purely about money ought to be settled finally in the common pleas, where the amount in dispute does not exceed one hundred dollars. Where the cost of reversing a decision is equal to the amount involved, it is wrong to suffer the parties to litigate further, and the Constitution or the law should prevent it.

But the Supreme Court has brought this overwork upon itself. The disposition to accompany every decision with a treatise upon law not only takes time but does damage. Where so much is said something will be said that will mislead the profession and bring cases up needlessly to be dismissed with explanatory treatises upon law containing other extraneous and mischievous matter.

The length of the decisions is even excelled in its evil tendency by the recklessness with which cases are overruled. A single case overruled gives rise to hundreds. When judges learn that it is better that the law should be settled than that it should be right, much of this overwork will disappear. Adding additional judges would only put more pedantry upon the bench, causing more overruling and more mischievous *dicta*.

The undersigned would agree to extending the judicial term, and to retiring old and infirm judges on pay; to abolishing the court of *nisi prius* and the district courts as recommended by the committee; also, to limiting the supreme judges to a single term.

J. M. BROOMALL.

Laid on the table.

A motion was made by Mr. Biddle,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Impeachment and Removal from Office.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Boyd in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported the article amended as follows, viz:

First section amended by striking out the word "impeaching," in the second line, and inserting in lieu the word "impeachment."

Fourth section amended by inserting after the word officers, in the fourth line the following words, viz:

"Other than judges of the courts of record," and also by striking out all after the word "appointed," in the fifth line, and inserting in lieu thereof, the following words: "All officers elected by the people, except Governor, Lieutenant Governor, members of the General Assembly and judges of courts of record, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate."

On leave given at this time,

A motion was made by Mr. Hay and Mr. Cassidy,

That the vote be re-considered by which the following resolution was adopted, viz:

Resolved, That during the recess of the Convention, the Committee on House shall take entire charge of the hall and the property therein, and they are hereby authorized, at their discretion, to designate such employees as may be required for such duty.

Which was agreed to.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Hay and Mr. Cassidy,

That the vote be re-considered by which the resolution was amended, by striking out the word "engage," and inserting in lieu thereof the word "designate."

Which was agreed to.

And the question recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

The resolution was then agreed to.

A motion was made by Mr. Temple,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Hemphill and Mr. Darlington, and were as follow, viz :

YEAS.

Messrs. Baker, Cassidy, Cochran, Craig, Cuyler, Davis, Ellis, Fell, Hemphill, Heverin, Lambertson, Littleton, Newlin, Porter, Read, John R., Sharpe, Temple, Wetherill, J. M., and Woodward—19.

NAYS.

Messrs. Alricks, Armstrong, Bannan, Barclay, Biddle, Boyd, Brodhead, Broomall, Buckalew, Campbell, Carter, Clark, Corson, Curtin, Darlington, Dodd, Edwards, Elliott, Gibson, Gilpin, Guthrie, Hanna, Hay, Horton, Hunsicker, Knight, Lear, Lilly, Long, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Reynolds, James L., Runk, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Wetherill, John Price, Wright and Meredith, *President*—45.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Brown, Carey, Church, Collins, Corbett, Cronmiller, Curry, Dallas, De France, Dunning, Ewing, Finney, Fulton, Funck, Gowen, Green, Hall, Harvey, Hazzard, Howard, Kaine, Landis, Lawrence, MacConnell, MacVeagh, M'Allister, M'Camant, M'Clean M'Culloch, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, S. H., Rooke, Ross, Russell, Stanton, Stewart, Struthers, Van Reed, Walker, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell,

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole on article reported from the Committee on County, Township and Borough Officers.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Temple and Mr. Corson, and were as follow, viz :

YEAS.

Messrs. Ainey, Alricks, Baker, Biddle, Black, Charles A., Boyd, Brodhead, Broomall, Cassidy, Clark, Corson, Craig, Curtin, Cuyler, Darlington, Dodd,

Edwards, Gibson, Hanna, Horton, Hunsicker, Lear, Lilly, Long, Niles, Patterson, D. W., Read, John R., Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton and Meredith, *President*.—33.

N A Y S .

Messrs. Armstrong, Bannan, Buckalew, Campbell, Carter, Cochran, Davis, Fell, Gilpin, Guthrie, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Littleton, Newlin, Palmer, G. W., Palmer, H. W., Porter, Runk, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Woodward and Wright—28.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Achenbach, Addicks, Andrews, Bear, Bailey, of Huntingdon, Baily, of Perry, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Brown, Carey, Church, Collins, Corbett, Cronmiller, Curry, Dallas, De France, Dunning, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Gowen, Green, Hall, Harvey, Hazzard, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Allister, M'Camant, M'Clean, M'Cullough, M'Murray, Mann, Mantor, Metzger, Minor, Mitchell, Mott, Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Rooke, Ross, Russell, Sharpe, Stewart, Struthers, Van Reed, Walker, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell.

A motion was made by Mr. John R. Read and Mr. Stanton,

That the vote just taken be re-considered.

Which was agreed to.

And the question recurring,

Will the Convention resolve itself into committee of the whole on article reported from the Committee on County, Township and Borough Officers.

A motion was made by Mr. Temple,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Temple and Mr. J. M. Wetherill, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Baker, Buckalew, Clark, Cochran, Craig, Davis, Elliott, Fell, Hanna, Hemphill, Heverin, Kaine, Knight, Lamberton, Littleton, Newlin, Palmer, G. W., Patton, Porter, Read, John R., Runk, Sharpe, Temple, Wetherill, J. M., Woodward and Wright—27.

N A Y S .

Messrs. Ainey Addicks, Bannan, Barclay, Biddle, Black, Charles A., Boyd, Brodhead, Brown, Carter, Cassidy, Corson, Curtin, Cuyler, Darlington, Dodd, Edwards, Gibson, Gilpin, Guthrie, Horton, Hunsicker, Lear, Lilly, Long, Niles, Palmer, H. W., Patterson, D. W., Reynolds, James L., Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell and Meredith, *President*—36.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Achenbach, Addicks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Broomall, Campbell, Carey, Church, Collins, Corbett, Cronmiller, Curry, Dallas, De France, Dunning, Ellis, Ewing, Finney, Fulton, Funck, Gowen, Green, Hall, Harvey, Hay, Hazzard, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Allister, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, S. H., Rooke, Ross, Russell, Stewart, Struthers, Van Reed, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell.

At the suggestion of Mr. Cochran,

A count of the House was had, when only sixty-six members were found to be present.

Whereupon,

A motion was made by Mr. Wright,

That the Convention do now adjourn for want of a quorum.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Tuesday, April 15, at 12 o'clock M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, APRIL 15, 1873.

The President laid before the Convention the petition of citizens of Northumberland county, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil government.

Laid on the table.

Mr. D. N. White presented the petition of 6,522 citizens of Allegheny county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Laid on the table.

Mr. Hay presented the petition of ale and lager beer brewers of Allegheny county, praying that in case of the adoption of an article of the Constitution prohibiting the manufacture and sale of spirituous, vinous and malt liquors, provision may be also made for their compensation.

Laid on the table.

Mr. Brodhead presented a remonstrance from the members of the bar of Northampton county, against the adoption of the report of the Committee on the Judiciary.

Laid on the table.

Mr. MacConnell presented the proceedings of a meeting of the members of the bar of Allegheny county, held to consider the report made by the Judiciary Committee.

Laid on the table.

Mr. Hay asked and obtained leave of absence for Mr. Wm. H. Smith for a few days from to-day.

Mr. Wright offered the following resolution, which was twice read, viz:

Resolved, That the sessions of the Convention shall, on and after to-morrow, be as follows: Meet at 10 A. M. and adjourn at 1 P. M., and meet at 4 P. M. and adjourn at 6 P. M.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. MacVeagh,
To amend the same, by striking out the word "ten," and inserting in lieu thereof the word "nine."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington.
To amend the same, by striking out the word "ten," and inserting in lieu thereof the words, "nine and a half."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Stanton,
To amend the same, by adding to the end thereof the words, "and there shall be no sessions on Saturday."

On the question,
Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Niles and Mr. Darlington, and were as follow, viz:

YEAS.

Messrs. Addicks, Andrews, Baker, Biddle, Brodhead, Broomall, Buckalew, Cassidy, Corson, Curry, Curtin, Dallas, Funck, Gibson, Hanna, Heverin, Horton, Hunsicker, Lear, Lilly, Littleton, Long, MacVeagh, Newlin, Palmer, G. W., Patterson, D. W., Pughe, Read, John R., Rooke, Ross, Simpson, Smith, Henry W., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Woodward, Worrell and Meredith, *President*—40.

NAYS.

Messrs. Ainey, Baily, of Perry, Barclay, Boyd, Brown, Campbell, Carey, Carter, Cochran, Collins, Craig, Darlington, De France, Dodd, Edwards, Guthrie, Hay, Knight, Landis, Lawrence, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Niles, Runk, Russell, Struthers, Walker, White, David N., and Wright—32.

So the question was determined in the affirmative.

ABSENT AND NOT VOTING—Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Church, Clark, Corbett, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Gilpin, Gowen, Green, Hall, Harvey, Hazzard, Hemphill, Howard, Kaine, Lamberton, M'Allister, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed, Wherry and White, Harry.

On the question,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Knight,
To amend the same, by striking out the word "six," and inserting in lieu thereof the word "seven."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Buckalew,

To amend the same, by striking out the words, "and adjourn at six P. M."
Which was agreed to.

And the question again recurring,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Broomall,
To amend the same, by striking out the word "one," and inserting in lieu thereof the word "two."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Simpson,
To amend the same, by striking out the word "four," and inserting in lieu thereof the word "three."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Joseph Baily, from the Committee on Railroads and Canals, submitted a minority report, which was read as follows, viz :

The undersigned, a minority of the Committee on Railroads and Canals, approves of many of the provisions reported by the majority, which, if adopted by the Convention, will operate greatly in the interest of the people and of the stockholders of corporations. But, as a whole, the report does not present a comprehensive system of railroad and canal organization, by which the power of dangerous and growing monopolies can be checked, and at the same time establish a plan of transportation affording equal, if not greater facilities to the people, and divested of all power to aggrandize their rights. Here lies the difficulty. If no other system can be devised than the one now in operation, by which a very small number of corporations regulate the transportation of the country—controlling enormous capital, absorbing all the small corporations, when it suits their interest to do so, establishing internal corporations within themselves for transportation, manufacturing, mining and general business purposes, owned in great measure by the officers of the principal corporations, greatly to the injury of the general stockholders, purchasing and holding in perpetuity very extensive tracts of mineral and other lands, rapidly acquiring control over the elections of the people and all the departments of the government, then the people may prepare for a hopeless state of absolute dependence on the caprice of the person who may be so fortunate as to have control of these vast corporations. The people may comply with the forms of elections, but their public servants, when elected, will only be permitted to register the mandates of these monarchs of monopoly. Money is power, and the accumulation of vast sums, either in the hands of natural or artificial persons, has always operated to the detriment of the rights of the people.

As long as primogeniture and entail are prohibited, the accumulation and influence of wealth, in the hands of natural persons, is greatly shorn of its dangerous power. But a system is growing up amongst us enormous in its proportions, wielding a control of vast money capital, which no natural person, owing to the shortness of human life, can ever attain. The Legislature, forgetting its duty to the people, has conferred unlimited powers on some of these corporations, to purchase and hold, in perpetuity, lands in quantity, only limited by their ability to buy. The corporation now owning, by purchase, the franchise of the "Laurel Run improvement company," has the undoubted right to purchase, and hold and transmit, in perpetual existence, every acre of land in the State of Pennsylvania, and convert the whole population into a dependent tenantry. All that can prevent it is sufficient means to buy, and a willingness of the people to sell. But it must be recollected, that this power to buy increases continually; and finally, this company may become so strong, that, Ahab and Jezebel-like, ingenuity may devise a plan to compel the people to sell. Most likely the punishment that befel these ancient tyrants, will overtake their modern prototypes.

The power conferred on corporations to purchase or lease the franchise and property, and to purchase shares in the capital stock of every other corporation, is fraught with great danger to the safety of our political institutions.

In the exercise of this power, the larger corporations can and do secure control over the weaker, whenever it is their interest. If they cannot purchase or lease the franchise, they resort to the expedient of purchasing a majority of the shares of stock, elect their own creatures for directors and then absorb the franchise by a contract by this willing tools.

This is the system that has foisted upon the people these overshadowing monopolies. Is it wise or safe to continue it, when a plan of transportation, affording equal facilities in cheapness, rapidity and safety, can be devised, entirely shorn of the power to monopolize.

The undersigned is satisfied such a system can be established.

In his opinion, corporations should be deprived of the power to purchase or lease the franchise, bonds or other indebtedness, or shares in the capital stock of each other. This would leave each corporation free to pursue the purpose for which it was created, and remove the fear of being absorbed by larger and more fortunate ones.

Railroad and canal corporations or companies should be limited to the business of common carriers, and should be prohibited from purchasing or leasing real estate, except for the mere purpose of constructing and maintaining their lines of improvement. Power should be granted to each railroad or canal company to intersect or connect its works with any other accessible railroad or canal companies' works, and to pass its cars or boats, loaded or empty, or passengers or freight not loaded, over any other railroad or canal without discriminations in charges or hindrance, or delay in their movement. The same rights should be conferred on individual transporters. Each railroad company should maintain and control the motive power over its line, and in case of necessity, use the motive power of other companies. A system of tolls, and charges as near uniform as possible, should be established throughout the State.

Authority should be lodged with some officer of government to hear and determine complaints against corporations for neglect or refusal to fulfill their lawful and constitutional obligations, with power to enforce his decisions by proper fines and penalties.

If such a system of transportation as indicated above, was established, somewhat similar in its movements to the postal system of the United States, the undersigned believes it would afford greater facilities for the more rapid and cheap transmission of persons and property, than the present one owned and controlled by a few corporations. What is to prevent a net work of railroads and canals, acting together as a unit in the movement of passengers and freight at uniform rates, but entirely independent of each other in the management of their internal affairs, from succeeding and furnishing to the people of Pennsylvania an economical, safe and expeditious plan of transportation, divested of all power to concentrate in the hands of one or two great monopolies?

The right to form intersections, and to pass cars at mutual and uniform rates over each others roads, would remove the necessity of rival companies building parallel roads, thereby avoiding large and useless expenditures of money, and the amount invested in rolling stock can be relatively reduced.

The prohibition to purchase or lease the franchise, shares in the capital stock, bonds, or other indebtedness of each other, would work a complete deprivation of the power to monopolize, and a prohibition to purchase or hold lands would, at once, crush the detestable power of perpetuities growing up amongst us.

These privileges and immunities have been bestowed, with a lavish hand by the Legislature, on corporations within a very few years, and are calculated to awaken feelings of distrust against the recipients of such enormous sovereign powers. If permitted to accumulate in the same rate of progress, for a few more years, the whole fabric of government will be undermined.

The Convention owes it to the people to provide a remedy against any further grants of such powers, and for the gradual withdrawal of all such grants now in the hands of artificial persons.

It is believed that capital enough will always be found in Pennsylvania to build all the railroads and canals required to accommodate every portion of the State, as the necessity for their construction arises. Many projects of the kind have been prematurely undertaken, resulting in disaster to stockholders and all concerned. Resort to loans at very high rates of interest, or to the credit of some large corporation, seems to prevail. Large sums have thus been expended in

works of doubtful propriety, diverting capital from more useful and necessary investments.

Although the railroad and canal system of Pennsylvania, at this time, presents a vast combination of capital and business operations, yet it is, comparatively, in its infancy.

Many members of this Convention, now in the prime of life, will live to see the population of the State increase to the number of 10,000,000 or more, and all the business operations of such a large community will increase, in the same or a greater ratio, requiring means of transportation greatly in excess of that which now exists,

How necessary then to devise, in advance of such an increase of population and business, a plan of transportation, efficient in rapidity and cheapness of movement, and entirely divested of power to do harm.

The following sections are offered for the consideration of the Convention, and if adopted, it is believed, will have the effect of working the desired reforms.

JOSEPH BAILY.

SECTION —. No railroad or canal corporation shall have the right to invest in, or purchase or hold shares in the capital stock, bonds or other indebtedness of any other railroad, canal or other corporations, either in its corporate name, or the name of its officers, or through the intervention of trustees or other agents holding the same for its use.

SECTION —. No railroad or canal corporation shall have the right to invest in, purchase, hold or lease the franchise and property, or other estate of any other railroad, canal or other corporation, either in its corporate name, the name of its officers, or through the intervention of trustees or other agents holding the same for its use.

SECTION —. Railroad or canal corporations shall have the right to intersect their lines of improvement, by proper connections, with the works of any other accessible railroad or canal company, and shall have the right to pass cars or boats, loaded or empty, or passengers and freight not loaded, over each others railroads or canals, free from discriminations in rates of passenger and freight tariffs, and without delay or hindrance in their movements. Individual transporters shall have the same rights of passage.

SECTION —. A system of tolls and charges for passengers and freights, as near uniform as possible throughout the State, shall be established from time to time; and the Legislature shall enact general laws for the regulation of railroads, canal and other transportation companies, under the provisions of this Constitution, and enforce the same by adequate penalties; and shall confer on the Secretary of Internal Affairs such supervisory powers over said corporations as may be necessary for the public good.

Laid on the table.

Mr. Woodward, from the Committee on the Judiciary, submitted a minority report, which was read as follows, viz:

ARTICLE V.

OF THE JUDICIARY.

SECTION 1. The judicial power of this Commonwealth shall be vested in a Supreme Court, in circuit courts, in courts of common pleas and district courts, in courts of oyer and terminer and general jail delivery, in courts of quarter sessions of the peace, in orphans' courts, in justices of the peace, and in such other courts as the Legislature may from time to time establish.

SECTION 2. The judges of all the above named courts of record, and of such other court of record as the Legislature may establish, shall be appointed by the Governor, by and with the advice and consent of the Senate. They shall be men of good moral character, learned in the law, who have attained the age of thirty years, and who have had at least five years' practice in some of the courts of record of this Commonwealth. The said judges shall appoint their clerks for their respective courts, and exact adequate security for a faithful discharge of duties, and all necessary criers and tipstaves; but it shall not be competent for the Legislature to impose upon said judges the choice or election of any other officers, commissioners, inspectors, superintendents or other agents, whether civil, municipal or corporate, nor to assign to said judges, or any of them, any extra judicial duties whatever; and said judges shall hold no other office, whether

Federal, State, municipal or corporate, nor receive any fees, rewards, perquisites, emoluments or traveling expenses whilst holding and exercising the office of judge of any of the aforesaid courts. The General Assembly may, for cause entered upon their journals, upon due notice and opportunity of defence, remove from office any judge, upon concurrence of three-fourths of all the members elected to each House. Associate judges, not learned in the law, shall be continued upon the bench of the common pleas until the expiration of their respective commissions, and thereafter the said office shall be and remain abolished.

OF THE JUDGES OF THE SUPREME COURT.

SECTION 3. The judges of the Supreme Court, until otherwise ordered by law, shall consist of five; shall hold their offices for the term of fifteen years, if they shall so long behave themselves well; the oldest in commission shall be the chief justice of said court, and three of their number shall be necessary to constitute a quorum. They shall be paid a salary to be fixed by law, which shall be larger than the salary of any other judicial officer of the State, and which shall not be diminished, by taxation or otherwise, during their continuance in office. They shall be justices of oyer and terminer, with the powers of committing magistrates in every county of the Commonwealth; and one or more of their number may be empowered by law to hold courts of oyer and terminer in any county, and to try civil issues, which they may order in any cause depending before them, but the court of *nisi prius*, as now established by law, is abolished. The original jurisdiction of the Supreme Court shall not be extended by the Legislature to any cases except *habeas corpus*, *quo warranto*, *mandamus* and revenue cases, in which the Commonwealth is a party in interest; and the court may exercise its original jurisdiction in such cases by one of its number, but shall sit in banc for the hearing of causes that come up by writs of error or appeal at such one place as the Legislature may fix by law; and the judges of said court shall reside at the place so fixed, but may, for adequate reasons, adjourn its sessions for a single term, or less than a term, to any other suitable and convenient place. The jurisdiction and process of this court shall extend throughout the State.

OF THE CIRCUIT COURTS.

SECTION 4. The Legislature shall, at its first session after this Constitution takes effect, erect the several counties of the State into a convenient number of circuits, not exceeding twelve; each circuit to consist of contiguous or adjacent counties, and to be as nearly equal in population and legal business as may be possible, and for each of said circuits the Governor shall, by and with the advice and consent of the Senate, appoint a circuit judge, and the said circuit judge shall during his term of office, reside within the circuit for which he was appointed, shall hold his office for the term of twelve years, if he shall so long behave well, and shall receive a salary to be fixed by law at less than the salary of a judge of the Supreme Court, but more than the salary of a judge of the court of common pleas or district court, but which salary shall not be diminished, by taxation or otherwise, during his continuance in office.

The circuit court in each circuit shall consist of the said circuit judge as its presiding officer, and of all the law judges within the circuit. They shall arrange for holding as many terms of court in banc each year as the business may require. The terms of the court in banc shall be held in any county of the circuit as the court may appoint, and shall be held by any five of the judges of the circuit, as they may agree among themselves, and of the number holding a term in banc, three shall be a quorum. If the circuit judge is unable for any cause to preside at a term in banc, the judge whose commission is oldest of those holding the term shall preside.

The said circuit court shall have no original, but only an appellate jurisdiction. All civil cases in law or equity decided by the courts of common pleas or the district courts, or in any of the courts of civil jurisdiction that may be created by law, shall be removable, by way of appeal, into the proper circuit court, under such regulations as may be prescribed by law, and the evidence upon which the inferior court rendered its decree or judgment shall be fully certified, if required by either party, into the circuit court of the judge who rendered the decree or judgment, and thereupon the circuit court shall, after due hearing and consideration, affirm, modify or reverse the said decree or judgment. If a new trial be awarded as part of the judgment of the circuit court, the same may be had before the judge who tried the cause or before the circuit judge in the same county, or

any other county of the circuit, as the court may appoint, and the same cause may come again before the circuit court for review, and when a final judgment or decree shall be entered by the circuit court, the same shall conclude the rights of all parties to the record, unless the said circuit court or one of the judges who sat at the hearing shall allow a writ of error to remove the cause into the Supreme Court, and if such allowance be made, a writ of error shall issue out of the Supreme Court to the said circuit court and be proceeded with as in other cases. Whenever the Supreme Court in any case shall award a writ of *venire facias de novo* the new trial shall be had in the court where the cause originated, and shall be again removable into and receivable by the circuit court as in other cases, with right to a second writ of error, if allowed, as aforesaid. In no case shall a judge of the circuit court take part in the decision of a cause tried before him in the common pleas or district court, though he may sit at the argument as an assessor.

The circuit judge, besides performing the duties of president of the circuit court, may hold special courts, criminal or civil, in any county of his circuit, under such regulations as may be prescribed by law, and all motions for new trial in arrest of judgment in criminal cases tried in the court of oyer and terminer, shall be removable by way of appeal into the circuit court, under such regulations as may be prescribed by law; and the judgment of the circuit court, in such cases, shall be conclusive and final.

The circuit court shall be a court of record, and have a seal such as the Legislature may prescribe, and the lien of its decrees and judgments shall be regulated by law.

OF THE COURTS OF COMMON PLEAS AND DISTRICT COURTS.

SECTION 5. The courts of common pleas and district courts shall remain as now established, until otherwise ordered by law. The judicial districts shall be rearranged by the Legislature, so as to equalize the labors of the law judges as nearly as may be, and to bring the law judges of the several districts within the proper circuits, and if any additional judges shall be provided for by law, they shall be appointed in the manner herein prescribed. The jurisdictions of the courts of common pleas and of the district courts shall remain as they now are, except in counties where the jurisdictions of the orphans' court may be vested in courts of probate. The judges of the district courts shall be appointed for the term of ten years, and shall have the same jurisdiction in equity cases as may belong for the time being to the courts of common pleas. The judges of the courts of common pleas shall be appointed for the term of ten years, and shall be justices of oyer and terminer and of the courts of quarter sessions of the peace, with the powers of committing magistrates.

OF PROBATE COURTS.

SECTION 6. In counties whose population shall exceed one hundred thousand, the Legislature may establish courts of probate, to consist of one or more judges, who shall be learned in the law, appointed in the manner hereinbefore provided for other judges, whose term of office shall be ten years, if they so long behave themselves well, and whose salaries shall be fixed by law.

The said courts of probate, when established, shall exercise all the jurisdictions and powers now vested in the orphans' court, the register's court, and the register for probate of wills and granting letters of administration, and thereupon the jurisdiction of the common pleas in orphans' court proceedings shall cease and determine, and the register's court and the office of register of wills and granting letters of administration shall be abolished.

SECTION 7. The several courts of probate shall appoint all necessary clerks, to be paid a salary fixed by law, shall have a seal and be a court of record; but all auditing of accounts filed in said courts shall be performed by the judges and clerks thereof, without expense to parties, except where all parties in interest in a pending proceeding shall nominate an auditor, whom the court may in its discretion appoint, and in such case the auditor's fees shall be paid by the parties.

All proceedings of said courts of probate shall be removable into the Supreme Court for review by appeal or *certiorari*, as the Supreme Court may prescribe.

Laid on the table.

On leave given,

Mr. Broadhead asked and obtained leave of absence for himself for a few days from to-morrow.

A motion was made by Mr. Simpson,

That the Convention resolve itself into the committee of the whole on article reported from the Committee on Agriculture, Mining, Manufactures and Commerce.

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Cuyler in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow and Tuesday next were named.

On the question,

Shall the committee of the whole have leave to sit on Tuesday next ?

It was determined in the affirmative.

A motion was made by Mr. Simpson,

That the Convention again resolve itself into committee of the whole, on article reported from the Committee on Counties, Townships and Boroughs.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Lilly in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Russell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock

D. L. IMBRIE,
Clerk

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, APRIL 16, 1873.

The President laid before the Convention the petitions of citizens of Pennsylvania, praying that there be a clause inserted in the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage.

Mr. Lawrence presented thirteen petitions of citizens of Beaver county, praying for a Constitutional provision prohibiting the sale of ardent spirits as a beverage within the State.

Mr. Mantor presented the petition of two hundred citizens of Conneautville, Crawford county, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which petitions were laid on the table.

A motion was made by Mr. Darlington,

That the Convention again resolve itself into committee of the whole on the article reported from the Committee on Counties, Townships and Boroughs.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Lilly in the Chair, on said article.

After some time the President resumed the Chair, and the chairman reported the article amended as follow, viz :

By striking out the first section, and inserting in lieu thereof the following, viz :

SECTION 1. No new county shall be formed or established by the General Assembly which shall reduce the county or counties, or either of them, from which it shall be taken, to less contents than four hundred square miles, nor shall any county be formed of less contents; nor shall any county be formed or established containing a less population than twenty thousand inhabitants; nor shall any line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided.

SECTION 2. No county shall be divided, or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of the legal voters of the county shall vote for the same.

And by making sections two and three read three and four.

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole on article reported from the Committee on Revenue, Taxation and Finance.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Lamberton in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

A motion was made by Mr. M'Clean,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three o'clock having arrived, and there not being a quorum of members present.

A motion was made by Mr. Boyd,
That the Sergeant-at-Arms be directed to bring in the absentees.

Which was agreed to.

A motion was made by Mr. Ainey,

That the Convention do now adjourn for want of a quorum.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Bartholomew and Mr. Broomall, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Baker, Bannan, Bartholomew, Biddle, Carter, Corbett, Gilpin, Guthrie, Harvey, Hay, Hemphill, Lambertson, Lear, M'Culloch, Newlin, Parsons, Patterson, D. W., Purviance, John N., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Worrell and Meredith,
President—28.

N A Y S .

Messrs. Baer, Baily, of Perry, Boyd, Broomall, Brown, Buckalew, Cochran, Corson, Cronmiller, Curry, Darlington, De France, Dodd, Edwards, Funck, Hall, Hanna, Heverin, Horton, Hunsicker, Landis, Lawrence, Lilly, MacConnell, Mann, Mantor, Minor, Mott, Patterson, T. H. B., Pughe, Rooke, Runk, Russell, Simpson, Smith, Henry W., Walker, White, David N. and Wright—37.

So the question was determined in the negative.

ABSENT AND NOT VOTING.—Messrs. Achenbach, Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bardsley, Beebe, Black, Charles A., Black, J. S., Bowman, Brodhead, Campbell, Carey, Cassidy, Church, Clark, Collins, Craig, Curtin, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Gibson, Gowen, Green, Hazzard, Howard, Kaine, Knight, Littleton, Long, MacVeagh, M'Allister, M'Camant, M'Clean, M'Murray, Metzger, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Patton, Porter, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, James L., Reynolds, S. H., Ross, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, Wherry, White, Harry and Woodward.

After some time a quorum being present.

A motion was made by Mr. D. W. Patterson,

That the Convention again resolve itself into committee of the whole, on the article reported from the Committee on Revenue, Taxation and Finance.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Lambertson in the Chair, on said article.

After some time the President resumed the Chair, and the chairman reported the article amended, as follows, viz :

Sixth section amended, by inserting after the word "money," in the first line, the following words, viz : "By and on behalf of the State."

Eighth section amended, by inserting after the word "no," in the first line, the following words, viz: "County, township, school district or;" and in the second line, by making the word "including" read "excluding;" and by striking out in the third line, the following words: "The following," and by inserting before the word "per centum," in the fourth line, the word "two," and also by striking out all after the word "indebtedness," in the sixth line, and inserting in lieu thereof the following words, viz: "And all contracts by which indebtedness beyond such limits would be incurred shall be void."

Amended ninth section, by striking out the first and second lines to and including the word "void;" and by inserting after the word "any," in the second line, the following words: "County, townships, school districts or;" and also by striking out the word "twenty," in the fifth line, and inserting in lieu thereof the word "thirty."

A motion was made by Mr. Landis,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, APRIL 17, 1873.

Mr. Lamberton presented the following letter of resignation, which was referred to the Committee of Fourteen Delegates at Large, last named in the proclamation of the Governor:

LANCASTER, April 15, 1873.

Hon. WILLIAM M. MEREDITH,

President of the Constitutional Convention:

MY DEAR SIR:—Permit me through you to tender to the Constitutional Convention my resignation.

The many professional and private engagements which demand my attention during the months of April and May, and which I cannot postpone without great loss and inconvenience to others, have necessitated this course.

It is with much regret that I sever my connection with this Convention, assembled in response to a call from the people to execute the work of reform.

So far the action of the Convention meets with my hearty approval, and if in the end all is realized that a good beginning justifies anticipating, the people of the State will congratulate each other that they placed a great work in such trustworthy hands; and all who contribute to the result will have just cause to feel proud.

I have the honor to be,

Very respectfully,

SAM'L H. REYNOLDS.

A motion was made by Mr. Woodward,

That the committee to whom the forgoing resignation is referred, have leave to sit during the sessions of this Convention.

Which was agreed to.

Mr. Wherry asked and obtained leave of absence for Mr. Hanna for this afternoon.

Mr. Niles asked and obtained leave of absence for Mr. Elliott for a few days from to-day on account of sickness in his family.

Mr. Struthers presented twenty-one petitions of citizens of Warren county, praying for a clause in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Laid on the table.

Mr. Corson presented the petition of citizens of Pennsylvania, praying that the Constitution be so amended as to secure to women the exercise of the right of suffrage.

Laid on the table.

Mr. Boyd offered the following resolution, which was read, viz :

Resolved, That on and after to-morrow the Convention meet at ten o'clock A. M., and adjourn at three o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Boyd and Mr. Worrell, and were as follow, viz :

YEAS.

Messrs. Addicks, Ainey, Alricks, Armstrong, Bannan, Boyd, Broomall, Brown, Cassidy, Corbett, Corson, Craig, Curry, Curtin, Darlington, Finney, Gilpin, Guthrie, Hay, Hemphill, Lamberton, Lear, M'Allister, Mann, Metzger, Newlin, Parsons, Patterson, D. W., Patton, Reynolds, James L., Ross, Runk, Simpson, Smith, H. G., Stanton, Walker, Wetherill, John Price, Worrell and Meredith, *President*—39.

NAYS.

Messrs. Andrews, Baer, Baily, of Perry, Baker, Bartholomew, Buckalew, Carter, Collins, De France, Dunning, Edwards, Funck, Hall, Hanna, Harvey, Horton, Hunsicker, Landis, Lawrence, Lilly, Long, MacConnell, M'Culloch, Manor, Minor, Mott, Niles, Palmer, G. W., Pughe, Rooke, Russell, Smith, Henry W., Struthers, Wherry, White, David N., White, J. W. F., and Wright—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Bailey, of Huntingdon, Barclay, Bardsley, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Brodhead, Campbell, Carey, Church, Clark, Cochran, Cronmiller, Cuyler, Dallas, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gowen, Green, Hazzard, Heverin, Howard, Kaine, Knight, Littleton, MacVeagh, M'Camant, M'Clean, M'Murray, Mitchell, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, John R., Reed, Andrew, Sharpe, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., White, Harry and Woodward.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. H. G. Smith,

To amend the same, by inserting after the word "Convention," the following words, viz : "will hold daily sessions to."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Stanton,
To amend the same, by striking out " three," and inserting " four."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Lawrence,
To lay the resolution on the table.

On the question,
Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Boyd and Mr. Landis, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baer, Baily, of Perry, Bartholomew, Buckalew, Carey, Carter, Cassidy, Cochran, Collins, Cronmiller, Curry, De France, Dodd, Dunning, Edwards, Funck, Hall, Hanna, Harvey, Horton, Hunsicker, Knight, Landis, Lawrence, Lilly, Long, MacConnell, M'Clean, M'Culloch, Mantor, Minor, Mott, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Rooke, Russell, Smith, Henry W., Struthers, Wherry, White, David N., Worrell and Wright—47.

N A Y S .

Messrs. Addicks, Ainey, Alricks, Armstrong, Baker, Bannan, Boyd, Broomall, Brown, Corbett, Corson, Craig, Curtin, Dallas, Darlington, Fulton, Gilpin, Guthrie, Hay, Hemphill, Lamberton, Lear, M'Allister, Mann, Metzger, Newlin, Parsons, Reynolds, James L., Ross, Runk, Simpson, Smith, H. G., Stanton, Walker, Wetherill, J. M., Wetherill, John Price, White, J. W. F., and Meredith, *President*—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Baily, of Huntingdon, Barclay, Bardsley, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Brodhead, Campbell, Church, Clark, Cuyler, Davis, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Gowen, Green, Hazzard, Heverin, Howard, Kaine, Littleton, MacVeagh, M'Camant, M'Murray, Mitchell, Palmer, H. W., Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Sharpe, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, White, Harry, and Woodward.

Mr. Armstrong offered the following resolution, which was twice read, viz :

Resolved, That the report of the Committee on Judiciary be made the special order for Tuesday, the 22d inst., at eleven o'clock A. M.

On the question,
Will the Convention agree to the resolution ?

A motion was made by Mr. Bartholomew,
To amend the same, by striking out the word " Tuesday," and inserting in lieu thereof the word " Monday," and by striking out " twenty-second," and inserting in lieu thereof the word " twenty-first."

On the question,
Will the Convention agree so to amend ?

It was determined in the affirmative.

The resolution, as amended, was then agreed to.

Mr. Bartholomew offered the following resolution, viz :

Resolved, That hereafter all questions of adjournment shall be disposed of by the Convention without debate.

Laid on the table.

Mr. Woodward, from the committee to whom was referred the resignation of Samuel H. Reynolds, a delegate at large of the Convention, made a report, which was read as follows, viz :

To the Constitutional Convention :

The delegates at large, to whom it was referred to fill the vacancy in the membership of the Convention, occasioned by the resignation of Samuel H. Reynolds, a delegate at large, do report that they have filled the said vacancy by the appointment of William Bigler, of Clearfield.

GEORGE W. WOODWARD,
GEO. M. DALLAS,
WM. L. CORBETT,
WM. J. BAER,
A. G. CURTIN,
R. A. LAMBERTON,
S. C. T. DODD,
JOHN H. CAMPBELL,
J. S. BLACK,
WM. H. SMITH.

Laid on the table.

A motion was made by Mr. D. N. White,

That the Convention resolve itself into committee of the whole, on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon and Tuesday next were named.

On the question,

Shall the Convention have leave to sit on Tuesday next ?

It was determined in the negative.

This afternoon was then agreed upon.

On leave given,

Mr. T. H. B. Patterson presented the petition of sixty-four citizens of Allegheny, Venango and Armstrong counties; also one of twenty-four citizens of Allegheny county, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil governments.

On leave given,

Messrs. Dallas, Gibson, Baily, of Perry, M'Allister, Rooke, Corbett, Lawrence and Russell, presented numerous petitions from citizens of Philadelphia, York,

Perry, Centre, Union, Clarion, Washington and Bedford counties, praying that there be inserted in the Constitution a clause recognizing Almighty God as the source of all civil governments.

Said petitions were laid on the table.

A motion was made by Mr. Darlington,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

A motion was made by Mr. Worrell,

That the Convention again resolve itself into committee of the whole on the article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr Broomall in the Chair, on said article.

After some time the President resumed the chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Worrell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

FRIDAY, APRIL 18, 1873.

Mr. Wherry presented several petitions of citizens of Cumberland county, praying that the Constitution be so amended as to prohibit the sale of intoxicating liquors as a beverage.

Messrs. Wherry, Edwards, Finney, James L. Reynolds and Curry presented numerous petitions of citizens of Cumberland, Allegheny, Clearfield and Blair counties, praying that the Constitution be so amended as to recognize Almighty God as the source of all civil government.

Mr. Wright presented three petitions of citizens of Luzerne county, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Mr. Broomall presented a memorial from Mr. Obadiah Wheelock, a citizen of Philadelphia, praying that the right of suffrage be granted to women.

Which petitions and memorial were laid on the table.

Mr. J. N. Purviance asked and obtained leave of absence for Mr. Mitchell for a few days from to-day.

Mr. D. N. White, from the Committee on Legislature, submitted a minority report, which was read as follows, viz:

SECTION — The State shall be divided into fifty Senatorial districts of compact and contiguous territory, as equal in population as possible, and each district shall be entitled to elect one Senator. No county shall be divided in the formation of a district unless such county is entitled to two or more members, and no county or city shall be entitled to more than one-sixth of the whole number of members.

SECTION — The House of Representatives shall consist of not less than one hundred and fifty members, to be apportioned and distributed throughout the State in proportion to the population, on a ratio of twenty-five thousand inhabitants to each member, except that no county shall have less than one member, and the city of Philadelphia, or any county having an excess of three-fifths of said ratio over one or more ratios, shall be entitled to an additional member. In case the number of one hundred and fifty members is not reached by the above apportionment, counties having the largest surplus over one or more ratios, shall be entitled to one additional member until the number of one hundred and fifty members is arrived at.

SECTION — As soon as this Constitution is adopted the Legislature shall apportion the State in accordance with the provisions of the two preceding sections; counties and the city of Philadelphia entitled to more than one member, shall be divided into single districts of compact and contiguous territory, as nearly equal in population as possible, but no township or ward shall be divided in the formation of a district: *Provided*, That in making said apportionment for the House of Representatives in the year eighteen hundred and eighty-one, and every ten years thereafter, there shall be added to the ratio five hundred for each increase of seventy-five thousand inhabitants.

Laid on the table.

A motion was made by Mr. D. N. White,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Darlington,
That the Convention take a recess until this afternoon at 3 o'clock.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at 3 o'clock.

The hour of 3 o'clock P. M. having arrived,

A motion was made by Mr. Darlington,
That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday next and Monday week were named.

On the question,

Shall the committee of the whole have leave to sit again on Monday week ?

It was determined in the negative.

Monday next was then agreed upon.

A motion was made by Mr. J. W. F. White,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday next at 10 o'clock A. M.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, APRIL 21, 1873.

Mr. William Bigler who was appointed to fill the vacancy occasioned by the resignation of Mr. Samuel H. Reynolds, appeared and was duly qualified.

Mr. Campbell presented the memorial of citizens of Pennsylvania, praying that certain sections of the article reported from the Committee on Railroads and Canals, be adopted as part of the Constitution.

Mr. D. N. White presented the petition of citizens of Pennsylvania, praying that there be an amendment to the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Which memorial and petition were laid on the table.

Mr. D. N. White offered the following resolution, viz :

Resolved, That the Convention sit every day hereafter, except Sunday, until further ordered.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. D. N. White and Mr. H. W. Smith, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Barclay, Boyd, Brown, Campbell, Carey, Carter, Cochran, Collins, Corbett, Darlington, De France, Dodd, Edwards, Fulton, Gilpin, Guthrie, Hall, Hay, Heverin, Howard, Landis, Lawrence, MacConnell, M'Allister, M'Murray, Mann, Mantor, Niles, Purvance, John N., Purviance, Sam'l A., Russell, Smith, H. G., Smith, Wm. H., Struthers, Walker, White, David N., Woodward, Wright and Meredith, *President*—43.

N A Y S .

Messrs. Baker, Broomall, Buckalew, Cronmiller, Curry, Curtin, Dallas, Davis, Dunning, Ewing, Fell, Gibson, Gowen, Hanna, Harvey, Hemphill, Horton, Hunsicker, Kaine, Knight, Lilly, MacVeagh, Metzger, Miner, Newlin, Parsons, Read, John R., Rooke, Ross, Runk, Smith, Henry W., Stanton, Temple, Wetherill, Jno. Price, Wherry, White, J. W. F. and Worrell—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Brodhead, Cassidy, Church, Clark, Corson, Craig, Cuyler, Elliott, Ellis, Finney, Funck, Green, Hazzard, Lamberton, Lear, Littleton, Long, M'Camant, M'Clean, M'Culloch, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, Sharpe, Simpson, Stewart, Turrell, Van Reed, Wetherill, J. M. and White, Harry.

Whereupon,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Landis,

To amend the same, by adding to the end thereof the words, "and that on Saturday the hour of adjournment shall be one o'clock."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. S. A. Purviance,

To amend the amendment, by striking out the word "one," and inserting in lieu thereof the word "four."

Which was not agreed to.

The amendment was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Walker,

To amend the same, by adding to the end thereof as follows, viz: "and that the sessions be from 10 A. M. to 4 P. M."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Dallas,

To amend the amendment, by striking out the word "four," and inserting in lieu thereof the word "three."

On the question,

Will the Convention agree so to amend the amendment ?

The yeas and nays were required by Mr. Temple and Mr. Hay, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Baker, Barclay, Bigler, Broomall, Buckalew, Carey, Curry, Curtin, Dallas, Davis, Dunning, Finney, Gowen, Guthrie, Hanna, Hemphill, Heverin, Kaine, Knight, Metzger, Mott, Parsons, Patterson, T. H. B., Read, John R., Rooke, Runk, Smith, H. G., Woodward and Wright—31.

NAYS.

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Boyd, Brown, Campbell, Carter, Cochran, Collins, Corbett, Cronmiller, Darlington, DeFrance, Dodd, Edwards, Ewing, Fell, Fulton, Gibson, Gilpin, Hall, Harvey, Hay, Horton, Howard, Hunsicker, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Murray, Mann, Mantor, Minor, Newlin, Niles, Purviance, John N., Purviance, Sam'l A., Ross, Russell, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Worrell and Meredith, *President*—54.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Brodhead, Cassidy, Church, Clark, Corson, Craig, Cuyler, Elliott, Ellis, Funck, Green, Hazzard, Lamberton, Lear, Littleton, Long, M'Allister, M'Camant, M'Clean, M'Calloch, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Reed, Andrew, Reynolds, Sharpe, Simpson, Stewart, Turrell, Van Reed, Wetherill, J. M. and White, Harry.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Walker ?

A motion was made by Mr. Wright,

To postpone the question, together with the further consideration of the resolution, for two weeks.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Corbett and Mr. Edwards, and were as follow, viz:

YEAS.

Messrs. Achenbach, Broomall, Buckalew, Campbell, Carey, Carter, Curry, Curtin, Dallas, Davis, Dodd, Dunning, Ewing, Finney, Gibson, Gowen, Hanna, Harvey, Horton, Hunsicker, Kaine, Knight, Landis, Lilly, MacVeagh, M'Allister, Minor, Mott, Newlin, Patterson, T. H. B., Patton, Read, John R., Rooke, Ross, Runk, Smith, Henry W., Wetherill, John Price, Woodward and Wright—39.

NAYS.

Messrs. Addicks, Armstrong, Baer, Baily, of Perry, Baker, Barclay, Bigler, Boyd, Brown, Collins, Corbett, De France, Edwards, Fell, Fulton, Gilpin, Guthrie, Hay, Hemphill, Howard; Lawrence, MacConnell, M'Murray, Mann, Mantor, Metzger, Niles, Parsons, Purviance, John N., Purviance, Samuel A., Russell, Smith, Wm. H., Stanton, Struthers, Walker, White, David N., White, J. W. F., and Meredith, *President*—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Brodhead, Cassidy, Church, Clark, Cochran, Corson, Craig, Cronmiller, Cuyler, Darlington, Elliott, Eliis, Funck, Green, Hall, Hazzard, Heverin, Lambertson, Lear, Littleton, Long, M'Camant, M'Clean, M'Culloch, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Pughe, Purman, Reed, Andrew, Reynolds, Sharpe, Simpson, Smith, H. G., Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Worrell.

Mr. Newlin offered the following resolution, which was read, viz:

Resolved, That Rule — be amended by providing that hereafter all motions to alter the time of holding sessions of the Convention be decided without debate, and that the sessions continue as at present, unless altered by a vote of two-thirds.

Laid on the table.

Mr. Broomall offered the following resolution, which was twice read as follows, viz:

Resolved, That the Public Printer shall not cause to be published in the proceedings of the Convention anything purporting to have been said upon the floor by any member; without first exhibiting to him the proof sheets of the matter proposed to be published.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Buckalew,

That the resolution be referred to the Committee on Printing and Binding, with instructions to enforce the provisions of the resolution.

Which was agreed to.

Mr. Minor asked and obtained leave of absence for Mr. Beebe for a few days from to-day, on account of sickness.

Mr. Newlin asked and obtained leave of absence for Mr. Bardsley for a few days from to-day.

A motion was made by Mr. Cochran,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Mr. Armstrong called for the orders of the day.

A motion was made by Mr. Cochran,

That the orders of the day be postponed.

On the question,

Will the Convention postpone the orders of the day.

It was determined in the negative, two-thirds not having voted in the affirmative.

The first business in order being the consideration of the article reported from the Committee on the Judiciary.

On the question,

Will the Convention proceed to the consideration of said article ?

It was determined in the negative.

A motion was then made by Mr. Cochran,

That the Convention again resolve itself into the committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into the committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention take a recess until this afternoon at three o'clock.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three o'clock having arrived,

On leave given,

Mr. Baer, from the Committee on Railroads and Canals, submitted a minority report, which was read as follows, viz :

The undersigned, a member of the Committee on Railroads and Canals, unable to approve of sections 6, 7, 8, 9, 10, 13, 14, 15, 18, and 19 as reported by the committee, respectfully submits the following in lieu thereof :

SECTION 6. No railroad or canal corporation shall, directly or indirectly, hold, guarantee or endorse the stock, bonds or other indebtedness of any railroad or canal company without the consent of a majority in value of its stockholders first had.

SECTION 7. No company incorporated for the purpose of doing business as a common carrier, shall directly or indirectly engage in any other business than that of a common carrier, or hold or acquire lands, leasehold or freehold, directly or indirectly, except such as shall be necessary for carrying on its business as a transporter or carrier.

But this section shall not prevent such company from manufacturing articles to be used by said company, or from mining coal to be used upon its road or in its shops, nor from holding mineral lands for such purpose.

SECTION 8. Rates of fare and freight of the same class, and rates of toll, shall be the same to all, and no greater charge shall ever be made for a shorter distance than is made at the same time for a longer distance, and no greater charge for a short distance upon any part of the road, than is made for a like distance upon any other part of its road, nor shall drawbacks be allowed.

SECTION 9. All regulations of railroad and canal corporations having the effect of hindering or discriminating against individuals, partnerships or corporations, in the transportation of property on such railroad or canal, shall be void.

Sections 10, 13, 14, 15 and 18, I would dispense with altogether, and section 19 I would omit here, believing that a section likely to be reported by the Committee on Corporations will fully cover all that is contemplated, and apply it to all corporations.

I concur substantially with the committee on sections 11, 12, 16 and 17.

Respectfully submitted,

W. J. BAER.

Laid on the table.

A motion was made by Mr. Darlington,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

A motion was made by Mr. Stanton and Mr. Boyd,

To re-consider the vote just had.

Which was agreed to.

And the question recurring,

Shall the committee of the whole have leave to sit again?

The yeas and nays were required by Mr. Newlin and Mr. Collins, and were as follow, viz:

Y E A S.

Messrs. Baer, Baily, of Perry, Biddle, Boyd, Campbell, Carter, Cochran, Collins, Craig, Curry, Curtin, Darlington, Davis, De France, Ellis, Ewing, Finney, Gilpin, Gowen, Guthrie, Hall, Hanna, Harvey, Hay, Horton, Howard, Hunsicker, Landis, Lilly, MacConnell, MacVeagh, M'Culloch, Mann, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Reynolds, Ross, Smith, Henry W., Struthers and Walker—43.

N A Y S.

Messrs. Addicks, Alricks, Armstrong, Bigler, Brown, Buckalew, Cassidy, Corbett, Cronmiller, Cuyler, Dodd, Edwards, Fulton, Gibson, Hemphill, Kaine, Lawrence, M'Allister, M'Murray, Mantor, Metzger, Minor, Niles, Palmer, H. W., Parsons, Purviance, John N., Purviance, Samuel A., Rooke, Runk, Russell, Smith, H. G., Smith, Wm. H., Stanton, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward and Meredith, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Ainey, Andrews, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Brodhead, Broomall, Carey, Church, Clark, Corson, Dallas, Dunning,

Elliott, Fell, Funck, Green, Hazzard, Heverin, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Clean, Mitchell, Patton, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Sharpe, Simpson, Stewart, Temple, Turrell Van Reed, Wherry, White, Harry Worrell and Wright.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow and to-morrow week were named.

On the question,

Shall the committee of the whole have leave to sit to-morrow week.

It was determined in the negative.

To-morrow was then agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, APRIL 22, 1873.

Mr. Knight presented a memorial from the Pennsylvania peace society, praying that the bill of rights be amended, by striking out section twenty-one, which reads as follows, viz: "That the right of the citizens to bear arms in defence of themselves and the State, shall not be questioned."

Also, a memorial from the Pennsylvania society for promoting the abolition of slavery, for the relief of free negroes unlawfully held in bondage, and for improving the condition of the African race, praying that the Constitution be so amended as to prevent any discrimination by any corporation, hotel, public school, &c., against any one on account of race or color.

Which petitions were referred to the Committee on the Declaration of Rights.

Mr. Boyd presented the petition of citizens of Pennsylvania, praying that the Constitution be so amended, that all contested election cases shall be tried and decided by the courts of the county in which such cases may arise.

Laid on the table.

Mr. Darlington offered the following resolution, which was read, viz:

Resolved, That hereafter, until otherwise ordered, the Convention will hold one session each Saturday, commencing at 10 A. M., and ending at 3 o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Corbett and Mr. Dallas, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Bear, Boyd, Brown, Buckalew, Carter, Corbett, Craig, Darlington, Dodd, Edwards, Gilpin, Guthrie, Hay, Howard, Lawrence, MacConnell, M'Allister, M'Cullough, M'Murray, Mann, Mantor, Minor, Patterson, T. H. B., Porter, Purviance, John N., Purviance, Samuel A., Reynolds, Russell, Smith, H. G., Smith, Wm. H., Struthers, Turrell, Walker, White, David N., White, Harry and Wright—38.

N A Y S.

Messrs. Addicks, Armstrong, Baker, Bowman, Broomall, Cassidy, Collins, Crommiller, Curry, Curtin, Dallas, Davis, De France, Dunning, Ellis, Ewing, Gibson, Gowen, Green, Hall, Hanna, Harvey, Hemphill, Heverin, Horton, Hunsicker, Kaine, Knight, Lamberton, Landis, Lear, Lilly, MacVeagh, Metzger, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Reed, Andrew, Rooke, Ross, Runk, Smith, Henry W., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., Woodward, Worrell and Meredith, *President*—55.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Campbell, Carey, Church, Clark, Cochran, Corson, Cuyler, Elliott, Fell, Finney, Fulton, Funck, Hazzard, Littleton, Long, M'Camant, M'Clean, Mitchell, Patton, Pughe, Purman, Read, John R., Sharpe, Simpson, Stewart and Van Reed.

Mr. Hemphill, from the Committee on Railroads and Canals, submitted a minority report, which was read as follows, viz:

The undersigned, a member of the Committee on Railroads and Canals, is unable to concur in the report of the majority of said committee, for the following reasons, viz:

First. Because it is too verbose.

Second. Because it contains much that comes more properly within the province of the Legislature than of a Constitutional Convention.

Third. Because portions of the report are calculated not only to trample and perhaps cripple the railroads already in existence, but to retard, if not prevent the building of others in the future, and this without in the least benefiting the people. He has therefore deemed it expedient to submit his views in the form of a complete article.

ARTICLE —.

SECTION 1. Any individual, company or corporation shall have the right to construct a railroad or canal between any two points in this State, under such general laws and regulations as may be prescribed by the Legislature.

SECTION 2. All railroad and canal companies shall hereafter be incorporated under general laws, and special or exclusive privileges shall be granted to none.

SECTION 3. Parallel or competing lines of railroads or canals shall not consolidate, directly or indirectly, in stock, property or franchises, by lease, purchase or otherwise.

SECTION 4. Every railroad or canal company incorporated by, or doing business within this State, shall maintain an office therein, where books shall be kept, subject to the inspection of parties pecuniarily interested, in which shall be recorded the amount of capital stock subscribed or paid in, and by whom owned, and the names and places of residence of its officers. And the chief officer or director shall annually, under oath or affirmation, make a detailed report to the Secretary of Internal Affairs of the receipts, expenditures, assets, liabilities, and such other matters relating to the business of the company as are now or may hereafter be required by law.

SECTION 5. Neither the real or personal property of railroad or canal companies shall hereafter be exempted from taxation.

SECTION 6. No railroad or canal corporation shall directly or indirectly, hold, guarantee or endorse the stock, bonds or other indebtedness of any individual, corporation or company other than those of railroads and canals, and then only in such manner and to such amount as may be prescribed by law.

SECTION 7. Railroads and canal companies shall not engage, directly or indirectly, in any other business than that of the transportation of freight, passengers and mails; nor be enabled to own or acquire lands, freehold or leasehold, in any manner whatever, except such as may be necessary for carrying on their business.

SECTION 8. All railroads and canals are declared to be public highways, and the Legislature may, from time to time, fix the maximum rates of charges for transportation over the same, and no company shall discriminate in its rates of freight, fare, toll or charges for the motive power, either in favor of or against any individual, partnership, corporation or locality, allow any drawbacks to be granted, or pass free or at any lower than its customary rates any persons or property, except its own officers and employees.

SECTION 9. No railroad or canal corporation shall issue any stock, bonds or other evidence of indebtedness, except for money, labor or property used or to be used for the purposes for which such corporation was created, and the fictitious increase of the capital stock or indebtedness of such corporation shall be void.

SECTION 10. No person shall be interested in any company engaged in the business of transporting freight or passengers over any railroad or canal of which he is an officer.

SECTION 11. Every ticket, except excursion tickets, issued by any railroad or canal company, shall be good until used, and shall entitle the holder to transportation between the points named, by any train or trains upon which the same rate of fare is charged.

SECTION 12. Cities and boroughs shall have the right to regulate the grade of railroads and speed of trains within their limits.

SECTION 13. No street railroad shall be constructed within the limits of any city, borough or township without the consent of its local authorities.

SECTION 14. No railroad or canal company in existence at the time of the adoption of this article shall avail itself of or derive any benefit from any future legislation whatever, except on condition of complete acceptance of all the provisions of this article, but may be subjected to the restrictions and burthens hereafter imposed on such companies.

SECTION 15. The Legislature shall enforce, by appropriate legislation, the provisions of this article.

JOS. HEMPHILL.

Laid on the table.

Mr. H'Allister, from the same committee, also submitted a minority report, which was read as follows, viz:

[To take the place of the 7th, 8th, 9th and 12th sections.]

SECTION —. Railroads, canal or transportation companies heretofore constructed, or that hereafter may be constructed in this State, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the Legislature shall, by general laws, establish reasonable maximum rates of charges for the transportation of passengers and property thereon and within the limits thus prescribed by the Legislature; every railroad company shall establish a schedule of uniform rates for the transportation of passengers per person, and property per ton per mile over their road, and during the existence of such schedule no abatement shall be made from the charges thereon set forth, in favor of any individuals, corporations or partnerships, or by the granting of a free pass or special rates, the allowance of drawbacks, or in any other way or manner, except in the granting of personal transportation to the officers and employees of the company, and to poor and indigent persons as objects of charity.

SECTION —. No railroad, canal or transportation corporation shall grant any preference or advantage whatever to any of its officers or stockholders, or to any corporation or partnership in which they, or any of them, shall hold stock or hold an interest over other individuals, corporations or partnerships in its charges for the transportation of persons or property thereon, except as in the last preceding section excepted; and any wilful violation of this section, judicially ascertained, shall cause a forfeiture of the corporate franchises of the offending corporation.

Laid on the table.

A motion was made by Mr. Darlington,

That the Convention again resolve itself into committee of the whole, on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention take a recess until 3 o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at 3 o'clock.

The hour of three having arrived,

On leave given,

The President laid before the Convention a communication from the Pennsylvania Horticultural society, which was read as follows, viz :

PHILADELPHIA, April 22, 1873.

HON. WILLIAM M. MEREDITH,

President of the Constitutional Convention :

DEAR SIR :—On behalf of the Pennsylvania Horticultural society, I have the pleasure to invite, through you, the members of the Convention to visit the exhibition of plants and flowers, at the Horticultural Hall, at any time from the present until Friday evening next, when it closes.

If convenient to the members, we should be happy to see them in a body, on Wednesday or Thursday evening.

Any member, with his family, can obtain admission by presenting his card to the janitor.

Very respectfully,
W. L. SCHAFFER,
President.

Laid on the table.

On motion of Mr. Dallas,

Said invitation was accepted, with the thanks of the Convention, and Thursday evening was designated as the time to visit the exhibition.

On leave given,

Messrs. Campbell, Baer, Dallas, Cochran, Reynolds, M'Murray, Landis, T. H. B. Patterson, Horton, Alricks and D. W. Patterson presented petitions from citizens of Pennsylvania, praying that certain sections of the article reported from the Committee on Railroads and Canals be adopted as part of the Constitution.

Which petitions were laid on the table.

A motion was made by Mr. Darlington,

That the Convention again resolve itself into committee of the whole, on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, APRIL 23, 1873.

The President laid before the Convention the following letter of resignation, which was read; viz:

Hon. WM. M. MEREDITH,

President Constitutional Convention:

DEAR SIR:—Engagements of no ordinary character force me to do that which I much regret, namely, to resign my place as a delegate in the Constitutional Convention. Please tender to my fellow members my regrets at this compulsory separation, and trust that I am, as ever,

Your friend,
LIN BARTHOLOMEW.

April 21, 1873.

Laid on the table.

A motion was made by Mr. Darlington,

That the resignation be accepted and referred to the delegates at large first named in the proclamation of the Governor.

On the question,
Will the Convention agree to the motion ?
It was determined in the negative.

Mr. Broomall offered the following resolution, which was referred to the Committee on Railroads and Canals, viz :

Resolved, That the Committee on Railroads and Canals consider and report upon the following article :

SECTION 1. Any individual, or any corporation organized for the purpose, shall have the right to construct a railroad between any two points in the State, subject to the payment of all damages thereby caused.

SECTION 2. No railroad company or owner shall discriminate, unreasonably, against the people of this State, or of any section of it, nor in favor of its owners, stockholders or officers in carrying freight and passengers.

SECTION 3. The Legislature shall make all laws necessary to carry these provisions into effect.

A motion was made by Mr. Darlington,
That the Convention resolve itself into the committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,
The Convention resolved itself into the committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again ?
It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Lilly,
That the Convention take a recess until three o'clock P. M.
Which was agreed to.

Whereupon,
The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,
On leave given,

Mr. Corson presented the memorial of Gwynedd monthly meeting of Friends, praying that the death penalty be erased from our statutes.

Laid on the table.

A motion was made by Mr. Mann,
That the Convention resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,
The Convention again resolved itself into the committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Hanna,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

THURSDAY, APRIL 24, 1873.

Mr. Van Reed presented the petitions of members of the Berks county bar, praying for the abolition of the grand jury system.

Messrs. Campbell, John N. Purviance, Cochran and Russell presented petitions from citizens of Pennsylvania, praying that certain sections of the article reported from the Committee on Railroads and Canals be adopted as part of the Constitution.

Which were laid on the table.

Mr. Stanton offered the following resolution, which was read, viz:

Resolved, That the report on the Judiciary be the special order for the fourth Monday in May.

Laid on the table.

Mr. Patton offered the following resolution, which was referred to the Committee on Agriculture, Mining, Manufactures and Commerce, viz:

Resolved, That the Committee on Agriculture, Mining, Manufactures and Commerce, be requested to report the following article as supplementary to their report:

ARTICLE —.

The Legislature shall, before the fourth day of July, one thousand eight hundred and seventy-six, and in each period of twenty years thereafter, authorize a geological and mineralogical survey of the State, and the publication of the report of the same.

Mr. Kaine asked and obtained leave of absence for Mr. Hanna for this afternoon.

Mr. Alricks asked and obtained leave of absence for Mr. M'Allister for a few days from to-day, on account of sickness.

A motion was made by Mr. Darlington.

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

On leave given,

Mr. Armstrong, on behalf of Mr. Bartholomew, asked leave for the latter to withdraw his resignation.

Which was agreed to.

Whereupon,

The resignation was withdrawn.

A motion was made by Mr. Darlington,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

A motion was made by Mr. Stanton,

That the Convention again resolve itself into committee of the whole on article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question.

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. D. N. White,

That the Convention no now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

FRIDAY, APRIL 25, 1873.

Mr. Cochran, from the Committee on Railroads and Canals, made a report, which was read as follows, viz:

That they have had under consideration the resolutions which were presented to the Convention on the 23d inst. and referred to this committee. The propositions therein contained were considered by the committee before they made their general report on the subject committed to them, and their conclusions thereon were embodied in that report now pending in committee of the whole. There being nothing new or additional which this committee is prepared to recommend, the following resolution is respectfully submitted:

Resolved, That the Committee on Railroads and Canals be discharged from the further consideration of the subject.

On motion of Mr. Cochran,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. Lilly,

That the Convention again resolve itself into the committee of the whole on the article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention again resolved itself into committee of the whole, Mr. Broome in the Chair, on said article.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

On leave given,

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz:

31 CON. JOUR.

The Committee on Accounts and Expenditures of the Convention respectfully reports—

That under the direction of a resolution adopted by the Convention on the 22d day of March last, which referred certain accounts which had been presented to the Committee on House to this committee for examination and payment, the accounts so referred were examined, and on the 27th day of March a report was made recommending the payment of a portion thereof, which were readily ascertained to be correct and proper. In addition to these accounts the following have also been submitted, viz:

1. William M'Carter, for glazing, &c.....	\$17 90
2 E. C. Markley & Sons, for printing and stationery furnished to, and by order of the Committee on House.....	84 47
3 William F. Murphy's Sons, for inkstands for desks of members, gavel and stationery	232 05
4. John A. Voorbees, for repairs to water closets, &c.....	40 60
5. Griffith & Page, ice chest, water filter, cooler, &c.....	77 10
6. William R. Elliott, for hardware furnished for repairs, additions and alterations, made in the building used by the Convention.....	118 80
7. Hall, Garrison & M'Clees, for porterage and hanging portrait of William Penn in hall	10 00
8. E. D. Trymby, desks and chairs for Sergeant-at-Arms and Postmasters, purchased by order of the Committee on House.....	115 00
9. Howell, Finn & Co., for papering document room.....	32 79
10. Cornelius & Sons, for gas fixtures for document room.....	29 85
11. J. B. Lippincott & Co., for furnishing 500 copies of memorial volume of Hon. William Hopkins, deceased, ordered to be printed by the Convention.....	294 00
12. John Sartain, for engraving portrait and autograph signature of Hon. William Hopkins, deceased.....	85 00
13. Philadelphia gas works, for gas used from March 22d to April 19.....	40 94
14. J. P. Lanning, for towels furnished for use of Convention.....	13 63
15. J. Addison Bush, three dozen black inks.....	12 00
Total.....	1,204 13

These accounts have been carefully examined by the committee, and all of them are believed to be correct in their charges. The payment of several of them, in the opinion of the committee, should properly have been provided for by the city of Philadelphia under the terms of its invitation to the Convention to hold its sessions in that city, accepted by the Convention on the first day of its session in Harrisburg, by which it was agreed that a "suitable hall, *properly furnished and arranged*, would be provided for the use of the Convention *at the expense of the city.*" Amongst these accounts are those for furniture for the post-office and for the Sergeant-at-Arms, and for the arrangement and fitting up of the document room; and other rooms necessary for the use of the Convention and its officers, and for various additions and improvements necessary to be made soon after the Convention resumed its sessions in Philadelphia. The work, supplies and furniture, however, for which these bills were rendered, having been done and furnished under the direction of the Committee on House of this Convention, and the indebtedness covered by the accounts having been mainly incurred after the commencement of the session in this city, and it being understood that the city authorities supposed that all had been done which it was necessary to do for the convenience of the Convention under the terms of their invitation, the Committee respectfully reports that these bills, as well as all of those above mentioned, should be paid.

The committee further reports that it is necessary that further provisions should be made for the payment of the incidental expenses of the Convention, including the wages of its employees, by placing additional funds in the hands of the Chief Clerk for that purpose.

The following resolution is accordingly reported.

Resolved, That the accounts mentioned in the foregoing report, together amounting to the sum of twelve hundred and four dollars and thirteen cents, be and the same are hereby approved, and that for their payment and for the payment of the wages of the employees of the Convention, a warrant be drawn in favor of D. L. Imbrie, Chief Clerk, for the sum of three thousand dollars.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. Darlington,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until three o'clock this afternoon.

The hour of three having arrived,

A motion was made by Mr. Lilly,

That the Convention again resolve itself into committee of the whole on the article reported from the Committee on Railroads and Canals.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Broomall in the Chair, on said article.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz:

SECTION 1. By inserting in the fifth line, after the word "freight," the words, "tolls and."

SECTION 2. By striking out the words, "a public," in the second line, and inserting in lieu thereof the word "an;" by striking out the word "public," in the fourth line, and inserting in lieu thereof the word "the;" by inserting after the word "inspection," in the same line, the words, "by any stock or bondholder, or any other person having any pecuniary interest in such corporation," and by striking out all after the word "officers," in the seventh and eighth lines.

SECTION 3. By striking out section, and inserting new section as follows, viz: "The property of railroad, canal corporations, or other corporations of a similar character, doing business in this State, and other joint stock companies, now existing or hereafter created, shall forever be subject to taxation, and the power to tax the same shall not be surrendered or suspended by any contract or grant to which the State shall be a party."

SECTION 5. By striking out section.

SECTION 6. By striking out section, and inserting new section as follows, viz: "No railroad, canal or other corporation doing business as a common carrier, shall, either directly or indirectly, hold, guarantee or endorse shares in the capital stock, bonds or other indebtedness of any other corporation, individuals or partnership, except those doing the business of common carriers."

SECTION 7. By striking out the word "or," in the second line, after the word "carrier," and inserting in lieu thereof the word "nor;" by striking out the word "or," after the word "corporations," in the fourth line, and by striking out the word "lateral," in the ninth line.

SECTION 8. By striking out section and inserting in lieu thereof as follows, viz: "No corporation engaged in the transportation of freight or passengers in or through the State, shall make any discrimination in charges for the carriage of either freight or passengers against the people thereof; and such corporations shall carry the persons and goods of the people of this State on as favorable terms as those of other States brought into or through this State on the works owned or controlled by such corporation; and the charges for freight and fares for passengers shall, for equal distances in the same direction, be the same, and a higher charge shall never be made for a shorter distance than is made for a longer distance, and no special rates or drawback shall, either directly or indirectly, be allowed; but commutation tickets to passengers may be issued, as heretofore, and reasonable extra rates, within the limits of the charter, may be made in charges for any distance not exceeding fifty miles."

SECTION 9. By striking out the word "transport," in the third line, and inserting in lieu thereof the word "have;" by inserting the word "transported" after the word "property," in the same line, and by striking out all after the word "power," in the fourteenth line.

SECTION 10. By striking out section.

SECTION 11. By striking out the word "or," in the first line; by striking out the word "corporation," in the same line, and inserting in lieu thereof the words, "or transportation company;" by striking out all from the word "increased," in

the seventh line, to the word "nor," in the twelfth line, and inserting in lieu thereof the words "except in pursuance of a general law," and by inserting after the word "corporation," in the seventeenth line, the words, "railroad or canal."

SECTION 12. By striking out section.

SECTION 13. By striking out section.

SECTION 14. By striking out section, and inserting in lieu thereof as follows, viz: "All municipal, railroad, canal and other corporations and individuals shall be liable for the payment of damages to property resulting from the construction and enlargement of their works, as well to owners of property not actually occupied, as to those whose property is taken, and said damages shall be paid or secured to be paid before the injury is done."

SECTION 15. By striking out section.

SECTION 16. By striking out section.

SECTION 17. By striking out section, and inserting in lieu thereof as follows, viz: "No street passenger railway shall be constructed within the limits of any city, borough or township, without the consent of its local authorities."

By adding a new section as follows, viz: "Railroad companies shall have the right to connect their railroads by proper connections with the railroads of each other, and shall have the right to pass their cars, either empty or loaded, over each other's railroads, free from discrimination in rates or charges, and without delay or hindrance in their movements."

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning next at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, APRIL 28, 1873.

On motion of Mr. Lilly,

The Convention resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

A motion was made by Mr. Russell,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On leave given,

Mr. Darlington asked and obtained leave of absence for Mr. Henry W. Smith for a few days from to-day, on account of sickness.

On motion of Mr. Hemphill,

The Convention again resolved itself into committee of the whole Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Worrell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,
Assistant Clerks.

TUESDAY, APRIL 29, 1873.

On motion of Mr. Minor,

The Convention again resolved itself into committee of the whole Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

On leave given,

Mr. Turrell asked and obtained leave of absence for Mr. M'Clean, for a few days from to-day.

A motion was made by Mr. John N. Purviance,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Hunsicker,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given,

The President laid before the Convention a communication from members of the bar of Philadelphia, protesting against any change in the judicial system of said city.

Which was laid on the table.

A motion was made by Mr. Corson,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, APRIL 30, 1873.

Mr. Darlington presented the petition of one hundred and twenty-five citizens of the borough of Parkesburg, Chester county, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Laid on the table.

Mr. Kaine, from the Committee on Commissions, Officers, Oaths of Office and Incompatibility of Office, reported the following article, viz :

ARTICLE —

OF THE OATH OF OFFICE.

Members of the General Assembly, and all judicial, State and county officers shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation :

I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity; and I do further solemnly swear (or affirm) that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable things to procure my nomination, election (or appointment); nor have I knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; and I do further solemnly swear (or affirm) that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the salary or fees allowed by law.

The foregoing oath shall be administered by some person authorized to administer oaths; and in the case of State officers and judges of the Supreme Court, shall be filed in the office of the Secretary of the Commonwealth; and in the case of other judicial and county officers, in the office of the prothonotary of the county in which the same is taken; any person refusing to take said oath or affirmation shall forfeit his office, and any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever afterwards disqualified from holding any office of trust or profit within this Commonwealth.

Within twenty days after the adjournment of the General Assembly *sine die*, every member of the House of Representatives, and every Senator, whose term will expire at the next general election, shall take and subscribe, before some officer qualified to administer oaths, the following oath or affirmation :

I do solemnly swear (or affirm) that, as a member of the General Assembly, I have supported and obeyed the Constitution of this Commonwealth to the best of my knowledge and ability; I have not, knowingly, been influenced by corrupt private solicitation from interested parties or their agents; I have not voted or spoken on any matter in which I have, or expected to have, a private interest; I have not done, or willingly permitted to be done, any act which would make me guilty of bribery; I have observed the order and forms of legislation as prescribed by the Constitution, and I have not, knowingly, voted or spoken for any law, bill or resolution, which I knew or believed to be inconsistent therewith.

The foregoing oath or affirmation shall be filed in the office of the prothonotary of the county in which the Senator or Representative resides; and if any such Senator or Representative shall fail to take and file said oath or affirmation within the time prescribed, (unless unavoidably prevented,) he shall be forever afterwards disqualified from holding any office of trust or profit within this Commonwealth; and if, in taking such oath or affirmation, it shall appear that he has knowingly sworn or affirmed falsely, he shall be deemed guilty of perjury, and also be disqualified as aforesaid.

Said article was read the first time and laid on the table.

On motion of Mr. Darlington,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Twenty minutes past eleven o'clock was named and agreed upon.

A motion was made by Mr. Buckalew,

That the order of the Convention limiting debates in the committee of the whole to twenty minutes be amended, by adding these words: "Unless leave be given by two-thirds of the committee."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Lilly and Mr. Reynolds, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Beebe, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Brown, Buckalew, Carey, Cassidy, Church, Clark, Corson, Craig, Curry, Dallas, Darlington, Davis, Dodd, Edwards, Elliott, Ellis, Ewing, Gilpin, Gowen, Green, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Kaine, Lamaberton, Long, MacVeagh, M'Camant, M'Murray, Mantor, Mott, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Temple, Wetherill, J. M., Wherry, White, Harry, Woodward, Worrell and Meredith, *President*—71.

N A Y S .

Messrs. Bardsley, Campbell, Carter, Collins, Cronmiller, Curtin, De France, Finney, Howard, Knight, Landis, Lawrence, Lilly, MacConnell, Mann, Metzger, Minor, Mitchell, Porter, Reynolds, Rooke, Simpson, Smith, Wm. H., Turrell, Walker, Wetherill, John Price, White, David N., White, J. W. F. and Wright—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Barclay, Bartholomew, Biddle, Black, J. S., Broomall, Cochran, Corbett, Cuyler, Dunning, Fell, Fulton, Funck, Gibson, Hall, Heverin, Hunsicker, Lear, Littleton, M'Alister, M'Clean, M'Culloch, Palmer, G. W., Parsons, Patterson, T. H. B., Pughe, Read, John R., Ross, Runk and Van Reed.

On motion of Mr. Hay,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?
This afternoon was named and agreed upon.

A motion was made by Mr. Brodhead,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Lawrence,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on the article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was then agreed upon.

A motion was made by Mr. Lamberton,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MAY 1, 1873.

Mr. Beebe presented two petitions of citizens of Oil City, and one petition from citizens of Dempseytown, praying that a clause be inserted in the Constitution recognizing Almighty God as the source of all civil government.

Messrs. Stanton, G. W. Palmer, Clark and Stewart presented similar petitions from citizens of Luzerne, Westmoreland, Indiana and Franklin counties.

Which several petitions were laid on the table.

Mr. Russell presented the proceedings of a meeting of the citizens of Bedford, which were read as follows, viz:

To the Honorable the Constitutional Convention of Pennsylvania:

The undersigned, appointed by a meeting of the citizens of Bedford, a committee to invite your honorable body to hold your summer sessions at Bedford, respect-

fully represent: That at the aforesaid meeting of citizens of Bedford, the following resolution was unanimously adopted:

“Resolved. That the honorable the Constitutional Convention of Pennsylvania, be and they are hereby respectfully invited to hold their summer session at Bedford, and that the audience room of the Evangelical Lutheran church be tendered them as a place of meeting, the same having been placed at the disposal of this meeting for that purpose.”

The undersigned take pleasure in presenting this invitation to your honorable body, and in common with the people whom they represent will be greatly gratified should the Convention see fit to accept it.

E. F. KERR,
B. F. MEYERS,
W. M. HALL,
JOHN CESSNA,
W. P. SCHELL,
WM. HARTLEY,
F. BENEDICT,
JOHN LUTZ,
R. F. WILSON.

BEDFORD, PA., *April 17, 1873.*

Laid on the table.

A motion was made by Mr. Howard,

That the Convention accept the foregoing invitation.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Harry White,

To postpone the question, together with the further consideration of the subject, for the present.

Which was agreed to.

On motion of Mr. Darlington,

The Convention again resolved itself into the committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again.

This afternoon was named and agreed upon.

On leave given,

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention respectfully reports:

That it has had under consideration two bills of William W. Harding, for paper furnished to the Printer under his contract with the Convention, one of said bills for two hundred reams, amounting to the sum of fifteen hundred dollars, and the other of said bills for one hundred and sixty-eight reams, amounting to the sum of twelve hundred and sixty dollars, that said paper has been received by the Printer, and is certified to be in accordance with the requirements of the contract therefor, and that the said bills are correct, and should therefore be paid.

The following resolution is therefore reported :

Resolved, That the said accounts above mentioned, together amounting to the sum of twenty-seven hundred and sixty dollars, be and the same are hereby approved, and that a warrant be drawn in favor of William W. Harding for said sum.

On motion of Mr. Hay,
Said resolution was twice read, considered and agreed to.

A warrant was accordingly so drawn.

A motion was made by Mr. John R. Read,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,
The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Hay,

The Convention again resolved itself into the committee of the whole, Mr. Harry White in the chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MAY 2, 1873.

Mr. Guthrie, for Mr. Jos. Baily, (Perry,) who was detained on account of sickness, presented two petitions from citizens of Susquehanna and Northampton counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the source of all civil governments.

Which were laid on the table.

Mr. Bear offered the following resolution, which was read, viz:

WHEREAS, The Legislature has repealed that portion of the act providing for calling a Convention to amend the Constitution, which fixed the salaries to be paid its members, and has appropriated the gross sum of five hundred thousand dollars for salaries and the other necessary expenses of the Convention; therefore be it

Resolved, That the salaries of the members of the Convention are hereby fixed at ———, and mileage at the rate of ten cents per mile circular, for not more than two sessions, (provided that the salary of the President shall be double that of the other members,) and that the Committee on Accounts be instructed to report a proposition fixing the pay of the officers for the consideration of the Convention.

Laid on the table.

Mr. Newlin, from the Committee on Printing, submitted the following resolution, viz:

Resolved, That the Printer, B. Singerly, bind the Journal and Debates of the Convention in half binding, leather backs and tips, with paper sides and gilt labels, and forward to the residence of each member, by express, thirty copies of each volume of the Debates and five copies of the Journal, as soon as they are bound, and that each member shall receipt therefor to the Printer, which receipt shall be his voucher, the expense of boxing and expressing to be paid by the Convention.

On motion of Mr. Newlin,

Said resolution was twice read, considered and agreed to.

Mr. Bigler presented resolutions of the Clearfield County Bar association, which were read as follow, viz:

Resolutions of Clearfield County Bar association, adopted May 1, 1873.

1. *Resolved*, That we are opposed to the circuit court system in anyshape, and to any intermediate court.

2. *Resolved*, That we are in favor of the general plan proposed by the report of Mr. Kaine.

3. *Resolved*, That we think the common pleas judges of each district should meet in each county in banc at least three times in each year instead of once as provided by Mr. Kaine's report, this being in our opinion necessary to expedite business and prevent delay.

4. *Resolved*, We think that the term of a Supreme Court judge should be 21 years instead of 15 years, and that he should be ineligible for a second term; but having served continuously a full term and ceased to hold the office of judge should be entitled to two-thirds pay for life. Also, that the common pleas judges who have served two full terms, and having ceased to hold the office of judge, shall be entitled to two-thirds pay for life.

5. *Resolved*, That when parties are not entitled to, or waive a trial by jury, the case may be tried before the judge alone, he hearing all the facts and deciding the law as judge and jury, the parties being entitled to except and take writs of error or appeal, as when causes are tried before court and jury.

6. *Resolved*, We are in favor of so forming judicial districts, that there may not, in any case, be more than three counties in a single district, and that there be at least one resident law judge in each county.

7. *Resolved*, We are in favor of abolishing the office of associate judges not learned in the law.

8. *Resolved*, We are in favor of fixing the salary of the judges of the common pleas at not less than \$5,000, and allow no mileage.

Respectfully submitted to the Constitutional Convention.

T. H. MURRY, *President*.

JOHN W. BANTZ, *Secretary, pro. tem.*

Laid on the table.

On motion of Mr. Lamberton,

The Convention resolved itself into committee of the whole, Mr. Harry White in the Chair, on said article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

On leave given,

Mr. Dallas presented petitions from citizens of Allegheny county and city of Philadelphia, praying that there be a clause inserted in the Constitution recognizing Almighty God as the source of all civil government.

Which were laid on the table.

A motion was made by Mr. Worrell,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

A motion was made by Mr. Lilly,

That the Convention again resolve itself into the committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday next was named and agreed upon.

On leave given,

Mr. Buckalew asked and obtained leave of absence for Mr. MacVeagh for a few days from to-day.

On leave given,

Mr. Clark asked and obtained leave of absence for Mr. S. A. Purviance for a few days from to-day.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday next at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MAY 5, 1873.

The President announced the death of Hon. Hugh N. M'Allister, one of the Delegates-at-Large.

A motion was made by Mr. Curtin,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MAY 6, 1873.

On leave given,

Mr. Curtin offered the following resolutions, which were twice read, viz:

Resolved, That with the most sincere feelings of unfeigned sorrow we learn of the death of Hon. H. Nelson M'Allister, a member of this Convention, who enjoyed the highest measure of respect for his learning and ability and esteem for his virtues.

Resolved, That his death deprives this Convention of one of its most enlightened and industrious members, the Commonwealth of one of her most public-spirited and useful citizens, the community in which he lived of a man whose indomitable energy, inflexible integrity and spotless moral character attached to him the confidence and affection of all who knew him, and his family of a kind and devoted husband and father.

Resolved, That we do most heartily offer to the members of his bereaved family the homage of our sympathy and condolence in this time of deep distress.

Resolved, That in respect for the memory of our departed colleague, the President is requested to appoint a committee of — delegates to attend his funeral at Bellefonte, on Thursday next.

Resolved, That the Clerk be directed to transmit a copy of these resolutions to the family of the deceased.

The first, second and third resolutions were unanimously agreed to.

On the question,

Will the Convention agree to the fourth resolution ?

A motion was made by Mr. Curtin,

To fill the blank in the same with the word "seven."

Which was agreed to.

The resolution, together with the last resolution, were then unanimously agreed to.

The President announced Messrs. Curtin, Andrew Reed, John M. Bailey, William H. Smith, Hazzard, Simpson and Corson, the committee to attend the funeral.

Mr. Buckalew, from the Committee on Suffrage, Election and Representation, made a report, which was read as follows, viz :

In the Committee on Suffrage, Election and Representation, May 6, 1873, the following resolutions were unanimously adopted :

Resolved, That the members of this committee have heard with deep sensibility of the death of their chairman, H. N. M'Allister, of Centre county, who has fallen at his post of duty, leaving an honored memory among all his colleagues of the Convention.

That his death may be justly regarded as a public loss, and to all of us who survive him, it brings sincere sorrow and regret.

That we desire to bear willing testimony that the transaction of business by the committee, and in his relations thereto, ~~their late chairman~~ always exhibited untiring industry and earnestness, zeal for the right, and a sincere desire to reform all existing abuses in government.

Resolved, That the acting chairman of the committee be directed to present the foregoing resolution to the Convention, with the request that the same be entered upon the Journal, as a fitting tribute to the memory of the deceased.

On motion of Mr. Buckalew,

Ordered, That the foregoing resolution be printed in the Journal.

A motion was made by Mr. Mann,

That the Convention take a recess until 3 o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at 3 o'clock.

The hour of three having arrived,

On motion of Mr. Russell,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, an article reported from the Committee on the Judiciary,

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question.

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given,

Mr. Gibson presented the petition of 49 citizens of York county, praying that there be a clause inserted in the Constitution recognizing Almighty God as the source of all civil government.

Laid on the table.

On leave given,

Mr. Beebe asked and obtained leave of absence for Mr. Howard for a few days from to-day, on account of sickness.

A motion was made by Mr. Stanton,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MAY 7, 1873.

Messrs. M'Clean and John N. Purviance presented petitions of citizens of Adams and Butler counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Mr. Patton presented the petition of citizens of Bradford county, praying that there be an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors.

Which petitions were laid on the table.

Mr. Wm. H. Smith asked and obtained leave of absence for Mr. Guthrie for a few days from to-day.

Mr. Kaine asked and obtained leave of absence for Mr. Dallas for a few days from to-day.

Mr. Carter offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Printing be instructed to procure the printing of the proceedings of the Convention on the occasion of the death of the Hon. H. N. M'Alister, in memorial form, with portraits, and that five hundred copies be furnished for distribution.

On motion of Mr. Ewing,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

On leave given,

Mr. Cuyler asked and obtained leave of absence for Mr. Knight for this week.

A motion was made by Mr. Lilly,

That the Convention take a recess until 3 o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at 3 o'clock.

The hour of three having arrived,

On motion of Mr. Ewing,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. John R. Read,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MAY 8, 1873.

Mr. John N. Purviance offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That this Convention has learned with profound sorrow the death of the Honorable Salmon P. Chase, whose distinguished services as Senator and Secretary of the Treasury of the United States during the most trying times of the rebellion, entitle him to a high place as one of the ablest and purest of American statesman; and the ability and fidelity with which he performed the duties of Chief Justice of the Supreme Court of the United States, alike acceptable to the bar and the country, justly ranks him as one of the most able and profound jurists of the age.

Resolved, That a copy of this resolution be forwarded to the family of the deceased.

Mr. Hay offered the following resolution, which was twice read, viz :

Resolved, That this Convention will adjourn, *sine die*, on the fourth day of July next.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Wright,

To amend the same, by inserting after the word "on," the words, "or before."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,

To postpone the question, together with the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Edwards and Mr. Corbett, and were as follow, viz :

Y E A S .

Messrs. Addicks, Alricks, Armstrong, Bartholomew, Beebe, Bowman, Brodhead, Broomall, Buckalew, Carey, Carter, Cochran, Craig, Curry, Davis, Ellis, Ewing, Fulton, Gilpin, Green, Hanna, Hemphill, Horton, Hunsicker, Kaine, Lilly, Long, M'Culloch, Mantor, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Read, John R., Runk, Struthers, Temple, Turrell Walker, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Woodward and Meredith, *President*—46.

N A Y S .

Messrs. Achenbach, Bannan, Black, Charles A., Boyd, Corbett, Cronmiller, Darlington, De France, Dunning, Edwards, Elliott, Funck, Hay, Lawrence, M'Clean, M'Murray, Mann, Metzger, Mitchell, Niles, Purman, Purviance, John N., Smith, Henry W., Stanton, Stewart and White, David N.—26.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Biddle, Bigler, Black, J. S., Brown, Campbell, Cassidy, Church, Clark, Collins, Corson, Curtin, Cuyler, Dallas, Dodd, Fell, Finney, Gibson, Gowen, Guthrie, Hall, Harvey, Hazzard, Heverin, Howard, Knight, Lambertson, Landis, Lear, Littleton, MacConnell, MacVeagh, M'Camant, Mott, Newlin, Parsons, Patterson, T. H. B., Porter, Pughe, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Van Reed, Wetherill, John Price, Worrell and Wright.

Mr. Kaine asked and obtained leave of absence for Mr. Hanna for this afternoon.

A motion was made by Mr. Hay and Mr. Purman,

That the vote be re-considered by which the following resolution was adopted, viz :

Resolved, That the printer, B. Singerly, bind the Journal and Debates of the Convention in half binding, leather backs and tips, with paper sides and gilt labels, and forward to the residence of each member, by express, thirty copies of each volume of the Debates, and five copies of the Journal, as soon as they are bound, and that each member shall receipt therefor to the printer, which receipt shall be his voucher; the expense of boxing and expressing to be paid by the Convention.

Which was agreed to.

And the resolution being again before the Convention,

And the question again recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Hay,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Mr. Woodward, from the Committee on Private Corporations, foreign and domestic, other than railroads, canal and religious and charitable corporations and societies, reported the following article, viz:

ARTICLE —.

CORPORATIONS.

SECTION 1. The term "corporations," as used in this article, shall be construed to include all joint stock companies or associations having any of the powers or privileges of corporations not possessed by individuals or partnerships.

SECTION 2. No exclusive rights, privileges or immunities shall ever be granted by the Legislature to any person, company or corporation.

SECTION 3. All railroads, canals, highways and other modes of public travel, transportation or communication, by telegraph or otherwise, shall be open and equally free, upon the same terms and conditions, to all the citizens of the State. No preference, favor or special privileges shall be allowed to any person, company or corporation, or discriminations made, in any case or in any manner, to the injury of citizens of the State.

SECTION 4. The Legislature shall pass no special laws giving corporate power, but all corporations shall be formed, their charters be changed or amended, and their powers and privileges be defined and regulated by general laws, which shall be uniform as to the class to which they relate. And the grant of all such charters, powers and privileges, shall be subject to the right of the Legislature to revoke, annul or change the same whenever they shall become injurious to the public, in such manner that no injustice shall be done to the corporators.

SECTION 5. All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place at the time of the adoption of this Constitution, shall thereafter have no validity.

SECTION 6. The Legislature shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same for the benefit of such corporation, except upon the terms of such corporation thereafter holding such charter, subject to the provisions of this Constitution.

SECTION 7. The exercise of the power, and the right of eminent domain, shall never be so construed or abridged as to prevent the taking, by the Legislature, of the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals; and the exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such a manner as to infringe upon the equal rights of individuals, or the general well-being of the State.

SECTION 8. The stockholders of every corporation, doing business in this State, shall be individually liable for its indebtedness to an amount equal to the par value of the stock held by them, respectively, when such indebtedness was incurred, and this liability shall not be held to be a penalty, but shall be taken to be a part of the contract under which such corporation may transact business in this State.

SECTION 9. Corporations shall be liable for all injuries resulting to persons or property, from the negligence of their agents, servants or employees in the discharge of their duties, and such liability shall not be limited by any act of the Legislature or regulation of the corporation.

SECTION 10. Private property shall not be taken, damaged or appropriated by any corporation for public purposes, until full compensation shall be first paid or adequately secured, which compensation shall be the actual value of the property taken or the damages likely to be sustained, and shall, if desired by any party in interest, be ascertained by a court and jury of the county where the property is situated.

SECTION 11. In all elections for the managing officers of a corporation, each member or shareholder shall have as many votes as he has shares, multiplied by the number of officers to be elected, and he may cast the whole number of his votes for one candidate or distribute them upon two or more candidates, as he may prefer.

SECTION 12. No corporations, except for the construction of railroads, canals and other public highways, or for charitable, literary, scientific or religious purposes, shall be created for a longer period than twenty years.

SECTION 13. No foreign corporation shall hold any real estate in this State, and no such corporation shall do any business in any city or county of the State, without having a known place of business, in such city or county, and an authorized agent upon whom process may be served.

SECTION 14. No corporation shall engage in any other business than that expressly authorized in its charter, nor shall it take or hold any real estate except what may be necessary and proper for its legitimate business.

SECTION 15. The franchise, the rolling stock and movable property of all corporations shall be deemed personal property, and shall be liable as such to execution and sale for their debts.

SECTION 16. Any general banking law which shall be passed, shall provide for the registry and countersigning by an officer of the State of all notes or bills designed for circulation, and that ample security to the full amount thereof be deposited with the State Treasurer for the redemption of such notes or bills.

SECTION 17. No suspension or specie payments shall be permitted or sanctioned by law, and no banking or other corporation shall receive, directly or indirectly, a greater rate of interest than is allowed by law to individuals.

SECTION 18. The majority of the managing officers of all corporations organized under the laws of this State shall be citizens of the State.

SECTION 19. All insurance companies incorporated by other States and doing business in this State, shall be subject to the same rate and measure of taxation as similar companies incorporated by this State.

SECTION 20. No building and loan association or similar organizations shall be permitted or established, which does not provide in its charter for publication, at stated periods, of the names of all shareholders, the number of shares held by each, and the amount of money paid in, and the number of shares borrowed upon and by whom received.

SECTION 21. Any number of persons, upon making such publication as the Legislature may by general law prescribe, may associate themselves together for business purposes, with several liabilities proportionate only to their individual investments.

SECTION 22. At the first general election after this Constitution takes effect, and every three years thereafter, the qualified electors of this Commonwealth shall elect a State officer to be called the Comptroller of Corporations, whose duty shall be to see that every corporation doing business in Pennsylvania has complied with all the provisions of its charter and the requirements of law, and hereafter no corporation shall begin to do business until it has obtained from said Comptroller, a certificate that it has the capital paid in which may be required by law, and has in all respects conformed to all laws relating to the class of corporations to which it belongs.

It shall be the duty of said Comptroller to report all delinquencies of corporations to the Attorney General, and to the Legislature, with such recommendation as the nature of the case may require.

Said article was read the first time and laid on the table.

On motion of Mr. Lawrence,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Hemphill,
That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,
The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Hay,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,
When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given,
Mr. Woodward asked and obtained leave of absence for himself for one week from to-morrow.

A motion was made by Mr. Worrell,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MAY 9, 1873.

Mr. John N. Purviance offered the following resolution, which was twice read, viz:

Resolved, That hereafter when articles are under consideration in committee of the whole, no delegate shall speak longer than ten minutes at one time, unless by unanimous consent.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Bowman,

To amend the same, by striking out the word "ten," and inserting in lieu thereof the word "fifteen."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Curry,

To postpone the question, together with the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. H. W. Smith and Mr. Carter, and were as follow, viz:

Y E A S.

Messrs. Addicks, Alricks, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Bowman, Brown, Corbett, Corson, Curry, Dunning, Elliott, Ellis, Ewing, Fulton, Hall, Hanna, Hay, Hemphill, Hunsicker, Kaine, Minor, Palmer, G. W., Patterson, D. W., Patton, Runk, Walker, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Worrell and Meredith, *President*—35.

N A Y S.

Messrs. Achenbach, Bardsley, Beebe, Bigler, Black, Charles A., Brodhead, Broomall, Buckalew, Campbell, Carter, Clark, Cochran, Craig, Davis, De France, Edwards, Funck, Gibson, Gilpin, Hazzard, Horton, Lawrence, Lilly, Long, MacConnell, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Metzger, Niles, Purman, Purviance, John N., Smith, Henry W., Stanton, Struthers, Temple, Turrell, Van Reed and White, David N.—41.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Baer, Baily, of Perry, Barclay, Biddle, Black, J. S., Boyd, Carey, Cassidy, Church, Collins, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Dodd, Fell, Finney, Gowen, Green, Guthrie, Harvey, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, MacVeagh, M'Clean, Mitchell, Mott, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Wetherill, John Price, Woodward and Wright.

And the question recurring,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Harry White and Mr. Bartholomew, and were as follow, viz:

Y E A S.

Messrs. Alricks, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Beebe, Biddle, Bowman, Broomall, Carey, Clark, Cochran, Corson,

Craig, Curry, De France, Dunning, Ellis, Ewing, Fulton, Hall, Hanna, Hemphill, Heverin, Hunsicker, Kaine, MacVeagh, M'Cullough, Mann, Mantor, Minor, Niles, Palmer, G. W., Patterson, D. W., Patton, Runk, Sharpe, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., and Worrell—43.

N A Y S .

Messrs. Achenbach, Addicks, Bardsley, Bigler, Black, Charles A., Brodhead, Brown, Buckalew, Campbell, Carter, Cassidy, Corbett, Davis, Edwards, Elliott, Funck, Gibson, Gilpin, Hay, Hazzard, Horton, Lawrence, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Murray, Metzger, Newlin, Purman, Purviance, John N., Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, White, David N., and Meredith, *President*—43.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Bear, Baily, of Perry, Barclay, Black, J. S., Boyd, Church, Collins, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Dodd, Fell, Finney, Gowen, Green, Guthrie, Harvey, Howard, Knight, Lamberton, Landis, Lear, Littleton, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Wm. H., Wetherill, John Price, Woodward and Wright.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. W. F. White,

To amend the same, by striking out the words, "unless by unanimous consent," and inserting in lieu thereof the words, "when five members shall object."

On the question,

Will the Convention agree so to amend ?

It was determined in the affirmative.

On the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. John N. Purviance and Mr. Bartholomew, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baker, Bardsley, Beebe, Bigler, Black, Charles A., Brodhead, Broomall, Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Cochran, Craig, Cuyler, Davis, De France, Edwards, Elliott, Hanna, Hay, Hazzard, Horton, Lawrence, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Metzger, Niles, Purman, Purviance, John N., Reynolds, Smith, Henry W., Stanton, Struthers, Turrell Van Reed, Walker, White, David N., White, J. W. F., and Meredith, *President*—48.

N A Y S .

Messrs. Addicks, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Bartholomew, Biddle, Bowman, Clark, Corbett, Corson, Curry, Dunning, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Hall, Hemphill, Heverin, Hunsicker, Kaine, MacVeagh, Mantor, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patton, Runk, Sharpe, Simpson, Stewart, Temple, Wetherill, J. M., Wherry, White, Harry, and Worrell—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey Andrews, Baer, Baily, of Perry, Barclay, Black, J. S., Boyd, Church, Collins, Cronmiller, Curtin, Dallas, Darlington, Dodd, Fell, Finney, Gowen, Green, Guthrie, Harvey, Howard, Knight, Lamberton, Landis, Lear, Littleton, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Russell, Smith, H. G., Smith, Wm. H., Wetherill, John Price, Woodward and Wright.

Mr. Patton asked and obtained leave of absence for Mr. H. W. Palmer for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for Mr. Mott for a few days from to-day.

Mr. Beebe asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. D. N. White asked and obtained leave of absence for Mr. Darlington for to-day.

Mr. Cochran asked and obtained leave of absence for himself for a few days from to-day.

Mr. Hemphill offered the following resolution, which was read, viz :

Resolved, That on and after Monday next this Convention will meet at ten o'clock A. M. and adjourn at four P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

That on the 8th day of March last, a resolution, then before the Convention, concerning the accounts of Benjamin Singerly, Printer, was "referred to the Committee on Accounts and Expenditures, with instructions to report a resolution for the payment of such amount as shall be found due the Printer on his contract with the Convention." (See Journal, p. 403.) Under this instruction, on the 22d day of March, the Committee reported "that it was not possible to report what exact amount was then due the Printer on his contract with the Convention, not having been able to procure such specific estimates, statements and information as it would be necessary to have in order to make such report," and accompanied the report with a resolution authorized the payment to the Printer on account of printing done and books furnished of the sum of five thousand dollars, (p. 448.)

The Committee now further reports—

That the Printing which the Convention has deemed to be necessary for the proper transaction of its business, and all other proper expenses of the body, in so far as they have been settled up to this time, have been settled and paid in accordance with the provisions of the seventh section of the act of Assembly, approved April 11, 1872, under which this Convention was elected. The latter clause of this section is as follows: "*Warrants for compensation of members and officers, and for all proper expenses of the Convention, shall be drawn by the President, and countersigned by the Chief Clerk, upon the State Treasurer for payment.*"

The printing of its Debates and Journals, of its reports and other papers, is undoubtedly a "proper expense" of the Convention, and legitimately paid for as such; and the only mode pointed out by law for the payment of all such proper expenses was that provided in this section, until the passage of the act of Assembly, approved the 9th day of April, 1873, entitled "An Act to provide for the ordinary expenses of the government," &c., the general appropriation act, the 59th section of which law is as follows :

"For the pay of the expenses of the Constitutional Convention, including the pay of the members, clerks and officers thereof, and the printing thereof, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General; and the amount of the salaries of the members and clerks, and the pay of the officers and employees thereof, shall be fixed by the said Constitutional Convention, and the money shall be paid by the State Treasurer, on the warrant of the President of the said Convention, countersigned by the Chief Clerk of the Convention; and any statute inconsistent herewith be and the same is hereby repealed."

The committee considers that the provisions of this act are in some particulars, and in so far as they relate to the settlement of the accounts for the printing of the

Convention, inconsistent with the latter clause of the seventh section of the act of April 11, 1872. That section provides a mode of payment of all the "proper expenses" of the Convention, while the law of 1873 seems to take the settlement of the accounts for printing out of its comprehensive purview, and to provide a particular means for their settlement, viz: by the Auditor General. The two acts should, of course, be instructed together, and effect be given to all their parts, if by any reasonable construction this may be done, and the committee does not perceive how any sensible effect, other than that now reported, can be given to the language of that part of the act of 1873, which relates to the settlement of the accounts for the printing of this Convention. If the accounts for printing can legally be settled only by the Auditor General, then no warrants can be drawn for their payment by order of the Convention, or if drawn, would not be legal vouchers to the State Treasurer for the payment of money.

In order that there might be a determination of the question of what construction must be given to these laws, the following resolutions are respectfully reported for the action of the Convention :

Resolved, That no warrants be drawn for payments to the Printer of the Convention.

Resolved. That a copy of this report, and of the action of the Convention thereon, be transmitted to the Auditor General for his information ; and that the Auditor General be also informed that Benjamin Singerly has been already paid the sum of five thousand dollars on account of printing done and books furnished for the Convention.

On motion of Mr. Hay,

Said resolutions were read a second time.

On the question,

Will the Convention agree to the first resolution ?

It was determined in the affirmative.

A motion was made by Mr. J. M. Wetherill and Mr. Wherry,
That the vote just taken be re-considered.

Which was agreed to.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Buckalew,

To postpone the question, together with the further consideration of the subject, for the present.

Which was agreed to.

A motion was made by Mr. Buckalew,

That the foregoing report, from the Committee on Accounts and Expenditures, be printed for the use of the Convention.

Which was agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

That it has carefully examined an account of William W. Harding, for 882 reams of paper furnished under his contract with the Convention, amounting to the sum of six thousand six hundred and fifteen dollars ; that the said paper has been furnished to the Printer, as appears by his receipts for the same, accompanying the account, and is certified by him to be fully equal to the sample, and to that agreed to be supplied by the contract therefor. The said account is, therefore, reported to be correct and should be paid.

The amount of paper now furnished is somewhat in excess of the amount actually used by the Printer up to this time, but is not more than will most probably be required and used within the next few weeks. It is, of course, necessary that the Printer should be supplied in advance.

The following resolution is accordingly reported :

Resolved, That the above mentioned account of William W. Harding for 882 reams of paper, amounting to the sum of \$6,615, be and the same is hereby approved; and that a warrant be drawn in his favor for the payment of said sum.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

A warrant was accordingly so drawn.

Mr. Mann, from the Committee on Religious and Charitable Corporations and Societies, made a report, which was read as follows, viz :

The Committee on Religious and Charitable Corporations and Societies respectfully report :

That they have given due consideration to the interests and subjects supposed to be referred to the committee by the Convention, and are of opinion that the other standing committees have reported all the provisions that need to be incorporated into the Constitution of the State.

We therefore feel it to be our duty to report that no additional article is needed on the subject referred to us.

Laid on the table.

On motion of Mr. Lilly,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. John N. Purviance,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Lilly,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday was named and agreed upon.

A motion was made by Mr. Addicks,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until Monday morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MAY 12, 1873.

The President laid before the Convention the petition of citizens of Greene county, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Laid on the table.

Mr. Cassidy asked and obtained leave of absence for Mr. Biddle for a few days from to-day, on account of death in his family.

Mr. MacConnell, from the Committee on the Declaration of Rights, made a report, which was read as follows, viz:

Since the committee submitted their former report there have been referred to them numerous petitions, asking the Convention to embody in the Constitution an acknowledgment of Almighty God as the ultimate authority in civil government, of the Lord Jesus Christ as the Ruler of Nations, and of the Bible as the supreme standard of righteous law, &c. The subject of those petitions is an important one, and your committee have given it a correspondingly serious consideration, but inasmuch as they embodied in their report heretofore made an acknowledgment of Almighty God, and a humble invocation of His guidance in our future destiny, they are of opinion that no further report on the subject is necessary. They, therefore, ask to be discharged from the further consideration thereof, and for that purpose ask the adoption of the following resolution, viz:

Resolved, That the Committee on the Declaration of Rights be discharged from the further consideration of the subject.

On motion of Mr. MacConnell,
Said resolution was twice read, considered and agreed to.

On motion of Mr. Ewing,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,
Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

A motion was made by Mr. Hunsicker,
That the Convention take a recess until this afternoon at 3 o'clock.

Which was agreed to.

Whereupon,

The President announced a recess until 3 o'clock P. M.

The hour of three having arrived,

On leave given,

The President laid before the Convention a communication from Mr. J. Fisher Lehming in reference to trades unions, strikes among mechanics and laborers, and the sale of stocks and the precious metals, on time, at the public broker's board.

Said communication, together with the accompanying document, were laid on the table.

On leave given,

Mr. Charles A. Black asked and obtained leave of absence for Mr. Purman, for a few days from to-day.

On motion of Mr. Armstrong,

The Convention resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Worrell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MAY 13, 1873.

Mr. Minor asked and obtained leave of absence for Mr. Mantor for a few days from to-day.

Mr. Patton asked and obtained leave of absence for Mr. Horton for to-day.

Mr. Reynolds asked and obtained leave of absence for Mr. Church for a few days from to-day.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, submitted the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That a warrant be drawn for the payment to D. F. Murphy, Official Reporter of the Convention, of the sum of three thousand dollars, to be accounted for by him in the settlement of his accounts as such reporter.

A warrant was accordingly drawn.

On motion of Mr. Minor,

The Convention again resolved itself into the committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again.

This afternoon was named and agreed upon.

On leave given,

Mr. Biddle asked and obtained leave to withdraw the communication of Mr. J. Fisher Leaming, together with the accompanying documents, presented yesterday.

A motion was made by Mr. Hay,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Lilly,

The Convention again resolved itself into committee of the whole, Mr. Lawrence in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

On leave given,

Mr. Armstrong asked and obtained leave of absence for a few days from to-day.

A motion was made by Mr. Wright,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MAY 14, 1873.

Mr. Niles offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the use of this Hall be granted to the Women's Centennial Association of America, for Friday evening of this week, in aid of the Centennial celebration of 1876.

Mr. Mann offered the following resolution, which was twice read, viz:

Resolved, That on and after Monday next the morning sessions of this Convention shall commence at nine o'clock.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by inserting before the word "nine" the words, "half-past."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Bartholomew,

To amend the amendment, by striking out the word "morning," and adding to the end of the resolution the words, "A. M., and that there shall be but one session, to close at three o'clock P. M."

Which was agreed to.

The amendment as amended was agreed to.

On the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Wright and Mr. Harry White, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baker, Barclay, Bartholomew, Bigler, Boyd, Broomall, Buckalew, Carey, Clark, Corbett, Corson, Curtin, Darlington, Dunning, Edwards, Ellis, Funck, Gibson, Gilpin, Guthrie, Hanna, Hay, Heverin, Landis, Lilly, MacConnell, M'Clean, Mann, Metzger, Mitchell, Palmer, G. W., Patterson, D. W., Pughe, Purviance, John N., Reed, Andrew, Ross, Smith, Henry W., Van Reed, Wetherill, J. M., Wetherill, John Price, White, Harry, and Meredith, *President*—14.

N A Y S.

Messrs. Achenbach, Baily, of Perry, Baily, of Huntingdon, Beebe, Bowman, Carter, Cochran, Collins, Cuyler, Davis, De France, Elliott, Fulton, Hall, Harvey, Horton, Hunsicker, Lawrence, M'Culloch, Minor, Newlin, Niles, Patton, Porter, Purviance, Samuel A., Russell, Temple, Turrell, Wherry, White, David N., White, J. W. F. and Wright—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Bardsley, Biddle, Black, Charles A., Black, J. S., Brodhead, Brown, Campbell, Cassidy, Church, Craig, Cronmiller, Curry, Dallas, Dodd, Ewing, Fell, Finney, Gowen, Green, Hazzard, Hemphill, Howard, Kaine, Knight, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Mantor, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Read, John R., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Struthers, Walker, Woodward and Worrell.

Mr. Bowman offered the following resolution, which was read, viz:

Resolved, That hereafter, and until otherwise ordered, the Convention will hold one session each Saturday, commencing at 10 A. M. and ending at 2 o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Newlin and Mr. Bartholomew, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Beebe, Bowman, Boyd, Carey, Carter, Collins, Corbett, Craig, Darlington, De France, Edwards, Elliott, Fulton, Guthrie, Hall, Hay, Horton, Lawrence, MacConnell, M'Culloch, Mann, Metzger, Mitchell, Niles, Patton, Porter, Pughe, Purviance, John N., Purviance, Samuel A., Reynolds, Russell, Turrell, Wetherill, John Price, Wherry, White, David N. and Wright—39.

N A Y S.

Messrs. Alricks, Baer, Baker, Barclay, Bartholomew, Bigler, Black, Charles A., Broomall, Buckalew, Clark, Cochran, Corson, Curry, Curtin, Dallas, Davis, Dunning, Ellis, Funck, Gibson, Gilpin, Hanna, Harvey, Heverin, Hunsicker, Landis, Lilly, M'Clean, Minor, Newlin, Palmer, G. W., Patterson, D. W., Reed, Andrew, Ross, Smith, Henry W., Temple, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., Worrell and Meredith, *President*—42:

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Bardsley, Biddle, Black, J. S., Brodhead, Brown, Campbell, Cassidy, Church, Cronmiller, Cuyler, Dodd, Ewing, Fell, Finney, Gowen, Green, Hazzard, Hemphill, Howard, Kaine, Knight, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Mantor, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Read, John R., Rooke, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Struthers, Walker and Woodward.

Mr. Lawrence, from the committee composed of those delegates at large who are first named in the proclamation of the Governor, made a report, which was read as follows, viz :

The undersigned members at large of the Convention, who were voted for by a majority of the same voters who voted for and elected the late Hugh N. M'Allister, Esq., do hereby fill the vacancy occasioned by his death by the appointment of Samuel Calvin, Esq., a citizen of Blair county, to be a member of this Convention.

W. M. MEREDITH,
WM. LILLY,
LIN BARTHOLOMEW,
WM. DAVIS,
JAMES L. REYNOLDS,
WM. H. ARMSTRONG,
D. N. WHITE,
WM. H. AINEY,
JNO. H. WALKER,
J. G. FELL.

PHILADELPHIA, *May 13, 1873.*

Laid on the table.

A motion was made by Mr. Hay,

That the Convention resume the second reading and consideration of the resolutions attached to the report of the Committee on Accounts and Expenditures of the Convention, submitted March 9th, as follows, viz :

Resolved, That no warrants be drawn for payments to the Printer of the Convention.

Resolved, That a copy of this report, and of the action of the Convention thereon, be transmitted to the Auditor General for his information : and that the Auditor General be also informed that Benjamin Singlerly has been already paid the sum of five thousand dollars on account of printing done and books furnished for the Convention.

Which was agreed to.

On the question,

Will the Convention agree to the first resolution ?

A motion was made by Mr. M'Connell,

To amend the same by striking out the word "no," and adding to the end thereof the words, "for so much as he may from time to time be entitled to receive."

On the question,

Will the Convention agree so to amend ?

The previous question was moved by Messrs. Corson, Andrew Reed, Hunsicker, Edwards, Broomall, Lilly, Guthrie, Newlin Russell, Bowman, Metzger, Carey, Ellis, Wherry, Worrell, Carter, Hanna and Hazzard.

On the question,

Shall the main question be now put ?

The yeas and nays were required by Mr. Boyd and Mr. J. P. Wetherell, and were as follow, viz :

YEAS.

Messrs. Achenbach, Barclay, Bigler, Bowman, Broomall, Carey, Collins, Corbett, Corson, Craig, Dunning, Edwards, Funck, Gilpin, Guthrie, Hall, Hanna, Hazzard, Hunsicker, Landis, Lawrence, Lilly, MacConnell, M'Murray, Metzger, Mitchell, Newlin, Niles, Palmer, G. W., Porter, Pughe, Purviance, Samuel A., Reed, Andrew, Reynolds, Russell, Smith, Henry W., Van Reed, Wherry, White, David N., and Worrell—40.

N A Y S.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Beebe, Black, Charles A., Boyd, Buckalew, Cassidy, Clark, Curry, Dallas, Darlington, Davis, De France, Ellis, Fell, Finney, Gibson, Harvey, Hay, Horton, Knight, M'Clean, M'Culloch, Mann, Minor, Patterson, D. W., Patton, Purviance, John N., Read, John R., Ross, Stewart, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Wright and Meredith,
President—43.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Bardsley, Biddle, Black, J. S. Brodhead, Brown, Campbell, Carter, Church, Cochran, Cronmiller, Curtin, Cuyler, Dodd, Elliott, Ewing, Fulton, Gowen, Green, Hemp-hill, Heverin, Howard, Kaine, Lamberton, Lear, Littleton, Long, Mac Veagh, M'Camant, Mantor, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Walker and Woodward.

On motion of Mr. Darlington,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. Darlington,

That the Convention take a recess until this afternoon at 3 o'clock.

Which was agreed to.

Whereupon,

The President announced a recess until 3 o'clock P. M.

The hour of three having arrived,

On motion of Mr. Darlington,

The Convention again resolved itself into the committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Lilly,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MAY 15, 1873.

The President, *pro tem.*, (Mr. Walker in the Chair,) laid before the Convention the following communication from the President, which was read, viz:

Being necessarily absent from the Convention, I hereby, under the VIth Rule, appoint the Hon. John H. Walker to act as President *pro tem.* until the adjournment to-morrow.

W. M. MEREDITH, *President.*

THURSDAY, *May* 15, 1873.

Messrs. Hay, MacConnell, D. N. White and Edwards presented numerous petitions from citizens of Allegheny city and Allegheny county, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Said petitions were laid on the table.

A motion was made by Mr. Hay,

That the Convention resume the second reading and consideration of the following resolutions, viz:

Resolved, That no warrants be drawn for payments to the Printer of the Convention.

Resolved, That a copy of this report, and of the action of the Convention thereon, be transmitted to the Auditor General for his information; and that the Auditor General be also informed that Benjamin Singerly has been already paid the sum of five thousand dollars on account of printing done and books furnished for the Convention.

Which was agreed to.

The first resolution being under consideration,

And the question recurring,

Will the Convention agree to the amendment offered by Mr. MacConnell, by striking out the word "no," and adding to the end thereof the words, "for such amounts as he may from time to time be entitled to receive."

Mr. MacConnell asked and obtained unanimous consent to withdraw said amendment.

And the question again recurring,

Will the Convention agree to the first resolution?

A motion was made by Mr. MacConnell,

To amend the same, by adding to the end thereof as follows, viz :

“ But the Committee of Accounts shall continue to ascertain, and from time to time report to this Convention what sums may be due to the Printer, and copies of such reports (when approved by the Convention) shall be forthwith sent to the Auditor General by the Clerk.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof as follows, viz : “ And no payment shall be made to the State Printer without the order of this Convention.”

Which was agreed to.

The amendment as amended was then agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Lilly and Mr. Davis, and were as follow, viz :

Y E A S .

Messrs. Ainey, Baer, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Brodhead, Campbell, Carey, Carter, Clark, Cochran, Collins, Darlington, De France, Elliott, Ewing, Funck, Gibson, Guthrie, Hanna, Harvey, Hazzard, Hemphill, Heverin, Horton, Kaine, Lamberton, Landis, Lawrence, Long, MacConnell, MacVeagh, Mann, Metzger, Minor, Mitchell, Newlin, Patterson, D. W., Purviance, John N., Purviance, Samuel A., Ross, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, Wherry, White, Harry, White, J. W. F. and Wright—55.

N A Y S .

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bowman, Boyd, Broomall, Brown, Corbett, Corson, Craig, Curry, Davis, Dunning, Edwards, Ellis, Fulton, Gilpin, Hay, Hunsicker, Lear, Lilly, M'Clean, M'Culloch, M'Murray, Niles, Palmer, G. W., Patton, Pughe, Reed, Andrew, Russell and White, David N.—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Bannan, Bardsley, Black, J. S., Buckalew, Cassidy, Church, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Fell, Finney, Gowen, Green, Hall, Howard, Knight, Littleton, M'Camant, Mantor, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Read, John R., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Woodward, Worrell and Meredith, *President*.

On the question,

Will the Convention agree to the second and last resolution ?

It was determined in the affirmative.

A motion was made by Mr. Baer,

That the Convention proceed to the second reading and consideration of the following resolution, which was laid on the table on the 2d inst., viz :

WHEREAS, The Legislature has repealed that portion of the act providing for calling a convention to amend the Constitution, which fixed the salaries to be paid its members, and has appropriated the gross sum of five hundred thousand dollars for salaries and the other necessary expenses of the Convention ; therefore be it

Resolved, That the salary of the members of the Convention are hereby fixed at _____ and mileage, at the rate of ten cents per mile circular for not more than two sessions: (*Provided*, That the salary of the President shall be double that of the other members.) And that the Committee on Accounts be instructed to report a proposition fixing the pay of officers for the consideration of the Convention.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Harry White,

To postpone the further consideration of the motion for the present.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Harry White and Mr. J. P. Wetherill, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Baker, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Campbell, Carey, Carter, Clark, Cochran, Corson, Darlington, Davis, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Harvey, Hemphill, Hunsicker, Kaine, Lambertson, Landis, Lawrence, Lear, Lilly, MacConnell, MacVeagh, M'Clean, Minor, Newlin, Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Ross, Smith, H. G., Smith, Henry W., Struthers, Walker, Wetherill, Jno. Price and White, Harry—49.

N A Y S .

Messrs. Achenbach, Baer, Bailey, of Huntingdon, Barclay, Bartholomew, Bowman, Brown, Collins, Corbett, Craig, Curry, De France, Dunning, Edwards, Elliott, Guthrie, Hanna, Hay, Hazzard, Heverin, Horton, Long, M'ulloch, Mann, Metzger, Mitchell, Mott, Niles, Palmer, G. W., Patton, Pugne, Purviance, John N., Russell, Stanton, Stewart, Turrell, Wherry, White, David N., White, J. W. F. and Wright—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Bannan, Bardsley, Black, J. S., Buckalew, Cassidy, Church, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Fell, Finney, Gowen, Green, Hall, Howard, Knight, Littleton, M'Camant, M'Murray, Mantor, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Read, John R., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Temple, Van Reed, Wetherill, J. M., Woodward, Worrell and Meredith, *President*.

On motion of Mr. Ewing,

The Convention again resolved itself into committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

This afternoon was named and agreed upon.

A motion was made by Mr. John M. Bailey,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President *pro tem.* announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

On motion of Mr. Lilly,

The Convention again resolved itself into the committee of the whole, Mr. Harry White in the Chair, on article reported from the Committee on the Judiciary.

After some time the President resumed the Chair, the chairman reported the article amended as follows, viz:

SECTION 1. By striking out section, and inserting in lieu thereof as follows, viz: "The judicial power of this Commonwealth shall be vested in a Supreme Court, in courts of common pleas, in courts of oyer and terminer and general jail delivery, in courts of quarter sessions of the peace, in orphans' courts, in justices of the peace, and in such other courts as the Legislature may, from time to time, established."

SECTION 2. By striking out section, and inserting in lieu thereof as follows, viz: "The Supreme Court shall consist of seven judges, who shall be elected by the qualified voters of the State at large. They shall hold their offices for the term of twenty-one years, if they so long behave themselves well, but shall not be eligible to re-election. The judge whose commission will first expire shall be chief justice, and thereafter each judge whose commission shall first expire shall, in turn, be chief justice."

SECTION 3. By inserting after the word "and," in the fourth line, the word "of," and inserting before the word "and," in the fifth line, the words, "to courts of inferior jurisdiction," and by striking out all after the word "State" in the sixth line, and all in the seventh up to and including the word "party," and by striking out the word "with" in the seventh line, and also by striking out the word "direct" in the eighth line.

SECTION 4. By striking out the first line and the second up to and including the word "are," and by striking out in the third line the words "jurisdiction and powers of the."

SECTION 5. By adding to the end thereof the following, viz: "And the Legislature is hereby prohibited from creating other courts to exercise the power vested by this Constitution in said courts of common pleas and orphans' courts. The number of judges in any of said courts, or in any county where the establishment of an additional court may be authorized by law, may be increased from time to time: *Provided*, That whenever such increase shall amount in the whole to three, such three judges shall compose a distinct and separate court as aforesaid, which shall be numbered as aforesaid."

SECTION 7. By striking out the word "six" in the third line, and inserting in lieu thereof the word "three," and by striking out all after the word "judges" in the fourth line, to and including the word "court" in the sixth line, and by striking out the words, "and the said chief clerks" in the sixth and seventh lines, and by striking out the word "respectively" in the seventh line, and by inserting after the word "necessary," in the eighth line, the words, "and authorized by said courts;" and by striking out in the same line all after word "and," up to and including the word "their," and inserting in lieu thereof the words, "he and his;" and by striking out in the fourteenth line the words, "and of the circuit court."

SECTION 10. By striking out the section, and inserting in lieu thereof the following, viz: "In every criminal case the accused as well as the Commonwealth may remove the indictment, record and all proceedings to the Supreme Court for review, in the same manner as civil cases are now removed and reviewed; but such removal shall not, except in capital cases, be a supersedeas, unless the judge before whom the case was tried shall certify that the same is a proper one for review."

SECTION 12. By striking out section.

SECTION 13. By striking out section.

SECTION 14. By striking out all down to and including the word "and," in the eighth line, and inserting in lieu thereof the following, viz: "Justices of the peace or aldermen shall be elected in the several wards, districts, boroughs and townships, at the time of the election of constables by the qualified voters thereof, in such manner as shall be directed by law, and shall be commissioned by the Governor for a term of five years. But no township, ward, district or borough shall elect more than one justice of the peace or alderman without the consent of a majority of the qualified electors within such township, ward or borough;" and by striking out the ninth and tenth lines, and inserting in lieu thereof the words

"shall have resided;" and by striking out the word "or," in the eleventh line, and inserting after the word "ward," in the same line, the words, "or district;" and by striking out the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth lines, and by inserting before the word "there," in the twentieth line, the words, "in the city of Philadelphia;" and by striking out the words, "small causes," in the twenty-second line, and inserting in lieu thereof the words, "civil causes not exceeding \$100;" and by inserting after the word "city," in the twenty-seventh line, the words, "and in the election of the said judges no voter shall vote for more than two-thirds of the number of persons to be chosen;" and by inserting after the word, "salaries," in the twenty-eighth line, the words, "to be paid by said city;" and also by inserting after the word "criminal," in the same line, the words, "except as herein modified;" and by striking out all after the word "peace" in the twenty-ninth line to the end of the thirtieth line.

A new section inserted as follows, viz:

In all cases of summary conviction or of judgments in suit for penalty before a magistrate or court, not of record, either party shall have the right to appeal to such court of record as may be prescribed by law.

SECTION 15. By striking out eighth and ninth lines.

SECTION 16. By striking out the section and inserting in lieu thereof the following, viz: "Whenever two judges of the Supreme Court are to be chosen for the same term of service, each voter shall vote for one only, and when three are to be chosen he shall not vote for more than two, and candidates highest in vote shall be declared elected."

SECTION 17. By making the word "thereto," in the last line, read "therewith."

SECTION 18. By inserting after the word "law," in the fourth line, the words, "and wholly paid by the State, except the judges of courts not of record;" and by inserting after the word "no," in the fifth line, the words, "other compensation for their services from any other source, nor any;" and by striking out all after the word "State," in the seventh line, unto the end of the section.

SECTION 19. By adding to the end of the section the words, "immediately preceding his appointment or election."

SECTION 20. By striking out the section and inserting in lieu thereof the following, viz: "The several courts of common pleas, besides the powers herein conferred, shall have and exercise within their respective districts such powers of a court of chancery as are now vested by law in their several courts of common pleas of this Commonwealth, or as may hereafter be conferred upon them by law."

SECTION 22. By striking out the section and inserting in lieu thereof the following, viz: "A register's office for the probate of wills and granting letters of administration, and an office for recording of deeds shall be kept in each county. The register's court is hereby abolished, and the jurisdiction and powers thereof are vested in the orphans' court. In every city and county wherein the population shall exceed two hundred thousand the Legislature shall, and in any other city or county may, establish a separate orphans' court, to consist of one or more judges, who shall be learned in the law, and which court shall exercise all the jurisdiction and powers now vested in, or which may hereafter be conferred upon, the orphans' court, and thereupon the jurisdiction of the judges of the court of common pleas within such city or county in orphans' court proceedings shall cease and determine. The register of wills shall be compensated by a salary, to be fixed by law, and shall be *ex officio* clerk of such separate orphans' court, and subject to the direction of said court in all matters pertaining to his office. Assistant clerks may be appointed by the register, but only with the consent and approval of the court. All accounts filed in the register's office and such separate orphans' court shall be audited by the court without expense to parties, except where all parties in interest in a pending proceeding shall nominate an auditor, whom the court may, in its discretion, appoint."

SECTION 25. By striking out section.

SECTION 26. By striking out section, and inserting in lieu thereof the following, viz:

"Each county containing 30,000 inhabitants shall constitute a separate judicial district, and shall elect one judge learned in the law, and the Legislature shall provide for additional judges as the business of said district may require.

"Counties containing a population less than is sufficient to constitute separate districts shall be formed into convenient single districts, or if necessary may be attached to contiguous districts as the Legislature may provide.

“The office of associate judge not learned in the law is abolished, excepting in counties not forming separate districts, but the several associate judges in office when this Constitution shall be adopted shall serve for their unexpired terms.”

SECTIONS 28, 29, 30, 31 and 32. By striking out sections.

On motion of Mr. Jilly,

The Convention again resolved itself into committee of the whole, Mr. Cuyler in the Chair, on article reported from the Committee on Agriculture, Mining, Manufacture and Commerce.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was then agreed upon.

A motion was made by Mr. Corbett,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at 10 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MAY 16, 1873.

The President *pro tem.* laid before the Convention a communication from the mayor of the city of Allentown, Pa., which was read as follows, viz:

MAYOR'S OFFICE,
CITY OF ALLENTOWN, PA., May 4, 1873. }

Hon. WILLIAM M. MEREDITH,
President of Constitutional Convention:

RESPECTED SIR:—I enclose preamble and resolution passed by the councils of this city, at their regular meeting last evening. In pursuance of this I respectfully extend an invitation to your honorable body, when you do adjourn over the warm months, to re-convene at Allentown. We feel assured that we can fully furnish all accommodations. Please answer.

I am, very respectfully,

Your obedient servant,

J. C. YEAGER, Mayor.

The following are the preamble and resolution accompanying the foregoing communication:

WHEREAS, We have learned that the Constitutional Convention, now sitting in Philadelphia, propose adjourning during the summer months to some inland city; therefore,

Resolved, That the mayor be authorized and directed to extend an invitation to the President of the Convention, inviting them to adjourn to Allentown. Passed. Concurred in.

A motion was made by Mr. J. Price Wetherill,

That the thanks of the Convention be and they are hereby tendered the authorities of the city of Allentown for their invitation, but that the same be respectfully declined.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Lilly,

To postpone the question, together with the further consideration of the subject, for the present.

Which was agreed to.

Mr. Guthrie presented three petitions from citizens of Allegheny and Butler counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Mr. Patton offered the following resolution, which was referred to the Committee on Legislation, viz:

Resolved, That the Committee on Legislation be requested to report the following as supplementary to their report:

All laws exempting property from levy and sale shall be inviolate, and any contract or agreement waiving the right of any debtor to such exemption shall be null and void, and the Legislature shall enact such laws as shall effectually protect debtors from being deprived of the benefit of such exemption.

Mr. Curry offered the following resolution, which was twice read, viz:

WHEREAS, The Legislature has repealed that portion of the act providing for calling of a convention to amend the Constitution which fixed the salaries to be paid to its members, and has appropriated the sum of five hundred thousand dollars for salaries and other necessary expenses of the Convention; therefore

Resolved, That a committee of seven be appointed by the President to consider and report upon the amount of salary to be received by the members of the Convention.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Harry White,

To postpone the question, together with the further consideration of the resolution indefinitely.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Harry White and Mr. J. P. Wetherill, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Bardsley, Black, Charles A., Boyd, Carter, Ewing, Gilpin, Lilly, Littleton, M'Culloch, Newlin, Purviance, Samuel A., Smith, H. G., Smith, Henry W., Walker, Wetherill, John Price and White, Harry.—19.

N A Y S .

Messrs. Achenbach, Addicks, Baer, Baily, of Huntingdon, Baker, Beebe, Bowman, Broomall, Brown, Clark, Collins, Corbett, Craig, Curry, Davis, De France, Dunning, Edwards, Elliott, Ellis, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Heverin, Horton, Huunsicker, Lambertson, Landis, Lawrence,

Lear, Long, MacConnell, M'Clean, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Niles, Palmer, G. W., Patton, Pughe, Purviance, John N., Reed, Andrew, Ross, Russell, Stewart, Struthers, Turrell, Van Reed, Wherry, White, David N., White, J. W. F. and Wright—58.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Armstrong, Bannan, Barclay, Bartholomew, Biddle, Bigler, Black, J. S., Brodhead, Buckalew, Campbell, Carey, Cassidy, Church, Cochran, Corson, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Dodd, Fell, Finney, Fulton, Funck, Gowen, Green, Hall, Hemphill, Howard, Kaine, Knight, MacVeagh, M'Camant, Metzger, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Read, John R., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Temple, Wetherill, J. M., Woodward, Worrell and Meredith, *President*.

The resolution was then agreed to.

Ordered, That Messrs. Curry, Dunning, Struthers, Elliott, Turrell, Baer and Guthrie be said committee.

A motion was made by Mr. Boyd,

That this Convention adjourn *sine die* on Thursday, the third day of July next.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Alricks,

To amend the motion, by striking out the word, July," and inserting in lieu thereof the word "June."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Boyd and Mr. Mann, and were as follow, viz:

YEAS.

Messrs. Achenbach, Boyd, Craig, DeFrance, Dunning, Ellis, Hanna, Hay, Heverin, Landis, Lawrence, Lear, Long, MacConnell, M'Clean, M'Culloch, Mann, Mitchell, Ross, Russell, Simpson, Smith, Henry W., Stewart, Turrell, Van Reed and Wright—26.

NAYS.

Messrs. Addicks, Ainey, Alricks, Baer, Baily, of Perry, Baker, Bardsley, Beebe, Black, Charles A., Bowman, Broomall, Brown, Carey, Carter, Clark, Corbett, Curry, Cuyler, Dallas, Davis, Edwards, Ewing, Fell, Gibson, Gilpin, Guthrie, Harvey, Hazzard, Horton, Hunsicker, Knight, Lambertson, Lilly, M'Murray, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patton, Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Smith, H. G., Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F. and Worrell—56.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Biddle, Bigler, Black, J. S., Brodhead, Buckalew, Campbell, Cassidy, Church, Cochran, Collins, Corson, Cronmiller, Curtin, Darlington, Dodd, Elliott, Finney, Fulton, Funck, Gowen, Green, Hall, Hemphill, Howard, Kaine, Littleton, MacVeagh, M'Camant, Metzger, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Reypolds, Rooke, Runk, Sharpe, Smith, Wm. H., Stanton, Wetherill, J. M., Woodward and Meredith, *President*.

On motion of Mr. Boyd,

The Convention again resolved itself into committee of the whole, Mr. Cuyler in the Chair, on article reported from the Committee on Agriculture, Mining, Manufactures and Commerce.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

This afternoon was named and agreed upon.

A motion was made by Mr. Hanna,

That the Convention take a recess until three o'clock P. M.

Which was agreed to.

Whereupon,

The President *pro tem.* announced a recess until this afternoon at three o'clock.

The hour of three having arrived,

The President *pro tem.* called the Convention to order, and there not being a quorum of members present,

By order of the President *pro tem.* the roll was called, and the following members answered to their names, viz:

Messrs. Addicks, Ainey, Baily, of Perry, Baker, Beebe, Bowman, Broomall, Brown, Carey, Carter, Clark, Collins, Corson, Craig, Cuyler, DeFrance, Dunning, Edwards, Gilpin, Hanna, Hay, Hazzard, Heverin, Horton, Hunsicker, Knight, Lambertson, Landis, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patton, Pughe, Purviance, John N., Read, John R., Reed, Andrew, Russell, Simpson, Stanton, Struthers, Temple, Turrell, Walker, Wetherill, Jno. Price, Wherry, White, Harry, White J. W. F. and Worrell—60.

ABSENT—Messrs. Achenbach, Alricks, Andrews, Armstrong, Bear, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Buckalew, Campbell, Cassidy, Church, Cochran, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Green, Guthrie, Hall, Harvey, Hemphill, Howard, Kaine, Lear, Littleton, M'Camant, Metzger, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Reynolds, Rooke, Ross, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., White, David N., Woodward, Wright and Meredith, *President.*

A motion was made by Mr. Harry White,

That the Sergeant-at-Arms be directed to bring in the absentees, and that the doors be closed.

On the question,

Will the Convention agree to the motion?

Mr. Cuyler called for a division of the question.

And the question being on the first division, viz: "That the Sergeant-at-Arms be directed to bring in the absentees."

It was determined in the affirmative.

On the question,

Will the Convention agree to the second division, viz: "That the doors be closed?"

The yeas and nays were required by Mr. Corbett and Mr. Hay, and were as follow, viz:

Y E A S .

Messrs. Baily, of Perry, Beebe, Bowman, Broomall, Carter, Corbett, Cuyler, Gilpin, Hanna, Hazzard, Heverin, Horton, Hunsicker, Lawrence, M'Culloch, M'Murray, Minor, Newlin, Patterson, D. W., Patton, Reed, Andrew, Russell, Simpson, Struthers, Walker, Wetherill, John Price, Wherry and White, Harry—28.

N A Y S .

Messrs. Addicks, Ainey, Baker, Brown, Carey, Clark, Collins, Corson, Craig, De France, Dunning, Edwards, Elliott, Hay, Knight, Lamberton, Lilly, Long, MacConnell, MacVeagh, M'Clean, Mantor, Niles, Pughe, Purviance, John N., Stanton, Temple and White, J. W. F.—28.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Buckalew, Campbell, Cassidy, Church, Cochran, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, Dodd, Eliis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Green, Guthrie, Hall, Harvey, Hemphill, Howard, Kaine, Landis, Lear, Littleton, M'Camant, Mann, Metzger, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Purviance, Samuel A., Read, John R., Reynolds, Rooke, Roës, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., White, David N. Woodward, Worrell, Wright and Meredith, *President*.

A motion was made by Mr. Temple,

That the Convention adjourn for want of a quorum.

Which was not agreed to.

After some time (a quorum having appeared,)

On leave given,

Mr. Lawrence offered the following resolution, which was read, viz:

Resolved, That it is the sense of this Convention, that members who absent themselves from the regular sessions without leave of absence, or fail to be present to make up a quorum at the hour of meeting, are not fulfilling their obligations, and are worthy of censure.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Littleton and Mr. J. W. F. White, and were as follow, viz:

Y E A S .

Messrs. Addicks, Baily, of Perry, Beebe, Bowman, Carter, Clark, Collins, Corbett, De France, Dunning, Edwards, Fell, Gilpin, Hanna, Hazzard, Heverin, Horton, Lawrence, MacConnell, M'Cullough, M'Murray, Mann, Mott, Newlin, Niles, Russell, Stanton, Struthers, Walker, Wherry, White, David N., White, Harry and White, J. W. F.—33.

N A Y S .

Messrs. Achenbach, Ainey, Baker, Broomall, Brown, Carey, Corson, Craig, Cuyler, Dallas, Elliott, Hay, Hunsicker, Knight, Lamberton, Landis, Lilly, Lit-

tleton, Long, MacVeagh, McClean, Mantor, Minor, Palmer, G. W., Patterson, D. W., Patton, Pughe, Purviance, John N., Read, John R., Simpson, Smith, H. G., Temple, Turrell, Wetherill, John Price and Worrell—35.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Andrews, Armstrong, Bear, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Buckalew, Campbell, Cassidy, Church, Cochran, Cronmiller, Curry, Curtin, Darlington, Davis, Dodd, Ellis, Ewing, Finney, Fulton, Funck, Gibson, Gowen, Green, Guthrie, Hall, Harvey, Hemphill, Howard, Kaine, Lear, McCamant, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., Woodward, Wright and Meredith, *President*.

On leave given,

Mr. Harry White offered the following resolution which was read, viz :

Resolved, That when, upon a call of the House, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Hall to be closed, and direct the Clerk to note the absentees, after which the names of the absentees shall be again called, and those for whose absence no excuse, or an insufficient one is made, may, by order of a majority of the members present, be sent for and taken in custody by the Sergeant-at-Arms, or his assistant appointed for the purpose, and brought to the Convention.

Laid on the table.

On motion of Mr. Stanton,

The Convention again resolved itself into the committee of the whole, Mr. Cuyler in the Chair, on article reported from the Committee on Agriculture, Mining, Manufactures and Commerce.

After some time the President *pro tem.* resumed the Chair, the chairman reported that the committee of the whole had risen for want of a quorum.

At the suggestion of Mr. Harry White,

A count of the House was had, when only sixty members were found to be present.

Whereupon,

A motion was made by Mr. Broomall,

That the Convention do now adjourn for want of a quorum.

Which was agreed to.

And the President *pro tem.* adjourned the Convention until Monday morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MAY 19, 1873.

The hour of half-past nine having arrived, the President *pro tem.* called the Convention to order, and there not being a quorum of members present,

On the suggestion of Mr. Harry White,

A count of the House was had, and only fifty-two members answered to their names.

A motion was made by Mr. Harry White,

That the Sergeant-at-Arms be directed to bring in the absentees.

Which was agreed to.

After some time, a quorum having appeared,

The President *pro tem.* laid before the Convention the following communication from the President, which was read, viz :

216 SOUTH FOURTH STREET.

Being still necessarily absent from the Convention, I appoint the Honorable John H. Walker to act as President *pro tem.* until the adjournment on Friday next, 23d inst., under the authority of Rule VI.

W. M. MEREDITH, *Pres't.*

Monday, 19th May, 1873.

Laid on the table.

Mr. Carter presented the petition of 1,300 citizens of Lancaster, praying that there be a clause inserted in the Constitution prohibiting the sale of intoxicating liquors as a beverage.

Messrs. Cuyler, Patton and Lawrence presented numerous petitions from citizens of Philadelphia, Susquehanna, Fayette and Lawrence counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Mr. Broomall presented the petition of citizens of Chester county, praying for an amendment to the Constitution granting to women the right to vote upon all questions relating to public schools and education.

Said petitions were laid on the table.

Mr. Lawrence asked and obtained leave of absence for Mr. Landis for a few days from to-day.

Mr. Knight asked and obtained leave of absence for Mr. Finney for a few days from to-day.

Mr. Biddle asked and obtained leave of absence for himself for a few days from to-day.

Mr. C. A. Black asked and obtained leave of absence for Mr. M'Clean for a few days from to-day.

Mr. Dallas asked and obtained leave of absence for Mr. MacVeagh for a few days from to-day.

Mr. Simpson asked and obtained leave of absence for himself for a few days from to-day.

Mr. Niles asked and obtained leave of absence for Mr. Hazzard for a few days from to-day.

Mr. Broomall offered the following resolution, which was read, viz :

Resolved, That the compensation to members of the Convention hereafter be per diem, and that it be paid to those only who actually attend, or are absent on account of sickness of themselves or their families, with the leave of the Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Broomall and Mr. Lilly, and were as follow, viz :

YEAS.

Messrs. Achenbach, Baily, of Perry, Baker, Bardsley, Beebe, Black, Charles A., Broomall, Brown, Carter, Corbett, Darlington, De France, Guthrie, Hazzard, Horton, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Minor, Mott, Patton, Porter, Smith, Henry W., Stanton, Struthers, Walker, White, Harry, White, J. W. F. and Wright—32.

NAYS.

Messrs. Andrews, Barclay, Bowman, Brodhead, Campbell, Carey, Clark, Collins, Craig, Curtin, Cuyler, Dallas, Dodd, Elliott, Gilpin, Green, Hanna, Harvey, Hemphill, Kaine, Knight, Lear, Mantor, Mitchell, Newlin, Niles, Reed, Andrew, Ross, Runk, Russell, Simpson, Smith, Wm. H., Wetherill, John Price, and White, David N.—34.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Boyd, Buckalew, Cassidy, Church, Cochran, Corson, Cronmiller, Curry, Davis, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hay, Heverin, Howard, Hunsicker, Lambertson, Landis, Littleton, Long, MacVeagh, M'Canfant, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Rooke, Sharpe, Smith, H. G., Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, Woodward, Worrell and Meredith. *President.*

At the suggestion of Mr. Harry White, a count of the House was had, when sixty-eight members were found to be present.

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That the Convention shall hereafter hold a session on each evening of the week, except Friday, Saturday and Sunday, beginning at 7½ o'clock—these sessions to be in addition to the daily sessions as now provided for.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Kaine,

To amend the same, by striking out all after the word "session," in the second line, and inserting in lieu thereof as follows, viz : "Commencing at half-past nine A. M., and adjourning at one P. M., and meeting again at three P. M.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "three," and inserting in lieu thereof the word "two."

On the question,

Will the Convention agree so to amend the amendment ?

A motion was made by Mr. Corbett,

To postpone the question, together with the further consideration of the resolution, for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. Harry White, and were as follow, viz :

Y E A S.

Messrs. Baily, of Perry, Baker, Barclay, Bardsley, Black, Charles A., Brodhead, Broomall, Brown, Carey, Clark, Collins, Corbett, Craig, Curtin, Cuyler, Dallas, Darlington, De France, Gilpin, Guthrie, Harvey, Hemphill, Knight, Lear, Mann, Newlin, Reed, Andrew, Reynolds, Ross, Runk, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., and Stanton.—35.

N A Y S.

Messrs. Achenbach, Andrews, Beebe, Bowman, Campbell, Carter, Dodd, Elliott, Green, Hanna, Hazzard, Horton, Kaine, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mantor, Minor, Mitchell, Mott, Niles, Patterson, T. H. B., Patton, Porter, Russell, Struthers, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Wright—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey Alricks, Armstrong, Baer, Bailey, of Huntington, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Boyd, Buckalew, Cassidy, Church, Cochran, Corson, Cronmiller, Curry, Davis, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hay, Heverin, Howard, Hunsicker, Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Sharpe, Stewart, Temple, Turrell Van Reed, Wetherill, J. M., Wherry, Woodward, Worrell and Meredith, *President*.

Mr. Lawrence offered the following preamble and resolution, which were twice read, viz :

WHEREAS, The members of this Convention have voluntarily accepted the trust imposed on them by their constituents, and assumed the responsibility of performing the several duties with fidelity under the obligations of an oath :

And whereas, The Convention is very frequently left without a quorum for business, owing to the absence of members, especially at the hours of meeting ; therefore,

Resolved, That the members of this Convention who absent themselves without leave, and are not detained by personal illness or sickness in their families, and thus retard the business of the Convention, are justly liable to the censure of this body.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Cuyler,

To refer the same to a committee of five, with instructions to report as early as possible what course the Convention should pursue to secure the attendance of members.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To postpone the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Lawrence and Mr. De France, and were as follow, viz :

Y E A S .

Messrs. Baker, Barclay, Black, Charles A., Brodhead, Brown, Campbell, Carey, Clark, Corbett, Craig, Curtin, Cuyler, Dallas, Darlington, Dodd, Gilpin, Green, Guthrie, Harvey, Hemphill, Knight, Lear, Mann, Mitchell, Mott, Patterson, T. H. B., Patton, Reynolds, Ross, Runk, Smith, Henry W., Smith, Wm. H., Stanton and Wetherill, J. M.—34.

N A Y S .

Messrs. Achenbach, Andrews, Baily, of Perry, Bardsley, Beebe, Bowman, Broomall, Carter, Collins, De France, Elliott, Hanna, Hazzard, Horton, Kaine, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mantor, Minor, Newlin, Niles, Porter, Reed, Andrew, Russell, Simpson, Smith, H. G. Struthers, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Wright.—36.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Boyd, Buckalew, Cassidy, Church, Cochran, Corson, Cronmiller, Curry, Davis, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hay, Heverin, Howard, Hunsicker, Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Sharpe, Stewart Temple, Turrell Van Reed, Wherry, Woodward, Worrell and Meredith, *President*.

The resolution and preamble were then agreed to.

A motion was made by Mr. Cuyler,

That a copy of the foregoing resolution be furnished each member of the Convention.

Which was agreed to.

Mr. Darlington offered the following resolution, which was read, viz :

Resolved, That Rule XLI be amended by striking out the words, "a majority," in the third line, and inserting the words, "forty members" in lieu thereof.

Laid on the table.

Mr. Newlin offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Journals and Debates of the Convention ordered to be bound, be bound in half binding, leather backs and tips, with paper sides and gilt labels, marbled edges ; and that as soon as they are bound, thirty copies of each volume of the Debates and five copies of the Journal be forwarded, by express, to the residence of each member.

A motion was made by Mr. Harry White,

That the Convention proceed to the second reading and consideration of the following resolution, which was laid on the table May 16, viz :

Resolved, That when, upon a call of the House, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Hall to be closed, and direct the clerk to note the absentees, after which the names of the absentees shall again be called, and those for whose absence no excuse, or an insufficient one, is made, may, by order of a majority of the members present, be sent for and taken into custody by the Sergeant-at-Arms, or his assistant appointed for the purpose, and brought to the Convention.

Which was agreed to.

The resolution was then agreed to.

On motion of Mr. Andrew Reed,

The Convention again resolved itself into committee of the whole, Mr. Cuyler in the Chair, on article reported from the Committee on Agriculture, Mining, Manufactures and Commerce.

After some time the President *pro tem.* resumed the Chair, and the chairman reported the article negatived.

A motion was made by Mr. D. N. White,

That the Convention resolve itself into committee of the whole on article reported from the Committee of the Declaration of Rights.

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

On motion of Mr. Campbell,

The Convention resolved itself into committee of the whole, Mr. Stanton in the Chair, on the article reported from the Committee on Private Corporations, &c.

After some time the President *pro tem.* resumed the Chair, and the chairman reported that the committee of the whole had risen for want of a quorum.

A motion was made by Mr. Worrell,

That the Convention do now adjourn for want of a quorum.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Harry White, and were as follow, viz:

YEAS.

Messrs. Baily, of Perry, Bowman, Brown, Carey, Curtin, Dodd, Hanna, Harvey, Kaine, Littleton, Ross and Worrell—12.

NAYS.

Messrs. Achenbach, Addicks, Beebe, Brodhead, Broomall, Campbell, Carter, Clark, Corbett, Cuyler, Dallas, Darlington, DeFrance, Elliott, Gilpin, Green, Guthrie, Hay, Hazzard, Heverin, Horton, Knight, Lawrence, Lear, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Newlin, Niles, Patterson, T. H. B., Patton, Reed, Andrew, Reynolds, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, John Price, White, David N. and White, Harry—48.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntington, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Buckalew, Cassidy, Church, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hemphill, Howard, Hansicker, Lamberton, Landis, Long, MacVeagh, M'Camant, M'Clean, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, Wherry, White, J. W. F. Woodward, Wright and Meredith, *President*.

Messrs. Harry White, Addicks, Newlin, Green, Hay, Gilpin, Broomall, Cuyler, Guthrie, Knight, J. Price Wetherill, Clark, M'Culloch, T. H. B. Patterson, Horton and H. W. Smith moved a-call of the House.

Which was agreed to.

The roll of members was then called, when the following members answered to their names, viz :

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Beebe, Bowman, Brodhead, Broomall, Brown, Campbell, Carter, Clark, Corbett, Curtin, Cuyler, Dallas, Darlington, DeFrance, Dodd, Elliott, Gilpin, Green, Guthrie, Hanna, Harvey, Hay, Hazzard, Heverin, Horton, Kaine, Knight, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Niles, Patterson, T. H. B., Patton, Reed, Andrew, Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry and Worrell—62.

The names of the absentees were then called and taken down by the Clerk, and were as follow, viz :

ABSENT—Messrs. Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Buckalew, Carey, Cassidy, Church, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Hemphill, Howard, Hunsicker, Lambertson, Landis, Long, MacVeagh, M'Camant, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Sharpe, Simpson, Stewart, Temple, Turrell, Van Reed, Wherry, White J. W. F., Woodward, Wright and Meredith, *President*.

Whereupon,

Mr. Harry White offered the following resolution, which was twice read, viz :

Resolved, That a list of the members absent without leave be made out by the Clerk and given to the Sergeant-at-Arms, and that he and his assistants send for them and take them into custody, and bring them to the Convention at its meeting to-morrow morning.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Mann and Mr. Worrell, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Beebe, Bowman, Brodhead, Broomall, Brown, Campbell, Carter, Clark, Corbett, Cuyler, Dallas, Darlington, Dodd, Elliott, Guthrie, Hanna, Hay, Heverin, Horton, Knight, Lawrence, Littleton, MacConnell, M'Culloch, M'Murray, Mantor, Mitchell, Newlin, Niles, Reed, Andrew, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, White, J. W. F. and Worrell—46.

N A Y S .

Messrs. Craig, Curtin, Gilpin, Green, Hazzard, Kaine, Lear, Lilly, Mann, Minor, Mott, Patterson, T. H. B., Patton, Reynolds, Ross and Stanton—16.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Baer, Baily, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Buckalew, Carey, Cassidy, Church, Cochran, Collins, Corson, Cronmiller, Curry, Davis, DeFrance, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gowen, Hall, Harvey, Hemphill, Howard, Hunsicker, Lambertson, Landis, Long, MacVeagh, M'Camant, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Runk, Sharpe, Simpson, Stewart, Temple, Turrell, Van Reed, Wherry, Woodward, Wright and Meredith, *President*.

A motion was made by Mr. Stanton,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at 9½ o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MAY 20, 1873.

The President *pro tem.* laid before the Convention a communication from the Sergeant-at-Arms, which was read as follows, viz :

COMMONWEALTH OF PENNSYLVANIA, }
CONSTITUTIONAL CONVENTION, }
Philadelphia, May 20, 1873.

To Hon. JNO. H. WALKER,

President pro tem. Constitutional Convention :

SIR:—In accordance with the action of the Convention, I yesterday afternoon forwarded the following brief dispatch to the gentlemen whose names were furnished me by the Clerk, as being absent without leave :

“ Am ordered to take into custody absentees, and bring them before Convention to-morrow morning.”

Since the telegrams were sent, information has been received that several of the gentlemen mentioned in the list have arrived in the city, and will be in attendance this morning. Hoping this action will meet the approval of the Convention,

I have the honor to remain,

Very respectfully,

Your obedient servant,

JAS. ONSLOW,
Sergeant-at-Arms.

Laid on the table.

A motion was made by Mr. Lilly,

That further proceedings under the call of the House be dispensed with.

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

Messrs. Andrews, Stewart, D. W. Patterson and Patton presented numerous petitions from the citizens of Jefferson, Franklin, Lancaster, Allegheny and Bradford counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government and of the Bible as the supreme standard of righteous law.

Laid on the table.

Mr. Corson asked and obtained leave of absence for himself, to attend the funeral of the late Daniel H. Mulvany, Esq.

Mr. Cuyler asked and obtained leave of absence for himself for the balance of this week.

Mr. Patton asked and obtained leave of absence for Mr. Turrell for a few days from to-day.

Mr. Lilly asked and obtained leave of absence for Mr. Fell for a few days from to-day, on account of sickness.

Mr. Dallas asked and obtained leave of absence for Mr. Metzger for a few days from to-day, on account of sickness.

Mr. Temple asked and obtained leave of absence for himself for a few days from to-day.

Mr. Wright offered the following resolution, which was twice read, viz :

Resolved, That on and after to-morrow the daily sessions of this Convention shall commence at nine and-a-half A. M., and continue until one P. M., when a recess shall be taken until three P. M.; no session to be held on Saturdays.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To refer the resolution to a select committee of five.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Mann,

To postpone the question, together with the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Edwards and Mr. Mann, and were as follow, viz :

YEAS.

Messrs. Baker, Bardsley, Bigler, Brodhead, Broomall, Buckalew, Cochran, Corbett, Corson, Craig, Curtin, Dallas, Darlington, Dunning, Gilpin, Guthrie, Harvey, Hay, Hemphill, Horton, Hunsicker, Knight, Lear, Lilly, M'Clean, M'Culloch, Mann, Mantor, Palmer, G. W., Patterson, D. W., Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Wetherill, J. M., White, Harry, and Woodward—39.

NAYS.

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Barclay, Beebe, Black, Charles A., Bowman, Brown, Campbell, Carter, Clark, Collins, Cronmiller, Curry, Cuyler, Davis, De France, Dodd, Edwards, Elliott, Gowen, Green, Heverin, Kaine, Lawrence, Littleton, MacConnell, M'Murray, Minor, Mitchell, Mott, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Rooke, Russell, Sharpe, Stanton, Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Worrell and Wright—50.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bartholomew, Biddle, Black, J. S., Boyd, Carey, Cassidy, Church, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Hall, Hanna, Hazzard, Howard, Lambertson, Landis, Long, MacVeagh, M'Camant, Metzger, Newlin, Niles, Parsons, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Simpson, Turrell, Van Reed and Meredith, *President*.

And the question recurring,

Will the Convention agree to the motion made by Mr. Lilly ?

It was determined in the negative.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,
To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That in addition to the daily session as now held there shall be a session every evening except Saturday, to commence at seven and-a-half o'clock."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Knight,
To amend the amendment, by striking out the words, "every evening except Saturday," and inserting in lieu thereof the words, "on Tuesday, Wednesday and Thursday evenings."

Which was not agreed to.
The amendment was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Dunning,
To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That hereafter sessions will be held on Saturday from half-past nine A. M. to one P. M., and on Mondays from three to six o'clock P. M. Sessions on other days of the week as now provided."

Which was not agreed to.
And the question again recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. MacConnell.
That the same be referred to the Committee on Rules.

On the question,
Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Brodhead and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Baker, Barclay, Bartholomew, Bigler, Bowman, Brodhead, Broomall, Brown, Carey, Clark, Corbett, Corson, Curtin, Cuyler, Dallas, Dunning, Edwards, Gilpin, Gowen, Guthrie, Harvey, Hay, Hemphill, Horton, Hunsicker, Knight, Lear, Lilly, Long, MacConnell, M'Clean, M'ulloch, M'Murray, Mann, Mitchell, Palmer, G. W., Palmer, H. W., Reynolds, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, Harry and Woodward—47.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Bardsley, Beebe, Black, Charles A., Buckalew, Campbell, Carter, Cochran, Collins, Craig, Cronmiller, Curry, Darlington, Davis, De France, Dodd, Elliott, Green, Hanna, Heverin, Kaine, Lawrence, Littleton, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Rooke, Ross, Russell, Sharpe, Stanton, Struthers, Temple, Wherry, White, David N., White, J. W. F. and Wright—45.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Biddle, Black, J. S., Boyd, Cassidy, Church, Ellis, Ewing, Fell, Finney,

Fulton, Funck, Gibson, Hall, Hazzard, Howard, Lamberton, Landis, Mac Veagh, M'Camant, Metzger, Newlin, Niles, Parsons, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Simpson, Turrell, Van Reed, Worrell and Meredith, *President*.

Mr. Baker offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the special committee appointed to report pay for the members of the Convention, be directed to consider and report the compensation or pay of the Clerks and officers of the Convention.

A motion was made by Mr. Darlington,

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table May 19,) viz:

Resolved, That Rule XLI be amended, by striking out the words, "a majority," in the third line, and inserting the words, "forty members" in lieu thereof.

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

And said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word "forty," and insert in lieu thereof the word "fifty."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Brodhead and Mr. Hemphill, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baker, Barclay, Bardsley, Bartholomew, Bowman, Brodhead, Broomall, Brown, Buckalew, Carey, Carter, Clark, Collins, Corson, Craig, Cronmiller, Dallas, Darlington, Davis, De France, Dunning, Gilpin, Gowen, Hanna, Hemphill, Horton, Lear, Lilly, Littleton, MacConnell, Mann, Mitchell, Mott, Patterson, T. H. B., Patton, Pughe, Reynolds, Ross, Russell, Smith, Henry W., Walker, Wetherill, John Price, White, David N., White, Harry, and White, J. W. F.—46.

NAYS.

Messrs. Addicks, Andrews, Baily, of Perry, Beebe, Bigler, Black, Charles A., Campbell, Cochran, Corbett, Curry, Curtin, Cuyler, Dodd, Edwards, Elliott, Guthrie, Harvey, Hay, Heverin, Hunsicker, Kaine, Knight, Lawrence, Long, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Read, John R., Rooke, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Wetherill, J. M., Wherry, Woodward and Wright—46.

So the question was determined in the negative.

ABSENT—Messrs. Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Biddle, Black, J. S. Boyd, Cassidy, Church, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Green, Hall, Hazzard, Howard, Lamberton, Landis, Mac Veagh, M'Camant, Metzger, Newlin, Niles, Parsons, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Runk, Simpson, Turrell, Van Reed, Worrell and Meredith, *President*.

On motion of Mr. Lilly,

The Convention again resolved itself into committee of the whole, Mr. Stanton in the Chair, on article reported from the Committee on Private Corporations, &c.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Corbett,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MAY 21, 1873.

Mr. Wright asked and obtained leave of absence for Mr. Alricks for a few days from to-day.

Mr. T. H. B. Patterson asked and obtained leave of absence for Mr. Ewing for a few days from to-day.

Mr. Minor asked and obtained leave of absence for Mr. Hunsicker for the remainder of this week.

Mr. Jno. M. Bailey asked and obtained leave of absence for Mr. Funck for a few days from to-day.

Mr. Mann asked and obtained leave of absence for Mr. Craig for to-day and to-morrow.

Mr. Achenbach offered the following resolution, which was read, viz :

WHEREAS, Joseph Leeds, of Philadelphia, has presented to each member of this Convention his pamphlet containing a design for improving Independence Square and the three main front buildings thereon, as a monument of memorials to honor the fathers of our country, and a simple plan for funds to pay for same and support it forever, both subject to any improvements to render them better; therefore,

Resolved, That the same has the approval of this Convention.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

On motion of Mr. Lilly,

The Convention again resolved itself into committee of the whole, Mr. Stanton in the Chair, on article reported from the Committee on Private Corporations, &c.

After some time the President *pro tem.* resumed the Chair, and the chairman reported the article amended as follows, viz :

SECTIONS 1, 2, 3 and 4 were amended by striking out sections.

SECTION 5. Amended by inserting after the word "place," in the third line, the words, "and business been commenced in good faith."

SECTIONS 8, 9 and 10. Amended by striking out sections.

SECTION 12. Amended by striking out section.

SECTION 13 Amended by striking out in the first and second lines the following words, viz: "Shall hold any real estate in this State, and no such corporation."

SECTION 14. Amended by adding to the end of the section the following words, viz: "And the Legislature is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages made by viewers or otherwise, the final determination of the amount of such damages shall, in all cases of appeal be determined by a jury."

SECTION 15. Amended by striking out section.

SECTION 17. Amended by striking out all after the word "no," in the first line, up to and including the word "no," in the second line, and by inserting after the word "receive," in the second line, the words, "or pay."

SECTION 18. Amended by striking out section.

SECTIONS 20, 21 and 22 were amended by striking out sections.

On motion of Mr. Dodd,

The Convention again resolved itself into committee of the whole, Mr. Bigler in the Chair, on article reported from the Committee on the Declaration of Rights.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again.

To-morrow was named and agreed upon.

On leave given,

Mr. John Price Wetherill offered the following, which was referred to the Committee on Suffrage, Election and Representation, viz :

The amendments proposed by this Constitution shall be submitted to the qualified electors of this Commonwealth, at a special election to be held on the —— Tuesday of —— next. The said election shall be held, regulated and conducted in the several counties of this Commonwealth, according to existing laws, except that the return judges of election of each county shall transmit by mail to the President of this Convention a triplicate original return of the said election within five days thereafter.

The said election shall be held, conducted and regulated in cities of over 100,000 inhabitants, under the authority and supervision of three commissioners of election in each of said cities, to be chosen by this Convention, upon the principle of a limited vote, which said board of Commissioners, or a majority thereof, shall appoint for each election division within said cities, two canvassers, two registers of voters and one judge, two window inspectors and two return inspectors, to hold the said election in the said divisions respectively ; said Commissioners shall also

have the power to arrange for the places of registration and election, the manner of assessing the personal tax, when and to whom payable, and directing the payment thereof into the proper treasury, and shall have power to fix the times of opening and closing the polls, to direct the counting of the vote hourly or otherwise, and the manner thereof, to see that the return of each election poll shall be transmitted as herein directed, on the day following the election, and generally the said board of commissioners, in their respective cities, shall have full power and authority to direct, regulate and make all provision proper and necessary to hold and conduct the said election.

The commissioners of the proper city and county shall furnish the necessary ballot boxes, stationery, blanks and books necessary to hold the said election, to the officers of each election poll, and shall cause to be printed and posted the said registers of voters, as the said board shall respectively direct, and publish the proclamation of the sheriff of the proper county, to be made by him, for the holding of the said election. The said canvassers and election officers shall be paid by the proper city and county for their services, such sums as the said boards shall respectively direct, and the said commissioners shall be paid by the proper city or county the sum of five dollars for each day they shall be actually engaged in their official duties, and each board shall have the power to appoint a secretary and fix his compensation, which shall be paid in like manner. The ballot of each voter at said election shall have printed or written on the outside fold thereof the word "Constitution," and in the inside the words "For the Constitution," or "Against the Constitution," and as to any amendment that may be separately submitted, on the outside fold thereof, "The ——— amendment," and on the inside "For the ——— Amendment," or "Against the ——— amendment," and the said commissioners of the proper city or county shall cause to be printed and delivered to the said boards of commissioners, respectively, a sufficient number of the said ballots for use at said election, at least twenty days prior thereto. The returns of the said election shall be laid before this convention by the President, at an adjourned session thereof, on the fourth Tuesday thereafter, and shall then and there be counted, and if it appear therefrom that the proposed amendments to the Constitution have been adopted by a majority of votes, it shall be the duty of the President of this Convention to announce and declare that the Constitution, so amended, shall be thenceforth in full force, in the name and on behalf of the people of the Commonwealth of Pennsylvania.

On leave given,

Mr. Stanton presented the following communication from Mrs. Elizabeth E. Hutter, president of the Board of managers of the Northern Home for Friendless Children, which was read, viz:

Examination of the Soldiers' Orphans to-morrow, (Thursday, 22d instant.) The annual examination of the Soldiers' Orphans in the institute connected with the Northern Home for Friendless Children, Twenty-third and Parrish, will take place, commencing at nine o'clock, and continue during the day. The examination will be conducted by Professor Wickersham, the State Superintendent. The members of this honorable Convention are cordially invited to be present.

ELIZABETH E. HUTTER.

President of the Board of Managers.

Laid on the table.

On motion of Mr. Lambertson,

The thanks of the Convention were tendered to Mrs. Hutter for the invitation extended.

A motion was made by Mr. Worrell,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at nine, and a half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MAY 22, 1873.

Mr. Brodhead asked and obtained leave of absence for Mr. Curtin for a few days from to-day on account of sickness in his family.

Mr. Wright asked and obtained leave of absence for himself for to-day and to-morrow.

Mr. Broomall asked and obtained leave of absence for Mr. Davis for a few days from to-day.

Mr. Gilpin asked and obtained leave of absence for himself for to-morrow.

Mr. Hemphill asked and obtained leave of absence for Mr. Darlington for the balance of this week.

Mr. Beebe asked and obtained leave of absence for Mr. Minor for to-day on account of sickness.

Mr. Harry White asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Bartholomew asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Brodhead offered the following resolution, which was read, viz :

Resolved, That the President be and he is hereby authorized to draw his warrant in favor of each member of this Convention for the sum of one thousand dollars and the additional mileage, and that the further consideration of the pay of members be postponed for the present.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Newlin, from the Committee on Rules, reported the following resolution, which was read, viz :

Resolved, That the Convention sit daily (except Saturdays) from half-past nine o'clock A. M., until three o'clock P. M.

Laid on the table.

Mr. Curry, from the select committee to whom was referred the subject, made a report, which was read as follows, viz :

The select committee appointed to take into consideration the amount which should be fixed as compensation of members, and report thereon, respectfully beg leave to report :

First. That they find, on examination, that the act of Assembly by which the compensation of members was fixed at \$1,000 and mileage, &c., was by the Legislature subsequently repealed, and the fixing of amount of compensation was referred directly to this Convention.

Second. That the repeal of the act fixing the compensation at \$1,000 was based upon the evident fact that the time probably occupied by the Convention would be much longer than originally supposed to be necessary, and that, therefore, the compensation as originally fixed, was wholly inadequate to meet the just expenses of the members.

Third. In consideration of the premises, your committee are of opinion that the compensation of members should be fixed at such reasonable sum as will, at least, meet the expenses of members, and therefore report the following resolution, viz :

Resolved, That the compensation of members of this Convention be and hereby is fixed at twenty-five hundred dollars, and mileage at ten cents a mile circular for two sessions.

On motion of Mr. Curry,
Said resolution was read a second time.

On the question,
Will the Convention agree to the resolution ?

A motion was made by Mr. D. W. Patterson,
To postpone the question, together with the further consideration of the resolution, for the present.

On the question,
Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Cochran and Mr. D. W. Patterson, and were as follow, viz :

Y E A S .

Messrs. Ainey, Baily, of Perry, Bannan, Bardsley, Bigler, Black, Charles A., Brodhead, Broomall, Carter, Cochran, Corson, Fulton, Gilpin, Hemphill, Kaine, Knight, Lamberton, Landis, Lilly, M'Clean, Palmer, H. W., Patterson, D. W., Purviance, Samuel A., Rooke, Ross, Russell, Smith, Henry W., Struthers, Walker, Wetherill, John Price, White, Harry and White, J. W. F.—32.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Beebe, Bowman, Brown, Buckalew, Collins, Cronmiller, Curry, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Guthrie, Hay, Hazzard, Heverin, Horton, Lawrence, Lear, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N. and Wright—55.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Biddle, Black, J. S., Boyd, Campbell, Carey, Cassidy, Church, Clark, Corbett, Craig, Curtin, Cuyler, Dallas, Darlington, Ewing, Fell, Finney, Funck, Gibson, Gowen, Green, Hall, Hanna, Harvey, Howard, Hunsicker, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Runk, Smith, H. G., Turrell, Woodward, Worrell and Meredith, *President*.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Ainey,

To strike out all after the word "Resolved," and insert as follows, viz : "That warrants be drawn in favor of each of the several members of this Convention by the President thereof on the State Treasurer for one thousand dollars, including such sum or sums as shall have been already drawn by any member on account of salary."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Brodhead,

To amend the amendment, by striking out all after the word "that," in the first line, and inserting in lieu thereof as follows, viz : "The President be and hereby is authorized to draw his warrant on the State Treasurer in favor of each member of this Convention for the sum of one thousand dollars and the additional mileage, and that the further consideration of the compensation of members be postponed for the present."

Which was not agreed to.

And the question recurring,
Will the Convention agree so to amend ?

A motion was made by Mr. Hay,

To amend the amendment, by striking out all after the word "dollars," making the resolution read: "That warrants be drawn in favor of each of the several members of this Convention by the President thereof on the State Treasurer for one thousand dollars."

Which was not agreed to.

And the question again recurring,

Will the Convention agree so to amend?

A motion was made by Mr. Guthrie,

To amend the amendment, by striking out all after the word "that," in the first line, and inserting in lieu thereof as follows, viz: "The maximum salary of delegates to this Convention shall be twenty-five hundred dollars, and the minimum salary shall be one thousand dollars—that each member may draw the one or the other sum as his conscience may dictate, and that the President of this Convention is authorized to draw his warrant on the State Treasurer for such amount."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Guthrie and Mr. Bear, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Bear, Baily, of Perry, Barclay, Bartholomew, Beebe, Brown, Church, Corson, Curry, De France, Edwards, Guthrie, MacConnell, M'Cullough, M'Murray, Mott, Palmer, G. W., Patton, Pugaie, Smith, Wm. H., Stewart, Van Reed and Walker—24.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bigler, Black, Charles A., Black, J. S., Bowman, Brodhead, Broomall, Buckalew, Campbell, Carey, Carter, Cassidy, Clark, Cochran, Collins, Corbett, Cronmiller, Davis, Elliott, Ellis, Fulton, Gibson, Gilpin, Gowen, Hanna, Hay, Hazzard, Hemphill, Heverin, Horton, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, M'Clean, Mann, Mantor, Mitchell, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Read, John R., Reynolds, Rooke, Ross, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., Worrell and Wright—74.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Bailey, of Huntingdon, Biddle, Boyd, Calvin, Craig, Curtin, Cuyler, Dallas, Darlington, Dodd, Dunning, Ewing, Fell, Finney, Funck, Green, Hall, Harvey, Howard, Hunsicker, Knight, Long, MacVeagh, M'Camant, Metzger, Minor, Purman, Purviance, John N., Reed, Andrew, Runk, Turrell, Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree so to amend?

A motion was made by Mr. Struthers,

To amend the amendment, by striking out all after the word "that" in the first line, and inserting in lieu thereof as follows, viz: "The compensation to members of this Convention shall be ten dollars per day and two mileages, and that the President be authorized to draw in favor of the members accordingly."

On the question,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Broomall,

That the report and resolution be re-committed, with instructions to report some equitable plan by which delegates will be paid according to actual time of

service, except in case of absence on account of sickness of themselves or their families, and by which the salary will be properly apportioned in cases of resignation and filling vacancies.

Which was not agreed to.

The amendment to the amendment offered by Mr. Struthers was not agreed to

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Ainey?

The yeas and nays were required by Mr. H. W. Smith and Mr. Lear, and were as follow, viz:

Y E A S .

Messrs. Ainey, Baily, of Perry, Bannan, Brodhead, Broomall, Dallas, Fulton, Gilpin, Gowen, Knight, Lear, Littleton, M'Clean, Newlin, Palmer, H. W., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Wetherill, J. M., Wetherill, John Price and White, Harry—23.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Bowman, Brown, Buckalew, Campbell, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Cronmiller, Curry, Davis, De France, Dunning, Edwards, Elliott, Ellis, Gibson, Guthrie, Hanna, Hay, Hazzard, Hemphill, Heverin, Horton, Kaine, Lambertson, Landis, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Samuel A., Read, John R., Reed, Andrew, Russell, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Van Reed, Walker, Wherry, White, David N., White, J. W. F., Worrell and Wright—78.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Bardsley, Biddle, Boyd, Carey, Craig, Curtin, Cuyler, Darlington, Dodd, Ewing, Fell, Finney, Funck, Green, Hall, Harvey, Howard, Hunsicker, Long, MacVeagh, M'Camant, Metzger, Minor, Purman, Purviance, John N., Runk, Turrell, Woodward, and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution accompanying the report of the committee?

A motion was made by Mr. Lear,

To amend the same, by striking out words, "twenty-five hundred," and inserting in lieu thereof the words, "one thousand."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ainey and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Ainey, Baily, of Perry, Bannan, Bigler, Brodhead, Broomall, Cochran, Dallas, Fulton, Gilpin, Gowen, Hemphill, Knight, Lilly, Littleton, Patterson, D. W., Purviance, Samuel A., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Wetherill, J. M., Wetherill, John Price and White, Harry—25.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Church, Clark, Collins, Cor-

bett, Corson, Cronmiller, Curry, Davis, De France, Dunning, Edwards, Elliott, Ellis, Fell, Gibson, Guthrie, Hanna, Hay, Hazzard, Heverin, Horton, Kaime, Lamberton, Landis, Lawrence, Lear, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Russell, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Van Reed, Walker, Wherry, White, David N., White, J. W. F., Worrell and Wright—78.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Biddle, Boyd, Craig, Curtin, Cuyler, Darlington, Dodd, Ewing, Finney, Funck, Green, Hall, Harvey, Howard, Hunsicker, Long, MacVeagh, M'Camant, Metzger, Minor, Newlin, Purman, Purviance, John N., Runk, Turrell, Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hemphill,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That the subject of the compensation of the members of this Convention be referred to the next Legislature."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Gowen,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That the compensation of the members of this Convention for the entire session shall be as follows: 1st. For those members who reside in the city of Philadelphia, five hundred dollars. 2d. For such members who do not reside in the city of Philadelphia, one thousand dollars; and that under no circumstances whatever shall any member receive any greater compensation than that above named."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. J. S. Black,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That the members of this Convention have no power to fix their own salaries, and the Legislature cannot delegate such power; the law fixing the salary at \$1,000 being repealed, the members are entitled to no salary until the General Assembly shall see proper to re-enact the same law or some other on the same subject."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Buckalew,

To amend the same, by striking out the words, "twenty-five hundred," and inserting in lieu thereof the words, "two thousand."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Cochran,

To amend the amendment, by striking out the words, "two thousand," and inserting in lieu thereof the words, "fifteen hundred."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Bartholomew and Mr. Buckalew, and were as follow, viz :

Y E A S .

Messrs. Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Beebe, Bigler, Black, Charles A., Broomall, Brown, Buckalew, Carter, Clark, Cochran, Cronmiller, Dallas, Dodd, Ellis, Fell, Gibson, Kaine, Lamberton, Landis, Lawrence, M'Murray, Mantor, Patterson, T. H. B., Porter, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Russell, Sharpe, Smith, H. G., Struthers, Walker, White, David N., White, Harry and Wright—33.

N A Y S .

Messrs. Achenbach, Addicks, Ainey, Andrews, Baer, Baker, Barclay, Black, J. S., Bowman, Brodhead, Campbell, Cassidy, Church, Collins, Corbett, Corson, Curry, Davis, De France, Dunning, Edwards, Elliott, Fulton, Gilpin, Gowen, Guthrie, Hanna, Hay, Hazzard, Hemphill, Heverin, Horton, Lear, Lilly, Littleton, MacConnell, M'Clean, M'Culloch, Mann, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patton, Pughe, Rooke, Ross, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F. and Worrell—61.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Bannan, Bardsley, Biddle, Boyd, Carey, Craig, Curtin, Cuyler, Darlington, Ewing, Finney, Funck, Green, Hall, Harvey, Howard, Hunsicker, Knight, Long, MacVeagh, M'Camant, Metzger, Minor, Newlin, Palmer, H. W., Purman, Purviance, John N., Runk, Turrell, Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution accompanying the report of the Committee ?

The yeas and nays were required by Mr. Cochran and Mr. Hemphill, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Andrews, Bear, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Beebe, Bowman, Brown, Cassidy, Church, Collins, Corbett, Corson, Cronmiller, Curry, Dallas, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Gibson, Guthrie, Hanna, Hazzard, Heverin, Horton, Landis, Lilly, MacConnell, M'Culloch, M'Murry, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patton, Pughe, Read, John R., Reed, Andrew, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Walker, Wherry, White, David N. and Wright—60.

N A Y S .

Messrs. Ainey, Baily, of Perry, Bannan, Bardsley, Bigler, Black, Charles A. Black, J. S., Brodhead, Broomall, Buckalew, Campbell, Carter, Clark, Cochran, Fulton, Gilpin, Gowen, Hay, Hemphill, Kaine, Knight, Lamberton, Lawrence, Lear, Littleton, M'Clean, Newlin, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith,

H. G., Smith, Henry W., Struthers, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., and Worrell—44.

So the question was determined in the affirmative.

ABSENT.—Messrs. Alricks, Armstrong, Biddle, Boyd, Carey, Craig, Curtin, Cuyler, Darlington, Ewing, Finney, Funck, Green, Hall, Harvey, Howard, Hunsicker, Long, MacVeagh, McCamant, Metzger, Miner, Purman, Purviance, John N., Runk, Turrell, Woodward and Meredith, *President*.

A motion was made by Mr. Guthrie and Mr. Baer,

That the vote just taken by which the resolution accompanying the report of the Committee was adopted, be re-considered.

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

Mr. Struthers, from the select committee to whom was referred the subject, made a minority report, which was read as follows, viz:

The undersigned member of the special committee to whom is referred the subject of fixing the pay of the members and officers of this Convention, as a minority report, begs leave to submit: That in his opinion it is premature to act definitely on that subject at the present time. The consideration of reports of standing committees in committee of the whole is not yet closed, and will not be for some time; after which all will have to be considered on second reading reading and third reading, which will occupy the time we cannot now compute or closely estimate. We, therefore, have not now the data upon which to base a fair and just estimate of the proper amount to be charged as compensation. For these reasons I object to the report of the majority fixing the round sum of \$2,500, at this time, as pay for the term. And in accordance with the rule of compensation of members of the Legislature, which I understand gives the members each about \$10 per day, I would recommend that it would be more judicious to make the pay of the members of this Convention \$10 per day.

Laid on the table.

On motion of Mr. Stanton,

The Convention again resolved itself into committee of the whole, Mr. Bigler in the Chair, on article reported from the Committee on the Declaration of Rights.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. John R. Read,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at half past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, MAY 23, 1873.

Mr. Samuel Calvin, who was appointed to fill the vacancy occasioned by the death of Mr. M'Allister, appeared and was duly qualified.

Mr. Dunning asked and obtained leave of absence for himself for a few days from to-day.

Mr. Andrews asked and obtained leave of absence for Mr. M'Murray for a few days from to-day.

Mr. Patton asked and obtained leave of absence for Mr. Elliott for a few days from to-day.

Mr. Parsons asked and obtained leave of absence for Mr. Cronmiller for a few days from to-day.

Mr. Hazzard asked and obtained leave of absence for Mr. M'Culloch for a few days from to-day.

Mr. Bowman asked and obtained leave of absence for Mr. Niles for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for himself for part of to-day and Monday.

Mr. Harry White asked and obtained leave of absence for himself for Monday.

Mr. Reynolds asked and obtained leave of absence for himself for a few days from Monday.

Mr. Clark asked and obtained leave of absence for himself for part of to-day and Monday.

Mr. Mantor offered the following resolution, which was read as follows, viz :

Resolved, That when this Convention adjourn to-day it will be to meet to-morrow at 9½ o'clock.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. J. M. Bailey and Mr. Corbett, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bigler, Boyd, Calvin, Carter, Corbett, Corson, Craig, DeFrance, Dodd, Edwards, Fulton, Guthrie, Hay, Hazzard, Horton, Kaine, Lawrence, MacConnell, M'Clean, Mantor, Minor, Mott, Patterson, T. H. B., Pughe, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Russell, Smith, Wm. H., Stewart, Struthers, Walker, Wherry and White, David N.—39.

N A Y S.

Messrs. Addicks, Andrews, Baker, Bardsley, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Church, Clark, Collins, Curry, Dunning, Funck, Gibson, Hall, Hemphill, Knight, Landis, Lear, Lilly, Long, M'Camant, Mann, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Purman, Read, John R., Rooke, Ross, Sharpe, Simpson, Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., and Woodward—45.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Bannan, Bartholomew, Beebe, Biddle, Black, J. S., Buckalew, Campbell, Carey, Cassidy, Cochran, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Davis, Elliott, Ellis, Ewing, Fell, Finney, Gilpin, Gowen, Green, Hanna, Harvey, Heverin, Howard, Hunsicker, Lambertson, Littleton, Mac Veagh, M'ulloch, M'Murray, Metzger, Mitchell, Niles, Porter, Reynolds, Runk, Smith, H. G., Turrell, Wetherill, John Price, Worrell, Wright and Meredith, *President*.

Mr. Samuel A. Purviance offered the following resolution, which was twice read, viz:

Resolved, That from and after Monday next no delegate shall be allowed to speak, either in the committee of the whole or in the Convention, on any one question more than ten minutes, and no extension of time in any case shall be allowed, and this resolution shall not be rescinded unless by a vote of two-thirds of all the members voting.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Boyd,

To postpone the question, together with the further consideration of the resolution, for the present.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. H. W. Smith and Mr. Temple, and were as follow, viz:

Y E A S .

Messrs. Addicks, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Bowman, Boyd, Buckalew, Calvin, Clark, Cochran, Corson, Craig, Dallas, De France, Dodd, Fell, Gibson, Guthrie, Hay, Hemphill, Horton, Knight, Lambertson, Landis, Lear, M'Clean, Minor, Newlin, Patterson, D. W., Read, John R., Rooke, Sharpe, Smith, H. G., Temple, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Woodward and Worrell—42.

N A Y S .

Messrs. Achenbach, Andrews, Baer, Baker, Barclay, Bardsley, Brodhead, Broomall, Brown, Carter, Church, Collins, Corbett, Dunning, Edwards, Funck, Hanna, Hazzard, Kaine, Lawrence, Lilly, Long, MacConnell, M'Camant, Mann, Mantor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Russell, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Walker, and White, David N., —51.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Bannan, Bartholomew, Beebe, Biddle, Black, J. S., Campbell, Carey, Cassidy, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Elliott, Ellis, Ewing, Finney, Fulton, Gilpin, Gowen, Green, Hall, Harvey, Heverin, Howard, Hunsicker, Littleton, Mac Veagh, M'ulloch, M'Murray, Metzger, Niles, Runk, Turrell, Wetherill, John Price, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Wherry,

To amend the same, by striking out the last clause of the resolution as follows, viz: "And this resolution shall not be rescinded unless by a vote of two-thirds of all the members voting."

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. Baker, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baer, Baker, Barclay, Bardsley, Brodhead, Broomall, Brown, Campbell, Carter, Church, Cochran, Collins, Corbett, Curry, De France, Dodd, Dunning, Edwards, Fulton, Funck, Guthrie, Hanna, Hazzard, Landis, Lawrence, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, Mann, Mantor, Minor, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Van Reed, Walker and White, David N.—59.

NAYS.

Messrs. Addicks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Bowman, Boyd, Buckalew, Calvin, Clark, Corson, Craig, Dallas, Ellis, Fell, Gibson, Hay, Hemphill, Horton, Kaine, Knight, Lambertson, Lear, Newlin, Patterson, D. W., Read, John R., Sharpe, Smith, H. G., Stewart, Temple, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Woodward and Worrell—36.

So the question was determined in the negative, two-thirds not having voted in the affirmative.

ABSENT—Messrs. Ainey, Alricks, Armstrong, Bannan, Bartholomew, Beebe, Biddle, Black, J. S., Carey, Cassidy, Cronmiller, Curtin, Cuyler, Darlington, Davis, Elliott, Ewing, Finney, Gilpin, Gowen, Green, Hall, Harvey, Heverin, Howard, Hunsicker, MacVeagh, M'Culloch, M'Murray, Metzger, Mott, Niles, Ruak, Turrell, Wetherill, John Price, Wright and Meredith, *President*.

On motion of Mr. Stanton,

The Convention resolved itself into committee of the whole, Mr. Bigler in the Chair, on article reported from the Committee on the Declaration of Rights.

After some time the President *pro tem.* resumed the Chair, and the chairman reported the article amended as follows, viz:

Preamble amended, by striking out all between the word "Pennsylvania" and the word "ordain," and inserting in lieu thereof the words, "grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do."

Section four amended, by inserting in the first line, after the word "of," the word "a."

Section five amended, by striking out the word "with," in the second line, and inserting in lieu thereof the words, "to prevent."

Section eight amended in second line, by striking out the word "professions," and inserting in lieu thereof the word "possessions."

Section ten amended, by striking out all after the word "representatives," in the seventh line up to and including the word "jury," in the eighth line; and by striking out all after the word "made," in the ninth line to the end of the section, and inserting in lieu thereof the words, "or secured."

Section eleven amended, by striking out all after the word "direct," in the sixth line to the end of the section.

Mr. Buckalew, from the Committee on Suffrage, Election and Representation, reported the following article, viz:

ARTICLE —.

OF ELECTION BOARDS AND CONTESTED ELECTIONS.

SECTION 1. District election boards shall consist of a judge and two inspectors, to be chosen annually by the citizens; each elector having the right to vote for the judge and one inspector, and each inspector shall appoint one clerk to assist

the board in the performance of its duties; but the selection of the first election board in any new district, and the filling of vacancies in election boards, shall be by judicial appointment or otherwise, as shall be provided by law. Members of election boards shall be privileged from arrest upon any day of election, and while engaged in making up and transmitting returns, except arrest upon warrant of a court of record, or judge thereof, for an election fraud, or for wanton breach of the peace; and in cities they may claim exemption from jury service, or from selection upon jury lists, during their terms of service.

SECTION 2. No person shall be qualified to serve upon an election board who shall hold, or shall within two months have held, any office, appointment or employment in or under the government of the United States, or of this State, of any city or county, or of any municipal board, commission or trust in any city, save only justices of the peace and aldermen, and persons in the military service of the State; nor shall any election officer be eligible to an election to any civil office, to be filled at an election at which he shall serve, save only such subordinate municipal or local offices below the grade of city or county offices, as shall be designated by general laws.

SECTION 3. The courts of common pleas of the several counties of the Commonwealth shall have power, within their respective jurisdictions, to appoint overseers of election, to supervise the proceedings of election offices, and general management of election, to maintain the integrity of returns and of the ballots received and counted, and to make report to the court as may be required. Such appointments to be made for a part or for all the districts in a city or county, or in a ward or other division thereof, whenever the same shall appear to the court to be a reasonable precaution to secure the purity and fairness of elections. Overseers shall be two in number for an election district, and shall be persons qualified to serve upon election boards, and in each case members of different political parties. Whenever the members of an election board shall differ in opinion, the overseers present, if they shall be agreed, shall decide the question of difference. In appointing overseers of elections, all the judges of the proper court (able to act at the time) shall concur in the appointments made.

SECTION 4. The trial and determination of all contested elections of electors of President and Vice President of the United States, of Senators and Representatives in the Legislature, and of all public officers, whether State, municipal or local, shall be by the courts of law regularly established, or by one or more of the law judges thereof. The Legislature shall, by general law, designate the courts and judges by whom the several classes of election contests shall be tried, and regulate the manner of trial, and all matters incident thereto; but no such law assigning jurisdiction, or regulating its exercise, shall take effect as to any contest arising out of an election held before its passage.

Said article was read the first time and laid on the table.

Mr. Mann offered the following resolution, which was read, viz:

Resolved, That Rule VIIth be and is hereby amended, so as to read "original resolutions offered on Monday only."

Laid on the table.

On leave given,

The President *pro tem.* laid before the Convention the following letter of resignation, which was read, viz:

PHILADELPHIA, May 23, 1873.

To Hon. JNO. H. WALKER,

President pro tem. of the Constitutional Convention:

MY DEAR SIR:—I hereby resign my position as a member of the Constitutional Convention.

Very respectfully,

FRANKLIN B. GOWEN.

On motion of Mr. Harry White,

Said communication was laid on the table.

On motion of Mr. S. A. Purviance,

The Convention again resolved itself into committee of the whole, Mr. J. W. F. White in the Chair, on the article reported from the Committee on County, Township and Borough Officers.

After some time the President *pro tem.* resumed the Chair, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

Monday was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until Monday morning at 9 o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, MAY 26, 1873.

Messrs. Patton and John N. Purviance presented numerous petitions from citizens of Bradford, Butler, Jefferson, Huntingdon, Montour, Bucks and Lebanon counties, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government and of the Bible as the supreme standard of righteous law.

Which petitions were laid on the table.

Mr. Patton asked and obtained leave of absence for Mr. Biddle for a few days from to-day.

Mr. Simpson asked and obtained leave of absence for Mr. Baker for a few days from to-day.

Mr. Hanna asked and obtained leave of absence for Mr. Littleton for a few days from to-day.

Mr. Darlington offered the following resolution which was read, viz :

Resolved, That the resolution of last Thursday fixing the compensation of the members of the Convention at twenty-five hundred dollars be rescinded.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Chief Clerk be directed to discontinue the employment of the fireman and assistant fireman, there services being no longer required.

Mr. D. N. White offered the following resolution, which was read, viz :

Resolved, That on second reading the several articles of the amended Constitution, as reported from committee of the whole, be numbered, named and taken up for consideration in the following order, to wit :

First. The preamble.

Second. Article I : The Declaration of Rights.

Third. Article II : Legislative Department, to include the reports of the Committee on Legislature and Legislation.

Fourth. Article III : Executive Department.

Fifth. Article IV : Department of the Judiciary.

Sixth. Article V : Suffrage, Election and Representation.

Seventh. Article VI : Taxation and Revenue.

Eighth. Article VII : Education.

Ninth. Article VIII : Public and Private Corporation.

Tenth. Article IX : Impeachment and Removal from Office.

Laid on the table.

A motion was made by Mr. Mann,

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table, May 23,) viz :

Resolved, That Rule VII be and is hereby amended, so as to read "original resolutions in writing offered on Mondays only."

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And the resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Lilly,

To amend the same, by making it apply to resolutions fixing the hours of meeting and adjournment.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

It was determined in the negative.

On motion of Mr. Broomall,

The Convention again resolved itself into committee of the whole, Mr. J. W. F. White in the Chair, on article reported from the Committee on County, Township and Borough Officers.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On motion of Mr. Temple,

The Convention resolved itself into committee of the whole, Mr. Kaine in the Chair, on article reported from the Committee on Future Amendments.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz :

SECTION 1. Amended, by striking out the section.

SECTION 2. Amended, by inserting after the word "Constitution," in the seventeenth line, the words, "but no amendment or amendments shall be submitted to the people oftener than once in five years."

On motion of Mr. Wherry,

The Convention resolved itself into the committee of the whole, Mr. Buckalew in the Chair, on article reported from the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Office.

After some time the President resumed the Chair, the chairman reported the article amended as follows, viz :

SECTION 1. By striking out all after the sixth line, and inserting in lieu the following words, viz :

"And I do further solemnly swear (or affirm) that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to any office other than the salary and mileage allowed by law; nor will I vote for or advocate any matter in which I have or expect to have, directly or indirectly, any private interest whatever."

A motion was made by Mr. Hunsicker and Mr. Stanton.

That the vote be re-considered by which the committee of the whole on article reported from the Committee on County, Township and Borough Officers had leave to sit to-morrow.

Which was agreed to.

And the question recurring,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On motion of Mr. Buckalew,

The Convention resolved itself into the committee of the whole, Mr. Walker in the chair, on article (No. 22) reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

On leave given,

Mr. Bartholomew asked and obtained leave of absence for Mr. Bannan for a few days from to-day, on account of death in his family.

On leave given,

Mr. J. M. Wetherill asked and obtained leave of absence for Mr. Ellis for a few days from to-day.

Mr. Lear rose to a personal explanation, as follows, viz :

During the consideration of the report of the special committee on salaries and compensation of members and officers of this Convention, on the 22d of this month, I made a motion to amend the resolution accompanying said report, fixing the compensation of members, by striking out "twenty-five hundred" and inserting "one thousand," upon which the yeas and nays were called, and in the prin-

ted Journal I am reported as voting in the negative, and recorded among the nays, as voting against my own motion. I voted in the affirmative, and desire to be recorded among the yeas, and ask that this explanation be entered upon the Journal. It is undoubtedly an error in taking, recording or printing the vote, committed inadvertently by some one. The error is on pages 566 and 567 of Journal.

GEORGE LEAR.

Mr. Lear asked leave to have the foregoing entered upon the Journal.

Which was agreed to.

A motion was made by Mr. De France,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at 9½ o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, MAY 27, 1873.

Mr. John N. Purviance presented two petitions of citizens of Butler county, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Which petitions were laid on the table.

Mr. Beebe asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. Joseph Baily asked and obtained leave of absence for Mr. Collins for a few days from to-morrow.

On motion of Mr. Darlington,

The Convention again resolved itself into the committee of the whole, Mr. Walker in the Chair, on article (No. 22) reported from the Committee on Suffrage, Election and Representation.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz:

SECTION 1. By inserting after the word "fraud," in the tenth line, the word "felony," and by striking out the word "the," in the twelfth line, and inserting in lieu thereof the word "their."

SECTION 3. By striking out the word "canvassers," in the the third line, and inserting in lieu thereof the word "overseers," and by striking out all after the word "officers," in the fourth line, up to and including the word "counted," in the fifth line; and also by striking out in the thirteenth line the words, "the overseers present if they shall be agreed," and inserting in lieu thereof the words, "a majority of said board and said overseers acting together," and inserting after the word "the," in the fourteenth line, the word "law."

SECTION 4. By inserting after the word "State," in the third line, the word "judicial," and by striking out the word "assuming," in the eighth line, and inserting in lieu thereof the word "assigning."

Mr. Lilly offered the following resolution, which was twice read, viz:

Resolved, That the House Committee be and are hereby instructed to have the street in front of this Hall covered with sawdust or spent tan bark, so as to prevent the noise that so severely interferes with the deliberations of this Convention when the windows are open.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Boyd,

That said resolution be referred to the Committee on Accounts and Expenditures of the Convention.

Which was not agreed to.

The resolution was then agreed to.

On leave given,

Mr. Clark asked and obtained leave of absence for himself for the remainder of this week.

On motion of Mr. S. A. Purviance,

The Convention again resolved itself into committee of the whole, Mr. J. W. F. White in the Chair, on article reported from the Committee on County, Township and Borough Officers.

After some time the President resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again ?

To-morrow was named and agreed upon.

A motion was made by Mr. Alricks,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, MAY 28, 1873.

Mr. Hay asked and obtained leave of absence for a few days from to-morrow.

Mr. Church asked and obtained leave of absence for Mr. Parsons for a few days from to-day.

Mr. J. Price Wetherill asked and obtained leave of absence for Mr. Cuyler for a few days from to-day.

Mr. Lilly asked and obtained leave of absence for Mr. Fell for a few days from to-day.

Mr. Brodhead asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Curtin offered the following resolution, which was twice read, viz :

Resolved, That Friday, the 30th inst., being the anniversary upon which it is the custom to visit and decorate the graves of the soldiers of the Republic, who gave their lives that our Government might live, this Convention will not hold a session on that day, so that an opportunity will be afforded those of the members who desire to take part in the ceremony, and that the Convention will hold a session on Saturday, May 31, commencing at 9½ A. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Broomall,

To amend the same, by striking out all after the word "ceremony."

Which was agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Boyd and Mr. Darlington, and were as follow, viz :

YEAS.

Messrs. Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bartholomew, Bigler, Black, Charles A., Bowman, Brodhead, Buckalew, Calvin, Cochran, Curry, Curtin, De France, Dunning, Fulton, Funck, Gibson, Guthrie, Hall, Horton, Hunsicker, Lambertson, Landis, Lawrence, Lear, Mantor, Minor, Mitchell, Mott, Palmer, G. W., Patton, Pughe, Purman, Purviance, John N., Rooke, Runk, Sharpe Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., White, Harry, Woodward, Wright and Meredith, *President*—51.

NAYS.

Messrs. Ainey, Baily, of Perry, Barclay, Bardsley, Beebe, Boyd, Broomall, Brown, Carter, Church, Corbett, Corson, Dallas, Darlington, Edwards, Hay, Hemphill, Lilly, Long, MacConnell, M'Clean, M'Culloch, Mann, Purviance, Sam'l A., Ross, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Walker, Wetherill, John Price and White, J. W. F.—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bannan, Biddle, Black, J. S., Campbell, Carey, Cassidy, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Finney, Gilpin, Gowen, Green, Hanna, Harvey, Hazard, Heverin, Howard, Kaine, Knight, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Read, John R., Reed, Andrew, Reynolds, Struthers, Turrell and Worrell.

Mr. Brodhead offered the following resolution, which was read, viz:

Resolved, That when this Convention adjourns on Friday, June 13, it adjourns to meet on Tuesday, September 16, next.

On the question,

Will the Convention proceed to the second reading and consideration of said resolution?

It was determined in the negative.

Mr. Broomall offered the following resolution, which was read, viz:

Resolved, That when the articles are all put on second reading, the Convention shall adjourn to meet on the next, and that the articles be published in pamphlet form and distributed for the information and criticism of the people of the State.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Lilly offered the following resolution, which was read, viz:

Resolved, That no delegate shall speak more than once on any question in Convention or committee of the whole, nor shall the time be extended.

Laid on the table.

Mr. Wherry offered the following resolution, which was read, viz:

Resolved, That on and after Monday next there shall be, in addition to the daily sessions now provided for, a session upon each evening—except Saturdays and Mondays—to commence at 7½ o'clock.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention, respectfully report:—That it has examined the account of the Chief Clerk, for expenditures made by him from the 24th day of March to the 26th day of May, instant, showing the payment during that time of \$4,060 32, and a balance in his hands on the 26th day of May of \$511 23, and that the same is correct according to the vouchers exhibited to the committee. An abstract of the account is herewith submitted, marked "A:"

The following accounts have been presented to, and examined by the committee:

1. For gas used in Hall from April 19th to May 22d.....	\$61 64
2. Samuel Adams, for repairing locks and keys for desks of members at Harrisburg.....	24 00
3. Whiteside & Madara, for carpenter work, repairs, alterations and materials used at Hall, umbrella stand, &c.....	356 92
4. Wolbert & Brother, ten tons coal, delivered.....	79 00
5. George Bergner, stationery, inkstands, &c.....	538 80
6. J. P. Kidd, brooms, brushes, buckets, &c.....	16 82
7. William M'Carte, painting front doorway screens, and glazing.....	10 50
8. John Thornley, 150 feet India rubber hose, couplings and branch pipe...	36 00
9. James H. Orne, Son & Co., 15½ yards carpeting, stair rods, and pads for stairs.....	55 00
Together amounting to the sum of.....	<u>1,178 68</u>

The committee has carefully examined these accounts. The Chief Clerk, and Mr. John A. Smull, who acted as one of the clerks of the Convention at Harris-

burg, certify that the stationery and other articles included in the bill of George Bergner were purchased for, and used in the business of the Convention. It seems to the committee that there should be some officer of the Convention actually accountable for the care and safe keeping of all articles purchased for the use of the Convention. There is otherwise no sufficient check upon wastefulness in using as well as extravagance in purchasing.

The accounts of J. P. Kidd, for brooms, &c., William M'Carter, for painting, John Thornley, for India rubber hose, J. H. Orne, Son & Co., for carpet and stair rods, and of Whiteside & Madara, for carpenter work, &c., are certified to be correct by the chairman of the Committee on House of the Convention. The Committee on Accounts does not deem it proper, nor perhaps is it within its appointed functions, to exercise any discretion or supervision over accounts so certified from a committee of this body, unless they should be, in its opinion, manifestly not proper expenses of the Convention.

In the settlement of the account of the Chief Clerk for expenses incurred during the recess of the Convention about the first of April, the committee has been guided by the communication of the Committee on House to the Chief Clerk, dated April 15, 1873, informing him of the action taken by that committee under resolution of the Convention of March 28, and which is hereto appended marked "B."

The following resolution is accordingly reported for the action of the Convention:

Resolved, That the aforesaid accounts of the Philadelphia gas works, Samuel Adams, Whiteside & Madara, Wolbert & Brother, George Bergner, J. P. Kidd, William M'Carter, John Thornley and James H. Orne, Son & Co., together amounting to the sum of \$1,178 68, be and the same are hereby approved; and that a warrant be drawn upon the State Treasurer for said sum, in favor of the Chief Clerk, for the payment thereof.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

[A.]

Abstract of Expenditures made by D. L. Imbrie, Chief Clerk, from March 24th to May 26th, 1873, inclusive:

Paid Powell DeFrance, Page, for services from March 24th to May 23d, inclusive	\$66 00
Paid Frank M'Reynolds, Page, for services from March 24th to May 23d, inclusive	49 50
Paid T. D. M'Gilloway, Page, for services from March 24th to May 23d, inclusive	49 50
Paid Percy Myers, Page, for services from March 24th to May 23d, inclusive,	49 50
Paid David Skerrett, Page, for services from March 24th to May 23d, inclusive	49 50
Paid Charles Moore, Page, for services from March 24th to May 23d, inclusive	49 50
Paid J. B. Allen, Page, for services from March 24th to May 23d, inclusive,	49 50
Paid W. I. Cassidy, Page, for services from March 24th to May 23d, inclusive,	49 50
Paid F. Berlin, Page, for services from March 24th to May 23d, inclusive.	49 50
Paid Thomas Simpson, Page, for services from March 24th to May 23d, inclusive	49 50
Paid Jno. Patterson, Watchman, for services from March 22d to May 24th, inclusive	220 50
Paid Joseph Ebersole, Janitor, for services from March 23d to May 23d, inclusive	99 00
Paid James Craig, Janitor, for services from March 23d to May 23d, inclusive	159 00
Paid John Switzer, Fireman, for services from March 23d to May 23d, inclusive	164 50
Paid Thomas H. Bartolet, Assistant Fireman, for services from March 23d to May 23d, inclusive	150 00
Paid Josephine Thompson, for sweeping and cleaning, from March 23 to May 24th, inclusive	157 50
Paid Josephine Thompson, April 26th, for soap and combs	4 00
Paid Jane Walters, for cleaning, &c., from March 23d to May 24th, inclusive,	55 50
Paid Mrs. Taylor, for cleaning, &c., from March 23d to May 24th, inclusive,	55 50
Paid Mary Wilson, for cleaning, &c., from March 23d to May 24th, inclusive,	55 50

Paid Annie E. Gould, for cleaning, &c., from March 23d to May 24th, inclusive	\$55 50	
Paid to J. E. Walraven, for draping hall	318 00	
Paid William Thornton, for coal	\$80 00	
Paid Wolbert & Brother, "	78 00	
Paid J. B. Hancock, "	85 00	
Paid Littleton & Pidgeon, "	170 00	
		413 00
Paid E. C. Markley & Son, for printing and stationery		84 47
Paid for advertising in the Evening Herald	\$10 00	
" " City Item	10 50	
" " Public Record	8 80	
" " Evening Telegraph	13 20	
" " Evening Bulletin	17 60	
" " The Age	8 80	
" " State Journal	5 50	
" " The Press	11 00	
		85 40
Paid M'Laughlin & Brother for printing	30 00	
Paid for postage and expressage and check book	53 55	
Paid John A. Voorhees for wheelbarrows	20 25	
Paid gas bills to April 19th	131 33	
Paid Mrs. Caslow and others, for sweeping and cleaning at Harrisburg	36 00	
Paid J. P. Lanning, for towels	13 63	
Paid J. P. Kidd, for buckets, brooms, &c	16 80	
Paid E. D. Trymby, for chairs	115 00	
Paid J. A. Voorhees, for repairing water closets, &c	40 60	
Paid W. R. Elliott, for hardware for repairs and alterations	118 80	
Paid Griffiths & Page, for ice chest and water cooler, &c	77 10	
Paid W. F. Murphy & Sons, for ink stands, gavel and stationery	232 65	
Paid John Sartain, for engraving portrait and signature of Hon. William Hopkins deceased	85 00	
Paid Cornelius & Sons, for gas fixtures	29 85	
Paid J. B. Lippincott & Co., for memorial of Hon. W. Hopkins, deceased	294 00	
Paid John R. Angney, for alcohol, can, &c	2 80	
Paid J. A. Bush, for three dozen ink	12 00	
Paid William M'Carter, for painting and glazing	17 90	
Paid Kay & Brothers, for five copies of Purdon's Digest	67 50	
Paid Hall, Garrison & M'Glees, for hanging portrait of William Penn	10 00	
Paid Joseph Parker, for hauling ashes	35 00	
Paid Powell, Finn & Co., papering document room	32 79	
Total expenditures	4,060 32	
Balance in hands of Chief Clerk, May 26	511 23	
Total	4,571 55	

[" B. "]

CONSTITUTIONAL CONVENTION,
PHILADELPHIA, April 15, 1873. }

D. L. IMBRIE, Esq.,

Clerk of the Convention:

SIR:—As per resolution of the Convention on 28th ult., the Committee on House engaged the following employees during the late recess of the Convention, from March 28th to April 15th, and request that you will pay said employees as follows:

Jno. Patterson, night watchman	18 nights, at \$3 50	\$63 00
Jas. Craig, day watchman	18 days, at 3 50	63 00
Switzer, fireman	12 " at 3 50	42 00
Berkely, " " " " " "	12 " at 3 50	42 00
Josephine, sweeper	2 " at 2 50	5 00
Marcella, " " " " " "	2 " at 1 50	3 00
Annie, " " " " " "	2 " at 1 50	3 00
Jane, " " " " " "	2 " at 1 50	3 00
Louisa, " " " " " "	2 " at 1 50	3 00
Joseph Parker, for carting away ashes and rubbish from cellars of Hall		35 00

By the labor of the above parties the Hall, and the entire premises of the Convention, have been placed in perfect order.

Respectfully,

JOHN E. ADDICKS, *Chairman*.
EDWARD R. WORRELL,
JAMES BOYD,
M. HALL STANTON,
GEO. N. DALLAS.

On motion of Mr. Mann,

The Convention again resolved itself into committee of the whole, Mr. J. W. F. White in the Chair, on article reported from the Committee on County, Township and Borough Officers.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz :

SECTION 1. By inserting after the word "surveyors," in the third line, the words, "county auditors," and by striking out all after the word "provided," in the fourth line to the end of the section, and inserting in lieu thereof the following words : "The Legislature may declare what offices shall be incompatible ; and no sheriff or treasurer shall be re-eligible for the term next succeeding the one for which he may be elected."

SECTION 2. By striking out in the second line the words, "such terms as may be prescribed by law," and inserting in lieu thereof the words, "the term of three years, if they shall so long behave themselves well, and until their successors shall be duly qualified."

SECTION 3. By striking out the words, "township and borough," in the first, third and fifth lines.

SECTION 4. By striking out the section ; by adding to new sections as follows, viz :

SECTION 6. Three county commissioners and three county auditors shall be elected in each county, and shall serve for three years. In the election of said officers, such qualified electors shall vote for only two persons, and the three persons having the highest number of votes shall be elected ; casual vacancies in the offices of county commissioners and county auditor shall be filled by the courts of common pleas of the respective counties in which such vacancies shall occur, by the appointment of an elector of the proper county, who shall have voted for the commissioner or auditor whose place is to be filled.

SECTION 7. The terms of office of all county officers shall begin on the 1st Monday of December next after their election.

On leave given,

A motion was made by Mr. Woodward,

That the resignation of Mr. Gowen be accepted, and that the subject of filling the vacancy be referred to the delegates at large last named in the proclamation of the Governor.

Which was not agreed to.

The first business in order being the second reading and consideration of the article reported from the Committee on Legislature.

On the question,

Will the Convention proceed to the second reading and consideration of said article ?

It was determined in the negative.

The next business in order being the second reading and consideration of the article reported from the Committee on Suffrage, Election and Representation.

On the question,

Will the Convention proceed to the second reading and consideration of said article ?

It was determined in the affirmative.

The first section being under consideration,

And on the question,

Will the Convention agree to the section?

A motion was made by Mr. Wherry,

To amend the same, in the second line, by striking out the words, "be an elector and."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the first section?

A motion was made by Mr. Campbell,

To amend the same, in the third line, by striking out the word "male."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Campbell and Mr. Darlington, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Beebe, Broomall, Campbell, Carter, Cochran, Craig, Darlington, Horton, Howard, MacConnell, Mann, Mantor, Patton, Purviance, Samuel A., Rooke, Temple, Wetherill, J. M., Wherry, White, David N. and Wright—22.

N A Y S.

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Boyd, Brown, Buckalew, Calvin, Church, Corbett, Curtin, Dallas, De France, Edwards, Ellis, Finney, Funck, Gibson, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Hoyerin, Hunsicker, Lambertson, Landis, Lawrence, Lear, Lilly, Littleton, Long, M'Camant, M'Clean, M'Culloch, Minor, Mitchell, Newlin, Patterson, D. W., Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Walker, Wetherill, Jno. Price, White, Harry, White, J. W. F. Woodward and Meredith, *President*—67.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Brodhead, Carey, Cassidy, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ewing, Fell, Fulton, Gilpin, Gowen, Harvey, Kaine, Knight, MacVeagh, M'Murray, Metzger, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Pughe, Reynolds, Sharpe, Turrell and Worrell.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Hunsicker and Mr. De France,

That the vote be re-considered by which the amendment offered by Mr. Wherry was rejected, viz: By striking out of the second line the words, "be an elector and."

Which was agreed to.

And the question recurring,

Will the Convention agree so to amend?

It was determined in the affirmative.

And on the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Dallas,

To amend the same, by making the fourth line read as follows, viz : "He shall be a citizen of the United States."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Campbell and Mr. Dallas, and were as follow, viz :

Y E A S .

Messrs. Addicks, Alricks, Boyd, Campbell, Corbett, Dallas, Ellis, Guthrie, Hall, Hay, Hemphill, Heverin, Landis, M'Camant, M'Clean, Read, John R., Reed, Andrew, Ross, Runk, Sharpe, Smith, H. G., Temple, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward and Wright—27.

N A Y S .

Messrs. Ainey, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Broomall, Brown, Buckalew, Calvin, Carter, Church, Cochran, Craig, Curtin, Darlington, De France, Dunning, Edwards, Finney, Funck, Gibson, Green, Hanna, Hazzard, Horton, Howard, Hunsicker, Lambertson, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Culloch, Mann, Mantor, Minor, Mitchell, Newlin, Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Rooke, Russell, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Walker, White, David N. White, Harry, White, J. W. F. and Meredith, *President*—66.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Bannan, Barclay, Bardsley, Black, J. S., Bowman, Brodhead, Carey, Cassidy, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gilpin, Gowen, Harvey, Kaine, Knight, MacVeagh, M'Murray, Metzger, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Reynolds, Turrell and Worrell.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White,

To amend the same, in the first line, by striking out the word "person," and inserting in lieu thereof the word "freeman."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Hemphill,

To amend the same, in the third line, by striking out the words, "male person," and inserting in lieu thereof the words, "white freeman."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Hemphill, and Mr. Boyd, and were as follow, viz :

Y E A S .

Messrs. Biddle, Boyd, Gibson, Hemphill, M'Camant, Ross and Woodward—7.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Armstrong, Bear, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Beebe, Bigler, Black, Charles A., Broomall, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Corbett, Craig, Curtin, Dallas, Darlington, De France, Dunning, Finney, Funck, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Heverin, Horton, Howard, Hunsicker, Lambertson, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Culloch, Mann, Mantor, Miner, Mitchell, Mott, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—80.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Bannan, Barclay, Bardsley, Black, J. S., Bowman, Brodhead, Brown, Carey, Cassidy, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Gilpin, Gowen, Harvey, Kaine, Knight, Landis, Long, MacVeagh, M'Clean, M'Murry, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Read, John R., Reynolds, Turrell and Worrell.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. D. N. White,

To amend the same, in the third line, by striking out the words, " male persons," and inserting in lieu thereof the word " freeman."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. D. N. White and Mr. Darlington, and were as follow, viz :

Y E A S.

Messrs. Addicks, Ainey, Alricks, Bailey, of Huntingdon, Biddle, Bigler, Boyd, Broomall, Carter, Craig, Dallas, Darlington, Finney, Gibson, Hemphill, Heverin, Horton, Howard, Lawrence, Long, MacConnell, M'Camant, M'Clean, M'Culloch, Mann, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Purviance, Samuel A., Rooke, Simpson, Struthers, Van Reed, Wetherill, J. M., White, David N., White, Harry and Meredith, *President*—39.

N A Y S.

Messrs. Armstrong, Baer, Baily, of Perry, Bartholomew, Black, Charles A., Bowman, Buckalew, Calvin, Campbell, Church, Corbett, Curtin, Dunning, Edwards, Ellis, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hunsicker, Lambertson, Lilly, Littleton, Mantor, Minor, Mitchell, Mott, Palmer, G. W., Purman, Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Walker, Wetherill, John Price, Wherry, White, J. W. F., Woodward and Wright—49.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Bannan, Barclay, Bardsley, Beebe, Black, J. S., Brodhead, Brown, Carey, Cassidy, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, De France, Dodd, Elliott, Ewing, Fell, Fulton, Funck, Gilpin, Gowen, Harvey, Kaine, Knight, Landis, Lear, MacVeagh, M'Murray, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Read, John R., Reynolds, Turrell and Worrell.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Bigler,

To amend the same in the ninth line, by striking out the word "two," and inserting in lieu thereof the word "three."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Hunsicker,

To amend the same, by striking out the tenth, eleventh and twelfth lines.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Hunsicker and Mr. Minor, and were as follow, viz:

Y E A S .

Messrs. Addicks, Andrews, Campbell, Carter, Dallas, Gibson, Hemphill, Hunsicker, Minor, Ross, Smith, H. G., and Temple—12.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Bear, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Buckalew, Calvin, Cassidy, Cnurch, Cochran, Corbett, Craig, Curtin, Darlington, De France, Dunning, Edwards, Finney, Funck, Green, Guthrie, Hall, Hay, Hazard, Heverin, Horton, Kaine, Lamberton, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Cullough, M'Murray, Mann, Mantor, Mitchell, Mott, Palmer, G. W., Patterson, D. W., Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*—78.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Bannan, Barelay, Bardsley, Beebe, Black, J. S., Brodhead, Brown, Carey, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gilpin, Gowen, Hanna, Harvey, Howard, Knight, Landis, MacVeagh, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Read, John R., Reynolds, Turrell, White, Harry and Worrell.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Alricks,

To amend the same in the twelfth line, by striking out the words, "and paid at least one month."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. D. W. Patterson,

To amend the amendment, by striking out the words, "one month," and inserting in lieu thereof the words, "ten days."

Which was not agreed to.

The amendment was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To amend the same in the tenth and eleventh lines, by striking out the words, "two years," and inserting in lieu thereof the words, "one year."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Temple,

To amend the same, by adding to the end of the section the words, "into the county treasury."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Russell,

To amend the same in the sixth line, by inserting after the word "elector," the words, "or a native born citizen."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Broomall,

To amend the same, by striking out the section, and inserting in lieu thereof as follows, viz:

"In elections by the citizens, every freeman of the age of twenty-one years, having been a citizen of the United States one month, and having resided in this State one year, and in the election district where he offers to vote sixty days immediately preceding such election, and within two years paid a State or county tax which shall have been assessed at least two months, and paid one month before the election, shall enjoy the rights of an elector; but a citizen of the United States who had previously been a qualified voter, or a native born citizen 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 freeman, 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 sixty days as aforesaid, shall be entitled to vote, although they shall not have paid taxes."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Dallas,

To amend the amendment, by striking out the words, "having been a citizen of the United States one month."

On the question,

Will the Convention agree so to amend the amendment ?

It was determined in the negative.

And the question recurring,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Broomall and Mr. D. W. Patterson, and were as follow, viz:

Y E A S .

Messrs. Addicks, Ainey, Biddle, Bowman, Boyd, Broomall, Gibson, Hay, Kaine, M'Clean, Mann, Patterson, D. W., Purviance, John N., Struthers, White, David N., White, Harry and Meredith, *President*—17.

N A Y S.

Messrs. Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bartholomew, Bigler, Black, Charles A., Buckalew, Calvin, Campbell, Cassidy, Church, Cochran, Corbett, Curtin, Dallas, Darlington, De France, Dunning, Edwards, Finney, Funck, Green, Guthrie, Hazzard, Hemphill, Hunsicker, Lambertson, Landis, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Mitchell, Mott, Palmer, G. W., Porter, Pughe, Purman, Purviance, Samuel A., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., Woodward and Wright—68.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bailey, of Huntingdon, Baker, Baman, Barclay, Bardsley, Beebe, Black, J. S., Brodhead, Brown, Carey, Carter, Clark, Collins, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gilpin, Gowen, Hall, Hanna, Harvey, Heverin, Horton, Howard, Knight, MacVeagh, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Read, John R., Reynolds, Stewart, Turrell and Worrell.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the second section ?

A motion was made by Mr. Harry White,

To amend the same, by striking out all after the word "ballot," in the first line, and inserting in lieu thereof as follows, viz: "Except those by persons in their representative capacities who shall vote *viva voce*."

On the question,

Will the Convention agree to so amend ?

A motion was made by Mr. Broomall,

To amend the amendment, by striking out all after the word "ballot," in the fourth line.

On the question,

Will the Convention agree so to amend the amendment ?

The yeas and nays were required by Mr. Ainey and Mr. J. W. F. White, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Calvin, Church, Cochran, Craig, Darlington, Edwards, Finney, Funck, Green, Hazzard, Horton, Landis, Lawrence, Littleton, MacConnell, M'Camant, M'Clean, M'Culloch, Mann, Mantor, Minor, Patterson, D. W., Pughe, Purviance, John N., Purviance, Sam'l A., Rooke, Ross, Runk, Smith, Henry W., Stanton, Stewart, Struthers, Walker, Wherry, White, David N., White, Harry, White J. W. F., Wright and Meredith, *President*—51.

N A Y S.

Messrs. Armstrong, Bear, Baily, of Perry, Bigler, Buckalew, Campbell, Cassidy, Corbett, Curtin, Dallas, De France, Dunning, Ellis, Gibson, Guthrie, Hay, Hemphill, Heverin, Hunsicker, Kaine, Lambertson, Lear, Lilly, Long, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Porter, Purman, Reed, Andrew, Russell, Sharpe, Simpson, mith, H. G., Smith, Wm. H., Van Reed, Wetherill, J. M., Wetherill, Jno. Price and Woodward—42.

So the question was determined in the affirmative.

ABSENT—Messrs. Achenbach, Baker, Bannan, Barclay, Bardsley, Black, J. S., Brodhead, Brown, Carey, Carter, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gilpin, Gowen, Hall, Hanna, Harvey, Howard, Knight, MacVeagh, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Read, John R., Reynolds, Temple, Turrell and Worrell.

On the question,

Will the Convention agree to the amendment as amended ?

The yeas and nays were required by Mr. Harry White and Mr. Joseph Baily, and were as follow, viz :

YEAS.

Messrs. Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Broomall, Church, Cochran, Darlington, Edwards, Finney, Funck, Hay, Horton, Lawrence, Littleton, MacConnell, M'Camant, M'Culloch, Mann, Mantor, Minor, Patterson, D. W., Purman, Purviance, John N., Rooke, Ross, Runk, Smith, Henry W., Stanton, Struthers, Walker, Wetherill, J. M., White, David N., White, Harry, White, J. W. F. and Meredith, *President*—42.

NAYS.

Messrs. Alricks, Armstrong, Bailey of Huntingdon, Bigler, Boyd, Buckalew, Calvin, Campbell, Cassidy, Corbett, Craig, Curtin, Dallas, De France, Dunning, Ellis, Gibson, Green, Guthrie, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Lamberton, Landis, Lear, Lilly, Long, M'Clean, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Porter, Pughe, Purviance, Samuel A., Reed, Andrew, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, John Price, Wherry, Woodward, Worrell and Wright—52.

So the question was determined in the negative.

ABSENT—Messrs. Achenbach, Baker, Bannan, Barclay, Bardsley, Black, J. S. Brodhead, Brown, Carey, Carter, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gilpin, Gowen, Hall, Hanna, Harvey, Howard, Knight, MacVeagh, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Read, John R., Reynolds and Turrell.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Kaine,

To amend the same, by inserting after the word "ballot," in the fourth line, the words, "and no ballot shall contain the name or names of candidates for more than one office."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Lilly,

To amend the same, by inserting after the word "ballot," in the fourth line, the words, "and any elector may write his name on the back of his ticket."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Hunsicker and Mr. Lilly, and were as follow, viz :

YEAS.

Messrs. Bailey, of Huntingdon, Boyd, Broomall, Buckalew, Calvin, Campbell, Cassidy, Church, Corbett, Dallas, De France, Dunning, Ellis, Funck, Gibson, Green, Guthrie, Hanna, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lear,

Lilly, Long, M'Clean, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Porter, Reed, Andrew, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Woodward, Worrell, Wright and Meredith, *President*—50.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Baily, of Perry, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Brown, Cochran, Craig, Darlington, Edwards, Finney, Horton, Kaine, Landis, Lawrence, MacConnell, M'Camant, M'Culloch, Mann, Mantor, Minor, Pughe, Purviance, John N., Purviance, Samuel A., Rooke, Ross, Smith, Henry W., Stanton, Struthers, Walker, White, David N., and White, J. W. F.—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Armstrong, Baker, Bannan, Barclay, Bardsley, Black, J. S., Brodhead, Carey, Carter, Clark, Collins, Corson, Cronmiller, Curry, Curtin, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gilpin, Gowen, Hall, Harvey, Heverin, Howard, Knight, Littleton, MacVeagh, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Read, John R., Reynolds, Temple and Turrell.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Broomall,

To amend the same, by striking out all after the word "ticket," in the fifth line.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hunsicker,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, MAY 29, 1873.

Mr. Patton presented the petition of citizens of Bradford county, praying that a clause be inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and the Bible as the supreme standard of righteous law.

Mr. Lawrence presented the petition of citizens of Chester county, praying that the Constitution be so amended as to allow women to vote on all questions relating to schools and education.

Which petitions were laid on the table.

Mr. Wright offered the following resolution, which was read, viz:

Resolved, That the session of Monday next shall commence at 12 o'clock M.

On the question.

Will the Convention proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. Harry White and Mr. Lawrence, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Boyd, Brown, Buckalew, Corson, Dunning, Ellis, Funck, Green, Hanna, Harvey, Hunsicker, Lamberton, Landis, Lilly, M'Clean, Mitchell, Newlin, Palmer, G. W., Patton; Pughe, Purman, Purviance, Samuel A., Rooke, Ross, Runk, Sharpe, Simpson, Smith, H. G., Stanton, Temple, Van Reed, Wetherill, J. M., Wherry, White, J. W. F. Woodward and Wright—43.

N A Y S.

Messrs. Baily, of Perry, Beebe, Bigler, Black, Charles A., Bowman, Brodhead, Broomall, Calvin, Carter, Cochran, Corbett, Craig, Curtin, Dallas, Darlington, De France, Edwards, Guthrie, Hazzard, Horton, Howard, Knight, Lawrence, Lear, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Patterson, D. W., Porter, Purviance, John N., Reed, Andrew, Russell, Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Walker, Wetherill, Jno. Price, White, David N., White, Harry, and Meredith, *President*—45.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Campbell, Carey, Cassidy, Church, Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Finney, Fulton, Gibson, Gilpin, Gowen, Hall, Hay, Hemphill, Heverin, Kaine, Littleton, Long, MacVeagh, M'Camant, Metzger, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Read, John R., Reynolds, Turrell and Worrell.

A motion was made by Mr. Wm. H. Smith,

That when this Convention adjourn to-day, it will adjourn to meet on Saturday, at 9½ o'clock A. M.

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

Mr. G. W. Palmer offered the following resolution, which was twice read, viz:

Resolved, That when this Convention adjourn it will be to meet on Tuesday morning next at half-past nine o'clock.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Alricks,

To amend the same, by adding to the end thereof the words, "at the State Capitol, in the city of Harrisburg."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Hunsicker,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Corbett and Mr. Howard, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baer, Baily, of Perry, Beebe, Black, Charles A., Bowman, Cochran, Corbett, DeFrance, Funck, Hazzard, Howard, Lamberton, Lawrence, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Purviance, Sam'l A., Reed, Andrew, Russell, Stewart, Van Reed, Walker, Wherry, White, David N., White, Harry, and White, J. W. F.—30.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bigler, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carter, Church, Corson, Craig, Dallas, Darlington, Dunning, Edwards, Ellis, Green, Guthrie, Hanna, Harvey, Heverin, Horton, Hunsicker, Knight, Landis, Lear, Lilly, Long, Mantor, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Rooke, Ross, Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Meredith, *President*—62.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Campbell, Carey, Cassidy, Clark, Collins, Cronmiller, Curry, Curtin, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Finney, Fulton, Gibson, Gilpin, Gowen, Hall, Hay, Hemphill, Kaine, Littleton, MacVeagh, M'Camaut, Metzger, Niles, Parsons, Patterson, T. H. B., Read, John R., Reynolds, Struthers, Turrell and Worrell.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Baer,

To amend the resolution, by striking out all after the word "meet," and inserting in lieu thereof as follows, viz: "in Bedford, on Tuesday, June 10th, at 10 o'clock A. M."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Stanton,

To amend the resolution, by striking out the words, "Tuesday morning next at half-past nine o'clock," and inserting in lieu thereof the words, "Monday next at twelve and a half o'clock P. M."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. John M. Bailey,

To amend the amendment, by striking out the words, "twelve and a half," and inserting in lieu thereof the word "six."

On the question,

Will the Convention agree so to amend the amendment ?

A motion was made by Mr. Bigler,

To lay the resolution on the table.

Which was agreed to.

Mr. MacConnell offered the following resolution, which was read, viz :

Resolved, That when this Convention adjourns on Friday of next week it will be to meet at Harrisburg, on Tuesday, September 2d, at 12 o'clock.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. Porter asked and obtained leave of absence for Mr. Fulton for a few days from to-day on account of sickness.

Mr. S. A. Purviance asked and obtained leave of absence for himself for a few days from to-day.

Mr. Carter asked and obtained leave of absence for himself for a few days from Tuesday next.

Mr. D. N. White asked and obtained leave of absence for himself for a few days from Tuesday.

Mr. Funk asked and obtained leave of absence for himself for next week.

Mr. Stewart asked and obtained leave of absence for himself for a few days from Tuesday.

Mr. Ross asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

Mr. Beebe asked and obtained leave of absence for himself for a few days from Tuesday.

A motion was made by Mr. Lilly and Mr. Stewart,

That the vote be re-considered by which the resolution offered by Mr. G. W. Palmer was laid on the table.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Mann and Mr. Corbett, and were as follow, viz :

Y E A S.

Messrs. Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bartholomew, Black, Charles A., Bowman, Boyd, Brodhead, Brooinall, Brown, Buckalew, Church, Corson, Dunning, Ellis, Funck, Green, Hanna, Harvey, Hazzard, Heverin, Hunsicker, Knight, Lamberton, Landis, Lear, Lilly, Long, M'Clean, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, Sam'l A., Rooke, Ross, Runk, Russell, Sharpe, Smith, H. G., Stanton, Stewart, Van Reed, Wetherill, J. M., Wherry, Woodward and Wright—57.

N A Y S.

Messrs. Addicks, Baily, of Perry, Biddle, Bigler, Calvin, Campbell, Carter, Corbett, Craig, Curtin, Dallas, Darlington, De France, Edwards, Guthrie, Hall, Horton, Howard, Lawrence, Littleton, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Purviance, John N., Read, John R., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Struthers, Temple, Walker, Wetherill, John Price White, David N., White, Harry, White, J. W. F. and Meredith, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Baker, Bannan, Bardsley, Beebe, Black, J. S., Carey, Cassidy, Clark, Cochran, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Finney, Fulton, Gibson, Gilpin, Gowen, Hay, Hemphill, Kaine, MacVeagh, M'Camant, Metzger, Niles, Parsons, Patterson, T. H. B., Reynolds, Simpson, Turrell and Worrell.

And the resolution being again before the Convention,

And the question recurring,

Will the Convention agree to the motion made by Mr. Bigler, to lay the resolution on the table?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. John M. Bailey to the amendment offered by Mr. Stanton, to strike out "twelve and one-half," and insert "six?"

It was determined in the negative.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Stanton, to strike out the words, "Tuesday morning next at half-past nine o'clock," and inserting in lieu thereof the words, "Monday next at twelve and one-half o'clock P. M.?"

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution?

It was determined in the affirmative.

A motion was made by Mr. Curtin and Mr. De France,

That the vote be re-considered by which the following resolution was adopted, viz:

Resolved, That Friday, the 30th instant, being the anniversary upon which it is the custom to visit and decorate the graves of the soldiers of the Republic, who gave their lives that our Government might live, this Convention will not hold a session on that day, so that an opportunity will be afforded those of the members who desire to take part in the ceremony.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. De France and Mr. John R. Read, and were as follow, viz:

Y E A S .

Messrs. Baily, of Perry, Beebe, Black, Charles A. Bowman, Boyd, Calvin, Carey, Carter, Church, Cochran, Corbett, Corson, Curtin, Darlington, DeFrance, Edwards, Ellis, Guthrie, Hanna, Hazzard, Horton, Howard, Lawrence, Lear, Lilly, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Purviance, Sam'l A., Reed, Andrew, Russell, Smith, H. G., Smith, Wm. H. Stewart, Wetherill, John Price, Wherry, White, David N., White, Harry, and White, J. W. F.—43.

N A Y S .

Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bartholomew, Biddle, Bigler, Brodhead, Broomall, Brown, Buckalew, Craig, Dallas, Dunning, Finney, Funck, Green, Hall, Harvey, Heverin, Hunsicker, Knight, Lamberton, Landis, Littleton, Long, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Pughe, Purnam, Purviance, John N., Read, John R., Rooke, Ross, Runk, Sharpe, Smith, Henry W., Stanton, Temple, Van Reed, Wetherill, J. M., Woodward, Wright and Meredith, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Bannan, Barclay, Bardsley, Black, J. S., Campbell Cassidy, Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Hay, Hemphill, Kaine, MacVeagh, M'Camant, Metzger, Neles, Parsons, Patterson, T. H. B., Reynolds, Simpson, Struthers, Turrell, Walker and Worrell.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 3) reported from the Committee on Suffrage, Election and Representation.

And on the question,

Will the Convention agree to the amendment offered by Mr. Broomall, viz: Striking out all after the word "ticket," in the fifth line?

The yeas and nays were required by Mr. Bartholomew and Mr. H. W. Smith, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Carey, Carter, Church, Cochran, Corson, Darlington, Edwards, Finney, Funck, Hall, Hanna, Hazzard, Horton, Knight, Landis, Lawrence, Littleton, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Minor, Newlin, Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Rooke, Ross, Runk, Smith, Henry W., Stanton, Stewart, Struthers, Walker, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—60.

N A Y S.

Messrs. Armstrong, Baer, Bigler, Brodhead, Buckalew, Calvin, Campbell, Cassidy, Corbett, Curtin, Dallas, De France, Dunning, Ellis, Guthrie, Harvey, Heverin, Howard, Hunsicker, Lamberton, Lear, Lilly, Long, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Porter, Read, John R., Reed, Andrew, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Temple, Van Reed, Wetherill, John Price, Woodward and Worrell—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Baker, Bannan, Bardsley, Black, J. S., Clark, Collins, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Green, Hay, Hemphill, Kaine, MacVeagh, M'Camant, Metzger, Niles, Parsons, Patterson, T. H. B., Reynolds and Turrell.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Funck,

To amend the same, by adding to the end thereof, as follows, viz: "In the city of Philadelphia, and in such other election districts as the Legislature may hereafter direct, each elector shall endorse his name upon his ballot, or cause it to be endorsed thereon, and attested by another elector of the district, who shall not be an election officer, and the oath prescribed for the election officers shall require secrecy as to the contents of every ballot cast at the election."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Wm. H. Smith,

To amend the amendment, by striking out the words, "In the city of Philadelphia, and in such other election districts as the Legislature may hereafter direct," and inserting in lieu thereof the words, "In the election of all State officers."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Dallas and Mr. Funck, and were as follow, viz:

Y E A S.

Messrs. Alricks, Bailey, of Huntingdon, Bigler, Boyd, Brodhead, Brown, Buckalew, Campbell, Cassidy, Corbett, Curtin, Dallas, De France, Dunning,

Ellis, Funck, Guthrie, Harvey, Heverin, Howard, Hunsicker, Kaine, Lamberton, Lilly, Long, M'Camant, M'Clean, M'Murray, Mott, Palmer, G. W., Patton, Read, John R., Reed, Andrew, Ross, Sharpe, Smith, H. G., Smith, Wm. H., Temple, Wetherill, John Price, Woodward and Worrell—41.

N A Y S.

Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Broomall, Calvin, Carey, Carter, Churce, Cochran, Corson, Craig, Darlington, Edwards, Finney, Hall, Hanna, Hazzard, Horton, Knight, Lawrence, Lear, Littleton, MacConnell, MacCulloch, Mann, Mantor, Minor, Newlin, Palmer, H. W. Patterson, D. W. Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Rooke, Runk, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Van Reed, Walker, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Armstrong, Baer, Baker, Bannan, Bardsley, Black, J. S., Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Green, Hay, Hemphill, Landis, MacVeagh, Metzger, Mitchell, Niles, Parsons, Patterson, T. H. B. Reynolds, Russell, Turrell and Wright.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Boyd,

To amend the same, by adding to the end thereof as follows, viz: "In every city and borough the ballots shall be numbered by the election officers when received, and each shall have endorsed upon it the name of the elector, written either by himself or by another citizen of the district, who shall not be an election officer, and all persons voting in a representative capacity shall vote *viva voce*."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Boyd and Mr. Bigler, and were as follows, viz:

Y E A S.

Messrs. Bigler, Boyd, Brodhead, Brown, Buckalew, Campbell, Cassidy, Curtin, Dallas, DeFrance, Dunning, Ellis, Funck, Guthrie, Harvey, Heverin, Hunsicker, Kaine, Lamberton, Lilly, Long, M'Murray, Mott, Patton, Porter, Read, John R., Reed, Andrew, Sharpe, Smith, H. G., Smith, Wm. H., Temple, Van Reed, Wetherill, John Price, Woodward and Worrell—35.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Andrews, Baily, of Perry, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Broomall, Calvin, Carey, Carter, Church, Cochran, Corbett, Corson, Craig, Darlington, Edwards, Finney, Hall, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Littleton, MacConnell, M'Camant, M'Clean, M'Culloch, Mann, Mantor, Minor, Newlin, Palmer, H. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Ross, Runk, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Walker, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F. and Meredith, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Black, J. S., Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Green, Hay, Hemphill, Landis, Lear, MacVeagh, Metzger, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Reynolds, Rooke, Russell, Turrell and Wright.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Temple,

To amend the same, by adding to the end thereof as follows, viz : " In the city of Philadelphia each elector shall endorse his name upon his ballot, or cause it to be endorsed thereon, and attested by another elector of the district, who shall not be an election officer, and the oath prescribed for the election officers shall require secrecy as to the contents of every ballot cast at the election."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White,

To amend the same, by striking out all after the word " ballot," in the first line.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Harry White and Mr. H. W. Smith, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Baily, of Perry, Barclay, Bartholomew, Biddle, Bowman, Broomall, Calvin, Carey, Carter, Corson, Craig, Darlington, Edwards, Finney, Hall, Hanna, Hazzard, Horton, Knight, Littleton, MacConnell, Mann, Mantor, Minor, Newlin, Patterson, D. W., Pughe, Purman, Purviance, John N., Ross, Smith, Henry W., Struthers, Walker, White, Harry and Meredith, *President*—37.

N A Y S .

Messrs. Alricks, Baer, Bigler, Boyd, Brodhead, Brown, Buckalew, Cassidy, Curch, Corbett, Curtin, Dallas, DeFrance, Dunning, Funck, Guthrie, Harvey, Heverin, Howard, Hunsicker, Kaine, Lamberton, Lear, Lilly, Long, M'Camant, M'Clean, Mott, Palmer, H. W., Patton, Porter, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Worrell—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Beebe, Black, Charles A., Black, J. S., Compbell, Clark, Cochran, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Green, Hay, Hemphill, Landis, Lawrence, MacVeagh, M'Culloch, M'Murray, Metzger, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Reynolds, Turrell, Wetherill, John Price and Wright.

And the question again recurring,

Will the Convention agree to the section as amended ?

It was determined in the affirmative.

The third section was agreed to.

On the question,

Will the Convention agree to the fourth section ?

A motion was made by Mr. Ross,

To amend the same in the sixth line, by striking out the words, " as fully as if they were," and inserting in lieu thereof the words, " only when."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Bartholomew and Mr. Harry White, and were as follow, viz:

Y E A S.

Messrs. Baer, Boyd, Brodhead, Dunning, Ross and Wetherill, J. M.—6.

N A Y S.

Messrs. Addicks, Ainey, Ahicks, Baily, of Perry, Baily, of Huntingdon, Barclay, Bartholomew, Biddle, Bigler, Bowman, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Church, Corbett, Craig, Darlington, DeFrance, Edwards, Finney, Funck, Guthrie, Hanna, Harvey, Hazzard, Heverin, Horton, Howard, Kaine, Knight, Lamberton, Lawrence, Lear, Lilly, Long, MacConnell, M'Camant, M'Culloch, Mann, Mantor, Minor, Mott, Newlin, Palmer, H. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Walker, Wherry, White, David N., White, Harry, White, J. W. F., Woodward, Worrell and Meredith, *President*—75.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Baker, Bannan, Bardsley, Beebe, Black, Charles A., Black, J. S., Carey, Clark, Cochran, Collins, Corson, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gilpin, Gowen, Green, Hall, Hay, Hemphill, Hunsicker, Landis, Littleton, MacVeagh, M'Clean, M'Murry, Metzger, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Reed, Andrew, Reynolds, Smith, H. G., Temple, Turrell, Wetherill, John Price and Wright.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Darlington,

To amend the same in the second line, by striking out the word "any."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fifth section ?

A motion was made by Mr. Bartholomew,

To amend the same, by striking out all after the word "State," in the third line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Darlington,

To amend the same in the fourth line, by striking out the words, "upon the registry," and inserting in lieu thereof the word "registered."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Buckalew,

To amend the same in the first and second lines, by striking out the words, "or for the registry of electors."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. M'Clean,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The Legislature shall enact no law for the registration of electors."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Harry White and Mr. Dallas, and were as follow, viz:

YEAS:

Messrs. Alricks, Andrews, Baer, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Boyd, Brodhead, Brown, Buckalew, Campbell, Carter, Cassidy, Church, Cochran, Corbett, Corson, Curtin, Dallas, De France, Dunning, Guthrie, Harvey, Hunsicker, Kaine, Knight, Lamberton, Lear, Lilly, Long, MacConnell, McCamant, M'Clean, M'Cullough, M'Murray, Mann, Minor, Mott, Palmer, H. W. Patton, Porter, Purman, Purviance, Sam'l A., Read, John R., Read Andrew, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith Wm. H., Stanton, Stewart, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., White J. W. F., Woodward, Worrell and Meredith, *President*—66.

NAYS.

Messrs. Addicks, Ainey, Bailey, of Perry, Bartholomew, Beebe, Bowman, Broomal, Calvin, Craig, Darlington, Edwards, Finney, Hanna, Hazzard, Lawrence, Mantor, Newlin, Patterson, D. W., Purviance, John N., Rooke, Simpson, Struthers and White, Harry—23.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Armstrong, Baker, Bannan, Bardsley, Black, Charles A., Black, J. S., Carey, Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Hay, Hemphill, Heverin, Horton, Howard, Landis, Littleton, MacVeagh, Metzger, Mitchel, Niles, Palmer, G. W. Parsons, Patterson, T. H. B., Pughe, Reynolds, Turrell and Wright.

On the question,

Will the Convention agree to the sixth section ?

A motion was made by Mr. Stewart,

That the Convention do now adjourn.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Alricks,

To amend the same in the second and fifth lines, by inserting after the word "money," the word "reward."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Bartholomew.

To amend the same, by striking out all after the word "election," in the eighth line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. M'Murray.

To amend the same, by adding to the end of the section as follows, viz: "And when the right of any person to vote is challenged on the ground of an insufficient length of residence in the election district, the party challenged shall establish such right by at least one freehold elector of said district."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. D. W. Patterson and Mr. Mann, and were as follow, viz:

Y E A S .

Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Church, Cochran, Corbet, Corson, Curtin, Dallas, Darlington, De France, Dunning, Edwards, Finney, Guthrie, Hanna, Hazzard, Horton, Hunsicker, Kaine, Knight, Lambertson, Lawrence, Lear, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mott, Palmer, H. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A. Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W. Smith, Wm. H. Stewart, Struthers, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward, Worrell and Meredith, *President*—77.

N A Y S .

Messrs. Baily, of Perry, Broomall, Craig, Mann, Patterson, D. W., Stanton and White, Harry—7.

So the question was determined in the affirmative. .

ABSENT.—Messrs. Achenbach, Armstrong, Baker, Bannan, Barclay, Fardsley Bartholomew, Beebe, Black, Charles A., Black, J. S., Carey, Clark, Collins, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hay, Hemphill, Heverin, Howard, Landis, Littleton, MacVeagh, Metzger, Mitchell, Newlin, Niles, Palmer, G. W., Larsons, Patterson, T. H. B., Pughe, Read, John R., Reynolds, Turrell and Wright.

On the question,

Will the Convention agree to the seventh section ?

A motion was made by Mr. Stewart,

To amend the same, by striking out the first line to and including the word "suffrage," in the second line, and inserting in lieu thereof as follows, viz:

"In addition to such other penalties as may be prescribed by law for fraudulent violation of the election laws, the person so offending shall, upon conviction, be deprived of the right of suffrage for a period of not less than two nor more than ten years, at the discretion of the court."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Carter,

To amend the same, by striking out all after the word "suffrage," in the second line, and inserting in lieu thereof, as follows, viz: "Absolutely for a term of four years."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Carter and Mr. D. W. Patterson, and were as follow, viz:

YEAS.

Messrs. Andrews, Bailey, of Perry, Pailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Broomal, Brown, Calvin, Campbell, Carter, Church, Cochran, Curtin, De France, Edwards, Finney, Hanna, Hazzard, Horton, Hunsicker, Kaine, Knight, Lawrence, Lear, Long, MacConnell, M'Cullough, Mann, Mantor, Minor, Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed Andrew, Ross, Russell, Wetherill, John Price, White, David N., White, Harry, Worrell and Meredith, *President*—47.

NAYS.

Messrs. Alricks, Baer, Bowman, Buckalew, Cassidy, Corbett, Craig, Dallas, Darlington, Guthrie, Lilly, M'Clean, M'Murray, Mott, Palmer, H. W. Runk, Sharpe, Simpson, Smith, Henry W., Smith Wm. H., Stanton, Struthers, Temple, Walker, Wetherill, J. M., Wherry, White, J. W. F., and Woodward.—28.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Armstrong, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brodhead, Carey, Clark, Collins, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hay, Hempbill, Heverin, Howard, Lamberton, Landis, Littleton, MacVeagh, McCamant, Metzger, Mitchel, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Pughe, Read, John R., Reynolds, Rooke, Smith, H. G., Stewart, Turrell, Van Reed and Wright.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To amend the same, by striking out the word "every," and inserting in lieu thereof the word "any;" and by striking out the word "any," before the word "fraudulent."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. S. A. Purviance,

To amend the same, in the first line, by striking out the word "fraudulent," and inserting in lieu thereof the word "wilful."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. H. W. Palmer,

To amend the same, by inserting after the word "section," in the first line, as follows, viz: "Any person who shall, while a candidate for office, be guilty of bribery, fraud or wilful violation of any election law, shall be forever disqualified from holding any office of trust or profit in this Commonwealth and."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. H. W. Palmer and Mr. Warry White, and were as follow, viz :

YEAS.

Messrs. Alricks, Bear, Bailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Brown, Buckalew, Calvin, Carter, Cassidy, Church, Corbett, Corson, Curtin, Dallas, Darlington, De France, Dunning, Edwards, Guthrie, Hanna, Hazzard, Horton, Hunsicker, Kaine, Lawrence, Lilly, MacConnell, M'Culloch, M'Murry, Mantor, Mott, Palmer, G. W., Palmer, H. W., Patton, Purman, Purviance, John N., Purviance, Samuel A., Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Worrell—59.

NAYS.

Messrs. Addicks, Andrews, Baily, of Perry, Bowman, Cochran, Finney, Knight, Lear, M'Clean, Mann, Patterson, D. W., Porter, Reed, Andrew, Ross, Simpson, Walker and Meredith, *President*—17.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Ainey, Armstrong, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brodhead, Campbell, Carey, Clark, Collins, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Gibson, Gilpin, Gowen, Green, Hall, Harvey, Hay, Hemphill, Heverin, Howard, Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, Metzger, Miner, Mitchell, Newlin, Niles, Parsons, Patterson, T. H. B., Pughe, Read, John R., Reynolds, Rooke, Stewart, Turrell, Van Reed and Wright.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Buckalew,

To amend the same, by adding to the end thereof the words, "except for perjury in such testimony."

Which was agreed to.

And on the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White,

To amend the same in the first line by inserting after the word "elections," the words, "or in proceedings investigating elections."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the ninth section ?

A motion was made by Mr. Harry White,

That the Convention do now adjourn.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Campbell,

To amend the same in the seventh line, by striking out the words, "two hundred and fifty," and inserting in lieu thereof the words, "one hundred."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section?

A motion was made by Mr. Lilly,

To amend the same in the seventh line, by striking out the words, "two hundred and fifty," and inserting in lieu thereof the words, "three hundred."

On the question,
Will the Convention agree so to amend?

A motion was made by Mr. Dallas,

To amend the amendment, by striking out the word "three," and inserting in lieu thereof the word "two."

Which was not agreed to.

And the question recurring,
Will the Convention agree so to amend?

A motion was made by Mr. Hanna,

To amend the amendment, by striking out the word "three," and inserting in lieu thereof the word "four."

On the question,
Will the Convention agree so to amend the amendment?

A motion was made by Mr. Baer,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until Tuesday morning at 9½ o'clock.

D. L. IMBRIE, *Clerk.*

L. ROGERS,
A. D. HARLAN,
Asst. Clerks.

TUESDAY, JUNE 3, 1873.

Mr. Stanton offered the following resolution, which was read as follows, viz:
Resolved, That the yeas and nays shall be called on any question, only at the request of twenty members rising to second the call of any one member, except on the final passage of any section.

Laid on the table.

A motion was made by Mr. Woodward,
That the resignation of Mr. Gowen be accepted, and that the filling of the vacancy be referred to the Delegates-at-Large last named in the proclamation of the Governor.

Which was agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 3) reported from the Committee on Suffrage, Election and Representation.

The ninth section being under consideration,

And the question recurring,

Will the Convention agree so to amend the amendment offered by Mr. Hanna, by striking out "300," and inserting in lieu thereof "400?"

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Lilly, to strike out the words, "two hundred and fifty," in the seventh line, and insert in lieu thereof the words, "three hundred."

It was determined in the negative.

The section was then agreed to.

The tenth section was agreed to.

On the question,

Will the Convention agree to the eleventh section?

A motion was made by Mr. Broomall,

To amend the same, by adding to the end of the section as follows, viz: "Women having the qualifications herein required of male electors, shall be entitled to vote at all elections for school directors, and on all questions relating to the sale and use of intoxicating drinks, which shall be submitted to the electors."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Boyd,

To amend the amendment, by striking out all after the word "directors."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Broomall and Mr. Parsons, and were as follow, viz:

Y E A S .

Messrs. Ainey, Armstrong, Baker, Bowman, Broomall, Brown, Campbell, Corson, Craig, Darlington, DeFrance, Dodd, Dunning, Edwards, Fulton, Hall, Hazzard, Horton, Howard, Knight, Lilly, MacConnell, M'Murray, Mann, Palmer, G. W., Palmer, H. W. Parsons, Patton, Porter, Rooke, Temple, Wetherill, J. M., White, J. W. F. and Wright—34.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntington, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Boyd, Buckalew, Calvin, Church, Corbett, Cronmiller, Curtin, Dallas, Davis, Ellis, Green, Hay, Hemphill, Hunsicker, Lamberton, Landis, Lawrence, Long, M'Clean, MacCulloch, Minor, Mott, Newlin, Patterson, D. W., Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton-Struthers, Turrell, Walker, Wetherill, John Price, White, Harry, Woodward, Worrell and Meredith, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bannan, Bardsley, Beebe, Black, J. S., Brodhead, Carey, Carter, Cassidy, Clark, Cochran, Collins, Curry, Cuyler, Elliott.

Ewing, Fell, Finney, Funck, Gibson, Gilpin, Guthrie, Hanna, Harvey, Heverin, Kaine, Lear, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Patterson, T. H. B. Pughe, Purman, Purviance, Samuel A., Read John, R., Reynolds, Simpson, Smith, H. G., Stewart, Van Reed, Wherry and White, David N.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same in the second line, by striking out all after the word "office," and adding in lieu thereof the words, "under the school laws of this Commonwealth."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Darlington and Mr. Boyd, and were as follow, viz:

Y E A S .

Messrs. Ainey, Baker, Bannan, Bowman, Boyd, Broomall, Brown, Campbell, Corson, Craig, Darlington, De France, Dodd, Edwards, Fell, Hall, Horton, Howard, Knight, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Palmer, H. W., Parsons, Patton, Rooke, Runk, Temple, Wetherill, J. M., White, J. W. F. and Wright—33.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Buckalew, Calvin, Church, Corbett, Cronmiller, Curtin, Dallas, Davis, Dunning, Ellis, Fulton, Green, Guthrie, Hanna, Hay, Hazzard, Hemphill, Hunsicker, Lambertson, Landis, Lawrence, Long, M'Clean, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Porter, Purviance, John N., Reed, Andrew, Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, Wherry, Woodward, Worrell and Meredith, *President*—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bardsley, Beebe, Black, J. S., Brodhead, Carey, Carter, Cassidy, Clark, Cochran, Collins, Curry, Cuyler, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Harvey, Heverin, Kaine, Lear, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Patterson, T. H. B., Pughe, Purman, Purviance, Samuel A., Read, John R., Reynolds, Russell, Simpson, Stewart, Van Reed, White, David N. and White, Harry.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same in the second line, by striking out the word "of," and inserting in lieu thereof the words, "in the," and by striking out the words, "under the school laws," and inserting in lieu thereof the words, "of the public schools," and by striking out the word "State," and inserting in lieu thereof the word "Commonwealth."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

The yeas and nays were required by Mr. Hay and Mr. Simpson, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Ainey, Armstrong, Baker, Bannan, Barclay, Bartholomew, Bowman, Broomall, Brown, Buckalew, Campbell, Carey, Cochran,

Corbett, Corson, Craig, Curtin, Darlington, De France, Dodd, Dunning, Edwards, Ellis, Fell, Fulton, Green, Guthrie, Hall, Hazzard, Horton, Howard, Hunsicker, Knight, Lamberton, Lear, Lilly, MacConnell, M'Murray, Mann, Mott, Palmer, G. W., Palmer, H. W., Patton, Porter, Reed, Andrew, Rooke, Stanton, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*—60.

N A Y S.

Messrs. Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Black, J. S., Calvin, Church, Cronmiller, Davis, Hanna, Hay, Hemphill, Landis, Lawrence, Long, M'Clean, M'Culloch, Minor, Newlin, Metzger, Mitchell, Niles, Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, Samuel A., Reed, John R., Reynolds, Russell, Smith, H. G., Stewart, Van Reed and White, David N.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bear, Bardsley, Beebe, Boyd, Brodhead, Carter, Cassidy, Clark, Collins, Curry, Cuyler, Dallas, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Harvey, Heverin, Kaine, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, Samuel A., Reed, John R., Reynolds, Russell, Smith, H. G., Stewart, Van Reed and White, David N.

On the question,

Will the Convention agree to the twelfth and last section ?

A motion was made by Mr. Cochran,

To amend the same in the fifth and sixth lines, by striking out the words, "nor while a student of any seminary of learning."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cochran and Mr. De France, and were as follow, viz :

Y E A S .

Messrs. Ainey, Baker, Black, Charles A., Cochran, Corson, De France, Horton, Howard, Mann, Patterson, D. W., Runk, Sharpe, Temple, Turrell and White, J. W. F.—15.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Black, J. S., Bowman, Broomall, Brown, Buckalew, Calvin, Campbell, Church, Corbett, Craig, Cronmiller, Curtin, Darlington, Dunning, Edwards, Ellis, Fell, Fulton, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Landis, Lawrence, Lear, Lilly, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Ross, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Woodward, Worrell, Wright and Meredith, *President*—75.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Bardsley, Bartholomew, Beebe, Boyd, Brodhead, Carey, Carter, Cassidy, Clark, Collins, Curry, Cuyler, Dallas, Davis, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Harvey, Kaine, Knight, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Newlin, Niles, Parsons, Pughe, Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Stewart, Van Reed and White, David N.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Ainey,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The Legislature shall define by law what act and intention of an elector shall gain or lose a residence."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Lilly,

To amend the same, by adding to the end thereof as follows, viz: "An elector's residence for the purpose of voting shall be in that district where he actually resides; residence to be proven when challenged by the oath of the challenged and two electors of the district."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Guthrie,

To amend the same, by striking out the words, "nor while confined in public prison."

Which was not agreed to.

The section was then agreed to.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Broomall,

That the article be amended, by adding a new section as follows, viz: "A special election shall be held at such time as shall be fixed by law, not less than one nor more than three years after the adoption of this Constitution, at which the legal voters of the State shall decide by ballot whether or not the right of suffrage shall be extended to women; and if the result shall be in the affirmative, women having the qualifications herein required of male electors, shall thereafter be entitled to vote at all elections."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Broomall and Mr. Darlington, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Baker, Bowman, Broomall, Campbell, Corson, Craig, Darlington, Edwards, Fell, Horton, Howard, Knight, Lear, MacConnell, Mann, Palmer, H. W., Patterson, T. H. B., Patton, Rooke, Struthers, Temple and Wright—24.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Boyd, Brown, Buckalew, Calvin, Carey, Church, Cochran, Corbett, Cronmiller, Curtin, Cuyler, Dallas, Davis, DeFrance, Dodd, Dunning, Ellis, Fulton, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Landis, Lawrence, Lilly, Long, M'Clean, M'Culloch, M'Murray, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, Walker, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., Woodward, Worrell and Meredith, *President*—73.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Bannan, Bardsley, Beebe, Black, J. S., Brodhead, Carter, Cassidy, Clark, Collins, Curry, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Harvey, Kaine, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Parsons, Pughe, Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Stewart, Wetherill, J. M., and White, David N.

And the question recurring,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Stantion and Mr. Bowman,
That the vote be re-considered by which section nine was adopted.

On the question,
Will the Convention agree to the motion?

It was determined in the negative.

And the question again recurring,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Buckalew,
That the article be referred to the Committee on Revision and Adjustment.
Which was agreed to.

A motion was made by Mr. Buckalew,
That the Convention proceed to the second reading and consideration of article (No. 22) reported from the Committee on Suffrage, Election and Representation.

Which was agreed to.

The first section was agreed to.

On the question,
Will the Convention agree to the second section?

A motion was made by Mr. Hanna,
To amend the same in the second line by striking out the words, "or shall within two months have held."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section?

A motion was made by Mr. Hay,
To amend the same, by striking out all after the word "serve," in the eighth line.

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section?

A motion was made by Mr. Simpson,
To amend the same, by inserting after the word "officers," in the sixth line, the words, "or notary public."

Which was agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the third section?

A motion was made by Mr. Cuyler,

To amend the same, by striking out in the sixth and seventh lines the words, "appear to the court to be," and inserting in lieu thereof the words, "be asked for by the petition of five citizens, lawful voters of such election division, setting forth that such appointment is."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Cuyler and Mr. Dallas, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Carey, Church, Corbett, Corson, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Edwards, Ellis, Fell, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Heverin, Horton Howard, Hunsicker, Knight, Lamberton, Landis, Littleton, MacVeagh, M'Culloch, M'Murray, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Walker, Wetherill, J. M., Wherry, White, J. W. F., Woodward, Worrell, Wright and Meredith, *President*—73.

NAYS.

Messrs. Baker, Bartholomew, Buckalew, Cochran, Darlington, Davis, De France, Dunning, Fulton, Lilly, MacConnell, M'Clean, Mann, Mantor, Minor, Mott, Palmer, G. W., Palmer, H. W., Porter, Purman, Rooke, Simpson, Turrell, Wetherill, John Price, and White, Harry—25.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Baer, Bardsley, Beebe, Black, J. S., Brodhead, Carter, Cassidy, Clark, Collins, Curry, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Harvey, Kaine, Lawrence, Lear, Long, M'Camant, Metzger, Mitchell, Newlin, Niles, Parsons, Pughe, Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Stewart and White, David N.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Turrell,

To amend the same, by striking out all after the word "parties," in the tenth line, to and including the word "difference," in the twelfth line.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Addicks and Mr. Turrell, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Biddle, Bowman, Broomall, Calvin, Carey, Church, Cochran, Corson, Darlington, Davis, Dodd, Edwards, Fell, Guthrie, Hanna, Hay, Hazzard, Horton, Howard, Knight, Lawrence, Littleton, MacConnell, MacVeagh, M'Culloch, Mantor, Minor, Parsons, Patterson, D. W., Purviance, John N., Rooke, Ross, Runk, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Turrell, Van Reed, Walker, White, Harry, White, J. W. F. and Meredith, *President*—50.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Barclay, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Brown, Buckalew, Campbell,

Cassidy, Corbett, Cronmiller, Cuyler, Dallas, DeFrance, Ellis, Gilpin, Green, Hall, Hemphill, Heverin, Hunsicker, Lamberton, Landis, Lilly, Long, M'Clean, M'Murray, Mann, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Read, John R., Reed, Andrew, Sharpe, Smith H. G., Temple, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell and Wright—51.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Baer, Bardsley, Beebe, Carter, Clark, Collins, Craig, Curry, Curtin, Dunning, Elliott, Ewing, Finney, Fulton, Funck, Gibson, Harvey, Kaine, Lear, M'Camant, Mitchell, Newlin, Niles, Porter, Pughe, Purviance, Sam'l A., Reynolds, Russell, Stewart and White, David N.

And the question recurring.

Will the Convention agree to the section as amended ?

A motion was made by Mr. J. M. Bailey.

To amend the same, by inserting after the word "district," in the eighth line, the words, "shall be residents therein," and by striking out the word "therein," in the ninth line.

On the question,

Will the Convention agree so to amend ?

It was determined in the affirmative.

On the question,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Cuyler and Mr. Hunsicker, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Bannan, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Campbell, Cassidy, Church, Corbett, Cronmiller, Curtin, Cuyler, Dallas, DeFrance, Dunning, Ellis, Gilpin, Guthrie, Hall, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Landis, Lilly, Long, M'Clean, M'Murray, Mann, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Purman, Read, John R., Reed, Andrew, Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Van Reed, Wetherill, John Price, Wherry, Woodward, Worrell and Wright—57.

N A Y S.

Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Biddle, Bowman, Broomall, Calvin, Carey, Cochran, Corson, Craig, Darlington, Davis, Dodd, Edwards, Fell, Fulton, Green, Hanna, Hay, Horton, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Culloch, Mantor, Minor, Patterson, D. W., Porter, Purviance, John N., Rooke, Runk, Simpson, Stanton, Struthers, Turrell, Walker, White, Harry, White, J. W. F. and Meredith, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Barclay, Bardsley, Beebe, Black, J. S., Carter, Clark, Collins, Curry, Elliott, Ewing, Finney, Funck, Gibson, Harvey, Kaine, M'Camant, Mitchell, Newlin, Niles, Pughe, Purviance, Sam'l A., Reynolds, Russell, Stewart, Wetherill, J. M. and White, David N.

On the question,

Will the Convention agree to the fourth and last section ?

A motion was made by Mr. Buckalew,

To amend the same in the fourth line, by striking out the words, "regularly established."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To amend the same in the second line, by striking out the words, "electors of President and Vice President of."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Harry White,

To amend the same, by striking out all after the word "law," in the fourth line, and inserting in lieu thereof as follows, viz: "In such manner as shall be prescribed by general law, but no such law shall apply to any contest arising out of an election held before its passage."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

The yeas and nays were required by Mr. MacVeagh and Mr. Knight, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Huntingdon, Bannan, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Cassidy, Church, Corbett, Cronmiller, Curtin, Dallas, DeFrance, Dunning, Ellis, Fulton, Gilpin, Green, Guthrie, Hall, Hay, Hazzard, Hemphill, Hunsicker, Lambertson, Landis, Lilly, Long, M'Clean, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Van Reed, Wherry, Woodward, Worrell and Wright—57.

NAYS.

Messrs. Ainey, Baily, of Perry, Baker, Bartholomew, Biddle, Bowman, Campbell, Carey, Cochran, Corson, Darlington, Davis, Edwards, Fell, Hanna, Horton, Howard, Knight, Lawrence, Littleton, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Newlin, Palmer, H. W., Patterson, D. W., Purviance, John N., Runk, Simpson, Stanton, Struthers, Turrell, Walker, White, Harry, White, J. W. F. and Meredith, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Barclay, Bardsley, Beebe, Carter, Clark, Collins, Craig, Curry, Cuyler, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Harvey, Heverin, Kaine, Lear, M'Camant, M'Murray, Metzger, Mitchell, Niles, Pughe, Purviance, Sam'l A., Reynolds, Russell, Stewart, Temple, Wetherill, J. M., Wetherill, Jno. Price, and White, David N.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Buckalew,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

On leave given,

The President laid before the Convention the following communication, which was read, viz:

June 3d, 1873.

HON. WM. M. MEREDITH,

President Constitutional Convention:

MR. PRESIDENT:—Many ladies of Philadelphia have requested me to ask of you and the gentlemen of the Constitutional Convention "for the use of Conven-

tion Hall," on Wednesday evening a week, for the purpose of hearing an address from Dr. Wilson C. Swann, President of the Philadelphia Fountain Society. Subject, "Personal Reminiscences of Great Men of the Past."

ELIZABETH S. BLADEN.

A motion was made by Mr. Newlin,

That the request be granted.

Which was agreed to.

On leave given,

The President also laid before the Convention the following communication, which was read, viz:

UNITED PRESBYTERIAN GENERAL ASSEMBLY, }
SECOND CHURCH, Philadelphia, June 3, 1873. }

To the Constitutional Convention, now in session in this city :

The General Assembly of the United Presbyterian church having met for deliberation, also in this city, send greeting :

Inasmuch as the United Presbyterian church is largely located in the State of Pennsylvania, and as this State, in virtue of its geographical position, its population, resources and moral power, is largely influential among the other States of this Union, important results, both in the interest of religion and morality, will follow from your present action, ask leave respectfully to represent that the Christian religion, being the religion of this world by Divine Constitution, and destined to prevail over all the world, it is desirable that our civil Constitutions be conformed to this fundamental truth, acknowledging the supremacy of Almighty God, the truth of christianity and the obligation of the divine law.

And that we claim the blessing and protection of the Sovereign Ruler of the world for ourselves and our posterity.

We feel ourselves at liberty to speak freely on this subject, on account of its connection with our origin and continuous history, and inasmuch as we have solemnly testified against the establishment and support of the church by the State, as being prejudicial to the interests of both.

This, however, leaves us free to affirm that civil government is ordained of God, and that the civil ruler is God's minister, that both should acknowledge God whose servants they are, and that both laws and administrations should be conformed to his revealed will as contained in the Holy Scriptures.

All which is respectfully submitted to your consideration, on behalf of the General Assembly of the U. P. church.

G. C. VINCENT,
JAS. P. LYTLE,
WM. S. OWENS,
Committee.

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 7) reported from the Committee on Executive Department.

And the question recurring,

Will the Convention agree to the second section ?

It was determined in the affirmative.

On the question,

Will the Convention agree to the third section ?

A motion was made by Mr. Brodhead,

To amend the same, in the third line, by striking out the words, "capable of holding," and inserting in lieu thereof the words, "eligible to."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Wherry.

To amend the same, by striking out all after the word "election," in the second line."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "for," in the third line, and adding in lieu thereof the words, "any third consecutive term."

On the question,

Will the Convention agree so to amend?

The yeas and nays were repired by Mr. Buckalew and Mr. MacVeagh, and were as follow, viz:

Y E A S.

Messrs. Alricks, Brown, Buckalew, Corson, Fulton, Hay, MacVeagh, Mann, Mantor, Minor, Newlin, Patterson, D. W. Patton, Runk, Smith, H. G., Wherry and Woodward—17.

N A Y S.

Messrs. Ainey, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Carey, Cochran, Corbett, Cronmiller, Curtin, Dallas, Darlington, Davis, De France, Dodd, Dunning, Fell, Gilpin, Guthrie, Hall, Hazzard, Hemp-hill, Horton, Howard, Hunsicker, Knight, Lambertson, Landis, Lawrence, Lilly, Littleton, Long, MacConnell, M'Clean, M'Culloch, Mott, Palmer, G. W., Patterson, T. H. B., Porter, Purviance, John N., Read, John R., Rooke, Ross, Sharpe, Simpson, Smith, Henry W., Stanton, struthers, Turrell, Van Reed, Walker, Wetherill, Jno. Price, White, Harry, Worrell, Wright and Meredith, *President*—65.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baer, Barclay, Bardsley, Beebe, Brodhead, Calvin, Campbell, Carter, Cassidy, Church, Clark, Collins, Craig, Curry, Cuyler, Edwards, Elliott, Ellis, Ewing, Finney, Funck, Gibson, Green, Hanna, Harvey, Heverin, Kaine, Lear, M'Camant, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Parsons, Pughe, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., White, David N., and White, J. W. F.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To amend the same in the first line, by striking out the word "four," and inserting in lieu thereof the word "three."

Which was not agreed to.

The section as amended was then agreed to.

The fourth, fifth, sixth, seventh and eighth sections were then agreed to.

On the question,

Will the Convention agree to the ninth section?

A motion was made by Mr. Darlington,

To amend the same in the first and second lines, by striking out the words, "nominate, and by and with the advice and consent of two-thirds of all the members of the Senate."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Darlington and Mr. Harry White, and were as follow, viz:

YEAS.

Messrs. Baily, of Perry, Bartholomew, Carey, Cochran, Corson, Craig, Darlington, Guthrie, Knight, MacVeagh, Patterson, D. W., Smith, H. G., Stanton, White, Harry, Woodward and Meredith, *President*—16.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Buckalew, Calvin, Campbell, Church, Corbett, Crommiller, Curry, Curtin, Davis, De France, Dunning, Edwards, Ellis, Fell, Fulton, Gilpin, Hay, Hazzard, Horton, Howard, Hunsicker, Lamberton, Landis, Lawrence, Lilly, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Runk, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Walker, Wetherill, John Price, White, J. W. F., and Worrell—73.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bardsley, Beebe, Brodhead, Brown, Carter, Cassidy, Clark, Collins, Cuyler, Dallas, Dodd, Elliott, Ewing, Finney, Funk, Gibson, Green, Hall, Hanna, Harvey, Hemphill, Heverin, Kaine, Lear, Littleton, M'Camant, Mitchell, Niles, Pughe, Purviance, Sam'l A., Reynolds, Ross, Russell, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., and Wright.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Newlin,

To amend the same, by striking out the word "two-thirds," and inserting in lieu thereof the words, "a majority."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Harry White and Mr. Newlin, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Andrews, Baily, of Perry, Baker, Bartholomew, Broomall, Calvin, Cochran, Corson, Darlington, Davis, Fulton, Green, Guthrie, Hanna, Knight, MacVeagh, M'Culloch, Newlin, Palmer, H. W. Patterson, D. W., Rooke, Simpson, Struthers, Wetherill, John Price, White, Harry, and White, J. W. F.—28.

NAYS.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Chares A., Black, J. S., Bowman, Boyd, Brodhead, Buckalew, Campbell, Church, Corbett, Craig, Curry, Curtin, De France, Dunning, Edwards, Ellis, Fell, Gilpin, Hay, Hazzard, Hunsicker, Lamberton, Landis, Lear, Lilly, Long, M'Connell, M'Clean, M'Murray, Mann, Mantor, Metzger, Minor, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Walker, Wherry, Woodward, Worrell and Meredith, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bardsley, Beebe, Brown, Carey, Carter, Cassidy, Clark, Collins, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Hall, Harvey, Hemphill, Heverin, Horton, Howard, Kaine, Lawrence, Littleton, M'Camant, Mitchell, Mott, Niles, Pughe, Purviance, Sam'l A., Reynolds, Runk, Russell, Smith, H. G., Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., and Wright.

And the question again recurring,

•Will the Convention agree to the section?

A motion was made by Mr. J. N. Purviance,

To amend the same in the third line, by striking out the words, "and an Attorney General."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Harry White and Mr. John N. Purviance, and were as follow, viz:

YEAS.

Messrs. Andrews, Baker, Broomall, Calvin, Campbell, Cochran, Corson, Craig, Darlington, Edwards, Hanna, Knight, M'Clean, M'Murray, Mantor, Purviance, John N., Sharpe, Simpson, Struthers and Meredith, *President*—20.

NAYS.

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntington, Bannan, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Bowinan, Boyd, Brodhead, Buckalew, Church, Corbett, Curry, Curtin, Davis De France, Dunning, Ellis, Fell, Fulton, Gilpin, Green, Guthrie, Hay, Hazzard, Howard, Hunsicker, Lambertson, Landis, Lawrence, Lear, Lilly, Long, MacConnell, M'ulloch, Mann, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Walker, Wetherill, John Price, Wherry, White, J. W. F., Woodward and Worrell—67.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Barclay, Bardsley, Beebe, Brown, Carey, Carter, Cassidy, Clark, Collins, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Hall, Harvey, Hemphill, Heverin, Horton, Kaine, Littleton, MacVeagh, M'Camant, Mitchell, Niles, Porter, Pughe, Purviance, Sam'l A., Reynolds, Runk, Russell, Smith, H. G., Stewart, Van Reed, Wetherill, J. M., White, David N., White, Harry, and Wright.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same in the fourth line, by inserting after the word "by," the words "the Constitution or;" and in the sixteenth and nineteenth lines by striking out the word "annual," and inserting in lieu thereof the word "general," and in the same lines by striking out the words, "of Representatives."

Which was agreed to.

And on the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To amend the same, in the seventeenth line, by striking out the words, "three calendar months," and inserting in lieu thereof the words, "sixty days."

Which was agreed to.

The section as amended was then agreed to.

And on the question,

Will the Convention agree to the tenth section ?

A motion was made by Mr. Lamberton,

To amend the same in the tenth line, by striking out the words, "of the parties;" and in the ninth line, by striking out the word "department," and adding to the end of the section the words, "office of the Secretary of the Commonwealth."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. De France,

To amend the same in the second line, by inserting after the word "pardon," the words, "after conviction."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Bigler,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

"The power to remit fines and forfeitures and grant reprieves and pardons, except in cases of impeachment, shall be vested in the Governor, and he shall exercise it in manner following, to wit : He may reject any or all the applications made to him for the remission of fines and forfeitures and reprieves and pardons, but no pardon shall be granted without the concurrence with the Governor, of the Attorney General, Secretary of the Commonwealth, Superintendent of Public instruction and Secretary of Internal Affairs, or a majority of them."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. D. W. Patterson,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE, *Clerk.*

Attest :

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

WEDNESDAY, JUNE 4, 1873.

Mr. Landis offered the following resolution, which was read, viz :

WHEREAS, This Convention did, on the 22d May, 1873, pass a resolution reported by a select committee to whom was referred the question of compensation of members of this Convention, which resolution recommended the payment to each member of \$2,500 :

And whereas, The act of 1872 calling this Convention and naming the compensation of members, was, by the act of 9th April, 1873, so far as this question is concerned, repealed, and the subject referred to this Convention ; therefore,

Resolved, 1. That it is the sense of this Convention, that it is improper to determine any amount of compensation in excess of the amount originally fixed by the act of 1872.

2. That the action of the Convention adopting the report of the said select committee, May 22, 1873, be hereby rescinded.

3. The President is authorized to draw his warrant, and the Chief Clerk countersign the same, on the State Treasurer, in favor of each member, to an amount not exceeding one thousand dollars ; and the question of additional compensation (if any is necessary) is referred to the next Legislature.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

The yeas and nays were required by Mr. Landis and Mr. Hunsicker, and were as follow, viz :

Y E A S .

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Calvin, Cochran, Darlington, Fulton, Gilpin, Guthrie, Hemphill, Hunsicker, Lamberton, Landis, Lawrence, M'Clean, M'Murray, Patterson, D. W., Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Smith, Henry W., Struthers, Wetherill, J. M., Wetherill, John Price, White, Harry, and Meredith, *President*—36.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Bannan, Bartholomew, Bowman, Brown, Carter, Church, Corbett, Corson, Cronmiller, Curry, Curtin, Davis, De France, Dodd, Dunning, Edwards, Ellis, Gibson, Green, Hall, Hanna, Harvey, Hay, Horton, Howard, Lilly, Long, MacConnell, Mann, Mantor, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W. Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Runk, Russell, Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Walker, Wherry, White, J. W. F. and Wright—54.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bailey, of Huntingdon, Baker, Barclay, Bardcley, Beebe, Black, J. S., Buckalew, Campbell, Carey, Cassidy, Clark, Collins, Craig, Cuyler, Dallas, Elliott, Ewing, Fell, Finney, Funck, Gizzard, Heverin, Kaine, Knight, Lear, Littleton, MacVeagh, M'Camant, MacCulloch, Metzger, Mitchell, Niles, Purviance, Samuel A., Read John, R., Sharpe, Simpson, Smith, H. G., Stewart, White, David N., Woodward and Worrell.

Mr. Woodward, from the committee to whom was referred the resignation of F. B. Gowen, as a delegate-at-large of the Convention, made a report, which was read as follows, viz :

We, the subscribers, to whom it was referred to appoint a delegate to supply the vacancy occasioned by the resignation of F. B. Gowen, do report, that we

have agreed to appoint, and hereby do appoint Edgar Cowan, of Westmoreland, to fill said vacancy.

Witness our hands this 3d day of June, A. D. 1873.

GEO. W. WOODWARD,
WM. L. CORBETT,
JOHN H. CAMPBELL,
A. A. PURMAN,
WM. BIGLER,
A. G. CURTIN,
WM. H. SMITH,
J. S. BLACK,
S. C. T. DODD,
GEO. M. DALLAS,
JAS. ELLIS,
R. A. LAMBERTON.

Laid on the table.

A motion was made by Mr. Stanton,

That the Convention proceed to second reading and consideration of the following resolution, laid on the table June 3d, viz:

“Resolved, That except on the final passage of any section, the yeas and nays shall be called on any question only at the request of twenty members rising to secure the call of any one member.”

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To amend the same, by striking out the word “twenty,” and inserting in lieu thereof the word “five.”

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Church,

To amend the amendment, by striking out the word “five,” and insert in lieu thereof the word “ten.”

On the question,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Darlington,

To postpone the question, together with the further consideration of the resolution, indefinitely.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Harry White, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Ahricks, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Bigler, Black, Charles A., Bowman, Boyd, Brown, Calvin, Clark, Cochran, Cronmiller, Curtin, Darlington, Fell, Hall, Hemphill, Hunsicker, Lilly, MacVeagh, M'Camant, Mann, Patterson, D. W., Purman, Reed, Andrew, Rooke, Runk, Russell, Smith, H. G., Smith, Henry W., Struthers, Walker, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Woodward and Meredith, *President*—41.

N A Y S.

Messrs. Achenbach, Andrews, Armstrong, Baer, Bannan, Biddle, Black, J. S., Brodhead, Broomall, Carter, Church, Corbett, Corson, Curry, De France, Dodd, Dunning, Edwards, Ellis, Fulton, Gibson, Gilpin, Green, Guthrie, Hanna, Harvey, Hay, Hazzard, Horton, Howard, Lambertson, Landis, Lawrence, Long, MacConnell, M'Clean, M'Murray, Mantor, Minor, Mott, Newlin, Palmer, G. W., Palmer H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Reynolds, Ross, Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wherry, Worrell and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Barclay, Bardsley, Beebe, Buckalew, Campbell, Carey, Cassidy, Collins, Craig, Cuyler, Dallas, Davis, Elliott, Ewing, Finney, Funck, Heverin, Kaine, Knight, Lear, Littleton, M'Culloch, Metzger, Mitchell, Niles, Purviance, Sam'l A., Read, John R., Sharpe, Simpson, Stewart and White, David N.

And the question recurring,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Boyd,

That the resolution be referred to the Committee on Rules.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Harry White and Mr. Boyd, and were as follow, viz:

Y E A S.

Messrs. Ainey, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Bowman, Boyd, Calvin, Cochran, Corson, Cronmiller, Curtin, Dallas, Darlington, De France, Edwards, Ellis, Fell, Fulton, Gibson, Hall, Hay, Hemphill, Hunsicker, MacVeagh, Mann, Patterson, D. W., Purman, Rooke, Runk, Russell, Smith, Henry W., Struthers, Temple, White, Harry, White, J. W. F., Woodward and Meredith, *President*—38.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Bannan, Biddle, Black, J. S., Brodhead, Broomall, Brown, Church, Clark, Corbett, Curry, Davis, Dodd, Dunning, Gilpin, Green, Guthrie, Hanna, Harvey, Hazzard, Horton, Howard, Lambertson, Landis, Lawrence, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Wm. H., Stanton, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Worrell and Wright—63.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Barclay, Bardsley, Bartholomew, Beebe, Buckalew, Campbell, Carey, Carter, Cassidy, Collins, Craig, Cuyler, Elliott, Ewing, Finney, Funck, Heverin, Kaine, Knight, Lear, Littleton, Mitchell, Niles, Purviance, Samuel A., Read, John R., Sharpe, Simpson, Stewart, Wherry and White, David N.

And the question again recurring,

Will the Convention agree so to amend the amendment?

It was determined in the affirmative.

The amendment as amended was then agreed to.

On the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. Cochran and Mr. Baily, of Perry, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Armstrong, Baer, Bannan, Barclay, Bartholomew, Biddle, Bowman, Brodhead, Broomall, Buckalew, Calvin, Carter, Church, Corson, Curry, Davis, Dodd, Dunning, Finney, Fulton, Gilpin, Green, Guthrie, Hanna, Harvey, Hazzard, Horton, Howard, Lambertson, Landis, Lawrence, Lilly, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patton, Porter, Pughe, Purviance, John N., Reynolds, Ross, Runk, Russell, Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, Jno. Price and Wherry—60.

N A Y S .

Messrs. Addicks, Ainey, Alricks, Andrews, Baily, of Perry, Baily, of Huntingdon, Baker, Bigler, Black, Charles A., Black, J. S., Boyd, Brown, Campbell, Clark, Cochran, Corbett, Craig, Cronmiller, Curtin, Dallas, Darlington, DeFrance, Edwards, Ellis, Fell, Gibson, Hall, Hay, Hemphill, Heverin, Hunsicker, MacVeagh, Mann, Patterson, D. W., Patterson, T. H. B., Purman, Reed, Andrew Smith, H. G., Smith, Henry W., Struthers, Temple, Walker, Wetherill, J. M., White, Harry, White, J. W. F., Woodward, Worrell, Wright and Meredith: *President*—49.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bardsley, Beebe, Carey, Cassidy, Collins, Cuyler, Elliott, Ewing, Funck, Kaine, Knight, Lear, Littleton, M'Camant, Mitchell, Niles, Purviance, Sam'l A., Read, John R., Rooke, Sharpe, Simpson, Stewart and White: David N.

Mr. Hazzard offered the following resolution, which was read, viz :

Resolved, That on calling the ayes and nays any member neglecting to vote when his name is called, shall not vote without consent of the House.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Mr. MacVeagh offered the following resolution, which was read, viz :

Resolved, That the Committee on Printing be requested to consider the propriety of restricting the number of bound volumes of the Debates to be furnished to the Convention, to one thousand copies of each volume, instead of five thousand copies thereof, as now ordered.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

Agreeably to order,

The Convention resumed the second reading and consideration of article (No. 7) reported from the Committee on Executive Department.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Bigler ?—to strike out all after the word "section," and insert as follows, viz :

"The power to remit fines and forfeitures and grant reprieves and pardons, except in cases of impeachment, shall be vested in the Governor, and he shall exercise it in manner following, to wit: He may reject any or all the applications made to him for the remission of fines and forfeitures and reprieves and pardons, but no pardon shall be granted without the concurrence with the Governor, of the Attorney General, Secretary of the Commonwealth, Superintendent of Public Instruction and Secretary of Internal Affairs, or a majority of them."

A motion was made by Mr. Bigler,

To amend the amendment so as to make it read as follows, viz :

"The power to remit fines and forfeitures and grant reprieves and pardons, except in cases of impeachment, shall be vested in the Governor, and he may reject any or all the applications, but shall grant no pardon without the concurrence of the Attorney General, Secretary of the Commonwealth, Superintendent of Public Instruction and Secretary of Internal Affairs, or a majority of them."

Which was not agreed to.

The amendment was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Hazzard,

To amend the same, by inserting after the word "notice," in the seventh line, the words, "published in the county where the sentence was pronounced."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cuyler,

To amend the same in the fifth line, by striking out the words "Superintendent of Public Instruction."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

SECTION —. The Senate shall, within ten days after its organization, at each regular biennial session, appoint by open vote four persons to constitute an advisory board of pardons for the two years next ensuing, upon the recommendation of at least three, of whom the Governor shall have power to grant reprieves and pardons, and no reprieve or pardon shall be otherwise granted by him, except that in capital cases he may respite the execution of sentence until the action of the said board can be had, and that in an emergency, in case of war or insurrection against the authority of the State, he may, in order to the restoration of peace and submission to the laws, proclaim conditional amnesty to offenders engaged therein. In choosing the members of said advisory board of pardons each Senator shall vote for two persons, one at least of whom shall be learned in the law, and exercising or qualified to exercise the office of president judge of a court of common pleas under this Constitution; and the four persons highest in vote shall be declared elected. Provision shall be made by law for regular and special meetings of said board, for the public hearing, upon notice, of all cases brought before it, for the reasonable compensation of its members, (without increase or diminution thereof pending a term of service,) and for filling any casual vacancy in said board by an appointment to be made by the same or by a majority of the same Senators, who shall have chosen the member of said board whose place is to be filled. The proceedings of said advisory board shall be filled of record in the office of the Secretary of the Commonwealth.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Buckalew, seconded by Messrs. Harry White, Hall, Ross, Corson, Cuyler, M'Clean, Hemphill, Worrell, Brown and Clark, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Barclay, Brodhead, Buckalew, Campbell, Cochran, Dallas, Ellis, Hall, M'Clean, Patton, Purman, Read, John R., Smith, Henry W., Smith, Wm. H., and Wright—17.

N A Y S.

Messrs. Ainey, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Brown, Calvin, Carey, Carter, Church, Clark, Corbett, Corson, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Dodd, Edwards, Ewing, Fell, Finney, Fulton, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazard, Hemphill, Heverin, Horton, Howard, Hunsicker, Knight, Lambertson, Landis, Lawrence, Lilly, Long, MacConnell, Mac Veagh, M'Culloch, M'Murray, Mann, Mantor, Minor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Simpson, Smith, H. G., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Woodward, Worrell and Meredith, *President*—87.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bardsley, Beebe, Black, J. S., Cassidy, Collins, Craig, De France, Dunning, Elliott, Funck, Green, Kaine, Lear, Littleton, M'Camant, Metzger, Mitchell, Mott, Newlin, Niles, Pughe, Purviance, Sam'l A., Ross, Sharpe, Stewart, Wherry and White, David N.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Alricks,

To amend the same, in the second line, by striking out the words, "commutations of sentence."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Corson,

To amend the same, by striking out all after the word "impeachment," in the third line.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Hemphill,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The Governor shall nominate, and with the consent of the Senate, appoint six of the president judges of the court of common pleas, to constitute, with himself, and for the term for which he may be elected, a court of pardon, and a majority of said court, of whom the Governor shall be one, may remit fines and forfeitures and grant pardons after conviction, in all cases, except impeachment, and no pardon granted before conviction, shall avail the party pleading the same."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Mann,

To amend the same, by striking out in the fourth, fifth and sixth lines the words, "Secretary of the Commonwealth, Attorney General, Superintendent o

Public Instruction, Secretary of Internal Affairs, or any three," and inserting in lieu thereof the words, "Ex-Governors of the Commonwealth, or a majority."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Brodhead,

To amend the same, by adding to the end of the section the words, "but no pardon or commutation of sentence shall ever be allowed for offences against the election laws."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by J. M. Bailey,

To amend the same, by adding to the end thereof a proviso as follows, viz: "Provided, That no pardon shall relieve any person from the penalties imposed by this Constitution."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cochran,

To amend the same, by inserting after the word "pardons," in the second line, the words, "including all cases of attachments on which parties shall be committed to prison without limitation of term."

Which was not agreed to.

The section as amended, eleventh, twelfth, thirteenth, fourteenth and fifteenth sections were then agreed to.

On the question,

Will the Convention agree to the sixteenth section ?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof the words, "but no bill shall be signed by the Governor within five days after its passage by the Legislature, except the general appropriation bill."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White,

To amend the same in the fourteenth line, by striking out the words, "General Assembly," and inserting in lieu thereof the word "Legislature."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Hay,

To amend the same, by inserting after the word "of," in the sixth and eighth lines, the words, "all the members elected to."

Which was agreed to.

And the question again recurring,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Worrell,
To amend the same, by inserting after the word "proceed," in the fifth line,
and after the word "re-considered," in the eighth line, the words, "within three
days thereafter."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Mann and Mr. Worrell,
To re-consider the vote by which the section was amended, by adding to the
end thereof the words, "but no bill shall be signed by the Governor within five
days of its passage by the Legislature, except the general appropriation bill."

Which was agreed to.

And the question recurring,
Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,
To amend the amendment, by striking out the word "five," and inserting in
lieu thereof the word "three."

Which was agreed to.

On the question,
Will the Convention agree to the amendment as amended ?

It was determined in the negative.

The section as amended, and seventeenth sections, were then agreed to.

On the question,
Will the Convention agree to the eighteenth section ?

A motion was made by Mr. Brodhead,
To amend the same, by adding to the end of the section the words, "but if the
election of the Lieutenant Governor shall not be contested, then he shall exercise
the authority of Governor until the question shall be decided."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Darlington,
To amend the same in the third line, by striking out the words, "the election
of Governor or Lieutenant Governor," and inserting in lieu thereof the words,
"their election."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Buckalew,
To amend the same, by adding to the end thereof as follows, viz: "The Chief
Justice of the Supreme Court shall preside upon the trial of any such contest ;
shall decide questions regarding the admissibility of evidence, and shall, upon
request of the committee, pronounce his opinion upon other questions of law in-
volved in the trial."

Which was agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the nineteenth section ?

A motion was made by Mr. Hanna,
To amend the same in the first line, by striking out the word "fair."

Which was not agreed to.

The section was then agreed to.

On the question,
Will the Convention agree to the twentieth section ?

A motion was made by Mr. Wherry,
To amend the same, by making the word "mines," in the seventh line, read "mining."

Which was agreed to.

The section was then agreed to.

The twenty-first, twenty-second and last sections were then agreed to.

On the question,
Shall the article be transcribed for a third reading ?

A motion was made by Mr. Curtin,
That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

On motion of Mr. Harry White,

The Convention proceeded to the second reading and consideration of article (No. 9) reported from the Committee on Legislation.

On the question,
Will the Convention agree to the first section ?

A motion was made by Mr. Buckalew,
To amend the same, by striking out all after the word "members," where it first occurs in the second line.

Which was agreed to.

The second, third and fourth sections were then agreed to.

On the question,
Will the Convention agree to the fifth section ?

A motion was made by Mr. Harry White,
To amend the same in second and third lines, by striking out the words, "reported from," and inserting after the word "unless," the words, "referred to;" and also, by inserting after the word "and," the words, "returned therefrom and."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Darlington,
To amend the same in the first and second lines, by striking out the words, "that may be altered, amended or rejected in the other."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. MacVeagh,

To amend the same in the first line, by striking out the words, "bills may originate in either House."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the sixth section ?

A motion was made by Mr. Armstrong,

To transpose the words, "except general appropriation bills," at the end of the section, to come in after the word "bill," in the first line.

Which was agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Henry W. Smith,

To amend the same in the first line, by striking out the words, "except general appropriation bills."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Henry W. Smith, seconded by Messrs. Temple, Boyd, Horton, Long, Newlin, J. M. Wetherill, Baily, of Perry, D. W. Patterson, Dallas and Corson, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baer, Boyd, Carey, Dallas, Finney, Gibson, Gilpin, Guthrie, Horton, Long, M'Murray, Purviance, John N., Smith, Henry W., Struthers, Van Reed and Worrell—17.

N A Y S .

Messrs. Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, Chares A., Bowman, Broomall, Brown, Buckalew, Calvin, Campbell, Cassidy, Clark, Cochran, Corbett, Corson, Craig, Cronmiller, Curtin, Darlington, Davis, De France, Dunning, Edwards, Ellis, Fulton, Hall, Hanna, Harvex, Hay, Hunsicker, Lamberton, Landis, Lawrence, Lilly, M'Connell, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mantor, Mott, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Simpson, Smith, Wm. H., Stanton, Turrell, Walker, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Wright and Meredith, *President*—73.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Barclay, Bardsley, Beebe, Black, J. S., Brodhead, Carter, Church, Collins, Curry, Cuyler, Dodd, Elliott, Ewing, Fell, Funck, Green, Hazzard, Hemphill, Heverin, Howard, Kaine, Knight, Lear, Littleton, Metzger, Minor, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, D. W., Pughe, Purviance, Sam'l A., Ross, Sharpe, Smith, H. G., Stewart, Temple, Wetherill, Jno. Price, White, David N. and Woodward.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Dallas,

To strike out the words, "general appropriation bills," and insert in lieu thereof, "bills containing appropriations only to the general and ordinary purposes of the government."

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the seventh section ?

A motion was made by Mr. J. P. Wetherill,

To amend the same in the second line, by inserting after the word "printed," the words, "and distributed among the members of each House at least one day."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Harry White,

To amend the same, in the third line, by inserting after the word "taken," the words, "on the bill."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. MacVeagh,

To amend the same, in the fifth line, by inserting after the word "against," the words, "the same shall."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Buckalew,

To amend the same, in the second line, by inserting after the word "amendment," the word "made."

Which was agreed to.

The section as amended was then agreed to.

The eighth and ninth sections were agreed to.

On the question,

Will the Convention agree to the tenth section ?

Mr. Boyd called for a division of the question—each paragraph to constitute a division.

The several divisions to and including the thirteenth were agreed to.

On the question,

Will the Convention agree to the fourteenth division ?

A motion was made by Mr. Wherry,

To amend the same, by striking out the word "or," in the twenty-second line, and by adding to the end of the division the words, "or school districts."

Which was agreed to.

The division as amended was then agreed to.

The fifteenth and sixteenth divisions were agreed to.

On the question,

Will the Convention agree to the seventeenth division ?

A motion was made by Mr. Boyd,

To amend the same, by striking out all after the word "tribunal," in the thirtieth line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the division ?

A motion was made by Mr. Harry White,

To amend the same, in the thirty-first line, by striking out the word "providing," and inserting in lieu thereof the word "prescribing."

Which was agreed to.

The division as amended was then agreed to.

The eighteenth, nineteenth, twentieth, twenty-first and twenty-second divisions were then agreed to.

On the question,

Will the Convention agree to the twenty-third division ?

A motion was made by Mr. Harry White,

To insert a new division for the twenty-third as follows, viz: "Creating, increasing or decreasing the salaries, perquisites or allowances of public officers during the term for which they were elected."

Which was agreed to.

The twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth divisions were then agreed to.

On the question,

Will the Convention agree to the twenty-ninth division ?

A motion was made by Mr. John R. Read,

To amend the same, in the fifty-first line, by striking out the word "create," and inserting in lieu thereof the word "enact."

Which was agreed to.

The division as amended was then agreed to.

On the question,

Will the Convention agree to the thirtieth division ?

A motion was made by Mr. MacVeagh,

To amend the same in the fifty-fourth line, by striking out the words, "manner, form or."

Which was agreed to.

And on the question,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Broomall,

To amend the same, in the fifty-fourth line, by striking out the words, "authority to grant," and inserting in lieu thereof the words, "granting of," and in the fifty-sixth line, by striking out the words, "where a general law can be made applicable nor in any other case."

Which was agreed to.

And the question recurring,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Darlington,

To amend the same, in the fifty-third line, by striking out the word "bill," and inserting in lieu thereof the word "law," and in the fifty-eighth line, by striking out the word "bills," and inserting in lieu thereof the word "laws."

Which was agreed to.

And the question again recurring,

Will the convention agree to the division as amended ?

A motion was made by Mr. Brodhead,

To amend the same, by adding to the end of the division as follows, viz: "but in such manner as not to do injustice to the parties interested or interfere with any vested rights."

Which was not agreed to.

The division as amended was then agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Buckalew and Mr. Biddle,

To re-consider the vote by which the eighth division was adopted.

Which was agreed to.

And the question recurring,

Will the Convention agree to the division ?

A motion was made by Mr. Buckalew,

To amend the same, by adding to the end thereof the words, "not of the State."

Which was agreed to.

And on the question,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Biddle,

To amend the same, by adding to the end thereof the words, "or of public municipality."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Lilly,

To amend by striking out all after the word "grave-yards."

Which was not agreed to.

The paragraph as amended was then agreed to.

And the question recurring,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Dallas and Mr. MacVeagh,

To re-consider the vote by which the twentieth division was adopted, viz: "Fixing the rate of interest."

Which was agreed to.

And the question recurring,

Will the Convention agree to the division ?

A motion was made by Mr. Broomall,
That the Convention do now adjourn.
Which was agreed to.
Whereupon,
The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:
L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JUNE 5, 1873.

Mr. Boyd offered the following resolution, which was read, viz:

Resolved, That a recess be taken each day from twelve and a-half to one o'clock P. M., and that the hour of adjournment shall hereafter be three and a-half o'clock P. M.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Russell asked and obtained leave of absence for Mr. Calvin for a few days from to-morrow.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

Mr. H. G. Smith asked and obtained leave of absence for Mr. Elliott for a few days from to-day.

Mr. Runk asked and obtained leave of absence for Mr. Harvey for to-day.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention, respectfully report the following resolution:

Resolved, That a warrant for the sum of two thousand dollars be drawn in favor of the Chief Clerk for the payment of employees and other expenses which he may be authorized to pay, to be accounted for by him in the final settlement of his accounts.

On motion of Mr. Hay,
Said resolution was twice read, considered and agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of article (No. 9) reported from the Committee on Legislation.

And the question recurring,

Will the Convention agree to the twentieth division?

It was determined in the affirmative.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the eleventh section?

A motion was made by Mr. Harry White,

To insert a new section, to be numbered eleven, as follows, viz:

"The Legislature shall, after the adoption of this Constitution, enact general laws to provide for all the cases enumerated in the foregoing section, and for all other cases which, in its judgment, may be provided for by general law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Harry White, seconded by Messrs. Corson, De France, Calvin, Purman, Cochran, Horton, T. H. B. Patterson, Struthers, Boyd and Ainey, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Baily, of Perry, Barclay, Bardsley, Black, Charles A., Boyd, Calvin, Carey, Carter, Cochran, Corson, De France, Finney, Funck, Gilpin, Green, Guthrie, Hanna, Hazzard, Horton, Landis, MacConnell, Minor, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Russell, Struthers, Wetherill, John Price, Wherry, White, Harry, White, J. W. F. and Meredith, *President*—34.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Bowman, Brodhead, Broomall, Brown, Buckalew, Campbell, Church, Clark, Craig, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, Dunning, Edwards, Ellis, Ewing, Fulton, Gibson, Hay, Howard, Hunsicker, Knight, Lamberton, Lawrence, Lear, Lilly, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Mott, Palmer, H. W., Parsons, Patton, Porter, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Smith H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, Walker, Wetherill, J. M., White, David N., Woodward, Worrell and Wright—72.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Beebe, Cassidy, Collins, Corbett, Cuyler, Dodd, Elliott, Fell, Hall, Harvey, Hemphill, Heverin, Kaine, Littleton, Long, MacVeagh, M'Camant, Mitchell, Newlin, Niles, Purviance, Sam'l A., Sharpe, Simpson, Stewart and Temple.

And the question recurring,

Will the Convention agree to the eleventh section?

A motion was made by Mr. Brodhead,

To amend the same; in the fourth line, by striking out the words, "sixty days," and inserting in lieu thereof the words, "three weeks."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "No local or special law shall be passed, unless notice of the intention to apply therefor, with the names of the applicants, shall be published, at least sixty days prior to the application, in the county where the matter or thing to be affected may be situated, and the evidence of such publication exhibited to the Legislature before such act shall be passed."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Harry White,

To amend the same, in the fourth line, by striking out the word "sixty," and inserting in lieu thereof the word "thirty."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Darlington,

To amend the same, in the first and fifth lines, by striking out the word "bill," and inserting in lieu thereof the word "law."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Baer,

To amend the same, in the first line, by striking out the word "public."

Which was agreed to.

The section as amended was then agreed to.

The twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections were agreed to.

On the question,
Will the Convention agree to the eighteenth section ?

The yeas and nays were required by Mr. MacVeagh and Mr. Wherry, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Church, Clark, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Darlington, Davis, DeFrance, Dunning, Edwards, Ewing, Finney, Fulton, Funck, Gilpin, Green, Hanna, Hay, Hazzard, Horton, Howard, Landis, Lawrence, Lear, Lilly, MacConnell, McCulloch, McMurray, Mann, Mantor, Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Russell, Smith, H. G., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, Wright and Meredith, *President*—74.

N A Y S .

Messrs. Baker, Barclay, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Carey, Cochran, Corson, Curtin, Ellis, Gibson, Guthrie, Hunsicker, Lambertson, MacVeagh, McClean, Minor, Palmer, H. W., Purviance, John N., Reynolds, Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Wherry, White, J. W. F., Woodward and Worrell—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Beebe, Black, J. S., Cassidy, Collins, Dodd, Elliott, Fell, Hall, Harvey, Hemphill, Heverin, Kaine, Knight, Littleton, Long, McCamant, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Purviance, Sam'l A., Simpson, Stewart and Temple.

On the question,
Will the Convention agree to the nineteenth section ?

A motion was made by Mr. Wherry,

To amend the same, by adding to the end thereof the words, "except by a vote two-thirds of all the members elected to each House."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Wherry, seconded by Messrs. Boyd, De France, Calvin, Worrell, Bowman, Hunsicker, Lamberton, H. W. Palmer, Pughe and MacVeagh, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Biddle, Bigler, Bowman, Brown, Calvin, Campbell, Carey, Church, Clark, Craig, Curtin, Edwards, Ellis, Gibson, Hazzard, Hunsicker, Lamberton, Lear, Littleton, MacVeagh, M'Clean, Palmer, G. W., Palmer, H. W., Patterson, D. W., Rooke, Runk, Russell, Sharpe, Smith, Henry W., Stanton, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., and Worrell—41.

NAYS.

Messrs. Ainey, Baily, of Perry, Bannan, Bardsley, Bartholomew, Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Carter, Cochran, Corbett, Corson, Cronmiller, Curry, Dallas, Darlington, Davis, De France, Ewing, Fulton, Funk, Guthrie, Hanna, Hay, Horton, Howard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, Mann, Mantor, Minor, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Read John R., Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Wm. H., Struthers, Temple, Turrell, Van Reed, Walker, White, David N., White, Harry, Woodward, Wright and Meredith, *President*—60.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Barclay, Beebe, Black, Charles A., Cassidy, Collins, Cuyler, Dodd, Dunning, Elliott, Fell, Finney, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Kaine, Knight, Long, M'Camant, M'Murray, Metzger, Mitchell, Mott, Niles, Purviance, Sam'l A., Simpson and Stewart.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. J. S. Black,

To amend the same, in the second line, by inserting after the word "educational," the word "religious," and by striking out all after the word "community," in the third line.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Buckalew,

To amend the same, in the third line, by striking out the words, "any person or community nor to," and inserting in lieu thereof the words, "or for the use of."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Ainey,

To amend the amendment, by adding to the end of the section the words, "person or community."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Buckalew, seconded by Messrs M'Clean, Hunsicker, Ellis, J. W. F. White, Wherry, Sharpe, MacVeagh, Cochran, Boyd, Brown and Bigler, and were as follow, viz:

YEAS.

Messrs. Alricks, Armstrong, Bear, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Bowman, Brown, Buckalew, Calvin, Campbell, Church, Clark, Cochran, Corson, Curtin, Darlington, Davis, Edwards, Ellis, Guthrie, Hunsicker, Lambertson, Landis, Lear, Littleton, M'Clean, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Rooke, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Temple, Turrell, Wetherill, J. M., Wherry and White, J. W. F.—46.

NAYS.

Messrs. Ainey, Baily, of Perry, Baker, Bardsley, Bartholomew, Black, J. S., Boyd, Brodhead, Broomall, Carey, Carter, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, De France, Dunning, Ewing, Finney, Fulton, Funck, Hanna, Hay, Hazzard, Horton, Howard, Lawrence, Lilly, MacConnell, MacVeagh, M'ulloch, Mann, Mantor, Minor, Newlin, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Smith, Wm. H., Stanton, Struthers, Van Reed, Walker, Wetherill, John Price, White, David N., White, Harry, Woodward, Wright and Meredith, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Barclay, Beebe, Black, Charles A., Cassidy, Collins, Dodd, Elliott, Fell, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Kaine, Knight, Long, M'Camant, M'Murray, Mitchell, Niles, Purviance, Samuel A., Simpson, Stewart and Worrell.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Cuyler,

To amend the same, in the third and fourth lines, by striking out the words, "denominational or sectarian," and adding to the end of the section the words, "which is designed to advance denominational or sectarian purposes."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "No appropriation shall be made to any denominational or sectarian institution, corporation or association."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Hay.

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "No appropriation shall be made for any denominational or sectarian purpose, or to any institution, corporation or association, created and maintained for objects limited or restricted by any particular religious, denominational or sectarian views."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Hay, seconded by Messrs. Wherry, Hunsicker, M'Clean, Cuyler, Sharpe, MacVeagh, Cochran, Hazzard, Gilpin and Purman, and were as follow, viz:

Y E A S .

Messrs. Armstrong, Biddle, Bigler, Black, J. S. Brown, Church, Clark, Cochran, Curtin, Cuyler, Edwards, Ellis, Gilpin, Guthrie, Hay, Hazzard, Hunsicker, Lamberton, Landis, Littleton, MacVeagh, M'Clean, Mott, Palmer, H. W., Purviance, John N., Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Win. H., Temple, Wetherill, J. M., Wetherill, John Price, and Wherry—35.

N A Y S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Baily, of Perry, Baker, Bannan, Bardsley, Bartholomew, Bowman, Boyd, Brodhead, Broomall, Buckalew, Calvin, Campbell, Carter, Corbett, Corson, Craig, Cronmiller, Curry, Dallas, Darlington, Davis, De France, Dunning, Ewing, Fiunev, Funck, Hanna, Horton, Howard, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Newlin, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Stanton, Struthers, Turrell, Van Reed, Walker, White, David N., White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Barclay, Beebe, Black, Charles A., Carey, Cassidy, Collins, Dodd, Elliott, Fell, Fulton, Gibson, Green, Hall, Harvey, Hemphill, Heverin, Kaine, Knight, Lear, Long, M'Camant, Metzger, Mitchell, Niles, Patton, Porter, Pughe, Purviance, Sam'l A., Simpson, Stewart and Worrell.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Alricks,

To amend the same, in the first line, by inserting after the word "no," the word "gratuitous," and in the second line, by striking out the words, "charitable, educational or benevolent."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Armstrong,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "No appropriation shall be made to aid or promote any sectarian or denominational interest or purpose."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. MacVeagh, seconded by Messrs. Cuyler, Sharpe, G. W. Palmer, Cochran, Guthrie, Clark, H. W. Palmer, Buckalew, Runk and Ellis, and were as follow, viz:

Y E A S .

Messrs. Armstrong, Bigler, Church, Clark, Cochran, Corson, Curtin, Cuyler, Dunning, Edwards, Ellis, Gibson, Guthrie, Hay, Hunsicker, Lear, MacVeagh, M'Clean, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Runk, Russell, Sharpe, Smith, Henry W., Wetherill, J. M., and Wherry—29.

N A Y S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Bailey, of Perry, Baker, Bannan, Bardsley, Bartholomew, Biddle, Bowman, Boyd, Brodhead, Broomall, Buckalew, Calvin, Campbell, Corbett, Craig, Cronmiller, Dallas, Darlington, Davis, De France, Ewing, Fulton, Funck, Gilpin, Hanna, Horton, Howard, Lamberton, Lilly, MacConnell, M'Cullough, M'Murray, Mann, Mantor, Minor, Newlin, Parsons, Patterson, T. H. B., Porter, Purman, Purviance, John N., Read, John R., Reed Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith Wm. H., Stanton,

Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*—64.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Barclay, Beebe, Black, Charles A., Black, J. S., Brown, Carey, Carter, Cassidy, Collins, Curry, Dodd, Elliott, Fell, Finney, Green, Hall, Harvey, Hazzard, Hemphill, Heverin, Kaine, Knight, Landis, Lawrence, Littleton, Long, McCamant, Metzger, Mitchell, Niles, Patton, Purviance, Sam'l A., Simpson, Stewart, Temple and Worrell.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Lamberton,
To amend the same, in the second line, by inserting after the word "military," the word "civil."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section ?

The yeas and nays were required by Mr. Hunsicker and Mr. Wherry, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Bally, of Perry, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Campbell, Carter, Corbett, Corson, Craig, Cronmiller, Dallas, Darlington, Davis, De France, Dunning, Ewing, Finney, Fulton, Funck, Gilpin, Hanna, Horton, Howard, Landis, Lawrence, Lily, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Reed, John B., Reed, Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith, Wm. H., Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—68.

N A Y S .

Messrs. Armstrong, Baker, Biddle, Bigler, Calvin, Church, Clark, Cochran, Curtin, Cuyler, Edwards, Ellis, Guthrie, Hay, Hazzard, Hunsicker, Lamberton, Lear, MacVeagh, M'Clean, Palmer, G. W., Palmer, H. W., Purviance, John N., Runk, Russell, Sharpe, Smith, Henry W., Stanton, Wetherill, J. M., Wherry and Woodward—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Barclay, Beebe, Black, Charles A., Carey, Cassidy, Collins, Curry, Dodd, Elliott, Fell, Gibson, Green, Hall, Harvey, Hemphill, Heverin, Kaine, Knight, Littleton, Long, M'Camant, Metzger, Mitchell, Niles, Patton, Purviance, Samuel A., Simpson, Stewart, Temple and Worrell.

On the question,
Will the Convention agree to the twentieth section ?

A motion was made by Mr. Darlington,
To amend the same, in the first and second lines, by striking out the words, "in any manner or event."

Which was not agreed to.

The twentieth and twenty-first sections were then agreed to.

On the question,
Will the Convention agree to the twenty-second section ?

A motion was made by Mr. Dallas,

To amend the same, by adding to the end thereof the words, "and all such commissions now in existence are hereby abolished."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Dallas, seconded by Messrs. Hay, Runk, J. M. Wetherill, Cochran, Harry White, Ewing, Ainey, Boad, H. W. Smith and Campbell, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Buckalew, Campbell, Clark, Craig, Dallas, Ewing, Finney, Funck, Gibson, Guthrie, Hay, Hazzard, Hunsicker, M'Clean, Mann, Mantor, Metzger, Mott, Newlin, Purman, Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Van Reed, Wetherill, J. M., and Meredith, *President*—31.

N A Y S.

Messrs. Achenbach, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Biddle, Bigler, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Carter, Cochran, Corbett, Corson, Cuyler, Darlington, Davis, Edwards, Fulton, Gilpin, Lamberton, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Culloch, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purviance, John N., Reed, Andrew, Rooke, Runk, Russell, Stanton, Struthers, Turrell, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., and Woodward—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bannan, Barclay, Bartholomew, Beebe, Black, Charles A., Calvin, Carey, Cassidy, Church, Collins, Cronmiller, Curry, Curtin, De France, Dodd, Dunning, Elliott, Ellis, Fell, Green, Hall, Hanna, Harvey, Hemphill, Heverin, Horton, Howard, Kaine, Knight, Lear, Littleton, Long, M'Camant, M'Murray, Mitchell, Niles, Parsons, Patton, Purviance, Sam'l A., Read, John R., Sharpe, Simpson, Stewart, Temple, Worrell and Wright.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Ewing,

To amend the same, in the second line, by inserting after the word "commissions," the word "private."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Newlin,

To amend the same, by adding to the end thereof the words, "and no liability shall be incurred by any municipality, except by authority of the councils or government thereof."

Which was not agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twenty-third section?

A motion was made by Mr. Hay,

To amend the same, in the ninth line, by inserting after the word "so," the words, "limiting or."

Which was agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the twenty-fourth section ?

A motion was made by Mr. John Price Wetherill,
To amend the same, by striking out all after the word "corporation," in the third line.

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Boyd,
To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: The Legislature shall not authorize the investment of trust funds by executors, administrators, guardians or other trustees, except in ground rents or mortgages, the first liens on real estate, worth twice the amount invested, and all laws inconsistent herewith are voided, saving investments heretofore made thereunder in good faith."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Russell,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,
The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE, *Clerk.*

Attest:
L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

FRIDAY, JUNE 6, 1873.

Mr. D. N. White presented the following communication, which was read, viz:
PITTSBURG, May 19, 1873.

At the regular meeting of the Temperance Alliance, held in their room this morning, the following report of the committee on the constitutional prohibitory clause was adopted, and ordered to be forwarded to the Constitutional Convention:

To the Honorable Members of the Constitutional Convention:

GENTLEMEN:—Some months ago we learned with great satisfaction that you had adopted, in committee of the whole, the following clause, to be submitted to the people:

"The sale of intoxicating liquors, or mixtures containing the same, for use as a beverage, shall hereafter be prohibited.

"The Legislature shall, within one year from the adoption of this Constitution, enact laws, with adequate penalties, for the enforcement of this provision."

Since the adoption of the foregoing clause, however, the vote has been had throughout the State, under the provision of the local option law. It cannot be denied that that vote was had under circumstances very disadvantageous to the cause of temperance. And yet the impression very generally prevails, that in view

of that vote, you will not now agree in your final action to submit the above clause to the people, but that you will substitute in its stead a clause prohibiting spirituous liquors only. Such a substitute would, in our judgment, be very undesirable.

1st. Because the operation of a law constituted under it would be a virtual discrimination in favor of a particular nationality. Such a distinction, while very unjust in itself, would be the cause of perpetual jealousy and strife among the people who supposed themselves injuriously affected by it.

2d. Because no law constituted under the proposed substitute could be executed. The opportunities for the sale of liquors prohibited, under the guise of liquors allowed, would be too frequent and tempting. The law would, from the moment of its enactment, be a dead letter.

3d. Universal observation proves that the habitual use of either malt or vinous liquors, as beverages, are injurious to the physical, social and moral interests of men, there is no reasonable basis on which they can claim exemption from the operation of a prohibitory clause.

We think that we are not unreasonable in our requests, we do not of course expect your honorable body to grant us anything which would be prejudicial to the adoption of the new Constitution, the results of your long, patient and valued labors, we simply wish that the prohibiting clause should stand upon its own merits before the people. We think we can promise you, that if the privilege of voting upon it, is accorded to us, it will be the means of greatly increasing the amount of intelligent and appreciative investigation given to that important document, on which you are now engaged.

REV. ELLIOTT E. SWIFT, D. D.,
REV. P. S. JENNINGS,

Committee.

THOMAS H. RABE, *President.*
W. H. PHIPPS, *Secretary.*

Laid on the table.

Mr. Darlington asked and obtained leave of absence for Mr. Henry W. Smith for a few days from to-day.

Mr. H. G. Smith asked and obtained leave of absence for Mr. Mann for a few days from to-day.

Mr. Lamberton asked and obtained leave of absence for himself for a few days from Monday.

Mr. Clark asked and obtained leave of absence for Mr. Brown for next week.

Mr. Purman asked and obtained leave of absence for himself for a few days from Monday.

Mr. Charles A. Black asked and obtained leave of absence for himself for a few days from Monday.

Mr. Harry White asked and obtained leave of absence for himself for Monday.

Mr. Biddle asked and obtained leave of absence for Mr. John M. Bailey for Monday.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 9) reported from the Committee on Legislation.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Boyd, to section twenty-four, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The Legislature shall not authorize the investment of trust funds by executors, administrators, guardians or other trustees, except in ground rent or mortgages, the first liens on real estate worth twice the amount invested; and all laws inconsistent herewith are avoided saving investments heretofore made thereunder in good faith."

A motion was made by Mr. Boyd,

To amend the amendment, by striking out all after the word "in," in the third line, and inserting in lieu thereof as follows, viz: "The stock or public debt of

the United States, or in the public debt of this Commonwealth, or in ground rents or mortgages on real estate; and all laws inconsistent herewith are annulled and avoided, saving such investments heretofore made in good faith."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Boyd, seconded by Messrs. Harry White, Dallas, Corbett, Corson, Broomall, J. W. F. White, Alricks, Horton, Hunsicker and Minor, and were as follow, viz:

Y E A S .

Messrs. Alricks, Bigler, Black, Charles A., Boyd, Broomall, Carey, Clark, Corson, Cronmiller, Darlington, Davis, Funck, Gibson, Gilpin, Hazzard, Hemphill, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, MacConnell, M'Clean, M'Murray, Minor, Mott, Palmer, G. W., Palmer, H. W., Patton, Porter, Purman, Rooke, Ross, Smith, Henry W., Smith, Wm. H., Struthers, Walker, White, Harry, Woodward, Worrell and Meredith—42.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Bowman, Brown, Campbell, Church, Cochran, Corbett, Craig, Curry, Curtin, Cuyler, Dallas, De France, Dodd, Dunning, Edwards, Ellis, Ewing, Finney, Fulton, Guthrie, Hay, Horton, Howard, Lilly, M'Culloch, Mantor, Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, John N., Reed, Andrew, Reynolds, Runk, Russell, Simpson, Smith, H. G., Stanton, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Wright—55.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Barclay, Bartholomew, Beebe, Black, J. S., Brodhead, Buckalew, Calvin, Carter, Cassidy, Collins, Elliott, Fell, Green, Hall, Hanna, Harvey, Heverin, Kaine, Littleton, Long, MacVeagh, M'Camant, Mann, Metzger, Mitchell, Newlin, Niles, Purviance, Sam'l A., Read, John R., Sharpe, Stewart, Temple and Van Reed.

And the question again recurring,

Will the Convention agree so to amend?

A motion was made by Mr. Corbett,

To amend the amendment, by striking out all after the word "funds," and inserting in lieu thereof as follows, viz: "To be made without the approval of the court having jurisdiction of the trust, in any other securities than those of the United States or of this State, ground rents and mortgages, which are first liens upon real estate."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Corbett, seconded by Messrs. Curtin, Ellis, Boyd, Ross, Cuyler, Dallas, Ainey, J. R. Reed, Cochran and Alricks, and were as follow, viz:

Y E A S .

Messrs. Bowman, Boyd, Clark, Corbett, Corson, Curtin, Cuyler, Dallas, Darlington, De France, Ellis, Ewing, Fulton, Hay, Hazzard, Hunsicker, Lamberton, Parsons, Read, John R., Reed, Andrew, Runk, Smith, Henry W., Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward and Worrell—28.

N A Y S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Biddle, Bigler, Black, Charles A., Broomall, Brown, Campbell, Carey, Carter, Church, Coch-

ran, Cronmiller, Curry, Davis, Dodd, Edwards, Finney, Funck, Gibson, Gilpin, Guthrie, Hemphill, Howard, Landis, Lawrence, Lear, Lilly, MacConnell, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mott, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Reynolds, Rooke, Ross, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wherry, White, Harry, Wright and Meredith, *President*—70.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Bartholomew, Beebe, Black, J. S., Brodhead, Buckalew, Calvin, Cassidy, Collins, Craig, Dunning, Elliott, Fell, Green, Hall, Hanna, Harvey, Heverin, Horton, Kaine, Knight, Littleton, Long, MacVeagh, M'Camant, Mann, Metzger, Mitchell, Newlin, Niles, Palmer, G. W., Purviance, Samuel A., Sharpe and Stewart.

And the question again recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Hunsicker,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

"No act of the Legislature shall authorize the investment of trust funds in any other securities than those of the United States and of this State, unless such investment be approved by the court having jurisdiction over such trust."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Lamberton,

To amend the same, in the third line, by inserting after the word "any," the words, "municipal or."

Which was not agreed to.

The section was then agreed to.

The twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sections were agreed to.

On the question,

Will the Convention agree to the twenty-ninth section ?

A motion was made by Mr. Andrew Reed,

To amend the same, by adding to the end thereof the words, "unless each subject shall receive the vote of two-thirds of the members composing each House."

Which was not agreed to.

The section was then agreed to.

The thirtieth section was agreed to.

On the question,

Will the Convention agree to the thirty-first section ?

A motion was made by Mr. Harry White,

To insert a new section, to be numbered thirty-one, as follows, viz :

"Any bill passed in disregard of the provisions and directions prescribed in this article for the passing of bills in the Legislature shall be void, but the certificate of the Governor, with his approval, that all the provisions hereinbefore prescribed have been observed in the passage of such bill, shall be conclusive. And when the validity of any law, certified as having become such without the signature of the Governor, is questioned in any court of record, it shall be competent for such court to inspect the Journals of either House, and if it does not appear thereon that all the forms of legislation in both Houses, as hereinbefore prescribed, have been observed in passing such law, the same shall be adjudged to be void."

Which was not agreed to.

The thirty-first and thirty-second sections were then agreed to.

On the question,

Will the Convention agree to the thirty-third section ?

A motion was made by Mr. Buckalew,

To amend the same in the fifth line, by inserting after the word "proceeding," the words, "except in prosecutions for perjury committed in such testimony."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White,

To amend the same, by inserting after the word "sections," in the fourth line, the words, "and the person so compelled to testify shall be exempt from punishment for the offence concerning which he is so required to testify."

Which was not agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the thirty-fourth section ?

A motion was made by Mr. Harry White,

To insert a new section, to be numbered thirty-four, as follows, viz: "Nothing in the foregoing sections shall affect the validity of any existing statutes in relation to the offence of bribery."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the thirty-fourth section ?

It was determined in the negative.

The thirty-fifth section was agreed to.

On the question,

Will the Convention agree to the thirty-sixth section ?

A motion was made by Mr. H. W. Palmer,

To amend the same in the first line, by striking out the word "intoxicating," and inserting in lieu thereof the word "distilled."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. D. N. White, seconded by Messrs. Lawrence, Harry White, Howard, Hunsicker, Edwards, Hanna, Hemphill, Church, T. H. B. Patterson and Wherry, and were as follow, viz:

YEAS.

Messrs. Alricks, Andrews, Baily, of Perry, Barman, Blodde, Black, Charles A., Bowman, Brown, Carey, Corbett, Curtin, De France, Dodd, Edwards, Ewing,

Funck, Guthrie, Hanna, Lawrence, Lear, Lilly, M'Culloch, M'Murray, Palmer, H. W., Patton, Pughe, Purviance, John N., Rooke, Simpson, Smith, Wm. H., White, J. W. F., and Woodward—32.

N A Y S.

Messrs. Achenbach, Addicks, Baer, Baily, of Huntingdon, Bigler, Boyd, Broomall, Buckalew, Campbell, Carter, Church, Clark, Cochran, Craig, Cronmiller, Curry, Darlington, Davis, Dunning, Ellis, Fell, Finney, Fulton, Gilpin, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Hunsicker, Lamberton, Landis, MacConnell, MacVeagh, M'Clean, Mantor, Minor, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, Jno. Price, Wherry, White, David N., White, Harry, Worrell, Wright and Meredith, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Brodhead, Calvin, Cassidy, Collins, Corson, Cuyler, Dallas, Elliott, Gibson, Green, Hall, Harvey, Kaine, Knight, Littleton, Long, M'Camant, Mann, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Parsons, Purviance, Sam'l A., Sharpe, Stewart and Wetherill, J. M.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Charles A. Black,

To amend the same, by striking out all after the word "the," in the first line, and inserting in lieu thereof as follows, viz: "The Legislature shall have power at any time to submit to a vote of the qualified citizens of the Commonwealth the question whether the sale of distilled, fermented or vinous liquors, or any of them, to be used as a beverage, shall be prohibited."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. D. N. White,

To amend the same, in the third line, by striking out the word "one," and inserting in lieu thereof the word "two."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. D. N. White,

To amend the same, by adding to the end of the section the words, "which shall not go into operation until after the expiration of two years from the date of its adoption."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Minor,

To amend the same, in the first line, by striking out the word "thereof."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

The yeas and nays were required by Mr. D. N. White and Mr. Boyd, and were as follow, viz:

YEAS.

Messrs. Andrews, Baer, Baily, of Perry, Baker, Bowman, Broomall, Brown, Carter, Clark, Cochran, Craig, Curry, Darlington, De France, Dunning, Finney, Fulton, Funck, Hazzard, Horton, Lamberton, Landis, Lawrence, Lear, MacConnell, M'Murray, Mantor, Minor, Palmer, G. W., Palmer, H. W. Patterson, T. H. B., Patton, Porter, Purviance, John N., Reed, Andrew, Runk, Russell, Simpson, Struthers, Turrell, Wherry, White, David N., White, Harry, and Wright—44.

NAYS.

Messrs. Achenbach, Addicks, Alricks, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Chas. A., Black, J. S., Boyd, Buckalew, Campbell, Carey, Cassidy, Church, Corbett, Cronmiller, Curtin, Cuyler, Dallas, Davis, Dodd, Edwards, Ellis, Ewing, Fell, Gilpin, Guthrie, Hanna, Hay, Hemphill, Heverin, Howard, Hunsicker, Lilly, MacVeagh, M'Clean, M'Culloch, Mott, Newlin, Patterson, D. W., Pughe, Purman, Read John, R., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Temple, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Woodward, Worrell and Meredith, *President*—60.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Barclay, Bardsley, Bartholomew, Beebe, Brodhead, Calvin, Collins, Corson, Elliott, Gibson, Green, Hall, Harvey, Kaine, Knight, Littleton, Long, M'Camant, Mann, Metzger, Mitchell, Niles, Parsons, Purviance, Samuel A., Sharpe and Stewart.

On the question,

Will the Convention agree to the thirty-seventh section?

A motion was made by Mr. Curtin,

To insert a new section, to be numbered thirty-seven, as follows, viz:

“The Legislature may make appropriations of money to existing institutions where the widows of soldiers are supported or assisted, or where the orphans of soldiers are now maintained and educated.”

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Curtin, seconded by Messrs. Lilly, Lamberton, Worrell, Cuyler, H. W. Palmer, Russell, Newlin, MacVeagh, Wherry and Boyd, and were as follow, viz:

YEAS.

Messrs. Baer, Bailey, of Huntingdon, Baker, Biddle, Bigler, Black, Chares A., Bowman, Brown, Buckalew, Campbell, Carey, Cassidy, Cochran, Curtin, Cuyler, Dallas, Dodd, Funck, Guthrie, Hay, Hazzard, Hunsicker, Lamberton, Landis, Lawrence, Lear, MacVeagh, M'Clean, M'Culloch, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Purman, Purviance, John N., Read, John R., Reynolds, Runk, Russell, Smith, Henry W., Stanton, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, J. W. F., Woodward, Worrell and Meredith, *President*—49.

NAYS.

Messrs. Achenbach, Baily, of Perry, Bannan, Black, J. S., Boyd, Broomall, Church, Corbett, Craig, Cronmiller, Curry, Darlington, Davis, Dunning, Ellis, Ewing, Finney, Fulton, Hanna, Hemphill, Horton, Howard, Lilly, M'Connell, Mantor, Minor, Mott, Patterson, T. H. B., Patton, Simpson, Smith, Wm. H., Struthers, Turrell, Walker, White, David N., and White, Harry—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Barclay, Bardsley, Bartholomew, Beebe, Brodhead, Calvin, Carter, Clark, Collins, Corson, De France, Edwards, Elliott, Fell, Gibson, Gilpin, Green, Hall, Harvey, Heverin, Kaine, Knight, Littleton, Long, M'Camant, M'Murray, Mann, Metzger, Mitchell, Niles, Parsons, Pughe, Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Sharpe, Smith, H. G., Stewart, Temple, Van Reed and Wright.

On the question,

Will the Convention agree to the thirty-eighth section ?

A motion was made by Mr. Broomall,

To insert a new section to be numbered thirty-eight, as follows, viz ;

The Legislature shall, once in every five years, submit to a vote of the electors of the State, the question whether or not the sale of intoxicating liquors or any admixtures thereof to be used as a beverage shall be prohibited in the State, and shall carry into effect the result of such vote by appropriate laws.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the thirty-eighth section ?

A motion was made by Mr. Newlin,

To insert a new section to be numbered thirty-eight, as follows, viz :

“The Legislature shall enact reasonable exemption laws, and no waiver of the benefit thereof shall be valid.”

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Baer,

To amend the same, by striking out all after the word “the” in the first line, and inserting in lieu thereof, as follows, viz :

“Privilege of a debtor, being a householder or a head of a family, to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property, not exceeding in value \$1,000, from seizure and sale, for the payment of any debt or liability contracted after the adoption of this Constitution: *Provided*, That such exemption may be waived by the debtor at the time of making the contract, and not otherwise.

“In addition to the exemption above authorized, the tools of a mechanic, the sewing machine of a wife, widow or maiden, and the household furniture of a householder or head of a family, not exceeding in value \$300, shall be absolutely exempt from all liability whatever, and shall not be sold or assigned without the consent of husband and wife where that relation exists, signified in such manner as may be prescribed by law, and all contracts waiving this absolute exemption are hereby declared void.”

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion made by Mr. Newlin ?

The yeas and nays were required by Mr. Newlin, seconded by Messrs. Corson, Campbell, Buckalew, Lilly, Boyd, Patton, M'Clean, Broomall, Mott and Simpson, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baer, Baker, Biddle, Boyd, Broomall, Buckalew, Campbell, Cochran, Corson, Craig, Davis, De France, Gibson, Guthrie, Hazzard, Landis, Lilly, MacConnell, M'Clean, Mott, Newlin, Patton, Purviance, John N., Russell, Simpson, Smith, Henry W., Smith, Wm. H., Stantou, Turrell, Van Reed, White, David N., White, J. W. F., and Wright—34.

N A Y S .

Messrs. Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Black, J. S., Bowman, Brown, Cassidy, Church, Corbett, Cronmiller, Cuyler,

Darlington, Dunning, Edwards, Ewing, Finney, Fulton, Gilpin, Hemphill, Horton, Howard, Hunsicker, Lawrence, Lear, Littleton, MacVeagh, M'Culloch, Mantor, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Runk, Struthers, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Woodward, Worrell and Meredith, *President*—49.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Brodhead, Calvin, Carey, Carter, Clark, Collins, Curry, Curtin, Dallas, Dodd, Elliott, Ellis, Fell, Funck, Green, Hall, Hanna, Harvey, Hay, Heverin, Kaine, Knight, Lamberton, Long, M'Camant, M'Murray, Mann, Metzger, Mitchell, Niles, Parsons, Porter, Purviance, Sam'l A., Rooke, Ross, Sharpe, Smith, H. G., Stewart and Temple.

And the question again recurring,

Will the Convention agree to the thirty-eighth section ?

A motion was made by Mr. Boyd,

To insert a new section, to be numbered thirty-eight, as follows, viz: "The Legislature shall not ratify any amendment or proposed amendment to the Constitution of the United States without first submitting such amendment to a vote of the people; and the Legislature shall obey and carry out the will of the majority as expressed in such vote."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Boyd, seconded by Messrs. John R. Read, Woodward, Wm. H. Smith, Hemphill, Bigler, Gibson, Hunsicker, Cassidy, Campbell and Church, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baer, Bailey, of Huntington, Biddle, Bigler, Black, J. S., Boyd, Buckalew, Campbell, Cassidy, Church, Dallas, Gibson, Gilpin, Guthrie, Hemphill, Hunsicker, Landis, M'Clean, M'Murray, Mott, Patton, Purman, Read, John R., Reed, Andrew, Smith, Wm. H., Wetherill, J. M., Wherry, Woodward and Worrell—30.

N A Y S .

Messrs. Andrews, Baily, of Perry, Baker, Black, Charles A., Bowman, Broomall, Brown, Cochran, Corbett, Darlington, De France, Dunning, Edwards, Ewing, Finney, Fulton, Hazzard, Horton, Howard, Knight, Lawrence, Lear, Lilly, Littleton, MacConnell, MacVeagh, M'Culloch, Mantor, Minor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, John N., Reynolds, Bunk, Russell, Simpson, Stanton, Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Wright and Meredith, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Brodhead, Calvin, Carey, Carter, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Cuyler, Davis, Dodd, Elliott, Ellis, Fell, Funck, Green, Hall, Hanna, Harvey, Hay, Heverin, Kaine, Lamberton, Long, M'Camant, Mann, Metzger, Mitchell, Niles, Parsons, Porter, Purviance, Sam'l A., Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart and Temple.

And the question again recurring,

Will the Convention agree to the thirty-eighth section ?

A motion was made by Mr. Wm. H. Smith,

To insert a new section, to be numbered thirty-eight, as follows, viz :

“No law shall be passed giving to contractors, builders, landlords or any other class of creditors, preference or priority of lien against the real or personal property of any debtor.”

Which was not agreed to.

The thirty-eighth section was then agreed to.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Harry White and Mr. Hunsicker,

That the vote be re-considered by which the tenth section was adopted.

Which was agreed to.

And the section being again before the Convention,

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Harry White and Mr. Hunsicker,

That the vote be re-considered by which the section was amended, by the insertion of the following paragraph, viz :

“Creating, increasing or decreasing the salaries, perquisites or allowances of public officers during the term for which they were elected.

Which was agreed to.

And the question recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

The section as amended was then agreed to.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Harry White,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

On motion of Mr. Lilly,

The Convention proceeded to the second reading and consideration of the article (No. 10) reported from the Committee on Militia.

On the question,

Will the Convention agree to the first and only section ?

It was determined in the affirmative.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Lilly,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

On motion of Mr. MacVeagh,

The Convention proceeded to the second reading and consideration of article (No. 2) reported from the Committee on the Legislature.

On the question,

Will the Convention agree to the first section ?

A motion was made by Mr. MacVeagh,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, JUNE 9, 1873.

The President laid before the Convention a communication, which was read as follows, viz :

Resolutions passed at the sixth annual Sunday School Convention of the Churches of God, held in Philadelphia, May 13, 14 and 15, 1873.

WHEREAS, The temperance question is one that should claim the attention of all lovers of humanity, and especially Sunday School workers; therefore,

Resolved, 1. That this convention hails with great pleasure the general uprising of the people of our Commonwealth at the last election, at which time a majority of the counties and cities of the State voted against license, thereby putting the sale of liquor under the ban of public sentiment.

2. That we look forward to the time when, upon this question, as in the case of slavery, public sentiment will become so powerful that the curse of liquor selling will be driven from our land.

3. That in order to hasten this desirable end, we, as Sunday School workers, hereby pledge ourselves to greater diligence in educating the children, and thereby public sentiment, on the temperance question.

4. That we look upon any acts on the part of professors of the religion of our Lord Jesus Christ, which may be interpreted as either countenancing the sale of liquors or refusing to take a decided stand against the cause of intemperance, as unbecoming such professors.

5. That we, the members of this convention, representing thousands of Sunday school children whose interests are at stake, do hereby petition the State Constitutional Convention, now in session in this city, to insert a clause in the Constitution prohibiting the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

6. That a copy of these resolutions, signed by the president and Secretary, be forwarded to the President of the Constitutional Convention, with a request that he present them to the Convention.

(Signed)

GEO. SIGLER, *President.*
STEVE J. OWENS, *Secretary.*

Laid on the table.

Mr. Buckalew offered the following section, which was referred to the Committee on Schedule, viz :

SECTION —. All terms of county commissioners and county auditors, then pending, shall expire with the year 1875, at the general election of which year commissioners and auditors shall be chosen under the amended provisions of this

Constitution; and after the said year the office of jury commissioner shall be abolished and the duty of selecting names for jury lists be vested in the county commissioners.

Mr. M'Clean asked and obtained leave of absence for Mr. Alricks for to-day.

Mr. Hemphill asked and obtained leave of absence for Mr. Darlington for to-day.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 2) reported from the Committee on Legislature."

And the question recurring,

Will the Convention agree to the first section?

It was determined in the affirmative.

On the question,

Will the Convention agree to the second section?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "election," in the second line, to and including the word "thereafter," in the fourth line, and inserting in lieu thereof the words, every second year."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. D. N. White,

To amend the amendment, by striking out the words, "every second year," in the second line, and the words, "at the general election held two years," in the third line, and insert the words, "every year."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

It was determined in the affirmative.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Kaine,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "Representatives shall be chosen annually at the general election, and their term of office shall begin on the first day of December next succeeding their election."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Kaine, seconded by Messrs. D. N. White, Bowman, Niles, Temple, Hanna, Edwards, Hunsicker, Hay, Hemphill and Finney, and were as follow, viz:

YEAS.

Messrs. Addicks, Baily, of Perry, Baker, Biddle, Bowman, Campbell, Collins, Cronmiller, Curtin, Edwards, Ewing, Finney, Hall, Hanna, Hemphill, Horton, Howard, Kaine, Lilly, MacConnell, M'Murray, Metzger, Newlin, Niles, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Stanton, Stewart, Turrell, Walker, White, David N., White, J. W. F., and Meredith, *President*—34.

NAYS.

Messrs. Achenbach, Andrews, Baer, Barclay, Bardsley, Beebe, Bigler, Boyd, Brodhead, Broomall, Buckalew, Carter, Church, Cochran, Corbett, Corson, Craig,

Dallas, De France, Dodd, Dunning, Fulton, Gilpin, Guthrie, Harvey, Hay, Hazard, Hunsicker, Landis, Lawrence, Long, MacVeagh, M'Clean, M'Culloch, Mantor, Minor, Mott, Palmer, G. W., Patton, Porter, Pughe, Reynolds, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Struthers, Temple, Wetherill, John Price, Wherry, Woodward, Worrell and Wright—54.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Bartholomew, Black, Charles A., Black, J. S., Brown, Calvin, Carey, Cassidy, Clark, Curry, Cuyler, Darlington, Davis, Elliott, Ellis, Fell, Funck, Gibson, Green, Heverin, Knight, Lamberton, Lear, Littleton, M'Camant, Mann, Mitchell, Palmer H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Read, John R., Rooke, Ross, Sharpe, Smith, Henry W., Van Reed, Wetherill, J. M., and White, Harry.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Stanton,

To amend the same, in the sixth line, by striking out the words, "issue a writ of election;" and all after the word "vacancy," in the same line, to the end of the section; and add to the end of the section the following, viz: "Until the next general election from the same district, and from the same party to which the member, whose vacancy has occurred, shall belong."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. MacVeagh,

To amend the same, by striking out all after the word "term," in the seventh line.

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Kaine,

To amend the same, in the first line, by striking out the words, "members of the General Assembly," and inserting in lieu thereof the word "Representatives."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Broomall,

To amend the same, in the sixth line, by striking out the word "Governor;" and inserting in lieu thereof the words, "presiding officer thereof."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Bartholomew, seconded by Messrs. D. W. Patterson, Cochran, Cuyler, J. M. Wetherill, Corbett, Corson, MacConnell, Biddle, Pughe and Beebe, and were as follow, viz:

Y E A S.

Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bartholomew, Beebe, Biddle, Broomall, Buckalew, Campbell, Carter, Cassidy, Church, Cochran, Corbett, Craig, Cronmiller, Curtin, Cuyler, Dunning, Ewing, Finney, Hall, Hanna, Hemp-hill, Horton, Howard, Lilly, MacConnell, M'Clean, M'Culloch, Mott, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purviance, John N., Pur-

viance, Sam'l A., Reynolds, Simpson, Smith, H. G., Stewart, Struthers, Temple, Turrell, Wetherill, J. M., White, David N., White, J. W. F., Wright and Meredith, *President*—52.

N A Y S.

Messrs. Achenbach, Baer, Barclay, Bardsley, Bigler, Bowman, Boyd, Brodhead, Carey, Collins, Corson, Dallas, DeFrance, Edwards, Fulton, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hunsicker, Landis, Lawrence, Long, MacVeagh, M'Murray, Mantor, Minor, Niles, Palmer, G. W., Porter, Reed, Andrew, Runk, Russell, Smith, Wm. H., Walker, Wetherill, John Price, Wherry, Woodward and Worrell—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Banan, Black, Charles A., Black, J. S., Brown, Calvin, Clark, Curry, Darlington, Davis, Dodd, Elliott, Ellis, Fell, Funck, Gibson, Green, Heverin, Kaine, Knight, Lamberton, Lear, Littleton, M'Camant, Mann, Metzger, Mitchell, Palmer, H. W., Parsons, Purman, Read, John R., Rooke, Ross, Sharpe, Smith, Henry W., Stanton, Van Reed and White, Harry.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. D. W. Patterson,

To amend the same, in the fourth line, by striking out the words, "first," and "of December."

Which was not agreed to.

The section as amended was then agreed to.

The third and fourth sections were agreed to.

On the question,

Will the Convention agree to the fifth section?

A motion was made by Mr. Wherry,

To amend the same, in the third and fourth lines, by striking out the words, "every two years," and inserting in lieu thereof the word "annually."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. D. N. White, seconded by Messrs. Wherry, Hay, Beebe, J. N. Purviance, J. W. F. White, Ewing, Lilly, Wright, Joseph Baily and Baker, and were as follow, viz:

Y E A S.

Messrs. Baily, of Perry, Baker, Bardsley, Bartholomew, Beebe, Bowman, Buckalew, Campbell, Craig, Curtin, Cuyler, Dodd, Edwards, Ewing, Finney, Hall, Hanna, Heverin, Kaine, Lilly, MacConnell, Mott, Newlin, Niles, Palmer, G. W., Purviance, John N., Purviance, Sam'l A., Stewart, Walker, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Meredith, *President*—34.

N A Y S.

Messrs. Achenbach, Andrews, Baer, Barclay, Biddle, Bigler, Boyd, Broomall, Carey, Carter, Cassidy, Church, Cochran, Collins, Corbett, Corson, Cronmiller, De France, Fulton, Gilpin, Guthrie, Harvey, Hay, Hazzard, Horton, Howard, Hunsicker, Landis, Lawrence, Long, MacVeagh, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Read, John R., Reed, Andrew, Reynolds, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, John Price, Woodward, Worrell and Wright—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Black, Charles A., Black, J. S., Brodhead, Brown, Calvin, Clark, Curry, Dallas, Darlington, Davis, Dunning, Elliott, Ellis, Fell, Funck, Gibson, Green, Hemphill, Knight, Lamberton, Lear, Littleton, M'Camant, Mann, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Purman, Rooke, Ross, Sharpe, Smith, Henry W., Van Reed and White, Harry.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Cochran,

To amend the same, by adding to the end thereof the words, "The General Assembly shall, after the year 1878, hold no special or adjourned session, unless specially convened by the Governor."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Cochran, seconded by Messrs. Wherry, Kaine, Hay, Russell, Newlin, Church, Mac Veagh, Porter, Baer and Wright, and were as follow, viz:

YEAS.

Messrs. Andrews, Baer, Baily, of Perry, Barclay, Bardsley, Bartholomew, Bigler, Boyd, Brodhead, Broomall, Campbell, Carey, Carter, Church, Cochran, Collins, Cronmiller, Curtin, Davis, De France, Dodd, Dunning, Edwards, Finney, Fulton, Guthrie, Hall, Hanna, Hay, Hazzard, Kaine, Landis, Lawrence, Long, M'Culloch, M'Murray, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Reed, Andrew, Reynolds, Russell, Simpson, Smith, H. G., Stanton, Stewart, Struthers, Wherry, White, J. W. F., Worrell and Wright—53.

NAYS.

Messrs. Beebe, Biddle, Bowman, Buckalew, Cassidy, Corbett, Corson, Craig Cuyler, Dallas, Ewing, Fell, Gilpin, Harvey, Heverin, Horton, Hunsicker, Lilly, MacConnell, MacVeagh, M'Clean, Mantor, Minor, Mott, Newlin, Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Runk, Smith, Wm. H., Turrell, Walker, Wetherill, J. M., White, David N., Woodward and Meredith, *President*—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Black, Charles A., Black, J. S., Brown, Calvin, Clark, Curry, Darlington, Elliott, Ellis, Funck, Gibson, Green, Hemphill, Howard, Knight, Lamberton, Lear, Littleton, M'Camant, Mann, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Rooke, Ross, Sharpe, Smith, Henry W., Temple, Van Reed, Wetherill, John Price, and White, Harry.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Buckalew,

To amend the same, in the sixth line, by inserting after the word "adjourned" the word "annual."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Buckalew,

To amend the same, by inserting after the word "session," in the fifth line, the words, "and in case of a casual vacancy in the office of United States Senator from this State in a recess between sessions, he shall convene the two Houses by proclamation, on notice not exceeding sixty days, to fill the same."

Which was agreed to.

The section as amended was agreed to.

On the question,
Will the Convention agree to the sixth section ?

A motion was made by Mr. T. H. B. Patterson,

To amend the same, in the second line, by striking out the word "and," and inserting in lieu thereof the words, "and no person shall be a Representative who shall not have attained the age of twenty-one years, and no person shall be either who shall not."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Broomall,

To amend the same, by striking out from the word "chosen," in the fourth line, to and including the word "State," in the sixth line.

Which was not agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the seventh section ?

It was determined in the negative.

On the question,
Will the Convention agree to the eighth section ?

A motion was made by Mr. Temple,

To amend the same, by striking out from the word "Commonwealth," in the third line, to and including the word "time," in the fourth line.

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section ?

A motion was made by Mr. MacVeagh,

To amend the same, by adding to the end of the section as follows, viz: "and no member of the Senate and House of Representatives shall be appointed by the Governor to any office during the term for which he shall have been elected."

Which was agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the ninth section ?

A motion was made by Mr. MacVeagh,

To amend the same, in the first line, by striking out the words, "who has been or hereafter shall be," and by striking out from the word "crime," in the second line, to the word "shall," in the fourth line, and by inserting after the word "of," in the first line, the words, "embezzlement of public moneys."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Bowman,

To amend the same, in the first line, by inserting after the word "person," the word "hereafter."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Temple,

To amend the same, by striking out all after the word "Assembly," in the fifth line.

Which was not agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the tenth section ?

The yeas and nays were required by Mr. MacVeagh and Mr. Temple, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Baer, Barclay, Beebe, Bigler, Bowman, Boyd, Brodhead, Buckalew, Carey, Carter, Cassidy, Church, Clark, Corbett, Cronmiller, Curtin, Cuyler, Davis, Dodd, Finney, Fulton, Guthrie, Hanna, Harvey, Hazzard, Heverin, Horton, Hunsicker, Kaine, Landis, Lawrence, Littleton, Long, MacVeagh, McCulloch, Metzger, Niles, Palmer, G. W., Palmer, H. W., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Turrell, Wherry, White, J. W. F., Woodward, Worrell and Wright—57.

N A Y S .

Messrs. Baily, of Perry, Bartholomew, Biddle, Broomall, Campbell, Corson, Craig, De France, Edwards, Ellis, Ewing, Fell, Hall, Hay, Howard, Lilly, MacConnell, M'Clean, Mantor, Minor, Newlin, Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Runk, Struthers, Walker, Wetherill, J. M., White, David N., and Meredith, *President*—81.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Black, Charles A. Black, J. S., Brown, Calvin, Cochran, Collins, Curry, Dallas, Darlington, Dunning, Elliott, Funck, Gibson, Gilpin, Green, Hemphill, Knight, Lamberton, Lear, M'Camant, M'Murray, Mann, Mitchell, Mott, Parsons, Pughe, Purman, Rooke, Ross, Sharpe, Smith, Henry W., Temple, Van Reed, Wetherill, John Price, and White, Harry.

On the question,

Will the Convention agree to the eleventh section ?

A motion was made by Mr. Buckalew,

To amend the same, in the second line, by inserting after the word "court," the words, "or a president judge of the common pleas court."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twelfth section ?

A motion was made by Mr. Wherry,

To amend the same, by adding to the end of the section as follows, viz : "Nor in case of a contested election shall compensation or mileage be paid to any but the person entitled to his seat."

Which was not agreed to.

The twelfth and thirteenth sections were then agreed to.

On the question,

Will the Convention agree to the fourteenth section ?

A motion was made by Mr. Brodhead,

To insert a new section to be numbered fourteen, as follows, viz:

The Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs and Superintendent of Public Instruction, shall be entitled to seats in the House of Representatives, and may speak upon questions which shall arise therein relating to their several departments, and may be questioned concerning the same, but shall have no right to vote.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the fourteenth section?

A motion was made by Mr. Corson,

To amend the same, by striking out in the second and third lines, the words, "may be authorized by law to," and all after the word "members," in the third line.

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fifteenth section?

A motion was made by Mr. Dodd,

To amend the same, by striking out from the word "proceedings," in the first line, to the word "and," in the third line.

Which was not agreed to.

The fifteenth, sixteenth, seventeenth and eighteenth sections were then agreed to.

On the question,

Will the Convention agree to the nineteenth section?

A motion was made by Mr. S. A. Purviance,

That the Convention resolve itself into committee of the whole on said section, together with the remaining sections of the article.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Stanton in the Chair, on said sections.

After some time the President resumed the chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

On motion of Mr. Cuyler,

Ordered, That the several propositions to amend the nineteenth and twentieth sections of the article reported from the Committee on the Legislature be printed for the use of the Convention.

On motion of Mr. Broomall,

The Convention proceeded to the second reading and consideration of article (No. 12) reported from the Committee on Impeachment and Removal from Office.

The first, second, third and fourth sections were agreed to.

On the question,

Will the Convention agree to the fifth and last section ?

A motion was made by Mr. Biddle,

To amend the same, in the eighth and ninth lines, by striking out the words, "and full hearing."

Which was not agreed to.

The section was then agreed to.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Broomall,

That the article be referred to the Committee on Revision and Adjustment.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Corson,

To amend the same by adding, "and that the committee be instructed to consolidate the first and second sections."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Buckalew,

To amend the amendment, by further instructing the committee to strike out in the first and second lines of the fifth section, the words, "appointed officers, other than judges of the courts of record, may be removed at the pleasure of the power by which they are appointed."

On the question,

Will the Convention agree so to amend the amendment ?

It was determined in the negative.

And the question recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,

Shall the article be referred to the Committee on Revision and Adjustment.

It was determined in the negative.

And the question recurring,

Shall the article be transcribed for a third reading ?

It was determined in the negative.

On motion of Mr. Stanton,

The Convention proceeded to the second reading and consideration of article (No. 13) reported from the Committee on Counties, Townships and Boroughs.

The first section was agreed to.

On the question,

Will the Convention agree to the second section ?

A motion was made by Mr. Brodhead,

To amend the same, by striking out all after the word "section," and inserting as follows, viz: "No new county shall be established."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Lawrence,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof the following, viz: "No new county shall be erected until the same shall be approved by three-fifths of the votes cast by the electors embraced within each of the sections of the counties taken to form the new county."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Boyd,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, JUNE 10, 1873.

The President *pro tem.* (Mr. Walker in the chair) laid before the Convention the following communication from the President, viz:

June 10, 1873.

Being disabled from present attendance at the Convention, I appoint the Hon. John H. Walker to act as President *pro tem.* until the adjournment on Friday next, the 13th inst.

W. M. MEREDITH, *President.*

Laid on the table.

Mr. Corson asked and obtained leave of absence for Mr. Andrew Reed for a few days from to-day.

Mr. Corson offered the following resolution, which was read, viz:

Resolved, That during the week commencing Monday, the 16th inst., the sessions of the Convention shall be from 9½ A. M. to 12½ P. M., and from 2 P. M. to 7 P. M. daily, except Saturday.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Bear offered the following resolution, which was twice read, viz :

Resolved, That after to-day this Convention will hold two sessions daily; from 10 A. M. to 1 P. M., and from 3 P. M. to 6 P. M., Saturdays and Sundays excepted.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Beebe,

To amend the same, by striking out the word " Saturdays."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To amend the same, by striking out the word " three," and inserting in lieu thereof the word " one."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Curry,

To postpone the question together with the further consideration of the resolution for the present.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Baer and Mr. Edwards, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baker, Bannan, Bartholomew, Bigler, Boyd, Broomall, Buckalew, Corson, Curry, Curtin, Dallas, Darlington, Dunning, Ellis, Funck, Gibson, Guthrie, Hall, Harvey, Hay, Knight, Lilly, MacVeagh, M'Clean, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Reynolds, Ross, Runk, Simpson, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., and Woodward—41.

N A Y S .

Messrs. Achenbach, Andrews, Bear, Baily, of Perry, Beebe, Bowman, Calvin, Carter, Church, Clark, Collins, Craig, Cronmiller, Davis, De France, Dodd, Edwards, Ewing, Fulton, Gilpin, Hazzard, Horton, Hunsicker, Kaine, Landis, Lawrence, MacConnell, M'Culloch, M'Murray, Mantor, Minor, Mott, Niles, Patterson, T. H. B., Porter, Pugh, Purviance, John N., Purviance, Samuel A., Rooke, Russell, Smith, Wm. H., Struthers, Walker, Wetherill, John Price, White, David N., and Wright—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Barclay, Bardsley, Biddle, Black, Charles A., Black, J. S., Brodhead, Brown, Campbell, Carey, Cassidy, Cochran, Corbett, Cuyler, Elliott, Fell, Finney, Green, Hanna, Hemphill, Heverin, Howard, Lamberton, Lear, Littleton, Long, M'Camant, Mann, Mitchell, Newlin, Patterson, D. W., Patton, Purman, Reed, John R., Reed, Andrew, Sharpe, Smith, H. G., Temple, Turrell, Wherry, White, Harry, White, J. W. F., Worrell and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hay,

To strike out all after the word "*Resolved*," and insert in lieu thereof as follows, viz: "That in addition to the daily sessions as now held the Convention will hereafter hold evening sessions, commencing at half-past seven o'clock."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Corbett,

To postpone the question, together with the further consideration of the resolution, indefinitely.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Lawrence and Mr. Collins, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baker, Bannan, Barclay, Bardley, Bartholomew, Beebe, Bigler, Boyd, Broomall, Buckalew, Cochran, Corbett, Corson, Craig, Curry, Curtin, Darlington, Ellis, Finney, Funck, Gibson, Guthrie, Hall, Harvey, Hay, Howard, Hunsicker, Knight, Lilly, MacVeagh, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Reynolds, Ross, Runk, Simpson, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., Woodward and Worrell—52.

N A Y S .

Messrs. Andrews, Baer, Baily, of Perry, Bowman, Calvin, Carter, Church, Clark, Collins, Cronmiller, Dallas, Davis, De France, Dodd, Dunning, Edwards, Ewing, Fulton, Gilpin, Green, Hazzard, Horton, Kaine, Landis, Lawrence, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mott, Niles, Patterson, T. H. B., Porter, Pughe, Purviance, John N., Purviance, Samuel A., Rooke, Russell, Smith, Wm. H., Struthers, Walker, Wetherill, John Price, and Wright—46.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Biddle, Black, Chas. A., Black, J. S., Brodhead, Brown, Campbell, Carey, Cassidy, Cuyler, Elliott, Fell, Hanna, Hemphill, Heverin, Lamberton, Lear, Littleton, M'Camant, Mann, Mitchell, Patterson, D. W., Patton, Purman, Read John, R., Reed, Andrew, Sharpe Smith, H. G., Temple, Turrell, Wherry, White, Harry, and Meredith, *President*.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 13) reported from the Committee on Counties, Townships and Boroughs.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Lawrence to the second section, to strike out all after the word "section," and insert as follows, viz: "No new county shall be erected until the same shall be approved by three-fifths of the votes cast by the electors embraced within each of the sections of the counties taken to form the new county."

A motion was made by Mr. Hall,

To amend the amendment, by adding to the end thereof as follows, viz: "Nor shall any county be divided by a line cutting off over one-tenth of its population, (either to form a new county or otherwise,) without the express assent of such county, by a vote of the electors thereof."

On the question,

Will the Convention agree so to amend the amendment?

It was determined in the negative.

And the question again recurring,
Will the Convention agree so to amend ?

A motion was made by Mr. Clark,

To amend the amendment, by striking out all after the word "no," in the first line, and inserting in lieu thereof as follows, viz :

"County shall be divided or have any part taken therefrom, without first submitting the question to a vote of the people of the county, nor unless one-third of the legal voters of the county, voting on the question, shall vote for the same. Nor shall any new county be formed, unless the same shall be approved by the vote of two-thirds of the electors embraced within each of the sections of the counties taken to form the new county."

Which was not agreed to.

And the question again recurring,
Will the Convention agree so to amend ?

A motion was made by Mr. S. A. Purviance,

To amend the same, by adding to the end thereof the words, "and of one-fifth of the votes of each of the counties from which the new county is proposed to be taken."

Which was not agreed to.

And the question again recurring,
Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Lawrence, seconded by Messrs. Ellis, Ewing, Bowman, Edwards, Collins, Lilly, Curtin, MacVeagh, Niles and Parsons, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Andrews, Bowman, Campbell, Cassidy, Cochran, Corson, Curry, Davis, De France, Dunning, Edwards, Ewing, Funck, Gibson, Hay, Hazard, Heverin, Howard, Lawrence, Lilly, Long, M'Murray, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Porter, Pughe, Rooke, Runk, Russell, Simpson and Stanton—34.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bigler, Boyd, Broomall, Buckalew, Calvin, Carey, Carter, Church, Clark, Collins, Corbett, Craig, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Dodd, Ellis, Finney, Fulton, Gilpin, Guthrie, Hall, Hanna, Harvey, Horton, Hunsicker, Kaine, Landis, MacConnell, MacVeagh, M'Clean, M'ulloch, Mantor, Metzger, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patton, Purviance, John N., Purviance, Samuel A., Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., Woodward, Worrell and Wright—70.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Baker, Bardsley, Black, Charles A., Black, J. S., Brodhead, Brown, Elliott, Fell, Green, Hemphill, Knight, Lamberton, Lear, Littleton, M'Camant, Mann, Mitchell, Purman, Read, John R., Reed, Andrew, Sharpe, Stewart, Temple, White, Harry, White, J. W. F. and Meredith, *President*.

And the question recurring,
Will the Convention agree to the second section ?

A motion was made by Mr. Darlington,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

"No new county shall be formed of territory taken from one or more other counties, without the consent of two-thirds of the legal voters embraced within each of the sections of the proposed new county, and of one-third of the legal voters embraced in the remaining part of each of the counties from which the proposed new county shall be taken."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Pughe, seconded by Messrs. Carter, Corson, Campbell, Dallas, Beebe, Collins, Hay, Bartholomew, Dunning and Wright, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Andrews, Bailly, of Perry, Baker, Beebe, Bigler Bowman, Broomall, Calvin, Campbell, Carter, Cassidy, Clark, Cochran, Collins Corson, Craig, Curry, Curtin, Dallas, Darlington, Davis, De France, Dodd, Dunning, Edwards, Ewing, Finney, Fulton, Funck, Gibson, Hanna, Hay, Heverin Howard, Kaine, Landis, Lawrence, Lilly, Long, M'Murray, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Pughe, Purviance, John N., Purviance Sam'l A., Read, John R., Simpson, Stanton, Stewart, Walker, White, David N and White, J. W. F.—57.

NAYS.

Messrs. Alricks, Armstrong, Baer, Bannan, Barclay, Bartholomew, Biddle, Boyd, Buckalew, Carey, Church, Corbett, Cronmiller, Cuyler, Ellis, Gilpin, Guthrie, Hall, Hazzard, Hunsicker, M'Connell, MacVeagh, M'Clean, M'Culloch, Mantor, Metzger, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Reynolds, Rooke, Runk, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Wetherill, J. M., Wherry, Woodward and Wright—45.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bardsley, Black, Chares A., Black, J. S., Brodhead, Brown, Elliott, Fell, Green, Harvey, Hemphill, Horton, Knight, Lambertson, Lear, Littleton, M'Camant, Mann, Mitchell, Purman, Reed, Andrew, Ross, Sharpe, Temple, Van Reed, Wetherill, Jno. Price, White, Harry, Worrell and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended?

It was determined in the negative.

The third and fourth sections were not agreed to.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Buckalew and Mr. Wherry,
To re-consider the vote by which the first section was adopted.

Which was agreed to.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Armstrong,

To amend the same so as to make it read as follows, viz: "No new county shall be established which shall reduce any county to less than four hundred square miles, nor less than twenty thousand inhabitants, nor shall any county be formed of less area nor containing a less population, nor shall any line thereof pass within ten miles of the county seat of any county proposed to be divided."

Which was agreed to.

The section as amended was then agreed to.

And the question recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Lawrence,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Broomall and Mr. Corbett,

That the vote be re-considered by which the motion to transcribe for a third reading the article reported from the Committee on Impeachment and Removal from Office was negatived.

Which was agreed to.

And the question recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Broomall and Mr. Corbett,

That the vote be re-considered by which the motion to refer the article to the Committee on Revision and Adjustment was negatived.

Which was agreed to.

And the question recurring,

Will the Convention agree to the motion to refer the article to the Committee on Revision and Adjustment.

It was determined in the affirmative.

On motion of Mr. MacVeagh,

The Convention again resolved itself into committee of the whole, Mr. Stanton in the Chair, on the nineteenth, twentieth and twenty-first sections of the article reported from the Committee on Legislature.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

On leave given,

Mr. Knight presented the following communication, which was read, viz:

BOARD OF PUBLIC CHARITIES,
OFFICE OF EXECUTIVE COMMITTEE,
737 WALNUT ST., PHILADELPHIA, June 10, 1873. }

Hon. E. C. Knight:

DEAR SIR:—I have the satisfaction of informing you, and through you the members of the Constitutional Convention, that Miss Mary Carpenter, the eminent advocate of penitentiary and reformatory discipline, widely known and distinguished not only in England but in other countries, has consented, by request of this Board, to address the citizens of Philadelphia on her favorite theme, on Thursday, 10th inst. It would serve as a great convenience, as well also as give significance to the occasion, if the Hall in which you meet could be granted for the occasion, and I respectfully ask you to obtain its use, if entirely agreeable to the Convention.

Yours respectfully,

GEO. L. HARRISON,
President.

On motion of Mr. Knight,
Said request was granted.

On leave given,

Mr. H. W. Palmer offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That after the articles have passed second reading, the usual number of copies be printed for the use of the Convention and the Committee on Revision and Adjustment.

A motion was made by Mr. Addicks,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, JUNE 11, 1873.

Mr. Funck presented the petition of employees in the State Printing office, praying that the State Printer be directed to give to each of them a full set of the Debates of the Convention.

Which was referred to the Committee on Printing and Binding.

Mr. Parsons asked and obtained leave of absence for Mr. Church for a few days from to-day.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

Mr. Stanton offered the following resolution, which was read, viz :

Resolved, That hereafter it shall not be in order to offer a resolution changing or altering the hours of daily sessions without previous notice of one day, and without leave of two-thirds of the House, and the question of granting such leave shall be decided without debate.

Laid on the table.

On motion of Mr. Ewing,

The Convention again resolved itself into the committee of the whole, Mr. Stanton in the chair, on the nineteenth, twentieth and twenty-first sections of the article reported from the Committee on the Legislature.

After some time the President *pro tem.* resumed the chair, the chairman reported progress and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again ?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

Mr. Curry, from the special committee on salary of members and officers, made a report, which was read as follows, viz:

The select committee on salary of members and officers of the Convention, having examined the matter referred to them, are of opinion that the salary of officers heretofore fixed, when it was supposed the session would not exceed three months, is inadequate, and therefore beg leave to report the following resolution:

Resolved, That in lieu of the salary heretofore fixed for the officers of this Convention, the compensation for said officers be and hereby is fixed as follows: Chief Clerk, \$2,750; Assistant Clerks, each, \$2,750; Transcribing Clerks, each, \$2,500; Sergeant-at-Arms, \$1,800; Assistant Sergeant-at-Arms, \$1,500; Door-keeper, \$1,300; Assistant Doorkeeper, \$1,300; Postmaster, \$1,500; Assistant Postmaster, \$1,400.

On motion of Mr. Curry,

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Bartholomew,

To amend the same, by striking out the word "thirteen," after the word "door-keeper," and insert the word "fifteen."

And on the question,

Will the Convention agree so to amend?

A motion was made by Mr. Lilly,

To postpone the question, together with the further consideration of the resolution until to-morrow morning.

Which was agreed to.

On leave given,

Mr. Woodward offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That it being understood that Edgar Cowan, Esq., has declined to accept the seat vacated by the resignation of F. B. Gowan, Esq., the said vacancy is hereby declared to still exist, and it is referred to the Delegates-at-Large, who were elected by the same electors who voted for Mr. Gowen, to fill said vacancy by another appointment.

On leave given,

Mr. Buckalew, from the Committee on Suffrage, Election and Representation, reported the following article, viz:

ARTICLE —.

OF REPRESENTATION IN THE LEGISLATURE.

SECTION 1. The Senate shall consist of fifty members, one-half thereof to be chosen every second year by a vote of the electors of the State at large, and in their election no elector shall vote for more than thirteen.

SECTION 2. Any vacancy in the Senate pending a term of service shall be filled by an appointment, to be made by the remaining Senators who shall have been voted for by a majority of the same electors, who shall have chosen the Senator whose seat is to be filled.

SECTION 3. The House of Representatives shall be constituted as follows:

First. The population of the State, as ascertained at each decennial census of the United States, shall be divided by the number one hundred and fifty, and the resulting quotient shall be the Representative ratio.

Second. Each county now organized shall be entitled to at least one Representative, except that the counties of Cameron, Elk and Forest shall elect one; the counties of M'Kean and Potter one; and the counties of Sullivan and Wyoming one; but no county hereafter erected shall be entitled to separate representation, unless its population shall exceed one-half a representative ratio. Either one of the Representative districts hereby established, composed of more counties than one, shall be entitled to a second Representative whenever the number of its population would entitle a separate county to two Representatives.

Third. Counties containing a representative ratio, and three-fifths of a second ratio, shall be entitled to two Representatives; those containing two ratios, and four-fifths of a third ratio, shall be entitled to three Representatives; and each county containing three or more ratios, shall be entitled to one Representative for each ratio of its population.

Fourth. The Representatives assigned to the counties of Philadelphia and Allegheny shall be chosen by districts. The said representative districts shall be so formed as to secure the full proportionate and just representation of each division of the electors of the county, as the same shall be exhibited in the returns of popular elections, each thereof shall be entitled to choose not less than three nor more than six Representatives; shall have a census population proportioned as nearly as may be to the number of Representatives assigned to it, and shall be composed of connected territory, but no ward, township or election district shall be divided in the formation of said representative districts. In choosing Representatives therefrom each elector shall vote for no more than a majority number of Representatives next above one-half the whole representative number for his district.

SECTION 4. As soon as may be after each decennial enumeration of the inhabitants of this State, by authority of the United States, shall be made, and the result thereof published, the Secretary of the Commonwealth, the Secretary of Internal Affairs and the Attorney General, shall meet together and proceed to ascertain and determine the number of Representatives to which each county and district, composed of counties, shall be entitled under this Constitution, and shall apportion the same thereto, and certify their apportionment to the Governor of the Commonwealth, who shall forthwith announce the same by proclamation to the people.

A motion was made by Mr. MacVeagh,
That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at 9½ o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JUNE 12, 1873.

The President *pro tem.* announced the appointment of Mr. Clark as a member of the Committee on Revision and Adjustment, to fill the vacancy occasioned by the resignation of Mr. Gowen as a member of the Convention.

Mr. Woodward, from the committee to whom was referred the resignation of Mr. Gowen as a Delegate-at-Large of the Convention, made a report, which was read as follows, viz:

The Delegates-at-Large, to whom the subject was referred, respectfully report that they have elected and appointed John C. Bullitt, of the city of Philadelphia, to supply the vacancy occasioned by the resignation of F. B. Gowen.

GEO. W. WOODWARD,
WM. J. BAER,
WM. BIGLER,
A. G. CURTIN,
GEO. M. DALLAS,
WM. H. SMITH,
JAS. ELLIS,
JOHN H. CAMPBELL,
WM. L. CORBETT.

PHILADELPHIA, June 12, 1873.

Laid on the table.

Mr. Bullitt appeared and was duly qualified.

Mr. Lawrence asked and obtained leave of absence for himself for Monday.

Mr. Baer asked and obtained leave of absence for himself for to-morrow.

Mr. Bowman offered the following resolution, which was read, viz:

WHEREAS, It is now evident that the work of this Convention cannot be completed before the 15th day of July next; therefore,

Resolved, That when this Convention adjourns on Friday, the 20th instant, it will be to meet in the Hall of the House of Representatives, at Harrisburg, on Tuesday, the 14th day of October next, at 2 o'clock P. M., of that day.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution?

It was determined in the negative.

Mr. Carey, from the Committee on Industrial Interests and Labor, made a report, which was read as follows, viz:

CAPITAL AND LABOR.

Two of the propositions referred to the Committee on Industrial Interests and Labor, present for consideration the question of a constitutional determination of the number of hours that shall constitute a legal day's work, with legal regulation of the wages to be paid for labor so limited as to time. By one of these the day's work is fixed and determined at eight hours, with penalties for the discharge of any employee who refuses to work longer time; requiring further, that "laborers and mechanics employed by the State, or by any county, city, township or borough, on contract or otherwise, shall conform to those hours, and shall receive the same compensation therefor as for ten hours of labor." By the other, the Convention is invited to "insertion of a clause in the Constitution prohibiting legislation from interfering with the right of the employer to regulate the hours of labor and prices to be paid for the same by mutual agreement."

The question that lies at the root of the difference thus indicated—the legal philosophy of the proposed interference by statute with contracts of employer and laborer—would, perhaps, more properly fall within the province of one or other

of the law Committees of the Convention, An enlightened judgment, based upon the principles of jurisprudence, would, we think, dispose of the question, so far as legislation is concerned therewith. Those principles have, indeed, been a thousand times violated by parliamentary enactments; these latter, in their turn, having been as often annulled by those societary forces which govern communities that grow in freedom. Sumptuary laws have never yet been able to secure their own execution, nor are they likely ever so to do.

The "Statutes of Laborers," so frequently presenting themselves during centuries of English history, have shared a similar fate; the policy, as well as the principles involved therein, have fallen into double disrepute of falseness and failure. Made in the interest, or supposed interest of capital, employers were by them expressly forbidden to pay the laborer more than a certain sum for a day's work—less in the winter and more in the summer months; this, too, under penalties deemed quite sufficient to compel obedience. Of the folly of such legislation we need say nothing. It is enough that the necessity during centuries for its repetition furnished proof conclusive that its aim and end were in their very nature entirely impracticable.

Statute law may, and should, protect children from being worked in factories to the loss of health and life; it may and should require employers to provide ventilation and all practicable securities of life for miners; doing these things for the same reason that it establishes steamboat inspection, abates public nuisances, feeds its paupers and educates its children. The State stands in *loco parentis* to the helpless and incapable of its people, and exercise of its parental sovereignty within such limits contravenes none of the principles of societary order.

The proposition which would, by legal enactment, limit the freedom of contracts generally, goes, however, so far beyond the bounds of principle and policy, that it can neither be stated logically nor developed in coherent practicable details. It asks just such interference with the liberty of both capital and labor, as marked and marred and paralyzed the English statutes above referred to; differing in nothing but in changing the defendant of the old absurdity into the plaintiff of a new one. When the public law is asked to make eight hours a day's work with ten hours' wages, and when the demand has been complied with, nothing has yet been accomplished unless the wages of the ten hours shall have simultaneously been prescribed. In what manner, however, shall this be done? How shall the schedule of prices for the thousand different avocations be arranged? Shall the average rates of last year, or of the present one, be taken; and shall the wages of next year, or of others that are to follow, be kept up or held down to those figures? That this cannot be, is clearly obvious. Equally so is it that something else, something very different from statute law, must determine the market price of labor. An act of Congress some time since limited the day's work of mechanics and laborers in the employment of the government to eight hours, and the President afterwards ordered the pay which they had previously received for ten hours' work to be given them. With the reasons or the results of this act of government we are not here concerned. It is not a precedent for the general interference with private contracts now pressed upon us. In this case the government is one of the parties and the employees are the other, and as such they are free to fix the terms of the contract. Even were the case taken for an example—which it cannot be—still, it is merely a legislative act, having no claim to place in the federal Constitution, or that of a State. Open at any moment to amendment or repeal, it retains some of the required flexibility; but planted in the fundamental law, it would lose all the necessary accommodation to changes of time and consequent changes of conditions. The provision relating to hours and wages of employees of counties, cities and boroughs in the proposition we have been now considering, belongs precisely to the category of this act of Congress and demands at our hands no further discussion. Legislators may do as they will with their own, but they must not dispose of private rights with the like freedom.

The second resolution above referred to asks, as its obvious aim, a clause prohibiting that legislative interference which the first so imperatively demands. We could not recommend such a barrier to free discussion, and freedom of action, as is now suggested on either hand. It is but right to allow the antagonistic parties to stand on even ground, profiting, so far as they may, of the respective merits and forces which, in the progress of events, they can bring to bear upon this great question. Your committee, therefore, recommends that both these propositions be rejected by the Convention.

Their whole duty, however, has not been done in simply refusing, because of their inexpediency, the demanded measures of relief. The eight hour law, and the regulation of wages by governmental authority are, however, faulty in themselves, but indicative of an erroneous movement of the times of great importance. Of all the unsettled questions of the day, there is no one of higher moment; none deserving of more serious and earnest consideration. For many years it has more and more taken the form, as it now bears the name, of a war between capital and labor. The parties to the contest seem themselves so to understand it; and it behooves all who are in authority, either as leaders of public opinion or as makers of public law, to take thought in time and look for the means of establishing peace through justice, for only righteousness and peace can travel hand in hand, just as wrong and war are ever joined together.

Labor, at wages, goes daily to the auction block, its forces to be there knocked down to the lowest bidder. In our system of industrial disorder, the laborer's lowest reward is the employer's highest profit. He has no capital on which to rely for effectual resistance. His necessities are continuous; his employment and its remuneration fluctuates with all the changes in the markets of the time, whether that in which the interest of money is determined, or that in which corn or cotton, hats or shoes, are sold. His own market is, therefore, but a troubled sea, subject to high and low tides, to storms and calms, and to it he cannot say, "thus far shalt thou come and no further, and here shall thy wild waves be stayed." He cannot command the public movements by which his fortunes are to be governed. Seeing the unequal distribution of the world's goods, and regarding them all as the product of that labor which receives so small a share, he looks for means or measures by which to compel an equitable distribution. He is clear as to the end to be obtained; clear as to its necessity; clear as to its justice. From the purpose to the end, however, in all societary, social, moral, or even divine purposes, the distance is great; and under the laws that rule in the lives of men, results, however desirable and just, are to be brought about by a system that may not be forced. This, however, he does not see. Perhaps we might say that he will not see it. To recognize the steady and necessary operative law in that condition of things which so sorely oppresses him he is most unwilling, for this would command his submission. Seeing only wrong in the order of human affairs, he shuts his eyes and falls back upon his strength in assault on one hand, and resistance on the other. He calls upon the State to interpose, not in reference to causes, but to their effects, thus demanding the end, not the means by which that end might be attained. Legal pains and penalties are his chosen remedies, and in keeping with this impulse he enters into association with his fellow toilers, surrendering his own liberties as largely as he would invade those of others of his fellow men on whom he looks as his oppressors. Further even than this, he forbids the opportunities of labor to his brother, his son, his daughter, that he may thus, as he imagines, be enabled to secure himself against evils resulting from competition for the sale of labor.

Such measures are as useless as, to all the parties concerned, they are unjust. They are not remedies for the evils suffered and apprehended, for the reason that they are based upon radically erroneous notions of causes and effects. In the first place, it is assumed that labor and capital are naturally hostile to each other. This is not true. Laborers and capitalists may go to war, but labor and capital are joined in indissoluble partnership, with interests essentially identical, and with the progress of the industrial arts, ever becoming more closely interdependent. The remedy for the subsisting hostility of the parties and its evils is, therefore, not to be found in legal compulsion on the one hand or on the other. They must not fall out by the way, but in harmony search for the causes of existing evil, and by combined effort seek to perfect their connection. The societary system is governed by laws as absolute and persistent in operation as those of any other part of the creation. War among its elements constitutes no part of its system. Kindred to this primary mistake is the dreadful severity of the measures adopted by labor associations for limiting the number of apprentices in the productive arts. Beginning with a fear of the very capital by which they are aided, they fall now upon another fundamental error, to wit: fear of competition in their own class for the employment which they would monopolize, because, as they think, the market for labor may be over-crowded.

In the nature of things, however, there is no possibility that labor shall ever fail of its opportunities, if its market be kept free and fairly balanced. There has never yet been a day in the world's history when the productive industries were at all adequate to the wants of consumers. In a true order of business not

all the possible labor of muscle and mind, with all the appliances of machinery and natural agencies, can overpass the wants of the world. There is possibly a limit to the consumption of food, as there is to the area and fertility of the earth; but their respective limits are providentially adjusted to each other, step by step, through all the stages of their growth; whereas, with respect to all other industries supply creates demand. Their market can, therefore, never be gorged, and the fear of competition in production is as baseless as the measures taken to repress it are both cruel and unjust. To mechanics and manufacturers no measure applies, nor are there any limits needing to be feared. Fifty years ago stage coaches were seldom crowded. Since then the canal boat, the steamboat, and the railroad car have been produced with thousands of times the capacity of former vehicles of transportation; yet are they constantly taxed to their utmost capacity for work. Fifty years ago weekly newspapers printed a few hundreds for their lean lists of subscribers; now, tens of millions are being daily issued. Fifty years ago, four or five yards of muslin per head was the meagre average annual consumption of our people; now they consume as much as would make a tent cover for the whole of the inhabited continent. Then the women of the households, at their simple wheels and hand-loom, in the leisure hours of their daily work, supplied the woolens that the country wore; now power-loom, yielding thousands of times more cloth and hosiery, are tasked to meet the demand. As well might education be restricted in the fear that men might become too intelligent, as to place restraints upon skilled industry, for fear of glutting the market with its products.

In the present order of things, however, markets are glutted; hands compete with hands for work; wages are inadequate; and actual suffering and apprehended destitution are experienced, to the disgrace of Christendom, and to the bewilderment of its philosophers. Society is diseased; its life-blood flows unevenly; some of its members are gorged even into the fever of congestion, others meantime being chilled and paralyzed for lack of proper food and raiment. It is to these disordered conditions, traced to their causes, that, alone, remedial measures can be applied with hope of mitigation and of ultimate cure; and all interference not directed by knowledge of the laws which rule the case can but add its own turbulence to the prevailing discord.

If these reflections, at first sight, wear the appearance of mere abstractions, there may yet be found some practical force in their direct application to the solution of the difficult subject under discussion; and the indulgence of the Convention is asked while the task is here attempted. Disease of the human body is defined to consist essentially in a broken balance of the circulation and of the nervous functions. Disease of the aggregate man, or society, is as well, and as usefully, defined by analogous derangements of equilibrium in the functional relations of the members of particular communities, and of entire communities among themselves. When one organ of the human body seizes upon an undue supply of blood, and of nervous power, the remainder of the structure is in that proportion deprived, failing of its proper force, and suffering in its active powers, in the direct ratio that the monopolized organ overpasses its proper allotment; with the further inevitable mischief of violated law, that the whole body, thus at war among its parts, shall suffer equally in every organ, different as may be forms in which disease presents itself. If the brain and the heart seize upon the share of vital energy that belongs to the muscles and the digestive organs, the latter suffer from inanition; fever and convulsions, meanwhile, exhibiting themselves in the former. These things premised, we may now look to their application, and to the parallelism presented in the social disorder now so obviously existent.

The leading nations of Western Europe, for a century past, have been the vital centres of the industrial world, and have been untiring in their endeavors to concentrate within themselves all the elements and agents of industrial and commercial activity, thus gorging themselves at the expense of a proportional deprivation to the whole outside world; Spain, Portugal, Ireland, Turkey, China, the East Indies, the West Indies, and all the States of this Western Continent, having suffered each in the degree that they have exposed themselves to a foreign usurpation of their industrial liberties and rights, and now witnessing, by their sad histories, to the disastrous effects of intrusion and domination in their labor markets.

The system of international trade which has now for several generations held sway among the civilized peoples of the world, is marked by results as regards the labor interest at large which condemn it as a system of industrial tyranny on one

hand and dependence on the other, mischievous alike to the oppressor and to his victims. The trading and manufacturing policy of the monopolistic nations is for themselves a system of pauperism, famine, despair and emigration; their own laborers and those of the victim nations being thus everywhere forced into revolt against that capital to which, under other circumstances, they would look as to their chiefest friend. Tested by its fruits, what has this monopolistic system done for the welfare of the masses of the peoples compelled to its support and maintenance? Let the history of the past, during which it has had full sway in Western Europe, answer. The toilers have fled in multitudes from their native lands. Nearly the whole population of Australia, and fully one-seventh of the people of the United States are foreigners by birth. The commercial and industrial regime of those parts of Western Europe which have waged war upon foreign laborers by means of oppression of their own, is thus shown to be one of expatriation for those of their poor who have been able to escape therefrom; hundreds of thousands, meantime, being thrown upon the public charity, while tens of thousands of its victims have perished of want, and of the diseases which follow in the wake of insufficient supplies of food. That laborers have much to complain of in reference to their condition in the old world is very certain. Whence, however, come effects so fearful as these—so damaging to its boasted civilization—so reproachful to its christianity?

The explanation is this: to absorb the industrial functions of all other nations, especially in their highest forms of production, they have been obliged to under-throw the labor of countries whose markets they have invaded. Wages to their own workmen lower than the lowest of the home wages of foreign labor so employed constitute the one terrible condition of success. Beggary, starvation, banishment are thus the necessary fruits of that ruthless policy which so long has employed the native laborer in a struggle with that foreign one whose real interests are to utilize in harmony with his own the opportunities and the means of self-supporting employment. Such is the reflex mischief that falls naturally upon the culprit community that assumes to make itself the work-shop and the centralized commercial emporium of the world. The blood sucked from the rest of the body while it gorges, paralyzes the congested organ.

How this atrocious policy must affect the victim nations becomes now clearly obvious. Its aim and its natural effects are the compulsion of their industries into the coarsest and least remunerative forms of production, with the attendant effect of cheapening all raw materials, and, by destroying the domestic demand, compelling their transportation to the markets of manufacturing monopolists abroad. In general terms, the usurpation of the home market by the product of skilled labor from abroad prevents the diversification of industries which, among themselves, would balance their wants and their supplies, thereby securing to them a constant and reliable home exchange for all the varied products of a duly self-supporting and self-supplying productiveness. Thus, following the illustrative analogy above adopted, the extremities are deprived of their healthful functions by the central usurpation of those life-giving forces and resources to which alone can they look for power to perform the varied offices to them assigned.

Fortunately for us, the due distribution of the industries of civilization, the fair and equitable security of its rewards to capital and labor, and the wholesome development of business interests and enterprises, do not depend upon the consent of communities which, as has been shown, have constituted themselves disturbers of the industrial harmonies of the world at large. The United States have people enough, resources enough, and skill and energy enough to restore order for themselves by their own action and in despite of outside resistance, and also to compel a greater degree of conformity among those who habitually dominate the markets of the world. During the greater part of our last census decade, and in the two years which have since elapsed, under a policy of foreign commerce, which has tended largely to reserve American labor for American hands, an unparalleled prosperity has resulted to us, an immense benefit having simultaneously fallen to the share of the laborers of Europe.

Immigration, incited by the high wages attending our enlarged demand for labor, has been increasing with such rapidity that employers abroad have found themselves compelled to earnest efforts, in the form of increased wages, to detain at home their workmen skilled in the arts. But recently the German minister of the Interior, in reply to an inquiry on this subject, told the House of Deputies "that it was impossible to restrict emigration after granting the right of change of domicile. What," he continued, "was wanted, was enlightened and judicious legislation, which would make those who now thought of emigrating

value their country above all others. Emigration could best be checked by elevating and improving the condition of the people at home. This was what the government was aiming at, and by this means it hoped to check the tide of emigration." In every possible manner the operation of our protective system is thus working for the advantage alike of those who come to us and of those who remain abroad. The reward of labor, so far as our existing policy conforms to the principle underlying it, are distributed in fair proportion throughout the manufacturing nations of Europe; and if the details of our customs tariff were wisely and universally adjusted so as to hold for ourselves all the productive enterprise and industry that is possible to our climate, and to our other natural advantages, we should, in the next dozen years, settle conclusively the labor question for ourselves, for France, for Germany, for Belgium, for Britain and for Ireland. This, and this alone, presents the means of the desired rectification. It is the struggle for our market more than for any or all others that has hitherto held down the wages of Europe to the starvation point. Let us put an end to that struggle by resolutely defending our home production against injurious competition from abroad as a first duty which we owe to ourselves; and, as a secondary duty inseparable from the first, that of conferring the benefits of right doing upon laborers abroad. The best national is the best international policy. All experience proves this proposition in the degree that the principle has been allowed to operate. We need not detain the Convention with an exhibit of all the benefits derived, and all the mischief escaped, in our recent experience under the operation of that policy which looks to aiding laborers everywhere in their war against monopolies, whose existence is wholly dependent on the power to prevent outside nations from obtaining that control over the great forces of nature which they themselves possess, and by which labor is so greatly aided.

Closing their eyes to the important facts which have been thus presented, very many of our working men look with jealous eyes at every measure leading toward bringing those of other countries to take a place side by side with them, believing, as they do, that the more the supply of labor the lower must certainly become its price. Nevertheless, could they but be persuaded to study carefully the facts of even the last twenty years they could not fail to become impressed with the fact, that growth of wages has always kept even pace with growth of immigration; the reward of labor on the contrary declining as immigration has been arrested or destroyed. At no previous period had the demand for labor, or its reward, grown so rapidly as in the early years of the great California one, say from 1850 to 1854, when immigration grew to 400,000. At none, has labor been more in excess of the demand than in the years that followed the great free trade crisis of 1857, when immigration declined to a figure scarcely greater than had been attained 20 years before; and when, as in 1860-61, not one out of five of the skilled workmen of the country was steadily employed. Here, in Philadelphia, when it was desired to build a street railroad they advertised for two hundred and fifty hands at but sixty cents a day, and had more than five thousand offered, a majority of whom were skilled artisans who were wholly out of work. In the neighborhood of one great establishment, a rolling mill, the number of unemployed men was so great that the county authorities, to save its skilled workmen from open pauperism, determined to build a turnpike, employing experienced hands at breaking stone, for fifty cents a day, rather than supporting them as paupers. At no period of our history has the reward of labor grown so rapidly as in the last ten years, when the exodus of European workingmen has so rapidly increased that the states of Central and Western Europe now find themselves forced to consideration of the measures required for retaining their countrymen at home; and when the highest German authorities admit that the pecuniary loss resulting from training and educating men for export to this country has now already more than counter-balanced the French indemnity of \$1,200,000,000. To all appearance the immigration of the present year will closely approach to half a million; and yet it is at this moment, in face of so wonderful an addition to our stock of working men and women, that we have a determined agitation for bringing about a reduction of time and increase of wages. In the years prior to the rebellion, when immigration so largely declined, the agitation was for employment at almost any price. Why is this? Why is it that, contrary to the rule elsewhere observed, demand for labor goes ahead of supply when this latter is great, and falls behind it when the supply is small? To this the answer is, that the power to compel nature to labor in man's service increases almost geometrically as numbers increase arithmetically; as employment becomes diversified; and as men are more enabled to combine their efforts for attainment of that object. The policy

of the country from 1850 to 1860 looked to dispersion of our people, with steadily diminishing power of production, as a consequence of which the consumption of iron of foreign and domestic production, in the closing years, but little exceeded a single million of tons; having but very slightly grown in the dozen years that just then had passed. Nevertheless, the increase of population had been little less than 40 per cent. Since then, at the close of another dozen years, many of which having been years of war and waste, we find that with a growth of numbers that has not exceeded 30 per cent., the consumption of iron—the surest test of growing or declining civilization—has attained the enormous figure of 4,000,000, tons, or more than thrice that of 1860. Of this vast quantity nine-tenths have been given to the construction of machinery to be used in aid of human force, from the needle to the sewing machine, from the spade to the reaper, and from the wagon to the locomotive and the railroad bar.

As a consequence of the great increase in the power of combination that has thus been brought about, we find the manufacturing product of the country to have grown in the period 1860 to 1872, from 1,800 to 5,000 millions, the mere increase having been almost twice the total amount to which the country has attained in the centuries that had preceded the war of the rebellion. Adding to these figures the foreign manufactures consumed, we obtain for the first—a free trade period when immigration was rapidly passing away—a total consumption of about \$65 per head; whereas, in the period which since has passed, and in which immigration has so greatly grown, it has risen to more than \$130 per head. So far, therefore, is the working man from having occasion to dread the competition of the immigrant that he needs, night and morning, to pray for maintenance of that policy which is now making demand on Europe for so much of its half fed and half clothed population, thereby compelling both landed and manufacturing capitalists to the adoption of measures tending so to improve the condition of those who are left behind as to induce them to forego the idea of abandoning their native land. Never in the world's history has there been furnished such conclusive evidence of the fact that measures tending to benefit the working man anywhere tend toward raising his condition everywhere; and that, therefore, there is a perfect harmony in the real and permanent interests of mankind at large.

The narration in capable hands would take the form of a heroic poem, and would carry with it the charm, without the fiction, of a fairy tale. Under that policy the enormous growth of our aggregate wealth, the extension of our internal improvements, the firm establishment of our national credit, the excellent service of our currency, and the confidence infused as preparation for future and still greater enterprises are its complete vindication.

Were further evidence of this required, it would be found on studying what has happened among ourselves as consequent upon emancipation of the colored race. Less than a dozen years since, our working men looked jealously upon the negro, believing that any measure tending toward his emancipation would certainly be followed by such an influx of cheap labor as must seriously affect themselves. Directly the reverse, the negro migrates to Texas and there becomes a customer for manufactured products of a class greatly higher than that of those which his master had been accustomed to purchase for his slave. The southern freedman now aids his northern brother by making a market for his products; whereas, before emancipation his powers had been taxed to make demand for the worthless products of factories owned by foreign millionaires engaged in a "warfare against the competing capital of other countries," having for its essential object that of preventing any and everywhere that diversification of employment to which alone can we look for elevation of the laborer, and for establishment of that harmony in the relations of labor and capital which is now so much to be desired.

Protected in some degree against the "warfare" above described, the west, the south and the south-west are now actively engaged in developing the wonderful mineral resources of the country, bringing consumers of food to the side of farmers engaged in its production. With every step in that direction there arises new competition for the purchase of that skilled labor whose market has hitherto been confined to Eastern and Northern States; and with each the working man finds himself more and more enabled to determine for himself who shall be his employer and what shall be his reward; employers, on the other hand, finding themselves daily more and more compelled to offer new inducements to really useful men to remain at home.

Labor and capital, under the benign influence of a policy looking to promotion of the habit of association and to the production of competition for the purchase of human service, tend therefore daily more and more toward that equality whose effects exhibit themselves in a daily growing self-respect on the part of those who labor, and on that of those by whom the laborer is employed.

The more perfect the power of association for all lawful purposes, the greater is the power of production, the larger is the proportion of the product that falls to the laborer's share, and the greater is the tendency toward harmony in the relations of the various portions of the societary body. Asked for proof of this, we need but to invite the Convention to look around and see this city with its 120,000 houses, sheltering the best fed, best clothed, best housed and most orderly population of any great city of the world. The simple fact that of that vast number of houses almost a third pay water tax for private baths, would seem to furnish all that could be needed. When to this we add, that, notwithstanding a winter of such severity as has been rarely known, there has been but little serious crime of any description whatsoever, we thus furnish proof of the assertion, that for the promotion of that self-respect which leads to carrying into practical effect the great lesson which constitutes the basis of our religion, we need to remove all restrictions upon the exercise of that power of associations to which man is now, and ever has been, alone indebted for power to control and direct the great forces of nature to his use and service. The more perfect the removal, and the more absolute the recognition of a right to associate for all lawful purposes, the more rapid must be the societary circulation and the greater the societary health and force.

Less than a century since, it was held in France that the right to labor was to be regarded as a privilege which the sovereign might rightfully sell to his subjects, and which they must purchase if they would give their faculties to the effort at securing supplies of food and raiment for their families and themselves. Less than half a century since, the right of the British people to combine together for dealing in coal, for effecting insurances of any description, for banking, or for trading in any manner except in subjection to the antiquated law of partnership, was utterly denied; and a mere attempt at raising, in any case, a transferable stock was held to be a criminal offence, punishable by the courts.

The exercise of rights thus forbidden to the people at large had long before been secured to the few who had obtained grants of monopoly power, and were then trading as the Bank of England, the Royal Exchange Assurance, the East India, the Levant, and other companies, all of which had been organized under charters by which the parties interested were authorized to trade with others who were willing to trade with them on the understanding that the joint funds alone were liable for the performance of their engagements.

The outside capitalist was thus denied the right of investing his means in such way as he deemed likely to prove most advantageous. He might purchase land: he might become a manufacturer; he was permitted to become member of a banking house, provided the partners did not exceed six in number; he might lend his money out on mortgage, attended with the inconvenience of probable delay in the return; he might lend it to the government at a low rate of interest, or to a private banker with the risk of total loss; but he was not at liberty to unite with a dozen or more friends and neighbors in establishing an office, under the control of an agent selected by themselves, at which they should lend to such as might wish to borrow upon personal security, or on that of merchandise.

How great is the change that has since been brought about is shown by an abstract of the act of 1856, here given, as follows:

"Any seven or more persons associated for any lawful purpose may, by subscribing their names to a memorandum of association and complying with the provisions in respect of registration, form themselves into an incorporated company, with or without limited liability. The memorandum to contain the name of the proposed company, the place where registered, whether limited or unlimited, and in the case of a company formed with limited liability, the word "limited" to be the last word in the name of the company." *

The right to associate together for all lawful purposes, that for creating banks with power to issue circulating notes alone excepted, is here fully recognized, the security of those trading with the companies which may be formed being provided for as follows:

* Cabinet Lawyer, London, 1868, p. 154.

"Its name is to be painted, or fixed, in a conspicuous position, in letters easily legible, on the outside of every office of its place of business. Its name shall be engraved on its seal, and legibly mentioned in all notices, advertisements, etc., made by it, and in all bills of exchange, promissory notes, checks, orders for money, bills of parcels, invoices, receipts, letters, and other writings used in its business.

"The penalty for not printing the name on the office is £5 for each member: and if any director, or other officer, shall issue any notice, etc., bill of exchange, etc., whereon the name is not mentioned in the manner aforesaid, he shall be liable to a penalty of £50, and be personally liable for such bill of exchange, etc., if the same be not made good by the company."

In thus recognizing the right of each and all freely to associate for any and every lawful purpose, and to determine for themselves the terms on which to invite others to trade with them, Old England was but following on the road in which New England had always walked; the right of association having there, and most especially in Rhode Island and Massachusetts, been exercised with a freedom known to no other part of the world whatsoever. At the date of the passage of this British law, the soil of those States had long been covered with chartered companies for almost every conceivable purpose. Every town was a corporation for the management of its roads, bridges and schools. Academies and churches, lyceums and libraries, saving fund societies and trust companies, everywhere existed in numbers proportioned to the people's needs; and all were corporations. Each and every little district had its bank of a size to suit its wants, the stock being owned by the small capitalists of the neighborhood; and, as a consequence, they were economically managed. Local action furnished thus a system of banking more perfect, and less liable to vibration in the amount of loans, than the world before had ever known. In those two States alone such little moneyed corporation counted almost by hundreds. Massachusetts then presented to view no less than fifty-three insurance offices of various forms, scattered throughout the State, and all incorporated. Factories were incorporated, and were owned in shares; every one that had any part in the management of their concerns, from purchase of the raw material to sale of the manufactured article, being a part owner. Charitable associations existed in large numbers, and were all incorporated. Fishing vessels were owned in shares by those who navigated them; and the sailors of a whaling ship depended, in a great degree, if not even altogether, upon the success of the voyage for their compensation. Every master of a vessel trading in the Southern ocean was a part owner, and the interest he possessed furnished strong inducement to that exertion and economy by aid of which New England men were then rapidly obtaining control over that distant trade. The system was the most perfectly democratic of any the world had ever known. It afforded to every laborer, every sailor, every operative, male or female, the prospect of advancement, and its results have been precisely such as might have been anticipated. In no part of the world had talent, industry and prudence been so certain to command liberal reward.

That Massachusetts has not since gone backward is shown by a general law enacted three years since, whose first section reads as follows:

"Any such number of persons as is hereafter provided, who shall have associated themselves together by an agreement in writing, such as hereinafter described, with the intention to constitute a corporation for any of the purposes hereinafter specified, shall become a corporation upon complying with the provisions of the eleventh section of this act, and shall remain a corporation with all the powers, rights, privileges, and subject to all the duties, limitations and restrictions conferred by general laws upon corporations, except as is herein otherwise provided."

By the section therein referred to, it is provided, that in the formation of any company under this act, the president, treasurer, and a majority of the directors, shall furnish to the commissioner certain evidence, whereupon the latter is required to grant a certificate that the parties have become organized into a corporation in accordance with the statute. Thenceforth, with the single exception of "money due to operatives for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment," all personal liability ceases, except in cases where any special stock is created by means of action of the stockholders themselves.

Traveling westward the people of New England carried with them into New York that love of freedom by which they had been always so much distinguished, and which exhibits itself so fully in the provisions of "an act relative to a corpo-

ration for manufacturing purposes," passed in 1822, closely correspondent with that of Massachusetts.

The capital stock having been paid in, all personal liability ceases, except so far as is indicated in the section which here is given :

"The stockholders of any company organized under the provisions of this act shall be jointly and severally individually liable for all debts that may be due and owing to all their laborers, servants and apprentices, for services performed for such corporation."

Traveling further west, the influence of that great portion of the people of Ohio, which occupies the Connecticut Reserve, exhibits itself in the first section of an act to create and regulate manufacturing companies, passed in 1858, by which it is provided that, on compliance with certain very simple provisions, personal liability ceases, except so far as regards "laborers employed in carrying out the interests of said company."

In each and all of the cases above described, the tendency has been in the direction of removing previously existing obstacles to that combination of labor and capital to which alone can we look for increase of productive force. Of all, however, the English system is the most simple and the most advanced, and hence it is, that the limited liability principle is there already more extensively applied than in any of the American States, whose position, in this respect, has been above described.

Turning our eyes now homeward, we find that, in our own State, the right of association for any purposes of trade or profit has never been admitted. Men might come together for the purpose of forming literary, religious or charitable associations; for building bridges; for making turnpike roads; but when they desired to associate in any manner for rendering labor more productive, they were met at once by the assertion that they were in search of privileges which might be granted to the favored few, but were not to be allowed to the many who sought exemption from the absurd restrictions of the law of partnership. Mammoth banks obtained charters from legislators who denied to the people of a country town the right to create a little shop at which the money exchanges of the neighborhood might be performed. To the owners of mineral lands, anxious to bring to their aid the capital of distant cities, all power of combination was denied; railroad companies being meanwhile authorized to buy and sell the coal, for whose transportation alone they had been at the first intended.

The absurdity of all this becoming, at length, clearly obvious, public opinion, in 1849, forced upon the legislature the passage of a general law for promoting the institution of manufacturing associations, soon, however, to be so amended as to require that every associate should be liable, in his individual capacity, for every dollar of indebtedness that might be incurred; and for exercise of the privilege of so becoming, he was required to pay a bonus to the State of one-half per cent.; this, too, in addition to the fact that, in his capacity of corporator, he was liable to special taxation, while compelled annually to exhibit the state of his affairs to the gaze of the world at large. As a consequence of this, the general law has remained almost, if not absolutely, a dead letter; few, if indeed any, having shown themselves willing to subject themselves to its absurd provisions. Since then charters have been granted by almost thousands, and to the necessity that had been thus established for obtaining, by means of special laws, exemption from injurious and antiquated restrictions, we stand to-day mainly indebted for the legislative corruption of which we now so much complain.

How utterly inconsistent has been our whole course of action in reference to this great question of association is shown in this: That as early as 1836, an act was passed for enabling individuals to create that bastard and most imperfect form of corporation, by means of which special partners are enabled to do business under the name of a general partner, with limitation of liability to the amount at first invested. How greatly inferior is this form of association, whether as regards the security of capitalists or that of those with whom they deal, will be obvious to those who reflect upon the fact, that in the perfect form of association each and every individual is entitled to exercise some control over the action of the body of which he is a part; whereas, in the imperfect one all power is surrendered to the general partner, who may, or may not, prove to possess the capacity and the honesty required. Deficient therein as he may prove to be, he cannot in any manner be ousted; and his partners may see their property gradually wasting away while precluded by the law, on pain of making themselves responsible for any and every liability that has been or may be created from interfering in any manner in the conduct of the business in which they are engaged. The system

was, however, an approach toward freedom of action, and it is satisfactory to state that as a rule it has worked so well as fairly to warrant such further movement in the direction of emancipation as has but now occurred.

At the session of the Legislature which recently has closed, there were enacted no less than five laws having for their object that of enabling associated men to do and perform certain acts from which they had been before debarred; and for facilitating associations for various operations of manufacture and of trade. Most of all important of these is that one which is entitled "An Act to provide for the incorporation of iron and steel manufacturing companies," supplemented as it since has been by another act extending its provision to many other branches of manufacture. By it, stockholders are made "individually liable for debts due for labor or services, and in that case for no period exceeding six months;" but outside thereof, they are at liberty to provide by their articles of association for limited or unlimited liability as they may prefer, the penalty for adopting the former being, that all such companies are to pay to the State a bonus of one-half of one per cent.; whereas, those adopting the latter are to pay but one-quarter of one per cent. The idea of privilege is still thus retained, the legislators to whom we stand indebted for this advance towards freedom not having been yet quite prepared for that recognition of right so fully exhibited in the laws of both Old and New England above referred to.

Liberal as this appears to be, it is really less so than a law of the previous year, by which priority of wages was limited to claim on the joint property of the associates, to the exclusion of individual liability for any purpose whatsoever. In the opinion of your committee it is much to be desired that the principle thus established be now recognized as the fixed policy of the State. Labor and land need to invite capital to come to their aid, and the imposition of liabilities, such as have heretofore existed, is far more injurious to the laborer and the landholder, both of whom need to stay at home, than to the moneyed capitalist, who may seek abroad the profitable investments that at home are not permitted to him.

What now is needed to be done is little more than the adoption of a constitutional provision recognizing the right of all men to associate together for every lawful purpose upon terms closely correspondent with those which have been now established in relation to certain departments of manufacture—modified as even as they will be by the constitutional provision in virtue of which corporate bodies are in the future to be put upon the same precise footing, so far as regards taxation, with individual men.

By one law it is now provided, that men may associate for purposes of trade on the footing of limited liability, and those who so associate are subject to no taxation or supervision in excess of that to which they would be subject were they trading singly. By another law, other men may associate for the construction of roads and bridges, on a footing of perfect freedom from liability for any obligations beyond that required for protecting the workmen in their employment. By a third, all this may be done by men engaged in smelting or rolling iron, making paper, and in various other branches of manufacture. Why should we not now make one great step forward, adopting a constitutional provision such as is above recited, limiting the power of the Legislature to the enactment of laws providing for regulating internal organization, and for securing to the world at large that full knowledge of the character of the associations with which they deal, which characterizes the British law whose provisions have above been given? Of all the laws on record there is none which has so much tended towards enabling capital and labor to work together. Of all, there is none whose adoption here would so much tend toward diminution of the power of that lobby to which we now stand so much indebted for all that is discreditable in our legislation.

Most of all important, however, it would enable thousands of intelligent workmen, miners, mechanics, inventors and others, to obtain the aid required for enabling them to pass from working in the pay of others to working on their own account. In this city alone there are hundreds, if not even thousands, who would be enabled to accomplish this could they but assure the neighboring great or little capitalist that he might grant aid to a certain limited amount, freed from all danger of further liability. Again, the wealthy owner of mills or furnaces would find himself enabled to co-operate with his employees in ways that would be profitable to them and him, but which are now by law forbidden. Further, our working men would be enabled to participate in the great co-operative movement which was inaugurated some thirty years since in England, but made little progress until Parliament, in 1851, recognized the limited liability of the parties so engaged. Since then, the course of things has been so rapid that Britain now

presents to view no less than 1,500 associations having for their object the purchase and sale of commodities required by their members; others, meanwhile, being engaged in various branches of manufacture which previously had been wholly in the hands of individual capitalists. Look where we may, we are struck with the fact that what most is needed is that perfect freedom of association which so recently, despite all previous prejudices, has found its place in Britain. Believing that the time has come for this, your committee recommend the adoption of the following, as the closing section of the chapter on Corporations :

The right of the people of the State to associate together for all lawful purposes, and for trading on principles of limited or unlimited liability, shall not be questioned; but it shall be the duty of the Legislature to provide by law for the organization of associations, and for securing a publicity so complete as to enable all who trade with those which adopt the limited form to become familiar with the fact that no liability exists beyond that of the joint capital which may have been subscribed.

HENRY C. CAREY,
Chairman.

Laid on the table.

Mr. Newlin, from the Committee on Printing and Binding, made a report, which was read as follow, viz :

The Committee on Printing and Binding recommend the adoption of the following resolution, viz :

Resolved, That the State Printer furnish copies of the Journal and Debates of the Convention to the officers thereof as follows : To the

	<i>Journal.</i>	<i>Debates</i>
Chief Clerk.....	3 copies.	10 copies.
First Assistant Clerk.....	3 "	10 "
Second Assistant Clerk.....	2 "	8 "
Transcribing Clerk.....	2 "	8 "
Ditto.....	2 "	8 "
Sergeant-at-Arms.....	1 "	5 "
Assistant Sergeant-at-Arms.....	1 "	2 "
Doorkeeper.....	1 "	3 "
Assistant Doorkeeper.....	1 "	2 "
Postmaster.....	1 "	3 "
Assistant Postmaster.....	1 "	2 "
Official Reporter.....	5 "	10 "

On motion of Mr. Newlin,
Said resolution was read a second time.

On the question,
Will the Convention agree to the resolution ?

A motion was made by Mr. Dallas,
To amend the same, by giving the Official Reporter "twenty" copies of Debates in lieu of "ten."

Which was agreed to.

On the question,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Darlington,
To amend the same, by giving each clerk one copy of Journal, and the Second Assistant Clerk ten copies of Debates in lieu of eight.

Which was agreed to.

The resolution as amended was then agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the report of the select committee appointed to fix the salaries of the members and officers of the Convention.

And the question recurring,

Will the Convention agree to the amendment to the resolution offered by Mr. Bartholomew?—to strike out after "Doorkeeper" the word "thirteen," and insert in lieu thereof the word "eighteen."

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Bartholomew,

To amend the same, by making the salaries of all the officers, excepting the Chief and Assistant Clerks and Sergeant-at-Arms, seventeen hundred and fifty dollars.

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Baer,

To amend the amendment, by excepting the Transcribing Clerks.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Bartholomew and Mr. Jos. Baily, and were as follow, viz:

Y E A S .

Messrs. Addicks, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bowman, Broomall, Bullitt, Calvin, Campbell, Carter, Collins, Corson, Craig, Davis, Elliott, Ellis, Finney, Gibson, Green, Guthrie, Hanna, Hazzard, Lawrence, MacConnell, M'Camant, M'Clean, M'Culloch, Newlin, Palmer, H. W., Patterson, D. W., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Smith, Wm. H., Stewart Temple, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Woodward—48.

N A Y S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Baker, Bigler, Boyd, Brodhead, Buckalew, Carey, Cochran, Corbett, Cronmiller, Curry, Dallas, Darlington, De France, Dunning, Edwards, Ewing, Fulton, Funck, Gilpin, Harvey, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Landis, Lear, Lilly, Littleton, MacVeagh, M'Murray, Mantor, Metzger, Minor, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Ross, Simpson, Smith, Henry W., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, White, Harry, Worrell and Wright—63.

So the question was determined in the negative.

ABSENT.—Messrs. Beebe, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Clark, Curtin, Cuyler, Dodd, Fell, Hall, Hay, Heverin, Lambertson, Long, Mann, Mitchell, Purman, Smith, H. G., Van Reed and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution?

Mr. Hunsicker called for a division of the question, viz: The salaries of the Chief and Assistant Clerks to constitute the first division; of the Transcribing Clerks the second division; of the Sergeant-at-Arms and Assistant Sergeant-at-Arms the third division; of the Doorkeeper and Assistant Doorkeeper the fourth division, and of the Postmaster and Assistant Postmaster the fifth division.

On the question,

Will the Convention agree to the first division?

It was determined in the affirmative.

On the question,

Will the Convention agree to the second division ?

A motion was made by Mr. Ainey,

To amend the same, by striking out the words, "twenty-five hundred," and inserting in lieu thereof the words, "eighty per cent. above the compensation now allowed them."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Campbell and Mr. Ainey and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Bardsley, Biddle, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Calvin, Carey, Carter, Clark, Cochran, Collins, Corbett, Cronmiller, Cuyler, Dallas, Darlington, Ewing, Finney, Funck, Hall, Harvey, Howard, Kaine, Lawrence, Littleton, M'Culloch, Minor, Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Reed, Andrew, Russell, Smith, H. G., Smith, Wm. H., Stewart, Van Reed, Wherry, White, David N., White, Harry, Woodward, Worrell and Wright—49.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Armstrong, Bear, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Bowman, Boyd, Corson, Curry, Curtin, Davis, De France, Dunning, Edwards, Elliott, Ellis, Fulton, Gibson, Gilpin, Green, Guthrie, Hanna, Hazzard, Hemphill, Horton, Hnasicker, Landis, Lear, Lilly, MacConnell, MacVeagh, M'Camant, M'Clean, M'Murray, Mantor, Metzger, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, D. W., Porter, Pughe, Read, John R., Reynolds, Rooke, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, and White, J. W. F.—85.

So the question was determined in the negative.

ABSENT.—Messrs. Beebe, Bigler, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Craig, Dodd, Fell, Hay, Heverin, Knight, Lambertson, Long, Mann, Mitchell, Purman, Purviance, Samuel A., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the second division ?

A motion was made by Mr. Littleton,

To amend the same, by striking out the words, "twenty-five hundred," and inserting in lieu thereof the words, "two thousand."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Corbett and Mr. Worrell, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Biddle, Bigler, Bowman, Brodhead, Broomall, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Cochran, Collins, Corbett, Corson, Cronmiller, Cuyler, Dallas, Darlington, Dodd, Edwards, Ewing, Finney, Fulton, Funck, Gibson, Green, Guthrie, Hall, Harvey, Hazzard, Howard, Kaine, Lawrence, Lilly, Littleton, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Minor, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Wright—76.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baker, Barclay, Boyd, Curry, Davis, De France, Dunning, Elliott, Gilpin, Hanna, Hemphill, Horton, Hunsicker, Mantor, Metzger, Mott, Niles, Palmer, G. W., Parsons, Porter, Pughe, Runk, Stanton, Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, and Worrell—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Beebe, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Craig, Curtin, Ellis, Fell, Hay, Heverin, Knight, Lamberton, Landis, Lear, Long, M'Camant, Mann, Mitchell, Palmer H. W., Purman, Stewart and Meredith, *President*.

The division as amended was then agreed to.

On the question,

Will the Convention agree to the third division ?

A motion was made by Mr. Littleton,

To amend the same, by striking out "eighteen" and "fifteen," and inserting in lieu thereof "fifteen" and "thirteen."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Bowman,

To amend the amendment, by striking out the words, "fifteen" and "thirteen," and inserting in lieu thereof the words, "twenty" and "eighteen."

On the question,

Will the Convention agree so to amend the amendment ?

Mr. Baer called for a division of the question.

On the question,

Will the Convention agree to the first division, viz: "For the Sergeant-at-Arms, \$2,000?"

The yeas and nays were required by Mr. Darlington and Mr. Ross, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Barusley, Bartholomew, Bidle, Bigler, Bowman, Calvin, Campbell, Carey, Carter, Clark, Corson, Curry, Curtin, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Ewing, Finney, Gibson, Guthrie, Hanna, Hazzard, Horton, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Runk, Sharpe, Smith, Wm. H., Stanton, Stewart, Temple, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Wright—68.

N A Y S .

Messrs. Ainey, Alricks, Boyd, Brodhead, Broomall, Buckalew, Bullitt, Cochran, Collins, Corbett, Cronmiller, Dallas, Darlington, Fulton, Funck, Gilpin, Harvey, Hemphill, Hunsicker, Kaine, Lilly, Littleton, M'Clean, Mott, Patton, Reed, Andrew, Koss, Russell, Simpson, Smith, H. G., Smith, Henry W., Turrell, Van Reed, Walker, Wetherill, John Price and Worrell—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Beebe, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Craig, Cuyler, Fell, Green, Hall, Hay, Heverin, Knight, Lamberton, Lear, Long, M'Camant, Mann, Minor, Mitcnell, Palmer, H. W., Pughe, Purman, Read, John R., Rooke, Struthers, White, Harry and Meredith, *President*.

On the question,

Will the Convention agree to the second division, viz: "For the Assistant Sergeant-at-Arms, \$1,800?"

The yeas and nays were required by Mr. Boyd and Mr. Hunsicker, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Biddle, Bowman, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Corbett, Corson, Curry, Curtin, Cuyler, Dallas, Davis, DeFrance, Dodd, Edwards, Elliott, Ewing, Finney, Fulton, Gibson, Hanna, Hazzard, Horton, Howard, Lawrence, Lear, Lilly, MacConnell, MacVeagh, M'Camant, M'Murray, Mantor, Newlin, Niles, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Wetherill, J. M., White, David N. and White, J. W. F.—67.

N A Y S.

Messrs. Alricks, Baer, Bigler, Boyd, Brodhead, Broomall, Buckalew, Collins, Cronmiller, Darlington, Funck, Gilpin, Guthrie, Hall, Harvey, Hemphill, Hunsicker, Kaine, Landis, Littleton, M'Clean, M'Culloch, Minor, Palmer, H. W., Patton, Read, John R., Reed, Andrew, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Walker, Wetherill, John Price, Woodward and Worrell—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Cochran, Craig, Dunning, Ellis, Fell, Green, Hay, Heverin, Knight, Lambertson, Long, Mann, Metzger, Mitchell, Mott, Palmer, G. W., Pughe, Purman, Wherry, White, Harry, Wright and Meredith, *President*.

The division as amended was then agreed to.

On the question,

Will the Convention agree to the fourth division?

A motion was made by Mr. Jos. Baily,

To amend the same, by making the pay of the Doorkeeper and Assistant-Doorkeeper each \$1,800.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Hunsicker and Mr. Baer, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bowman, Bullitt, Calvin, Carey, Carter, Clark, Collins, Corson, Craig, Curry, Curtin, Davis, De France, Dodd, Dunning, Elliott, Ellis, Finney, Gibson, Guthrie, Hanna, Hazzard, Horton, Lawrence, Lilly, M'Connell, M'Camant, M'Culloch, Mantor, Metzger, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Purviance Sam'l A., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Wetherill, J. M., Wetherill, Jno. Price, White, David N. and White, J. W. F.—63.

N A Y S.

Messrs. Ainey, Alricks, Baer, Baker, Bardsley, Bigler, Boyd, Brodhead, Broomall, Buckalew, Campbell, Cochran, Corbett, Cronmiller, Cuyler, Dallas, Darlington, Edwards, Ewing, Funck, Gilpin, Harvey, Hemphill, Howard, Hunsicker,

Kaine, Landis, Littleton, MacVeagh, M'Clean, M'Murray, Minor, Palmer, H. W., Patterson, T. H. B., Patton, Read, John R., Reed, Andrew, Ross, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Van Reed, Walker, Woodward, Worrell and Wright—48.

So the question was determined in the affirmative.

ABSENT.—Messrs. Black, Chares A., Black, J. S., Brown, Cassidy, Church, Fell, Fulton, Green, Hall, Hay, Heverin, Knight, Lamberton, Lear, Long, Mann, Mitchell, Purman, Wherry, White, Harry, and Meredith, *President*.

The division as amended was then agreed to.

On the question,
Will the Convention agree to the fifth division ?

A motion was made by Mr. Newlin,
To amend the same, by making the Postmaster and Assistant Postmaster, each \$1,800.

On the question,
Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Littleton and Mr. Kaine, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Biddle, Bowman, Calvin, Carey, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Davis, De France, Dodd, Dunning, Elliott, Fell, Finney, Fulton, Gibson, Guthrie, Hall, Hanna, Hazzard, Horton, Lawrence, Lear, Lilly, MacConnell, M'Camant, M'Murray, Mantor, Metzger, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Temple, Wetherill, J. M., White, David N., White, J. W. F., and Woodward—69.

N A Y S .

Messrs. Ainey, Alricks, Baer, Boyd, Brodhead, Broomall, Buckalew, Campbell, Cochran, Corbett, Dallas, Darlington, Edwards, Ewing, Funck, Gilpin, Harvey, Hemphill, Howard, Hunsicker, Kaine, Landis, Littleton, MacVeagh, M'Clean, M'Culloch, Minor, Palmer, H. W., Reed, Andrew, Ross, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, White, Harry, and Worrell—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bigler, Black, Chas. A., Black, J. S., Brown, Bullitt, Carter, Church, Curtin, Cuyler, Ellis, Green, Hay, Heverin, Knight, Lamberton, Long, Mann, Mitchell, Purman, Read, John R., Stewart, Wherry, Wright and Meredith, *President*.

The division as amended was then agreed to.

On the question,
Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Littleton,
That the resolution, together with the report, be re-committed to the select committee.

On the question,
Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Hunsicker, and Mr. Ainey, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Boyd, Brodhead, Bullitt, Corbett, Corson, Craig, Dallas, Gilpin, Harvey, Hemphill, Hunsicker, Kaine, Littleton, M'Clean, Reynolds, Ross, Russell, Smith, H. G., Van Reed, Wetherill, John Price, Woodward and Worrell—23.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Beebe, Biddle, Bowman, Buckalew, Calvin, Campbell, Carey, Carter, Cassidy, Clark, Cochran, Collins, Cronmiller, Curry, Curtin, Darlington, Davis, De France, Dodd, Dunning, Elliott, Ewing, Fell, Finney, Fulton, Funck, Guthrie, Hanna, Horton, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Walker, Wetherill, J. M., White, David N., White, Harry, and White, J. W. F.—80.

So the question was determined in the negative.

ABSENT.—Messrs. Bartholomew, Bigler, Black, Charles A., Black, J. S., Broomall, Brown, Church, Cuyler, Edwards, Ellis, Gibson, Green, Hall, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Lear, Long, Mann, Mitchell, Pughe, Purman, Sharpe, Wherry, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Bardsley,

To amend the same, by adding to the end thereof a proviso as follows, viz: "Provided, That the sums just fixed shall be full compensation for services already performed, or to be hereafter performed, by any of said officers during the sessions of this Convention."

Which was agreed to.

The resolution as amended was then agreed to.

On leave given,

Mr. Harry White offered the following resolution, which was read, viz:

Resolved, That the fireman shall be allowed four dollars and fifty cents per day, including all the days he was actually in attendance in the discharge of his duties.

On the question,

Will the Convention proceed to the second reading and consideration of the resolution ?

It was determined in the negative.

On leave given,

Mr. Curry offered the following resolution, which was twice read, viz:

Resolved, That the President be and is hereby directed to draw warrants in favor of members and officers for four-fifths of the amount of salary payable to each.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Campbell,

To postpone the further consideration of the question, together with the resolution, for the present.

Which was not agreed to.

And the question recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. Cochran,
To amend the same, by striking out the words, "members and."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. MacVeagh,
To amend the same, by striking out "four-fifths" and inserting "one-half."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the resolution ?

A motion was made by Mr. J. M. Bailey,
To amend the same, by striking out "four-fifths" and inserting "three-fifths."

Which was agreed to.

On the question,
Will the Convention agree to the resolution as amended ?

The yeas and nays were required by Mr. Cochran and Mr. Campbell, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Addicks, Baer; Bailey, of Huntingdon, Baker, Beebe, Biddle, Bowman, Brodhead, Buckalew, Calvin, Carey, Cassidy, Clark, Collins, Corbett, Craig, Curry, Dallas, Davis, De France, Dodd, Dunning, Edwards, Elliott, Finney, Guthrie, Hall, Hanna, Hazzard, Horton, Kaine, Lawrence, Lilly, MacConnell, M'Clean, M'Culloch, Metzger, Minor, Mott, Niles, Palmer, G. W., Parsons, Patton, Porter, Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Ross, Runk, Simpson, Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Woodward—63.

N A Y S .

Messrs. Ainey, Alricks, Andrews, Baily, of Perry, Bannan, Bartholomew, Boyd, Broomall, Campbell, Cochran, Corson, Cronmiller, Curtin, Darlington, Ellis, Ewing, Fulton, Funck, Harvey, Hemphill, Hunsicker, Knight, Landis, Littleton, MacVeagh, Mantor, Palmer, H. W., Patterson, D., W., Patterson, T. H. B., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Smith, H. G., Smith, Henry W., Van Reed and Walker—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Barclay, Bardsley, Bigler, Black, Charles A., Black, J. S., Brown, Bullitt, Carter, Church, Cuyler, Fell, Gibson, Gilpin, Green, Hay, Heverin, Howard, Lamberton, Lear, Long, M'Camant, M'Murray, Mann, Mitchell, Newlin, Purman, Wetherill, John Price, Wherry, Worrell, Wright and Meredith, *President*.

On motion of Mr. MacVeagh,

The Convention again resolved itself into the committee of the whole, Mr. Stanton in the Chair, on the nineteenth, twentieth and twenty-first sections of the article reported from the Committee on the Legislature.

After some time the President *pro tem.* resumed the Chair, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

To-morrow was named and agreed upon.

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

FRIDAY, JUNE 13, 1873.

Mr. Cochran asked and obtained leave of absence for himself for part of to-day and Monday.

Mr. Porter asked and obtained leave of absence for himself for a few days from Monday.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Davis for a few days from Monday.

Mr. Russell asked and obtained leave of absence for Mr. M'Cullough for a few days from Monday.

Mr. Dunning asked and obtained leave of absence for himself for Monday.

Mr. Alricks asked and obtained leave of absence for himself for Monday.

Mr. J. W. F. White asked and obtained leave of absence for himself for a few days from Monday.

Mr. Harry White offered the following resolution, which was twice read, viz:

Resolved, That the committee appointed to report on the salaries of members and officers are hereby instructed to report the amount of compensation to be paid the Fireman and Assistant for their services.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Ewing,

To amend the same, by striking out the words, "appointed to report on the salaries of members and officers," and insert in lieu thereof the words, "on Accounts and Expenditures of the Convention."

Which was agreed to.

The section as amended was then agreed to.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the resolution adopted by the Convention, June 12, as follows, to wit:

Resolved, That the President be and is hereby directed to draw warrants in favor of members and officers for three-fifths of the amounts of salary payable to each," be referred to the Committee on Accounts and Expenditures, with instructions to report for what particular amounts warrants should be drawn thereunder.

Mr. Ewing offered the following resolution, which was twice read, viz :

Resolved, That when the Convention adjourns to-day, it will adjourn to meet on Monday next, at half-past ten o'clock A. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Brodhead,

To amend the same, by striking out the words, "half-past ten o'clock A. M.," and inserting in lieu thereof the words, "twelve o'clock M."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Temple,

To strike out "half-past ten," and insert in lieu thereof "eleven."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Darlington,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was not agreed to.

The resolution was then agreed to.

On motion of Mr. MacVeagh,

The Convention again resolved itself into the committee of the whole, Mr. Stanton in the chair, on the nineteenth, twentieth and twenty-first sections of the article reported from the Committee on the Legislature.

After some time the President *pro tem*. resumed the chair, and the chairman reported the sections amended as follows, viz :

Strike out "nineteenth section," and insert in lieu thereof as follows, viz :

"The State shall be divided into fifty Senatorial districts of compact and contiguous territory as equal in population as possible, and each district shall be entitled to elect one Senator. No county shall be divided in the formation of a district unless such county is entitled to two or more members, by possessing a population exceeding one Senatorial ratio, and three-fifths of a second ratio, and no county or city shall be entitled to more than one-sixth of the whole number of members."

Strike out "twentieth section," and insert in lieu thereof as follows, viz :

"The House of Representatives shall consist of not less than one hundred and fifty-two members, to be apportioned and distributed to the counties of the State severally in proportion to the population, on a ratio of twenty-five thousand inhabitants to each member, except that no county shall have less than one member, and the city of Philadelphia, or any county having an excess of three-fifths of said ratio over one or more ratios, shall be entitled to an additional member. In case the number of one hundred and fifty-two members is not reached by the above apportionment, counties having the largest surplus over one or more ratios shall be entitled to one additional member until the number of one hundred and fifty-two members is arrived at."

Strike out "twenty-first section," and insert in lieu thereof as follows, viz :

"As soon as this Constitution is adopted, the Legislature shall apportion the State in accordance with the provisions of the two preceding sections; countie

and the city of Philadelphia, entitled to more than one member, shall be divided into single districts of compact and contiguous territory, as nearly equal in population as possible, but no township or ward, except in the city of Philadelphia, shall be divided in the formation of a district; *Provided*, That in making said apportionment for the House of Representatives in the year eighteen hundred and eighty-one, and every ten years thereafter, there shall be added to the ratio five hundred for each increase of seventy-five thousand inhabitants."

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

The Committee on accounts and Expenditures of the Convention respectfully report, that the Convention having fixed the salaries of its members at twenty-five hundred dollars each, and those of its officers at the following amounts, to wit :

The Chief Clerk and two Assistant Clerks, each	\$2,750
Two Transcribing Clerks, each	2,000
Sergeant-at-Arms	2,000
Assistant Sergeant-at-Arms, Doorkeeper, Assistant Doorkeeper, Postmaster and Assistant Postmaster, each.....	1,800

And having ordered that warrants be drawn in favor of each member and officer for three-fifths of the full amount of his salary as above stated, and referred it to this committee to ascertain and report for what particular amounts warrants should be drawn; the following are, therefore, reported as the particular and proper amounts now due to each member and officer below named, for which warrants should be drawn under said order of the Convention :

Members.	Amount of Salary.	Three-fifths
George A. Achenbach	\$2,500	\$1,500
John E. Addicks	2,500	1,500
William H. Ainey	2,500	1,500
Hamilton Alricks	2,500	1,500
George W. Andrews	2,500	1,500
William H. Armstrong	2,500	1,500
William J. Baer	2,500	1,500
Joseph Bailey	2,500	1,500
John M. Bailey	2,500	1,500
William D. Baker	2,500	1,500
Thomas R. Bannan	2,500	1,500
George G. Barclay	2,500	1,500
John Bardsley	2,500	1,500
Lin Bartholomew	2,500	1,500
Manly C. Beebe	2,500	1,500
George W. Biddle	2,500	1,500
Charles A. Black	2,500	1,500
Jeremiah S. Black	2,500	1,500
Charles O. Bowman	2,500	1,500
James Boyd	2,500	1,500
Charles Brodhead	2,500	1,500
John M. Broomall	2,500	1,500
Rasselas Brown	2,500	1,500
Charles R. Buckalew	2,500	1,500
John H. Campbell	2,500	1,500
Henry C. Carey	2,500	1,500
Henry Carter	2,500	1,500
Lewis C. Cassidy	2,500	1,500
Pearson Church	2,500	1,500
Silas M. Clark	2,500	1,500
Thomas E. Cochran	2,500	1,500
John Collins	2,500	1,500
William L. Corbett	2,500	1,500
George N. Corson	2,500	1,500
David Craig	2,500	1,500
John P. Cronmiller	2,500	1,500
James H. Curry	2,500	1,500
Andrew G. Curtin	2,500	1,500
Theodore Cuyler	2,500	1,500
George M. Dallas	2,500	1,500
William Darlington	2,500	1,500
William Davis	2,500	1,500
Robert M. De France	2,500	1,500

Members.	Amount of Salary.	Three-fifths.
Samuel C. T. Dodd.....	\$2,500	\$1,500
Abraham B. Dunning.....	2,500	1,500
Matthew Edwards.....	2,500	1,500
Mortimer F. Elliott.....	2,500	1,500
James Ellis.....	2,500	1,500
Thomas Ewing.....	2,500	1,500
J. Gillingham Fell.....	2,500	1,500
Ashel C. Finney.....	2,500	1,500
Andrew M. Fulton.....	2,500	1,500
Josiah Funck.....	2,500	1,500
John Gibson.....	2,500	1,500
John Gilpin.....	2,500	1,500
John B. Guthrie.....	2,500	1,500
John G. Hall.....	2,500	1,500
William B. Hanna.....	2,500	1,500
Edward Harvey.....	2,500	1,500
Malcolm Hay.....	2,500	1,500
Thomas R. Hazzard.....	2,500	1,500
Joseph Hemphill.....	2,500	1,500
James H. Heverin.....	2,500	1,500
George F. Horton.....	2,500	1,500
Thomas Howard.....	2,500	1,500
Charles Hunsicker.....	2,500	1,500
Daniel Kaine.....	2,500	1,500
Edward C. Knight.....	2,500	1,500
Robert A. Lambertson.....	2,500	1,500
Augustus S. Landis.....	2,500	1,500
George V. Lawrence.....	2,500	1,500
George Lear.....	2,500	1,500
William Lilly.....	2,500	1,500
William E. Littleton.....	2,500	1,500
Zachariah H. Long.....	2,500	1,500
Thomas M'Connell.....	2,500	1,500
Wayne MacVeagh.....	2,500	1,500
Joel B. M'Camant.....	2,500	1,500
William M'Clean.....	2,500	1,500
John M'Cullough.....	2,500	1,500
John M'Murray.....	2,500	1,500
John S. Mann.....	2,500	1,500
Frank Montor.....	2,500	1,500
John G. Metzger.....	2,500	1,500
Samuel Minor.....	2,500	1,500
Henry S. Mott.....	2,500	1,500
James W. M. Newlin.....	2,500	1,500
Jerome B. Niles.....	2,500	1,500
Gideon W. Palmer.....	2,500	1,500
Henry W. Palmer.....	2,500	1,500
Henry C. Parsons.....	2,500	1,500
David W. Patterson.....	2,500	1,500
T. H. Baird Patterson.....	2,500	1,500
Joseph G. Patton.....	2,500	1,500
Daniel S. Porter.....	2,500	1,500
Lewis Pughe.....	2,500	1,500
Andrew A. Purman.....	2,500	1,500
John N. Purviance.....	2,500	1,500
Samuel A. Purviance.....	2,500	1,500
John R. Read.....	2,500	1,500
Andrew Reed.....	2,500	1,500
James L. Reynolds.....	2,500	1,500
Levi Rooke.....	2,500	1,500
George Ross.....	2,500	1,500
Charles M. Runk.....	2,500	1,500
Samuel L. Russell.....	2,500	1,500
J. M'Dowell Sharpe.....	2,500	1,500
J. Alexander Simpson.....	2,500	1,500
Henry G. Smith.....	2,500	1,500
William H. Smith.....	2,500	1,500
M. Hall Stanton.....	2,500	1,500
John Stewart.....	2,500	1,500
Thomas Struthers.....	2,500	1,500
Benjamin L. Temple.....	2,500	1,500
William J. Turrell.....	2,500	1,500

Members.	Amount of Salary.	Three-fifths.
Henry Van Reed.....	\$2,500.....	\$1,500
John H. Walker.....	2,500.....	1,500
John M. Wetherill.....	2,500.....	1,500
John Price Wetherill.....	2,500.....	1,500
Samuel M. Wherry.....	2,500.....	1,500
David N. White.....	2,500.....	1,500
Harry White.....	2,500.....	1,500
J. W. F. White.....	2,500.....	1,500
George W. Woodward.....	2,500.....	1,500
Edward R. Worrell.....	2,500.....	1,500
Caleb E. Wright.....	2,500.....	1,500
William M. Meredith, <i>President</i>	2,500.....	1,500

The names of Samuel E. Dimmick, Franklin B. Gowen and Samuel H. Reynolds, who resigned, and of H. N. M'Allister and William Hopkins, who died during the session, and of their respective successors, Henry Green, John C. Bullitt, William Bigler, Samuel Calvin and Lewis Z. Mitchell, their successors, are omitted from the above schedule. No day of final adjournment being appointed, it was not practicable, at this time, to equitably adjust the amount due to each of these delegates who have, at different times, occupied the same seats, and unless otherwise ordered by the Convention, the Committee on Accounts will postpone any report designating the amount of salary due to those members until the close of the session, when a just apportionment can be made.

The names of Daniel L. Rhone and John G. Freeze have not been included in the foregoing list, for the reason that they make no claim for salary, and served in the Convention for but one and two days respectively, and their successors, Caleb E. Wright and Charles R. Buckalew, are reported as entitled to salary for the whole period of the session.

OFFICERS.	Full pay.	Am't already paid.	Remainder of 3-5ths pay.
D. L. Imbrie, Chief Clerk.....	\$2,750	\$1,200	\$450
Lucius Rogers, First Assistant Clerk.....	2,750	960	690
A. D. Harlan, Second Assistant Clerk.....	2,750	960	690
John L. Linton, Transcribing Clerk.....	2,000	800	400
A. T. Parker, Transcribing Clerk.....	2,000	800	400
James Onslow, Sergeant-at-Arms.....	2,000	680	520
C. M. Brown, Assistant Sergeant-at-Arms.....	1,800	680	600
Clement Evans, Doorkeeper.....	1,800	680	600
Frank Bentley, Assistant Doorkeeper.....	1,800	400	680
Henry B. Price, Postmaster.....	1,800	640	440
B. Frank Major, Assistant Postmaster.....	1,800	480	600
Totals.....	<u>23,950</u>	<u>7,880</u>	<u>6,070</u>

The following resolution is, therefore, respectfully submitted:

Resolved, That the President of this Convention draw his warrant on the State Treasurer in favor of each of the members and officers above named for the sum last set opposite to their names respectively.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. MacVeagh,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until Monday morning at half-past ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

MONDAY, JUNE 16, 1873.

The President *pro tem.*, Mr. Walker in the chair, presented the following communication, which was read, viz :

I appoint the Hon. John H. Walker to act as President *pro tem.* of the Constitutional Convention during this day.

W. M. MEREDITH.

Monday, June 16, 1873.

Laid on the table.

A motion was made by Mr. Dallas,

That the Convention proceed to the election of a President *pro tem.*

Which was agreed to.

A motion was made by Mr. Dodd and Mr. Stanton,

That John H. Walker be elected President *pro tem.* of the Convention.

Which was unanimously agreed to.

Mr. Edwards presented six petitions from citizens of Philadelphia and Allegheny county, praying that there be a clause inserted in the Constitution recognizing Almighty God as the ultimate source of authority in civil government, and of the Bible as the supreme standard of righteous law.

Which were laid on the table.

Mr. Stanton asked and obtained leave of absence for Mr. Cassidy for a few days from to-day.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

Mr. S. A. Purviance offered the following resolution, which was read, viz :

Resolved, That the Committee on Suffrage, Election and Representation be instructed to report the following, to be submitted to the people as a separate amendment to the Constitution :

“The Legislature shall, by general law, regulate the sale of vinous, malt and fermented liquors, but the sale of distilled spirituous liquors, except for medicinal and manufacturing purposes, is hereby prohibited, the prohibition to take effect one year after the adoption of this amendment.”

Laid on the table.

On motion of Mr. Bigler,

The Convention proceeded to the second reading and consideration of the article (No. 18) reported from the Committee on Declaration of Rights.

The first, second and third sections were agreed to.

On the question,

Will the Convention agree to the fourth section ?

A motion was made by Mr. Broomall,

To amend the same, by striking out from the word “person,” in the first line, to the word “shall,” in the second line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the fourth section ?

A motion was made by Mr. Corbett,

To amend the same, by striking out the word “a,” in the second line, and inserting in lieu thereof the word “in,” and in the same line by striking out the words, “state of.”

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Corbett, seconded by Messrs. Hanna, Dallas, De France, Corson, Niles, Bowman, Elliott, Hay, J. M. Bailey and Simpson, and were as follow, viz:

Y E A S .

Messrs. Bardsley, Beebe, Broomall, Campbell, Carter, Corbett, Corson, Craig, Darlington, De France, Finney, Hanna, Howard, Littleton, Newlin and Reynolds—16.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Biddle, Bigler, Black, J. S., Bowman, Boyd, Brown, Bullitt, Calvin, Carey, Clark, Collins, Curry, Dallas, Dodd, Edwards, Elliott, Ewing, Gilpin, Guthrie, Harvey, Hay, Hazzard, Heverin, Hunsicker, Kaine, Lamberton, Landis, Lear, Lilly, MacConnell, M'Clean, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Patton, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, Wherry, White, David N., Woodward. Worrell and Wright—68.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Baer, Bannan, Black, Charles A., Brodhead, Buckalew, Cassidy, Church, Cochran, Cronmiller, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Fulton, Funck, Gibson, Green, Hall, Hemphill, Horton, Knight, Lawrence, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mitchell, Mott, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Sharpe, Stewart, Temple, Van Reed Wetherill, J. M., White, Harry, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Campbell,

To amend the same, by striking out all after the word "section," and inserting as follows, viz:

"The free exercise and enjoyment of religious profession shall forever be guaranteed; and no person shall be denied any civil or political right, privilege or capacity on account of his religious opinions."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Campbell, seconded by Messrs. Hay, Woodward, Gilpin, J. M. Bailey, Broomall, Dallas, Simpson, Howard, H. G. Smith and Reynolds, and were as follow, viz:

Y E A S .

Messrs. Addicks, Baily, of Perry, Bardsley, Bartholomew, Beebe, Boyd, Broomall, Bullitt, Campbell, Carey, Carter, Corbett, Corson, Craig, Darlington, De France, Gilpin, Hanna, Heverin, Howard, Hunsicker, Knight, Littleton, Mantor, Newlin, Read, John R., Reynolds, Smith, H. G., and Wetherill, John Price—29.

N A Y S .

Messrs. Achenbach, Andrews, Bailey, of Huntingdon, Baker, Barclay, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Brodhead, Brown, Calvin, Clark, Collins, Curry, Dallas, Dodd, Edwards, Elliott, Ewing, Guthrie, Harvey, Hay, Hazzard, Kaine, Lamberton, Landis, Lear, Lilly, MacConnell, M'Clean, Mann, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purviance, Samuel A., Reed, Andrew, Rooke, Ross, Runk, Russell, Simp-

son, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wherry, White, David N., Woodward, Worrell and Wright—58.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Bear, Bannan, Buckalew, Cassidy, Church, Cochran, Cronmiller, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Green, Hall, Hemphill, Horton, Lawrence, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Sharpe, Stewart, Temple, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Runk,

To amend the same in the first line, by striking out the word "being," and inserting in lieu thereof the word "existence."

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the fifth section ?

A motion was made by Mr. Darlington,

To amend the same, by striking out all after the word "equal," in the first line.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Darlington, seconded by Messrs. J. R. Read, Mantor, Minor, DeFrance, Hanna, H. W. Smith, Brodhead, Russell, Baily, of Perry, and Clark, and were as follow, viz :

Y E A S .

Messrs. Addicks, Bardsley, Bartholomew, Beebe, Broomall, Calvin, Carey, Carter, Clark, Collins, Craig, Curry, Darlington, Ewing, Hanna, Hazzard, Howard, Knight, Lilly, MacConnell, Mann, Mantor, Minor, Newlin, Palmer, H. W., Patterson, D. W., Purviance, Sam'l A., Reynolds, Rooke, Russell, Stanton, Struthers, Turrell and White, David N.—34.

N A Y S .

Messrs. Achenbach, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Brodhead, Brown, Bullitt, Campbell, Corbett, Corson, Curtin, Dallas, De France, Dodd, Edwards, Elliott, Gilpin, Guthrie, Harvey, Hay, Heverin, Hunsicker, Kaine, Lambertson, Landis, Lear, M'Clean, Mott, Niles, Palmer, G. W., Patton, Read, John R., Reed, Andrew, Ross, Runk, Simpson, Smith, Henry W., Smith, Wm. H., Walker, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell and Wright—52.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Armstrong, Baer, Bannan, Barclay, Buckalew, Cassidy, Church, Cochran, Cronmiller, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Green, Hall, Hemphill, Horton, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Sharpe, Smith, H. G., Stewart, Temple, Van Reed, White, Harry, White, J. W. F., and Meredith, *President*.

The section was agreed to.

On the question,

Will the Convention agree to the sixth section ?

A motion was made by Mr. Newlin,

To amend the same, by striking out all after the word "shall," in the first line, and inserting in lieu thereof as follows, viz: "Remain inviolate, but may be waived by the parties, and the cause shall be decided by the court in the manner to be prescribed by law. In civil cases three-fourths of a jury may find a verdict after such length of deliberation as may be required by law."

On the question,

Will the Convention agree so to amend ?

Mr. Russell called for a division of the question, the first division to end with the word "law," at the end of the first sentence.

On the question,

Will the Convention agree to the first division ?

The yeas and nays were required by Mr. Newlin, seconded by Messrs. Worrell, Biddle, Howard, Beebe, Boyd, Broomall, Lilly, Bullitt, Dallas and Hay, and were as follow, viz:

Y E A S .

Messrs. Bardsley, Bartholomew, Beebe, Boyd, Brodhead, Broomall, Calvin, Campbell, Carter, Collins, Corbett, Corson, Craig, Curtin, DeFrance, Dodd, Edwards, Ewing, Finney, Gilpin, Guthrie, Hazzard, Howard, Landis, Lilly, Littleton, Newlin, Patterson, D. W., Patton, Reynolds, Runk, Russell, Turrell, Wetherill, John Price, White, David N., and Wright—36.

N A Y S .

Messrs. Achenbach, Andrews, Bailey, of Perry, Bailey, of Huntingdon, Baker, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Brown, Bullitt, Clark, Dallas, Darlington, Elliott, Gibson, Harvey, Hay, Heverin, Hunsicker, Kaine, Knight, Lamberton, MacConnell, M'Clean, Mann, Mantor, Mott, Niles, Palmer, G. W., Palmer, H. W., Purviance, Sam'l A., Reed Andrew, Rooke, Ross, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith Wm. H., Stanton, Struthers, Temple, Walker, Wherry, Woodward and Worrell—50.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Barclay, Buckalew, Carey, Cassidy, Church, Cochran, Cronmiller, Curry, Cuyler, Davis, Dunning, Ellis, Fell, Fulton, Funck, Green, Hall, Hanna, Hemphill, Horton, Lawrence, Lear, Long, MacVeagh, McCamant, M'Culhough, M'Murray, Metzger, Minor, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Read, John R., Stewart, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the second division ?

The yeas and nays were required by Mr. Bartholomew, seconded by Messrs. Biddle, Boyd, Heverin, Turrell, Newlin, Edwards, Hunsicker, Sharpe, Campbell and Dallas, and were as follow, viz:

Y E A S .

Messrs. Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Calvin, Campbell, Carter, Collins, Corbett, Craig, Curtin, Dallas, De France, Dodd, Edwards, Ewing, Finney, Hanna, Hay, Hazzard, Landis, Lilly, Littleton, Mott, Newlin, Patton, Reynolds, Russell, Smith, Wm. H., Temple, Turrell, Wherry and White, David N.—34.

N A Y S .

Messrs. Andrews, Baily, of Perry, Baker, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Bullitt, Clark, Corson,

Darlington, Elliott, Gibson, Gilpin, Guthrie, Harvey, Heverin, Hunsicker, Kaine, Knight, Lamberton, Lear, MacConnell, MacVeagh, M'Clean, Mann, Mantor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Struthers, Walker, Woodward, Worrell and Wright—51.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Alricks, Armstrong, Baer, Barclay, Buckalew, Carey, Cassidy, Church, Cochran, Cronmiller, Curry, Cuyler, Davis, Dunning, Ellis, Fell, Fulton, Funck, Green, Hall, Hemphill, Horton, Howard, Lawrence, Long, M'Camant, M'Culloch, M'Murray, Metzger, Minor, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Read, John R., Stewart, Van Reed, Wetherill, J. M.; Wetherill, John Price, White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Campbell,

To amend the same, by adding to the end thereof the words, "but the General Assembly may modify or abolish the grand jury in all cases."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Campbell, seconded by Messrs. Worrell, Hanna, Dallas, Corbett, Heverin, H. W. Smith, Simpson, Turrell and Ross, and were as follow, viz :

Y E A S .

Messrs. Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Beebe, Brodhead, Campbell, Collins, Corbett, Corson, Craig, Gilpin, Hanna, Hazzard, Littleton, Mann, Newlin, Patton, Reynolds, Ross, Simpson, Smith, H. G., Smith, Henry W., Temple and White, David N.—25.

N A Y S .

Messrs. Achenbach, Andrews, Baily, of Perry, Baker, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Brown, Bullitt, Calvin, Clark, Curtin, Dallas, Darlington, Dodd, Edwards, Elliott, Ewing, Finney, Gibson, Guthrie, Harvey, Hay, Heverin, Hunsicker, Kaine, Knight, Lamberton, Landis, Lilly, MacConnell, MacVeagh, M'Clean, Mantor, Metzger, Mott, Niles, Palmer, G. W., Palmer H. W., Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wherry, Woodward, Worrell and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Barclay, Buckalew, Carey, Carter, Cassidy, Church, Cochran, Cronmiller, Curry, Cuyler, Davis, De France, Dunning, Ellis, Fell, Fulton, Funck, Green, Hall, Hemphill, Horton, Howard, Lawrence, Lear, Long, M'Camant, M'Culloch, M'Murray, Minor, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Read, John R., Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., and Meredith, *President*.

The section was then agreed to.

On the question,

Will the Convention agree to the seventh section ?

A motion was made by Mr. Dallas,

To amend the same, by striking out from the word "liberty," in the sixth line, and including the word "evidence," in the tenth line, and inserting in lieu thereof as follows, viz : "All papers relating to the conduct of officers or men in public capacity, or to any other matter proper for public investigation or infor-

mation, shall be privileged, and no recovery or conviction shall be had in any suit or prosecution, civil or criminal, for the publication thereof, *where the fact that such publication was not maliciously made shall be established to the satisfaction of the jury.*"

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hay,

To amend the amendment by inserting after the word "maliciously," the words, "or negligently."

On the question,

Will the Convention agree so to amend the amendment ?

A motion was made by Mr. D. W. Patterson,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

TUESDAY, JUNE 17, 1873.

Mr. Niles offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the thanks of this Convention be and the same are hereby tendered to the West Jersey railroad company, through their president, Hon. T. Jones Yorke, as an acknowledgment of the special excursion to Cape May, given to the members of this body on Saturday, June 14, 1873.

Mr. Bigler offered the following resolution, which was twice read, viz :

Resolved, That a committee of ——— members be appointed by the President to consider and report, at an early day, as to the time and manner of submitting the amended Constitution for ratification by the people.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Bigler,

To postpone the question, together with the further consideration of the resolution, for the present.

Which was agreed to.

Mr. MacConnell offered the following resolution, which was twice read, viz :

Resolved, That no member shall speak on the same subject more than once nor more than ten minutes.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Bowman,

To amend the same, by striking out all after the word "*Resolved*," and inserting in lieu thereof as follows, viz: "*Resolved*, That no delegate shall speak longer than five minutes on any one question in consideration of articles on second and third reading, and in no case shall the time be extended without the unanimous consent of the House."

On the question,

Will the Convention agree so to amend?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution?

It was determined in the affirmative.

Mr. Clark asked and obtained leave of absence for Mr. Kaine for to-day on account of sickness.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 18) reported from the Committee on Declaration of Rights.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Hay to the amendment offered by Mr. Dallas, to the seventh section, by inserting after the word "maliciously," the words, "or negligently."

It was determined in the affirmative.

On the question,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Landis,

To amend the amendment by striking out the words, "all papers relating to the conduct of officers or men in public capacity, or to any other matter proper for public investigation or information, shall be privileged, and no recovery or conviction shall be had in any suit or prosecution, civil or criminal, for the publication thereof," and inserting in lieu thereof as follows, viz: "In prosecutions for the publication of papers, investigating the official conduct of officers or men in public capacities, or where the matter published is proper for public information, in any civil suit or criminal prosecution for the publication of the same, the truth thereof may be given in evidence, and there shall be no recovery or conviction."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. H. W. Palmer,

To amend the same, by striking out the words, "or to any other matter," and inserting in lieu thereof the word "and."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Dallas, seconded by Messrs. J. M. Wetherill, Sharpe, Russell, Biddle, H. G. Smith, Lilly, Buckalew, Cuyler, Clark and Bigler, and were as follow, viz:

Y E A S.

Messrs. Ainey, Andrews, Bannan, Bowman, Collins, Corbett, Craig, Darlington, De France, Elliott, Gilpin, Guthrie, Hanna, Howard, Lamberton, Lear, Lilly, MacConnell, Mann, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W.,

Reed, Andrew, Smith, Henry W., Struthers, Temple, Turrell, Walker, and White, David N.—31.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Baily, of Huntingdon, Baker, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Cochran, Cronmiller, Curry, Cuyler, Dallas, Dodd, Dunning, Edwards, Ewing, Finney, Fulton, Funck, Gibson, Green, Harvey, Hay, Hazzard, Hemphill, Horton, Knight, Landis, MacVeagh, M'Clean, Mantor, Mott, Newlin, Patton, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Van Reed, Wetherill, Jno. Price, Wherry, Woodward, Worrell and Wright—68.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bardsley, Brodhead, Cassidy, Church, Corson, Curtin, Davis, Ellis, Fell, Hall, Heverin, Hunsicker, Kaine, Lawrence, Littleton, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Reynolds, Wetherill, J. M., White, Harry, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the amendment as amended?

The yeas and nays were required by Mr. Dallas, seconded by Messrs. Corbett, Biddle, Bigler, Heverin, Carey, Newlin, Sharpe, Landis, Barclay and Broomall, and were as follow, viz:

Y E A S.

Messrs. Baker, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Bullitt, Campbell, Carter, Dallas, Dodd, Ewing, Green, Guthrie, Hay, Hazzard, Hemphill, Heverin, Horton, Lilly, M'Clean, Purviance, John N., Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Wherry and Woodward—32.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bartholomew, Black, J. S., Bowman, Brown, Buckalew, Calvin, Carey, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Curry, Curtin, Cuyler, Darlington, De France, Dunning, Edwards, Elliott, Finney, Fulton, Funck, Gibson, Gilpin, Hanna, Harvey, Howard, Knight, Lambertson, Landis, Lear, Littleton, MacConnell, MacVeagh, Mann, Mantor, Metzger, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, Henry W., Stewart, Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., Worrell and Wright—71.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bardsley, Brodhead, Cassidy, Church, Corson, Davis, Ellis, Fell, Hall, Hunsicker, Kaine, Lawrence, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Mott, Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Temple, White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Wm. H. Smith,

To strike out all after the word "section," and insert in lieu thereof as follows, viz: "In all civil suits or criminal prosecutions for libels, the truth may be given in evidence as well as the sources of information on which the alleged libel may be based, and if it shall appear to the jury that the publication charged as libelous is true; that it was based upon information derived from reliable sources;

was not inspired by malice and was published for good motives and justifiable ends, the accused shall be acquitted."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Newlin,

To amend the same, by striking out from the word "liberty," in the eighth line, and including the word "evidence," in the tenth line, and inserting in lieu thereof as follows, viz: "In all trials for libel, both civil and criminal, the truth, when published with good motives, and for justifiable ends, shall be a sufficient defence."

On the question,

Will the Convention agree so to amend ?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Dallas,

To amend the same, by striking out the seventh, eighth and ninth lines, and the word "evidence," in the tenth line, and inserting in lieu thereof as follows, viz: "as to papers relating to the conduct of officers or men in public capacity, or to any other matter proper for public investigation or information, no recovery or conviction shall be had in any suit or prosecution, civil or criminal, for the publication thereof, where the fact that such publication was not maliciously or negligently made shall be established to the satisfaction of the jury."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Dallas, seconded by Messrs. Green, Boyd, Bullitt, Sharpe, H. G. Smith, Runk, Biddle, Beebe, Cuyler and Heverin, and were as follow, viz:

YEAS.

Messrs. Alricks, Baker, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Bullitt, Campbell, Carter, Cochran, Curtin, Cuyler, Dallas, Dodd, Ewing, Green, Guthrie, Hay, Hemphill, Heverin, Horton, Landis, Lilly, M'Clean, Mott, Purviance, John N., Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Temple, Wherry and Woodward—39.

NAYS.

Messrs. Achenbach, Ainey, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bowman, Brown, Buckalew, Calvin, Carey, Clark, Collins, Corbett, Craig, Cronmiller, Curry, Darlington, De France, Dunning, Edwards, Elliott, Finney, Fulton, Funck, Gilpin, Hanna, Harvey, Howard, Knight, Lambertson, Littleton, MacConnell, MacVeagh, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Patterson, D. W., Pughe, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, Henry W., Stewart, Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., White, David N., Worrell and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bear, Barclay, Bardsley, Bartholomew, Cassidy, Church, Corson, Davis, Ellis, Fell, Gibson, Hall, Hazzard, Humsicker, Kaine, Lawrence, Lear, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Wetherill, John Price, White, Harry, White, J. W. F. and Meredith, *President*.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Broomall,

To amend the same, by striking out the seventh, eighth and ninth lines, and the word "evidence," in the tenth line, and inserting in lieu thereof as follows, viz: "No conviction shall be had in any prosecution for the publication of papers relating to the conduct of officers or men in public capacity, or to any other matter proper for public investigation or information, where the fact that such publication was not maliciously or negligently made shall be established to the satisfaction of the jury."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Broomall, seconded by Messrs. Russell, Corbett, Turrell, Niles, Green, Elliott, Mann, Hemphill, Pughe and Dallas, and were as follow, viz:

Y E A S .

Messrs. Alricks, Bailey, of Huntingdon, Baker, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carey, Carter, Cochran, Curry, Curtin, Cuyler, Dallas, Dodd, Dunning, Edwards, Elliott, Ewing, Gilpin, Green, Guthrie, Hay, Hemphill, Heverin, Horton, Landis, Lilly, Littleton, Mann, Mott, Niles, Palmer, G. W., Palmer, H. W., Pughe, Purviance, John N., Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Van Reed, Wherry, Woodward and Wright—53.

N A Y S .

Messrs. Ainey, Andrews, Armstrong, Baily, of Perry, Bannan, Bartholomew, Black, J. S., Brown, Calvin, Clark, Collins, Corbett, Craig, Cronmiller, Darlington, De France, Finney, Fulton, Funck, Gibson, Hanna, Harvey, Howard, Knight, Lamberton, Lear, MacConnell, MacVeagh, M'Clean, Mantor, Metzger, Minor, Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, Henry W., Stewart, Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, White, David N., and Worrell—48.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Barclay, Bardsley, Cassidy, Church, Corson, Davis, Ellis, Fell, Hall, Hazzard, Hunsicker, Kaine, Lawrence, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Furman, Read, John R., Temple, White, Harry, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Littleton,

To amend the same, by inserting before the word "conduct," the word "official."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Littleton, seconded by Messrs. Boyd, Worrell, Heverin, Hanna, Stanton, Minor, MacVeagh, Curry, Curtin and Gilpin, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bartholomew, Bowman, Brown, Calvin, Carter, Cochran, Collins, Corbett, Cronmiller, Curry, Curtin, Darlington, DeFrance, Elliott, Funck, Gibson, Gilpin, Hanna, Harvey, Horton, Knight, Lamberton, Lan-

dis, Lear, Littleton, MacVeagh, M'Clean, Mantor, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Ross, Runk, Russell, Smith, Henry W., Struthers, Turrell, Van Reed, Walker, White, David N., Worrell and Wright—58.

N A Y S .

Messrs. Baker, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carey, Clark, Craig, Dallas, Dodd, Dunning, Edwards, Ewing, Fulton, Green, Guthrie, Hay, Hazzard, Hemphill, Heverin, Lilly, MacConnell, Mann, Mott, Reed, Andrew, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Wherry and Woodward—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bardsley, Cassidy, Church, Corson, Cuyler, Davis, Ellis, Fell, Finney, Hall, Howard, Hunsicker, Kaine, Lawrence, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Purman, Reed, John R., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., and Meredith, *President*.

The section as amended was then agreed to.

The eighth section was agreed to.

On the question,

Will the Convention agree to the ninth section?

A motion was made by Mr. Broomall,

To amend the same, by adding to the end thereof as follows, viz: "The right to punish crime by legal process shall not extend to the taking of the life of the criminal."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Broomall, seconded by Messrs. Biddle, Beebe, Boyd, Cuyler, Campbell, Knight, Russell, J. S. Black, Runk, and Green, and were as follow, viz:

Y E A S .

Messrs. Ainey, Beebe, Brodhead, Broomall, Carter, Darlington, De France, Green, Heverin, Knight, Lilly, Mann, Mantor, Simpson, Stewart and White, David N.—16.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntington, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, Chas. A., Black, J. S., Bowman, Boyd, Brown, Buckalew, Bullitt, Calvin, Campbell, Collins, Cronmiller, Curry, Curtin, Cuyler, Dallas, Dodd, Dunning, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Lamberton, Landis, Lear, MacConnell, MacVeagh, M'Clean, Metzger, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Woodward, Worrell and Wright—76.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Barclay, Bardsley, Carey, Cassidy, Church, Clark, Cochran, Corbett, Corson, Craig, Davis, Edwards, Ellis, Fell, Finney, Hall, Hanna, Hunsicker, Kaine, Lawrence, Littleton, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Smith, H. G., Wherry, White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Simpson,

To amend the same, by adding to the end thereof as follows, viz: "In trial for homicide the jury may render a verdict of guilty of murder in the first degree without capital punishment."

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the tenth section ?

A motion was made by Mr. Hay,

To amend the same, by striking out the word "and," in the seventh line, and inserting in lieu thereof the words, "nor by any private corporation or person, without the necessity for such taking being first ascertained in a manner to be prescribed by law, nor."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Hay, seconded by Messrs. Sharpe, Cuyler, Cochran, Campbell, Gilpin, Clark, Bailey, of Huntingdon, H. G. Smith, Bullitt and Ewing, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Baily, of Perry. Baker, Black, J. S., Buckalew, Bullitt, Calvin, Campbell, Cochran, Collins, De France, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Landis, Lilly, MacConnell, Mantor, Mott, Newlin, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Wetherill, J. M., Wherry, Woodward, Worrell and Wright—44.

N A Y S.

Messrs. Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Brown, Clark, Corbett, Cronmiller, Curtin, Cuyler, Darlington, Dunning, Edwards, Green, Knight, Lamberton, Lear, MacVeagh, Mann, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Pughe, Reed, Andrew, Runk, Sharpe, Stanton, Stewart, Struthers, Temple, Turrell, Walker, Wetherill, John Price, and White, David N.—44.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bardsley, Bartholomew, Beebe, Carey, Carter, Cassidy, Church, Corson, Craig, Curry Dallas, Davis, Ellis, Fell, Fulton, Hall, Hanna, Heverin, Horton, Howard, Hunsaker, Kaine, Lawrence, Littleton, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Metzger, Mitchell, Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Rooke, Van Reed, White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Stewart,

To amend the same in the seventh line, by striking out the words, "the consent of his representatives," and inserting in lieu thereof the words, "authority of law."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Struthers,

To amend the same, by striking out the words, "no person shall, for the same offence, be twice put in jeopardy of life or limb," and inserting in lieu thereof as follows, viz: "In all cases where there has been a final verdict of acquittal or conviction upon an adequate indictment, the defendant shall not again be proceeded against criminally for the same offence."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Stewart, seconded by Messrs. Elliott, H. G. Smith, Wherry, Niles, Temple, Cuyler, Armstrong, Sharpe, Cochran and Wm. H. Smith, and were as follows, viz:

YEAS.

Messrs. Ainey, Armstrong, Baker, Bartholomew, Beebe, Black, Charles A., Campbell, Cochran, Curtin, Ewing, Funck, Guthrie, Hazzard, Lear, Lilly, MacVeagh, Mann, Metzger, Mott, Patterson, D. W., Reynolds, Russell, Simpson, Smith Wm. H., Stewart, Wherry, White, David N., and Woodward—28.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Bailey, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Bigler, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carter, Clark, Collins, Corbett, Craig, Cuyler, Darlington, DeFrance, Dunning, Edwards, Elliott, Finney, Fulton, Gibson, Gilpin, Green, Harvey, Hay, Hemphill, Horton, Knight, Lamberton, Landis, MacConnell, M'Clean, Mantor, Minor, Newlin, Niles, Palmer, G. W., Pughe, Purviance, John N., Purviance, Sam'l A., Reed Andrew, Runk, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, and Worrell—61.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bullitt, Carey, Cassidy, Church, Corson, Cronmiller, Curry, Dallas, Davis, Dodd, Ellis, Fell, Hall, Hanna, Heverin, Howard, Hunsicker, Kaine, Lawrence, Littleton, Long, McCamant, M'Cullough, M'Murray, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Rooke, Ross, Temple, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Bowman,

To amend the same in the sixth line, by striking out the words, "any man's," and inserting in lieu thereof the word "private."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Funck,

To amend the same, by adding to the end thereof as follows, viz: "And all consequential damages resulting from improvements made under legislative authority, or by municipal corporations, shall be paid."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Wherry,

To amend the same in the sixth line, by striking out the words, "or limb."

Which was not agreed to.

The section as amended was then agreed to.

On the question,
Will the Convention agree to the eleventh section ?

A motion was made by Mr. Cuyler,

To amend the same, by adding to the end thereof the words, "and the Legislature shall so provide."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Struthers,

To amend the same in the sixth line, by striking out the word "may," and inserting in lieu thereof the word "shall."

Which was not agreed to.

The eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were then agreed to.

On the question,
Will the Convention agree to the seventeenth section ?

A motion was made by Mr. Buckalew,

To amend the same in the first line, by inserting after the word "impairing," the words, "the obligation of."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

A motion was made by Mr. Gilpin,

To amend the same in the second line, by inserting after the word "immunities," the following, viz: "Or any law depriving a party of any remedy for the enforcement of a contract which existed when the contract was made."

Which was not agreed to.

The section as amended was then agreed to.

The eighteenth and remaining sections were then agreed to.

On the question,
Will the convention agree to the preamble ?

A motion was made by Mr. J. N. Purviance,

To amend the same in the second line, by inserting after the word "God," the words, "the Sovereign Ruler of the Universe," and in the third line, by inserting after the word "His," the words, "favor and."

Which was not agreed to.

The preamble was then agreed to.

On the question,
Shall the article be transcribed for a third reading ?

A motion was made by Mr. Corbett,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. MacVeagh,

That the Convention proceed to the second reading and consideration of the eighteenth, nineteenth and twentieth sections of the article reported from the Committee on the Legislature.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Lamberton,

That the Convention do now adjourn.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion ?

It was determined in the affirmative.

The eighteenth section being under consideration,

And on the question,

Will the Convention agree to the section ?

A motion was made by Mr. MacVeagh,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

WEDNESDAY, JUNE 18, 1873.

A motion was made by Mr. Ewing and Mr. Wherry,

To re-consider the vote by which the article reported from the Declaration of Rights was referred to the Committee on Revision and Adjustment.

Which was not agreed to.

Mr. Hunsicker asked and obtained leave of absence for Mr. Corson, for a few days from to-day, on account of sickness.

Mr. Charles A. Black asked and obtained leave of absence for Mr. John Read, for a few days from to-day.

Mr. Simpson asked and obtained leave of absence for Mr. Baker, for a few days from to-morrow.

Mr. Lilly offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That hereafter in calling the yeas and nays on all amendments to sections on second reading, shall be seconded by ten delegates, who shall rise in their place and stand until counted by the chair, but the names so seconding shall not be recorded upon the Journals.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read as follows, viz :

The Committee on Accounts and Expenditures of the Convention, respectfully reports :

First. That D. F. Murphy, Official Report of the Convention, in addition to the payments heretofore made him on account of his services, is entitled to be now paid the further sum of five hundred dollars.

Second. That two accounts of William W. Harding, dated respectfully, June 3 and June 16, for three hundred and eighty-one reams of paper furnished under his contract with the Convention, together amounting to the sum of \$2,857 50, have been examined. The accounts are certified as approved from the Committee on Printing, and the Printer acknowledges to have received the same, and that the quality is satisfactory. They are accordingly reported as correct and proper to be paid.

Third. On the 13th day of June, instant, the following resolution was adopted by the Convention :

Resolved, That the Committee on Accounts and Expenditures of the Convention are hereby instructed to report the amount of compensation to be paid the Fireman and his assistant for their services. Under this instruction the committee reports, that the Convention, on the 13th day of November, 1872, directed that in addition to its other employees, the Chief Clerk should appoint one Fireman, who should be paid 3 50 per day, while actually engaged in the discharge of his duties; and on the 24th day of January, 1873, the employment of an assistant fireman, who should be paid \$3 00 per day while actually engaged in the discharge of his duties, was also authorized.

The compensation of these employees having been so fixed by the Convention itself, and the amount appearing to be quite sufficient for services, however faithful of the character rendered, and the persons mentioned having been fully paid for the period authorized by the Convention, the committee has no recommendation to make which would increase the expenditure of the Convention on this account. While all service rendered to the Convention should be fairly and properly compensated, the committee perceive no propriety in making appropriations to any persons in its employment, beyond the fair value of what they have done, and beyond what equally competent persons would be prepared and very willing to work for, merely as gratuities.

The following resolutions are accordingly reported :

Resolved, That a warrant be drawn in favor of D. F. Murphy, Official Reporter of the Convention, for the sum of five thousand dollars, to be accounted for by him in the settlement of his accounts.

Resolved, That the above mentioned accounts of William W. Harding, for three hundred and eighty-one reams of paper, amounting to the sum of \$2,857 50, be and the same are hereby approved, and that a warrant be drawn in favor of said W. W. Harding for the payment thereof.

Resolved, That the Committee on Accounts and Expenditures be and it is hereby discharged from the further consideration of the resolution of the Convention, adopted June 13, 1873, upon the subject of the further compensation of the Fireman and Assistant Fireman, lately in the service of the Convention.

On motion of Mr. Hay,

Said resolutions were twice read, considered and agreed to.

On leave given,

The President *pro tem.* laid before the Convention the following communication, which was read, viz :

1344 CHESTNUT STREET, }
PHILADELPHIA, June 17, 1873. }

Hon. JOHN H. WALKER,

President pro tem. of the Constitutional Convention of Pennsylvania :

SIR :—The undersigned, through you, respectfully asks the honorable body over which you preside to grant him the use of the Convention hall, on Tuesday evening next, for the purpose of delivering therein an address against woman suffrage.

Very respectfully, sir,

Your obedient servant,

LLOYD D. SIMPSON.

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 2) reported from the Committee on Legislature.

And the question recurring,

Will the Convention agree to the eighteenth section ?

A motion was made by Mr. Cochran,

To amend the same, by striking out all after the word "section," and insert in lieu thereof as follows, viz: "The number of Senators shall be thirty-three; the number of Representatives, ninety-nine. The State shall be divided into eleven Senatorial districts, of compact and contiguous territory, as nearly equal in population as possible; and each district shall be entitled to elect three Senators, but no elector shall vote for more than two. The three highest in vote shall be declared elected. No county shall be divided in forming a district, unless it is entitled to more than three Senators. If entitled to more than three and less than six, the territory not included in the district as formed shall be united to an adjoining county or counties to form another district; if entitled to more than six, then after two districts shall have been made the remaining territory shall be united to an adjoining county or counties to form another district. No such union shall be formed unless the surplus population of such county shall equal the one-third of the number required to elect a Senator. The State shall be divided into thirty-three Representative districts, of compact and contiguous territory, as nearly equal in population as possible, and each district shall be entitled to elect three Representatives, but no elector shall vote for more than two, and the three highest in vote shall be declared elected. No county shall be divided in forming a district unless it shall be entitled to more than three Representatives, and should its population exceed the number required for that purpose the county may be divided into two or more Representative districts, each electing three Representatives in manner aforesaid, if possessing the requisite population, or within one-third of the number required to constitute a district.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cochran and Mr. Carey, and were as follow, viz:

YEAS.

Messrs. Carey, Cochran, Cuyler, De France, Gilpin, Guthrie, Kaine, Mott, Palmer, H. W., Patton, Smith, H. G., Temple, Van Reed, Wherry and Wright—15.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntington, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bigler, Black, Chares A., Bowman, Boyd, Broomall, Brown, Bullitt, Calvin, Carter, Church, Clark, Corbett, Cronmiller, Curry, Darlington, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Green, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, Lilly, M'Connell, Mac Veagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Parsons, Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance Sam'l A., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, David N., Woodward and Worréll—85.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Bardsley, Black, J. S., Brodhead, Buckalew, Campbell, Cassidy, Collins, Corson, Craig, Curtin, Dallas, Davis, Dodd, Finney, Funck, Hall, Heverin, Littleton, Long, M'Camant, Mitchell, Newlin, Patterson, T. H. B., Porter, Read, John R., Ross, Smith, Wm. H., White, Harry, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. John Price Wetherill,

To amend the same, by striking out all after the word "ratio," where it last occurs in the sixth line.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. John Price Wetherill and Mr. Hanna, and were as follows, viz:

Y E A S .

Messrs. Addicks, Baer, Baker, Bannan, Bardsley, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Bullitt, Campbell, Carey, Cassidy, Craig, Curry, Curtin, Cuyler, Dodd, Edwards, Elliott, Ellis, Fell, Guthrie, Hanna, Heverin, Hunsicker, Knight, Lamberton, Lear, Lilly, Littleton, M'Murray, Mann, Newlin, Purviance, Sam'l A., Rooke, Runk, Simpson, Stanton, Temple, Walker, Wetherill, J. M., Wetherill, John Price, Wherry and Worrell—49.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bartholomew, Bowman, Buckalew, Calvin, Carter, Church, Clark, Collins, Corbett, Cronmiller, Darlington, De France, Dunning, Ewing, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Kaine, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, M'Culloch, Mantor, Metzger, Minor, Mott, Niles, Palmer, H. W., Parsons, Patterson, D., W., Patton, Pughe, Furman, Purviance, John N., Reed, Andrew, Reynolds, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Struthers, Turrell, Van Reed, White, David N., Woodward and Wright—64.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Brodhead, Cochran, Corson, Dallas, Davis, Finney, Hall, Long, M'Camant, Mitchell, Palmer, G. W., Patterson, T. H. B., Porter, Read, John R., Ross, Smith, Wm. H., White, Harry, White, J. W. F., and Meredith, *P. resident*.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Littleton,

To amend the same, in the first line, by striking out the word "fifty," and inserting in lieu thereof the words, "one hundred."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Dartington,

To amend the same, in the seventh line, by striking out the word "sixth," and inserting thereof the word "seventh."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Wherry,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The State shall be divided into ten senatorial districts of compact and contiguous territory, as equal in population as possible, and each district shall be entitled to elect four Senators. The vote of no elector shall count in the election of more than one Senator, but votes shall be counted in the order of preference indicated by the electors. No county shall be divided in the formation of a district unless entitled to two or more Senators.

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Broomall,
To amend the same, by striking out the word "fifty," in the first line, and inserting in lieu thereof the word "thirty-three."

On the question,
Will the Convention agree so to amend ?

• The yeas and nays were required by Mr. Broomall and Mr. Baer, and were as follow, viz :

Y E A S .

Messrs. Baer, Bannan, Black, Charles A., Bowman, Broomall, Buckalew, Carey, Clark, Cochran, Collins, Craig, Ellis, Ewing, Fulton, Funck, Gilpin, Guthrie, Howard, Kaine, MacVeagh, M'Culloch, M'Murray, Minor, Niles, Palmer, H. W., Patterson, D. W., Purman, Purviance, Sam'l A., Reed, Andrew, Smith, H. G., Smith, Henry W., Stewart, Van Reed, Walker, Wherry and Wright—36.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baily, of Perry, Baker, Barclay, Bartholomew, Beebe, Biddle, Bigler, Black, J. S., Boyd, Brown, Bullitt, Calvin, Campbell, Cassidy, Church, Corbett, Cronmiller, Curry, Cuyler, Darlington, De France, Edwards, Elliott, Fell, Gibson, Green, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Hunsicker, Knight, Lambertson, Landis, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Clean, Mann, Mantor, Metzger, Newlin, Palmer, G. W., Parsons, Patton, Purviance, John N., Reynolds, Rooke, Runk, Russell, Sharpe, Simpson, Stanton, Struthers, Temple, Turrell, Wetherill, John Price, White, David N., Woodward and Worrell—70.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bailey, of Huntingdon, Bardsley, Brodhead, Carter, Corson, Curtin, Dallas, Davis, Dodd, Dunning, Finney, Hall, Long, M'Camant, Mitchell, Mott, Patterson, T. H. B., Porter, Pughe, Read, John R., Ross, Smith, Wm. H., Wetherill, J. M., White, Harry, White, J. W. F., and Meredith, *President*.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Hemphill,
To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz : "The Senate shall be composed of one Senator from each county."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Cuyler,
To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows :

"The number of Senators shall be 51, and of Representatives 150.

"Each county shall be entitled to one Representative, and the remaining number of Representatives shall be apportioned to districts made up of contiguous territory, and as nearly equal in population as practicable.

"It shall be the duty of the Legislature to adjust such districts at their first session after the adoption of this Constitution, and every ten years thereafter, according to population as ascertained by the last preceding United States census.

"Senators shall be elected on general ticket by all the lawful voters of the Commonwealth. At the first election held after the adoption of this Constitution, one-third of the Senators chosen shall be for a term of two years, one-third for three years, and one-third for four years, and thereafter they shall be chosen for a term of four years.

"When more than three Senators are to be elected, each voter shall cast his ballot for not more than two-thirds of the number required to be chosen."

On the question,

Will the Convention agree so to amend?

Mr. Littleton called for a division of the question, the first division to end with the word practicable, at the end of the second paragraph.

On the question,

Will the Convention agree to the first division?

Mr. S. A. Purviance called for a further division, the first division to end with the word "fifty," in the first line.

On the question,

Will the Convention agree to the first division, viz: "The number of Senators shall be fifty-one."

The yeas and nays were required by Mr. Cuyler and Mr. Littleton, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Andrews, Bardsley, Bartholomew, Boyd, Curry, Cuyler, Dallas, Guthrie, Hanna, Lilly, Littleton, Mott, Purviance, Samuel A., Reynolds, Runk and Stanton—18.

N A Y S .

Messrs. Addicks, Alricks, Armstrong, Baily, of Perry, Baker, Bannan, Beebe, Bigler, Black, Charles A., Black, J. S., Bowman, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Church, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Curtin, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lambertson, Landis, Lawrence, Lear, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Pughe, Purman, Purviance, John N., Reed, Andrew, Rooke, Ross, Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, Walker, White, David N., Woodward, Worrell and Wright—86.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Bailey, of Huntingdon, Barclay, Biddle, Brodhead, Cassidy, Corson, Davis, Dodd, Ellis, Fell, Finney, Hall, Heverin, Long, M'Camant, Mitchell, Newlin, Patterson, T. H. B., Porter, Read, John R., Smith, H. G., Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, White, J. W. F. and Meredith, *President*.

On the question,

Will the Convention agree to the second division, viz: "The number of Representatives shall be one hundred and fifty?"

"Each county shall be entitled to one Representative, and the remaining number of Representatives shall be apportioned to districts made up of contiguous territory, and as nearly equal in population as practicable."

The yeas and nays were required by Mr. Cuyler and Mr. Littleton, and were as follow, viz:

Y E A S .

Messrs. Bannan, Bartholomew, Curry, Curtin, Cuyler, Dallas, Guthrie, Hanna, Lilly, Littleton, Mott, Rooke, Runk, Woodward and Worrell—15.

N A Y S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Baker, Barclay, Bardsley, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Church, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, John Price, White, David N. and Wright—89.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Brodhead, Cassidy, Corson, Davis, Dodd, Ellis, Fell, Finney, Hall, Heverin, Lear, Long, M'Camant, M'Culloch, M'Murray, Mitchell, Newlin, Patterson, T. H. B., Porter, Read, John R., Smith, H. G., Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., and Meredith, *President*.

On motion of Mr. Cuyler,

The third division was made to consist of the following paragraphs, viz:

“Senators shall be elected on general ticket by all the lawful voters of the Commonwealth. At the first election held after the adoption of this Constitution, one-third of the Senators chosen shall be for a term of two years, one-third for three years, and one-third for four years, and thereafter they shall be chosen for a term of four years.”

“When more than three senators are to be elected, each voter shall cast his ballot for not more than two-thirds of the number required to be chosen.”

On the question,

Will the Convention agree to the third division?

The yeas and nays were required by Mr. Cuyler and Mr. Bartholemew, and were as follow, viz:

Y E A S .

Messrs. Ainey, Armstrong, Bannan, Bartholemew, Buckalew, Bullitt, Curtin, Cuyler, Dallas, De France, Dunning, Guthrie, Lamberton, Lilly, Mott, Patton, Sharpe, Stewart, Woodward and Worrell—20.

N A Y S .

Messrs. Addicks, Alricks, Andrews, Baer, Bailly, of Perry, Baker, Barclay, Bardsley, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Carter, Church, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Curry, Darlington, Edwards, Elliott, Ewing, Fell, Fulton, Funck, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Landis, Lawrence, Littleton, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Niles, Palmer, G. W., Parsons, Patterson, D. W., Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Turrell, Walker, Wetherill, John Price and White, David N.—83.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bailey, of Huntingdon, Brodhead, Carey, Cassidy, Corson, Davis, Dodd, Ellis, Finney, Hall, Heverin, Lear, Long, M'Camant, Mitchell, Newlin, Palmer, H. W., Patterson, T. H. B., Porter, Pughe, Read, John R., Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Wright and Meredith, *President*.

The eighteenth section was then agreed to.

On the question,
Will the Convention agree to the nineteenth section ?

A motion was made by Mr. S. A. Purviance,
To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz:

"Each county in the State, including the city of Philadelphia, shall be entitled to one member in the House of Representatives, and for every 35,000 inhabitants, or a fraction of three-fifths of a ratio of 35,000, to an additional member, until the House has increased in number to 180, which shall be the maximum. The city of Philadelphia, and counties having a population of 150,000, may be divided into separate legislative districts.

"The Legislature shall provide by law for a return once in every three years to the several counties of this Commonwealth of the inhabitants thereof, and the commissioners of said counties shall certify to the office of the Secretary of the Commonwealth within thirty days after said return, the number of inhabitants of each county; and whenever it shall appear that any county has attained the requisite number of inhabitants for an additional member, the Governor shall make his proclamation of the same, and the additional member or members shall be elected at the next general election thereafter."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Bigler,

To amend the amendment, by making it read as follows, viz:

"The ratio for a member of House of Representatives shall be 25,000 inhabitants, and members shall be apportioned among the counties as follows: Counties having less than three-fifths of a ratio shall be attached to each other or to larger counties, and districts so constituted with not less than three-fifths of a ratio shall be entitled to one member, and the remainder of the counties shall be entitled to a member for every ratio of population, and any county having an excess of three-fifths of a ratio over one or more, shall be entitled to an additional member; except that the counties of Philadelphia, Allegheny and Luzerne shall be divided into districts of contiguous territory as near equal in population as practicable, and each be entitled to two members. And counties hereafter created shall each be entitled to one member."

Which was not agreed to.

And the question recurring,
Will the Convention agree so to amend ?

A motion was made by Mr. Buckalew,
To amend the amendment, by striking out the word "may," in the sixth line, and inserting in lieu thereof, the word "shall."

Which was agreed to.

And on the question,
Will the Convention agree to the amendment as amended ?

A motion was made by Mr. Campbell,

To amend the same, by adding to the end of the seventh line the words, "in each of which districts there shall be elected not less than three nor more than five representatives."

Which was not agreed to.

And the question recurring,
Will the Convention agree to the amendment as amended ?

A motion was made by Mr. Buckalew,

To amend the same, by adding to the end of the sixth line, a proviso as follows, viz: *Provided however*, That the counties of Cameron and McKean, the counties of Elk and Forest, and the counties of Sullivan and Wyoming, shall, in the order

named, constitute Representative districts, each thereof to elect one Representative, with a right to a second Representative whenever its amount of population would entitle a separate county to such second Representative."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the amendment as amended ?

A motion was made by Mr. Littleton,

To amend the same, by adding to the end thereof a proviso as follows, viz: *Provided*, That the city of Philadelphia shall always be entitled to at least twenty-seven members."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the amendment as amended ?

The yeas and nays were required by Mr. Corbett and Mr. Andrews, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Andrews, Bear, Beebe, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Buckalew, Bullitt, Clark, Corbett, Curtin, De France, Dunning, Elliott, Fulton, Gibson, Gilpin, Guthrie, Harvey, Hunsicker, Kaine, Lamberton, Landis, Lilly, M'Clean, M'Murray, Mott, Niles, Palmer, G. W., Patton, Purviance, Samuel A., Reed, Andrew, Ross, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Struthers, Wherry, Woodward, Worrell and Wright—48.

N A Y S.

Messrs. Addicks, Armstrong, Baily, of Perry, Baker, Bannan, Bartholomew, Biddle, Bowman, Calvin, Campbell, Church, Cochran, Collins, Craig, Cronmiller, Dallas, Darlington, Edwards, Ewing, Fell, Funck, Hanna, Hay, Hazzard, Hemp-hill, Horton, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, Mac-Veagh, M'Culloch, Mann, Mantor, Minor, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Purviance, John N., Reynolds, Rooke, Russell, Simpson, Smith, Henry W., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price and White, David N.—57.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Barclay, Bardsley, Brodhead, Carey, Carter, Cassidy, Corson, Curry, Cuyler, Davis, Dodd, Ellis, Finney, Green, Hall, Heverin, Long, M'Camant, Metzger, Mitchell, Patterson, T. H. B., Porter, Purman, Read, John R., White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,
Will the Convention agree to the section ?

A motion was made by Mr. Littleton,

To amend the same, in the fourth and fifth lines, by striking out the words "except that no county shall have less than one member."

On the question,
Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Corbett and Mr. Dallas, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Bartholomew, Biddle, Bigler, Boyd, Broomall, Campbell, Church, Cochran, Corbett, Dallas, De France, Edwards, Fell, Gibson, Harvey, Lilly, Littleton, Newlin, Palmer, H. W., Patton, Reynolds, Sharpe, Smith,

H. G., Smith, Henry W., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, and Wherry—36.

N A Y S.

Messrs. Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Baker, Bannan, Beebe, Bowman, Brown, Calvin, Clark, Collins, Craig, Cronmiller, Darlington, Dunning, Elliott, Ewing, Fulton, Funck, Gilpin, Hanna, Hay, Hazzard, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lawrence, Lear, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Struthers, Turrell, Walker, White, David N., Woodward and Worrall—63.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bailey, of Huntingdon, Barclay, Bardsley, Black, Charles A., Black, J. S., Brodhead, Buckalew, Bullitt, Carey, Carter, Cassidy, Corson, Curry, Curtin, Cwyler, Davis, Dodd, Ellis, Finney, Green, Guthrie, Hall, Hemphill, Heverin, Long, M'Camant, Metzger, Mitchell, Patterson, D. W., Patterson, T. H. B., Porter, Read, John B., White, Harry, White, J. W. F., Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Hanna,

To amend the same, in the fifth line, by striking out the word "no," and inserting in lieu thereof the word "each," and by striking out the words, "have less than," and inserting in lieu thereof the words, "be entitled to at least."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Niles,

To amend the same in the first and second lines, by striking out the words, "not less than."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Curtin,

To amend the same, by adding to the end of the section the words, "The Legislature may, after the year 1881, increase the number of its members not exceeding fifty."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follow, viz:

"The House of Representatives shall be constituted as follows, viz:

"*First.* The population of the State, as ascertained at each decennial census of the United States, shall be divided by the number one hundred and fifty, and the resulting quotient shall be the Representative ratio.

"*Second.* Each county now organized shall be entitled to at least one Representative, but no county hereafter erected, shall be entitled to separate representation unless its population shall exceed one-half a representative ratio.

"*Third.* Counties containing a representative ratio, and three-fifths of a second ratio, shall be entitled to two Representatives; those containing two ratios, and four-fifths of a third ratio, shall be entitled to three Representatives; and each county containing three or more ratios, shall be entitled to one Representative for each ratio of its population.

"*Fourth.* The Representatives assigned to the counties of Philadelphia and Allegheny shall be chosen by single districts. The said representative districts shall be so formed as to secure the full proportionate and just representation of each division of the electors of each of said counties, as the same shall be exhibited in the returns of popular elections, shall have respectively a census population as nearly equal as may be, and shall be composed of connected territory, but no township or election district shall be divided in the formation of said representative districts.

"As soon as may be after each decennial enumeration of the inhabitants of this State, by authority of the United States, shall be made, and the result thereof published, the Secretary of the Commonwealth, the Secretary of Internal Affairs and the Attorney General shall meet together and proceed to ascertain and determine the number of Representatives to which each county and district composed of counties shall be entitled under this Constitution, and shall apportion the same thereto, and certify their apportionment to the Governor of the Commonwealth, who shall forthwith announce the same by proclamation to the people."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Bartholomew,

To amend the same in the fourth paragraph, by striking out the word "and," in the first line, and by inserting after the word "Allegheny," in the second line, the words, "Schuylkill and Luzerne."

Which was agreed to.

And on the question,

Will the Convention agree to the amendment as amended?

Mr. Buckalew called for a division of the question—each paragraph to constitute a division.

On the question,

Will the Convention agree to the first division?

The yeas and nays were required by Mr. MacVeagh and Mr. Sharpe, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baer, Bannan, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Buckalew, Bullitt, Church, Clark, Corbett, Curtin, Cuyler, Dallas, De France, Dunning, Elliott, Fulton, Gibson, Guthrie, Harvey, Hay, Heverin, Hunsicker, Kaine, Lamberton, Lilly, M'Clean, M'Murray, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patton, Pughe, Purman, Purviance, Samuel A., Reed, Andrew, Ross, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry and Worrell—61.

N A Y S .

Messrs. Ainey, Andrews, Baily, of Perry, Baker, Beebe, Bowman, Calvin, Campbell, Cochran, Collins, Craig, Darlington, Edwards, Ewing, Funck, Hanna, Hazzard, Horton, Howard, Knight, Landis, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Newlin, Niles, Patterson, D. W., Purviance, John N., Reynolds, Rooke, Russell, Simpson, Stewart, Struthers, Turrell and White, David N.—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bailey, of Huntingdon, Barclay, Bardsley, Brodhead, Carey, Carter, Cassidy, Corson, Cronmiller, Curry, Davis, Dodd, Ellis, Fell, Finney, Gilpin, Green, Hall, Hemphill, Long, M'Camant, Mitchell, Patterson, T. H. B., Porter, Read, John R., Temple, White, Harry, White, J. W. F., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the first division ?

A motion was made by Mr. Stewart,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest :

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

THURSDAY, JUNE 19, 1873.

Mr. Wm. H. Smith asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Ainey asked and obtained leave of absence for Mr. Harvey for to-day.

Mr. Hazzard asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Pughe asked and obtained leave of absence for Mr. Curry for a few days from to-day, on account of an accident in his family.

Mr. Wright offered the following resolution which was read, viz :

Resolved, That when all the articles have passed second reading, the Convention will adjourn and re-assemble in three weeks.

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article reported from the committee on Legislature.

And the question recurring,

Will the Convention agree to the second division of the amendment offered by Mr. Buckalew to the nineteenth section, viz :

“*Second*, Each county, now organized, shall be entitled to at least one Representative ; but no county hereafter erected shall be entitled to a separate representation, unless its population shall exceed one-half a representative ratio.”

A motion was made by Mr. Brodhead,

To amend the same, by striking out all after the word “ representative,” in the seventh line.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Ainey and Mr. Minor,
To re-consider the vote by which the first division was adopted.

Which was agreed to.

And the question recurring,

Will the Convention agree to the first division, viz :

“ The House of Representatives shall be constituted as follows; viz :

“ *First*.—The population of the State as ascertained at each decennial census of the United States, shall be divided by the number one hundred and fifty, and the resulting quotient shall be the Representative ratio.”

A motion was made by Mr. Struthers,

To amend the same, by striking out all after the word “ shall,” in the first line, and inserting in lieu thereof as follows, viz: “Consist of one hundred and fifty members; each county shall be a district, and entitled to one member; the ratio for a Representative shall be ascertained by dividing the inhabitants of the State, as ascertained by the last national census, by the number of members remaining, after deducting one for each county from one hundred and fifty. Each county having one or more ratio, shall be entitled to one member for each. The deficiency, if any, at each appointment, shall be made up by giving a member to the county or counties having the highest fraction of unrepresented inhabitants until the House is full.”

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the first division ?

A motion was made by Mr. Cochran,

To amend the same, by striking out all after the word “ the,” in the first line, and inserting in lieu thereof as follows, viz :

“ The number of members of the House of Representatives shall be one hundred and fifty, and shall be apportioned among the people on the basis of the population of the State as ascertained by each decennial census taken under authority of the United States. No county shall be divided in apportioning Representatives. Counties not having at least three-fifths of the ratio of representation shall not be entitled to a separate Representative. Smaller counties shall be united together, or to larger counties in apportioning Representatives. Should the whole number of Representatives not be reached by an apportionment made on the basis above appointed, it shall be made up by giving additional members to the counties or representative district having the largest surplus of population.”

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cochran and Mr. Knight, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bannan, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Broomall, Bullitt, Carey, Carter, Cochran, Collins, Dallas, De France, Dodd, Ellis, Fell, Funck, Gibson, Guthrie, Heverin, Kaine, Knight, Lear, Lilly, Littleton, MacVeagh, M'Culloch, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Pughe, Reed, Andrew, Reynolds, Sharpe, Smith, Wm. H., Stewart, Wetherill, J. M., Wetherill, John Price, and Wright—45.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Beebe, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Church, Clark, Corson, Craig, Cronmiller, Curry, Curtin, Darlington, Dunning, Edwards, Elliott, Ewing, Fulton, Gilpin, Green, Hall, Hanna, Hay, Hazzard, Hemphill, Hor-

ton, Howard, Hunsicker, Landis, Lawrence, Long, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Mantor, Metzger, Minor, Mott, Niles, Parsons, Patton, Purman, Purviance, John N., Purviance, Sam'l A., Rooke, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Turrell, Van Reed, Walker, Wherry, White, David N., White, Harry, Woodward and Worrell—72.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Baker, Barclay, Black, J. S., Cassidy, Corbett, Cuyler, Davis, Finney, Harvey, Lamberton, Mitchell, Patterson, T. H. B., Read, John R., Simpson, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the first division ?

The yeas and nays were required by Mr. Wherry and Mr. Ross, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Bear, Biddle, Bigler, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carter, Corbett, Dallas, De France, Dodd, Dunning, Elliott, Ellis, Gibson, Gilpin, Guthrie, Hay, Hemphill, Heverin, Hunsicker, Kaine, Landis, Lilly, Long, M'Camant, M'Clean, M'Murray, Metzger, Mott, Palmer, G. W., Patton, Pughe, Purman, Reed, Andrew, Ross, Sharpe, Smith, H. G., Temple, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward and Worrell—49.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Bannan, Bartholomew, Beebe, Black, Charles A., Bowman, Calvin, Campbell, Carey, Cochran, Collins, Corson, Cronmiller, Curry, Curtin, Darlington, Edwards, Ewing, Fell, Funck, Green, Hall, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Newlin, Niles, Parsons, Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Van Reed, Walker, White, David N., White, Harry, and Wright—61.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Baker, Barclay, Bardsley, Black, J. S., Cassidy, Church, Clark, Craig, Cuyler, Davis, Finney, Fulton, Harvey, Lamberton, Mitchell, Palmer, H. W., Patterson, T. H. B., Read, John R., Simpson, Smith, Wm. H., White, J. W. F. and Meredith, *President*.

The second division being again under consideration,

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Brodhead?—to strike out all after the word "Representative," in the first line.

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the second division ?

A motion was made by Mr. Broomall,

To amend the same, so as to make it read as follows, viz: "The House of Representatives shall consist of one hundred and fifty members. The General Assembly, at its first session after the adoption of this Constitution, and every ten years thereafter, shall apportion the State for the election of Representatives according to its population, as ascertained by the last preceding national census. Representative districts shall, in all cases, be composed of compact and contiguous territory, and shall contain as nearly as possible an equal number of inhabitants: *Provided*, That every county shall have at least one Representative."

On the question,

Will the Convention agree to the motion ?

Mr. Buckalew called for a division of the question—the first division to end with the word “members,” in the second line; the second division to end with the word “census,” in the sixth line, and the third division to end with the word “Representative,” at the end of the proviso.

The first division was agreed to.

On the question,

Will the Convention agree to the second division ?

The yeas and nays were required by Mr. MacVeagh and Mr. Temple, and were as follow, viz :

Y E A S .

Messrs. Bardsley, Bartholomew, Biddle, Broomall, Carey, Cochran, Collins, Corbett, Corson, Curtin, Dallas, Dodd, Edwards, Fell, Funck, Hemphill, Howard, Knight, Lawrence, Lear, Lilly, Littleton, MacConnell, MacVeagh, M'Culloch, Niles, Palmer, G. W., Palmer, H. W., Porter, Pughe, Purviance, John N., Purviance, Samuel A., Reynolds, Smith, Henry W., Stanton, Wetherill, J. M., and Wetherill, John Price—37.

N A Y S .

Messrs. Ainey, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Beebe, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Clark, Crommiller, Darlington, De France, Dunning, Elliott, Ellis, Ewing, Fulton, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Heverin, Horton, Hunsicker, Kaine, Lamberton, Landis, Long, M'Camant, M'Clean, M'Murray, Mann, Mantor, Metzger, Minor, Mott, Parsons, Patton, Purman, Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Smith, H. G., Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wherry, White, Harry, Woodward, Worrell and Wright—74.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Bailey, of Huntingdon, Baker, Barclay, Cassidy, Craig, Curry, Cuyler, Davis, Finney, Harvey, Mitchell, Newlin, Patterson, D., W., Patterson, T. H. B., Read, John R., Simpson, Smith, Wm. H., White, David N., White, J. W. F., and Meredith, *President*.

The third division was not agreed to.

On the question,

Will the Convention agree to the second division of the amendment offered by Mr. Buckalew as amended ?

Mr. S. A. Purviance called for a division of the question; the first division to end with the word “Representative,” in the first and second lines, and the remainder of the division to constitute a second division.

On the question,

Will the Convention agree to the first division ?

The yeas and nays were required by Mr. MacVeagh and Mr. Stewart, and were as follow, viz :

Y E A S .

Messrs. Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Beebe, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Clark, Collins, Corson, Crommiller, Dodd, Dunning, Edwards, Elliott, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Hazzard, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Long, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Mantor, Minor, Mott, Niles, Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Struthers, Turrell, Van Reed, Walker, Wherry, Woodward and Worrell—62.

N A Y S .

Messrs. Ainey, Biddle, Bigler, Black, Charles A., Black, J. S., Broomall, Campbell, Carey, Carter, Church, Cochran, Corbett, Craig, Curtin, Darlington, De France, Ellis, Ewing, Fell, Gibson, Green, Hanna, Hemphill, Lawrence, Lear, Lilly, Littleton, MacVeagh, M'Culloch, Palmer, H. W., Patterson, D. W., Pughe, Reynolds, Smith, H. G., Smith, Henry W., Stewart, Wetherill, John Price, White, David N., White, Harry, and Wright—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bullitt, Cassidy, Curry, Cuyler, Dallas, Davis, Finney, Harvey, Knight, Metzger, Mitchell, Newlin, Palmer, G. W., Porter, Read, John R., Simpson, Smith, Wm. H., Stanton, Temple, Wetherill, J. M., White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the second division ?

A motion was made by Mr. Cochran,

To amend the same, in the eighth line, by striking out the words, "exceed one-half," and inserting in lieu thereof the word "equal."

Which was agreed to.

On the question,

Will the Convention agree to the division as amended ?

The yeas and nays were required by Mr. Harry White and Mr. MacVeagh, and were as follow, viz :

Y E A S .

Messrs. Alricks, Biddle, Broomall, Brown, Bullitt, Campbell, Carter, Church, Cochran, Curtin, Dodd, Ellis, Fell, Funck, Gibson, Heverin, Hnnsicker, Kaine, Knight, Lilly, Littleton, Long, M'Culloch, Porter, Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Smith, H. G., Stewart, Van Reed, Walker, Woodward and Wright—34.

N A Y S .

Messrs. Ainey, Armstrong, Bear, Baily, of Perry, Bigler, Black, Charles A., Bowman, Brodhead, Buckalew, Calvin, Clark, Collins, Corson, Craig, Cronmiller, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Gilpin, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Horton, Howard, Lamberton, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, Mann, Mantor, Minor, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patton, Purman, Purviance, John N., Rooke, Runk, Russell, Sharpe, Smith, Henry W., Struthers, Turrell, Wherry, White, David N., White, Harry and Worrell—59.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Boyd, Carey, Cassidy, Corbett, Curry, Cuyler, Dallas, Davis, Finney, Harvey, Lear, M'Camant, M'Murray, Metzger, Mitchell, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Pughe, Read, John R., Simpson, Smith, Wm. H., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the third division, viz :

3. Counties containing a representative ratio and three-fifths of a second ratio shall be entitled to two Representatives; those containing two ratios and four-fifths of a third ratio, shall be entitled to three Representatives; and each county containing three or more ratios, shall be entitled to one Representative for each ratio of its population.

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "and," in the first line, and inserting in lieu thereof as follows, viz:

"More than one-half a second ratio shall be entitled to two Representatives; those containing two ratios and three-fifths of a third ratio shall be entitled to three Representatives; those containing three ratios and four-fifths of a fourth ratio shall be entitled to four Representatives; those containing four ratios and nine-tenths of a fifth ratio shall be entitled to five Representatives; and each county containing five or more ratios shall be entitled to one Representative for each ratio of its population."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Buckalew and Mr. Worrell, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Campbell, Church, Clark, Corbett, Cronmiller, Curtin, De France, Dodd, Dunning, Elliott, Ellis, Gibson, Gilpin, Guthrie, Hall, Hay, Hemphill, Heverin, Kaine, Lamberton, Landis, Lilly, Long, M'Camant, M'Clean, Mott, Palmer, G. W., Patton, Pughe, Purman, Purviance, John N., Reed, Andrew, Reynolds, Ross, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Van Reed, Wherry, Woodward, Worrell and Wright—56.

N A Y S .

Messrs. Addicks, Ainey, Armstrong, Baily, of Perry, Bannan, Bartholomew, Beebe, Biddle, Bowman, Calvin, Carey, Carter, Cochran, Collins, Corson, Craig, Darlington, Edwards, Ewing, Fell, Fulton, Funck, Green, Hanna, Hazzard, Horton, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Niles, Palmer, H. W., Patterson, D. W., Porter, Purviance, Samuel A., Rooke, Russell, Smith, Henry W., Stanton, Struthers, Turrell, Walker, White, David N., and White, Harry—51.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Cassidy, Curry, Cuyler, Dallas, Davis, Finney, Harvey, Hunsicker, M'Murray, Metzger, Mitchell, Newlin, Parsons, Patterson, T. H. B., Read, John R., Simpson, Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F. and Meredith, *President*.

And the question recurring,

Will the Convention agree to the third division?

A motion was made by Mr. Brodhead,

To amend the same, by adding to the end thereof as follows, viz:

"The unrepresented fractions of the population of all the counties of the State shall be aggregated, and representation allowed for the same, according to the ratio, and these additional representatives shall be elected on a general ticket at large."

Which was not agreed to.

On the question,

Will the Convention agree to the division as amended?

The yeas and nays were required by Mr. Harry White and Mr. Dallas, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Bullitt, Campbell, Church, Clark, Corbett, Cronmiller

Curtin, Dallas, De France, Dodd, Dunning, Elliott, Ellis, Gibson, Gilpin, Guthrie, Hay, Hunsicker, Kaine, Lamberton, Landis, Lilly, Long, M'Camant, M'Clean, Metzger, Mott, Palmer, G. W., Patton, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., Wherry, Woodward and Worrell—52.

N A Y S.

Messrs. Addicks, Ainey, Armstrong, Baily, of Perry, Bannan, Bartholomew, Beebe, Biddle, Bowman, Broomall, Calvin, Carey, Carter, Cochran, Collins, Corson, Craig, Darlington, Edwards, Ewing, Fell, Fulton, Funck, Green, Hanna, Hazzard, Heverin, Horton, Howard, Knight, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, Sam'l A., Reynolds, Rooke, Russell, Smith, Henry W., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Black, J. S., Cassidy, Curry, Cuyler, Davis, Finney, Hall, Harvey, Hemphill, M'Murray, Mitchell, Newlin, Patterson, T. H. B., Read, John R., Simpson, Temple, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the fourth division? viz:

“*Fourth*. The Representatives assigned to the counties of Philadelphia, Allegheny, Schuylkill and Luzerne, shall be chosen by single districts. The said representative districts shall be so formed as to secure the full proportionate and just representation of each division of the electors of each of said counties, as the same shall be exhibited in the returns of popular elections, shall have respectively a census population as nearly equal as may be, and shall be composed of connected territory; but no township or election district shall be divided in the formation of said representative district.”

A motion was made by Mr. Buckalew,

To amend the same, by striking out of the first and second lines, the words, “the counties of Philadelphia, Allegheny, Schuylkill and Luzerne,” and inserting in lieu thereof the words, “counties containing over 250,000 inhabitants,” and by inserting after the word “secure,” in the third line, the words, “as nearly as may be.”

Which was not agreed to.

And the question recurring,

Will the Convention agree to the fourth division?

A motion was made by Mr. J. M. Wetherill,

To amend the same, in the second line, by striking out the word “Schuylkill.”

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the fourth division?

A motion was made by Mr. Ellis,

To amend the same, in the second line, by inserting after the word “Schuylkill,” the words, “Lancaster, Berks, Chester, York, Crawford, Delaware, Forest, Elk and Cameron.”

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the fourth division?

It was determined in the negative.

The fifth and last division was not agreed to.

The section as amended was not agreed to.

On the question,

Will the Convention agree to the twentieth section?

A motion was made by Mr. D. N. White,

To amend the article by inserting a new section, to be numbered nineteen, as follows, viz :

“The House of Representatives shall consist of not less than one hundred and fifty-two members, to be apportioned and distributed to the counties of the State severally in proportion to the population, on a ratio of twenty-five thousand inhabitants to each member, except that each county shall be entitled to at least one member, and the city of Philadelphia, or any county having an excess of three-fifths of said ratio over one or more ratios, shall be entitled to an additional member. In case the number of one hundred and fifty-two members is not reached by the above apportionment, counties having the largest surplus over one or more ratios shall be entitled to one additional member, until the number of one hundred and fifty-two members is arrived at.”

On the question,

Will the Convention agree to the section?

A motion was made by Mr. Darlington,

To amend the same, by striking out the word “two,” in the second, eighth and eleventh lines.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington and Mr. C. A. Black, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baer, Bannan, Black, Charles A., Bowman, Broomall, Buckalew, Bullitt, Campbell, Church, Corbett, Darlington, Ellis, Fell, Funck, Gilpin, Guthrie, Hay, Hemphill, Kaine, Long, MacVeagh, M’Clean, M’Murray, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Patton, Pughe, Purman, Reed, Andrew, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Struthers and Walker—41.

N A Y S .

Messrs. Addicks, Ainey, Armstrong, Baily, of Perry, Bartholomew, Beebe, Biddle, Bigler, Black, J. S., Boyd, Brown, Calvin, Carter, Clark, Collins, Corson, Craig, Cronmiller, Curtin, Dallas, DeFrance, Dunning, Edwards, Elliott, Ewing, Fulton, Green, Hall, Hazzard, Horton, Howard, Hunsicker, Knight, Lambertson, Landis, Lawrence, Lear, Lilly, MacConnell, M’Camant, M’Culloch, Mann, Mantor, Newlin, Niles, Parsons, Patterson, D. W., Porter, Purviance, John N., Purviance, Samuel A., Reynolds, Ross, Runk, Russell, Sharpe, Stanton, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, Woodward, Worrell and Wright—66.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Baker, Barclay, Bardsley, Brodhead, Carey, Cassidy, Cochran, Curry, Cuyler, Davis, Dodd, Finney, Gibson, Hanna, Harvey, Heverin, Littleton, Mitchell, Patterson, T. H. B., Reed, John R., Rooke, Simpson, Van Reed, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Ross,

To amend the same, in the sixth line, by striking out the word "three-fifths," and inserting in lieu thereof the word "one-half."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Wherry,

To amend the same, by striking out all after the word "member," in the seventh line.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Wherry and Mr. Corbett, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Baer, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carter, Church, Clark, Corbett, Corson, Dallas, De France, Elliott, Ellis, Gibson, Gulpin, Guthrie, Hemphill, Hunsicker, Kaine, Lambertson, Lilly, Long, McCamant, M'Clean, M'Murray, Metzger, Mott, Patton, Pughe, Purman, Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Smith Wm. H., Temple, Van Reed, Walker, Wetherill, John Price, Wherry and Worrell—49.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Bartholomew, Bowman, Brown, Calvin, Cochran, Collins, Craig, Darlington, Dodd, Edwards, Ewing, Fell, Fulton, Funck, Green, Hall, Hay, Hazzard, Horton, Howard, Knight, Landis, Lawrence, Lear, MacConnell, MacVeagh, M'Cullough, Mann, Mantor, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Russell, Stanton, Stewart, Struthers, Turrell, Wetherill, J. M., White, David N., White, Harry, Woodward and Wright—55.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Beebe, Boyd, Carey, Cassidy, Cronmiller, Curry, Curtin, Cuyler, Davis, Dunning, Finney, Hanna, Harvey, Heverin, Littleton, Mitchell, Newlin, Patterson, D. W., Patterson, T. H. B., Read, John R., Simpson, White, J. W. F., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section?

The yeas and nays were required by Mr. D. N. White and Mr. Collins, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Bartholomew, Beebe, Bowman, Calvin, Collins, Corson, Darlington, Dodd, Edwards, Ewing, Fell, Funck, Green, Hall, Hay, Hazzard, Horton, Howard, Knight, Landis, Lawrence, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Niles, Parsons, Porter, Pughe, Purviance, John N., Reed, Andrew, Rooke, Russell, Stanton, Struthers, Turrell, Van Reed, Wetherill, J. M., White, David N., and White, Harry—48.

N A Y S .

Messrs. Alricks, Baer, Bannan, Biddle, Bigler, Black, Chas. A., Black, J. S., Brodhead, Broomall, Brown, Buckalew, Bullitt, Campbell, Carter, Church, Clark, Cochran, Corbett, Dallas, De France, Dunning, Elliott, Ellis, Fulton,

Gibson, Gilpin, Guthrie, Hemphill, Hunsicker, Kaine, Lamberton, Lilly, Littleton, Long, M'Camant, M'Clean, M'Murray, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purman, Purviance, Samuel A., Reynolds, Ross, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Walker, Wetherill, John Price, Wherry and Worrell—58.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Baker, Barclay, Bardsley, Boyd, Carey, Cassidy, Craig, Cronmiller, Curry, Curtin, Cuyler, Davis, Finney, Hanna, Harvey, Heverin, Lear, Mitchell, Newlin, Patterson, T. H. B., Read, John R., Simpson, White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the twentieth and last section ?

A motion was made by Mr. John Price Wetherill,

To amend the article, by inserting a new section, to be numbered nineteen, as follows, viz :

The General Assembly shall apportion the State every ten years, beginning at its first session after the adoption of this Constitution, by dividing the population of the State, as ascertained by the last preceding federal census by the number one hundred and fifty, and the quotient shall be the ratio of representation in the House of Representatives. Every county shall be entitled to one Representative, unless its population is less than three-fifths of the ratio. Every county having a population not less than the ratio and three-fifths shall be entitled to two Representatives, and for each additional number of inhabitants equal to the ratio, one Representative. Counties containing less than three-fifths of the ratio shall be formed into single districts of compact and contiguous territory bounded by county lines, and contain as nearly as possible an equal number of inhabitants."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Wherry,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until to-morrow morning at half-past nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,
A. D. HARLAN,
Assistant Clerks.

INDEX.

A.

ACCOUNTS AND EXPENDITURES OF THE CONVENTION, committee on, appointment of, 90.

reports of, 98, 113, 164, 173, 216, 245, 301, 320, 351, 393, 401, 407, 434, 435, 473, 482, 496, 497, 501, 547, 598, 655, 673, 772, 816, 817, 835, 865, 874, 940, 1003, 1026, 1051, 1082, 1174, 1198, 1199, 1245, 1265, 1288.

ACHENBACH, GEORGE A., delegate XVIIIth district:

leave of absence granted to, 1037.

resolution submitted by—

of approval of plan for improving Independence Square, 527.

ADDICKS, JOHN E., delegate IId district:

leaves of absence granted to, 222, 342, 772, 982.

reports made by—

from committee to confer with councils of Philadelphia, relative to Hall for use of Convention, 63, 156.

from committee on the House, 370, 400, 865.

resolutions submitted by—

to appoint a House committee, 157.

to appoint five additional pages, 157.

to direct Committee on House to take charge of Hall during recess, 438.

directing Committee on House to take charge of Hall, 864.

to provide for delivering up of Hall to city authorities, 1255.

Adjournment, special reasons of members for vote on, 322.

Agriculture, Mining, Manufactures and Commerce, committee on, appointment of, 90.

report of, 383.

Agriculture, Mining, Manufactures and Commerce, article on, reported by committee, 383.

read the first time, 383.

consideration of, on second reading, 511.

article negatived, 521.

AINEY, WILLIAM H., delegate at large:

leaves of absence granted to, 175, 1004.

resolutions submitted by—

to proceed to election of Chief Clerk, 37.

to provide for joint sessions of standing committees, 105.

directing Committee on Suffrage to report an ordinance for submission of the Constitution, 872.

ALRICKS, HAMILTON, delegate XIIth district:

leaves of absence granted to, 232, 237, 527, 617, 934, 1114.

resolutions submitted by—

to prohibit Legislature from granting extra compensation to officers or members, 133.

1* CON. JOUR.

ALRICKS, HAMILTON—*Continued.*

resolutions submitted by—

- to appoint all judicial officers, 133.
- to prevent any obligation due the State by corporations, to be remitted, 136.
- relative to the right of eminent domain, 160.
- to limit all corporation franchises, 160.
- to render rolling stock of railroad companies liable to levy and sale, 161.
- to prohibit corporations from limiting or impairing its responsibilities, 170.
- to prevent municipal indebtedness, 170.
- to elect a State Revisor, 193.
- to rescind Rule XIII, 385.
- to provide for proper supervision of all bills passed third reading, 396.
- thanking trustees Lehigh University tendering use of Packer Hall to Convention, 764.
- not to accept resignation of Mr. Woodward, 783.
- directing the Committee on the Judiciary to inquire into the expediency of reporting a section relative to the construction of wills, 934.
- relative to call of the previous question, 1051.
- of thanks to the city authorities of Philadelphia, 1244.
- to adjourn to meet at Harrisburg 27th day of December, 1273.

ANDREWS, GEORGE W., delegate XXVIIIth district :

leaves of absence granted to, 254, 390, 763, 772.

resolutions submitted by—

- to prohibit the sale of intoxicating liquors, 123.
- relative to the formation of new counties, 125.
- to prohibit the sale or furnishing of intoxicating liquors, 125.

ARMSTRONG, WILLIAM H., delegate at large :

leaves of absence granted to, 321, 502, 918, 972.

reports made by—

- from Committee on the Judiciary, 412, 1054.
- from committee of thirteen, declaratory of the powers of the Convention, 1279.
- from the Executive Committee, 1285.

resolutions submitted by—

- to receive proposals for printing the proceedings of Convention, 66.
- to provide for the selection of seats, 127.
- to authorize standing committees to print such propositions as they may deem proper, 135.
- directing Clerk to procure five copies of Purdon's Digest, 299.
- directing the Legislature to settle the accounts of the State Printer, 365.
- to print in bill form all reports of standing committees, 366.
- to instruct Committee on Revision and Adjustment to report the order for consideration of articles on second and third reading, 410.
- to fix the salary of Transcribing Clerks, 1114.
- thanking the councils of Philadelphia for their tokens of friendly regard, 1252.
- to appoint a committee of thirteen declaring the powers of the Convention, 1275.
- directing Mr. Singerly to re-print the Debates and Journal destroyed by fire, 1282.

Auditor General requested to give information relative to expenses of Convention of 1837-8, 46.

requested to furnish copies of his annual reports for 1871-72, 47.

report of, giving expenses of Convention of 1837-8, 62.

resolution requesting, to furnish information in regard to the public printing, 72.

communication from, giving statement of moneys paid into State Treasury by the different officers of Philadelphia, 88.

Auditor General—*Continued.*

- resolution requesting to furnish a list of all corporations within the State, 110.
- resolution requesting information from, relative to railroads, 189.
- communication from, with statement relative to railroads and canals, 220.
- communication from, in reply to resolution of Convention of 27th November last, 237.

B.

BAER, WILLIAM J., delegate at large :

- leaves of absence granted to, 97, 242, 312, 392, 634, 759, 764, 934, 1171.
- report made by—
 - from minority Committee on Railroads and Canals, 463.
- resolutions submitted by—
 - relative to persons guilty of bribery, 75.
 - relative to defence in trials for libel, 75.
 - relative to granting of divorces, 75.
 - relative to costs in suits ignored, 75.
 - relative to trial by jury, 75.
 - to exempt property of debtors, 76.
 - to provide that no person shall be eligible to more than one lucrative office at the same time, 201.
 - to provide that all elections shall be by ballot, 209.
 - declaring all priests and ministers of the gospel ineligible to member of Assembly, 222.
 - to rescind all resolutions violative of Rule XXV, 342.
 - relative to the number of senatorial and representative districts, 359.
 - to fix the salaries of members, 470.
 - to hold sessions at Harrisburg, 907.
 - to re-consider vote on Judiciary article, and refer to special committee, 1069.

BAILEY, JOHN M., delegate XXIIId district :

- leaves of absence granted to, 167, 293, 307, 607, 1050.
- resolutions submitted by—
 - to prohibit unjust discrimination in freight or passage, 81.
 - to provide for seat of government remaining at Harrisburg, 171.

BAILY, JOSEPH, delegate XVIIth district :

- leaves of absence granted to, 367, 802.
- report made by—
 - from the minority Committee on Railroads and Canals, 445.
- resolutions submitted by—
 - proposing an article on Railroads and Canals, 130.
 - directing a report of all persons employed by the Convention, 222.
 - to ascertain probable expense of draping Hall, &c., 247.
 - to submit section 27, of Judiciary article, separately, 1248.

BAKER, WILLIAM D., delegate IVth district :

- leaves of absence granted to, 541, 672, 759.
- resolutions submitted by—
 - to make the owners of property responsible for loss at gaming, or damage by intoxicating drinks, 370.
 - to direct special committee on salary, to consider compensation of officers, 523.

BANNAN, THOMAS R., delegate Xth district :

- leave of absence granted to, 543.

BARCLAY, GEORGE G., delegate VIIIth district :

leave of absence granted to, 982.

resolutions submitted by—

requesting Secretary of Commonwealth to furnish list of all pardons since January 1, 1838, 74.

to take the pardoning power from the Governor, 92.

relative to creating municipal debts, 92.

relative to the liberty of the press, 92.

relative to the appointment of Supreme Court judges, 93.

providing for an oath of office for city or borough councils, 162.

to prohibit the consolidation of stock by railroad companies, 172.

to provide for compulsory education between the ages of six and eighteen, 176.

to provide for change of venue in certain cases, 190.

to provide that election officers, serving without compensation, shall be exempt from jury service, 202.

relative to damages by municipal corporations, 333.

not to grant any leaves of absence, 982.

BARDSLEY, JOHN, delegate 1st district :

leaves of absence granted to, 251, 342.

resolutions submitted by—

relative to funding municipal debts, 178.

to prevent issuing of warrants for municipal indebtedness, 190.

to furnish copies of the Journal to newspaper reporters, 232.

to allow the judges of courts to have the power to enter any institution in the State, 327.

BARR, JAMES P., delegate at large :

report of delegates at large, appointing in place of Mr. J. S. Black, 1104.

oath administered to, 1111.

resolution of Mr. Curtin, to place on committees filled by Mr. Black, 1185.

BARTHOLOMEW, LIN, delegate at large :

leaves of absence granted to, 232, 329, 530, 789, 1005.

communication from, tendering his resignation as member of Convention, 469.

resolution of Mr. Darlington to accept, not adopted, 470.

resignation of, withdrawn, 472.

resolutions submitted by—

to accept the invitation of the councils of Philadelphia to meet in that city, 33.

relative to printing of Convention, 70.

relative to enacting special laws extending time for payment of contract debts, 74.

to forbid judges accepting a non-judicial office, 108.

of thanks to John A. Small, Esq., Resident Clerk of the House of Representatives, 111.

to divide the State into Supreme Court districts, 201.

to dispose of all questions of adjournment without debate, 456.

BEEBE, MANLY C., delegate XXVIIIth district :

leaves of absence granted to, 97, 267, 333, 531, 816.

resolutions submitted by—

to prevent appropriations to sectarian institutions, 73.

to print an appropriate heading on the paper furnished the Convention, 87.

to make elective the offices of Attorney General and Secretary of the Commonwealth, 171.

to abolish the grand jury system, 176.

to provide for the election of a superintendent of public instruction, 176.

- BEEBE, MANLY C.**—*Continued.*
 resolutions submitted by—
 to prevent leaves of absence, 216.
 relative to the submission of the Constitution, 1154.
 to add Messrs. Mantor and Brown to Executive Committee, 1262.
 relative to the death of Mr. Craig, 1295.
- Bently, Frank**, elected Assisted Doorkeeper, 43.
- BIDDLE, GEORGE W.**, delegate 1st district:
 leave of absence granted to, 499, 517, 541, 934, 952, 1068.
 reports made by—
 from Committee on Impeachment and Removal from Office, 390.
 to pay all necessary expenses of Executive Committee, 1266.
- BIGLER, WILLIAM**, delegate at large:
 report of delegates at large appointing in place of Mr. S. H. Reynolds, 456.
 oath administered to, 460.
 leaves of absence granted to, 745, 915, 1004.
 resolution submitted by—
 to appoint a special committee on submission of the Constitution, 622.
- BLACK, CHARLES A.**, delegate XXVth district:
 leaves of absence granted to, 312, 607.
 resolutions submitted by—
 relative to suits for libel, 122.
 to prohibit legislative extra pay to committees, 122.
 relative to compensation in cases of contested election, 122.
 relative to the pardoning power of the Governor, 123.
 relative to bribery in elections, 124.
 declaring the duty of every member of the Convention to work for the adoption
 of the Constitution, 1273.
- BLACK, JEREMIAH S.**, delegate at large:
 leaves of absence granted to, 159, 267.
 communication from, tendering his resignation, 1001.
 requested to withdraw resignation, 1038.
 appointment of Mr. Barr in place of, 1104.
 resolution submitted by—
 appointing Mr. Mitchell to fill place of Mr. Hopkins, 375.
- BOWMAN, CHARLES O.**, delegate XXXth district:
 leaves of absence granted to, 311, 802, 1171.
 resolutions submitted by—
 not to accept the resignation of any member, 63.
 of thanks to Gen. Selfridge and Thomas M'Camant, Esq., 112.
 directing Committee on Accounts to settle with reporters of proceedings at
 Harrisburg, 168.
 to provide for compulsory education, 179.
 relative to the writ of error in capital cases, 257.
 to direct warrants to be drawn for proper proportion of pay to officers, 409.
 to grant extra compensation to Powell De France, 1219.
- BOYD, JAMES**, delegate VIth district:
 leaves of absence granted to, 167, 327, 342, 387, 789, 860, 918.
 appeal from decision of the chair, 837; decision sustained, 858.
 report made by—
 from committee on investigation, 1233.

BOYD, JAMES—*Continued.*

resolutions submitted by—

- to submit all amendments to the Constitution of the United States first to the people, 134.
- to elect the Secretary of Commonwealth and Attorney General, 163.
- to elect a Lieutenant Governor, Commissioner of Insurance, and Inspector General of Iron, 163.
- to locate Capital of the State at Philadelphia, 169.
- returning thanks of Convention to council at Altoona for invitation, 839.
- to investigate charges made against the Convention, 1183.

BRODHEAD, CHARLES, delegate VIIth district:

leaves of absence granted to, 200, 254, 449, 546, 703, 735, 860, 1024, 1171.

report made by—

from special committee, on place of meeting, 747.

resolutions submitted by—

- relative to selection of seats, 51.
- relative to the right of suffrage, 74.
- that all courts shall be open, 105.
- of thanks to the clergy of Harrisburg, 112.
- to authorize every man of good moral character to practice as an attorney, 122.
- to limit the granting of licenses in cities and boroughs, 163.
- to provide for a uniform system of assessment, 179.
- to provide for a call for a Constitutional Convention every ten years after 1892, 195.
- relative to the holding of real estate by foreign corporations, 200.
- relative to construction of telegraph lines, 243.
- to allow the people to vote on locating the seat of government, 263.
- to provide for an equitable assessment of benefits in favor of mine owners, &c., 279.
- to cease printing petitions or memorials, 289.
- relative to the death of Gov. John W. Geary, 292.
- instructing the Committee on the Judiciary to report, 407.
- to provide for furnishing the printed Debates the morning after, 409.
- directing president to draw his warrant in favor of members for salary, 530.
- to provide for division of net earnings of all railroad corporations, 703.
- to appoint a committee to visit Bethlehem and examine into the accommodations there to be given the Convention, 721.
- to appoint a committee of five to enquire what facilities are offered by other places for setting of Convention, 721.
- to discontinue printing the Debates, 799.
- to prevent the erection of new buildings for assembling of the Legislature, 932.
- to limit leaves of absence to three days, 983.
- to provide for organization of telegraph companies, 1132.
- to print 14,000 copies of the Constitution in pamphlet form, 1227.
- to appropriate money for use of Executive Committee, 1261.
- tendering thanks to different associations of Philadelphia for courtesies, 1272.

BROOMALL, JOHN M., delegate Vth district:

leaves of absence granted to, 327, 703, 745, 823, 907.

reports made by—

- from the minority Committee on the Judiciary, 423, 439.
- from the Committee on Revenue, Taxation and Finance, 430.

INDEX.

BROOMALL, JOHN M.—*Continued.*

- resolutions submitted by—
 - relative to adjournment of Convention, 54.
 - relative to securing the right of suffrage without regard to sex, 71.
 - to make the term of Governor four years, 71.
 - relative to special exemptions from taxation, 71.
 - to provide for biennial sessions of the Legislature, 71.
 - relative to appointment of judges by the Governor, 71.
 - to exempt members of certain religious denominations from military service, 130.
 - to forbid paying for any military services except during invasion or insurrection, 130.
 - to require judges to decide questions of fact, 160.
 - not to disqualify any one on account of religious sentiments, 160.
 - relative to the right of trial by jury, 160.
 - to prohibit capital punishment, 160.
 - to provide for selection by the court of justices of the peace, &c., 170.
 - to pay justices of the peace, &c., a salary, 170.
 - to require State Treasurer to publish a quarterly statement of the public funds, 170.
 - to provide for public funds to be placed at interest, 171.
 - to provide that the marriage contract shall have no effect on the rights of property, 195.
 - relative to contract with State Printer, 296.
 - to limit debate in committee of the whole, 312.
 - to provide for a decennial apportionment of the State for Senators and Representatives, 359.
 - to require the Legislature to enact a general railroad law, 369.
 - to provide for the extinguishment of irredeemable ground rents, 372.
 - to provide for the arrest of all vagrants, 379.
 - to prohibit the imposing inheritance tax, 406.
 - o elect six judges courts of common pleas at large in the State, 406.
 - to direct Public Printer not to publish any remarks in Debates until proof having been first submitted, 462.
 - to print all articles on second reading in pamphlet form, 547.
 - Directing Committee on Revision and Adjustment to make verbal changes, &c., 863.
 - to prolong session without recess, 864.
 - to change the rules in regard to resolution changing hours of meeting, 902.
 - directing the Committee on Revision and Adjustment to make certain corrections in article on Taxation and Revenue, 1164.

BROWN, RASSELAS, delegate XXXth district:

leaves of absence granted to 363, 607, 789 1050, 1181.

BROWN, Cassius M., elected Assistant Sergeant-at-Arms, 43.

leaves of absence granted to, 242, 342.

BUCKALEW, CHARLES R., delegate XVth district:

report of delegates at large appointing member of Convention, 55.

oath administered to, 56.

leaves of absence granted to, 263, 745, 952, 1068.

presents ordinance of submission, 1192.

presents statement and exposition of changes in the new Constitution, 1290.

report made by—

from committee appointing delegate to Convention, 55.

BUCKALEW, CHARLES R.—*Continued.*

reports made by—

from Committee on Suffrage, Election and Representation, 487, 532, 1206.

from Committee on Revision and Adjustment, 943, 944, 945, 957, 983, 1267, 1297
resolutions submitted by—

to continue the acting reporters, 102.

to provide for a meeting of the first five committees of the Convention, 109.

to provide for expiration of term of present county commissioners and auditors, 616.

relative to the application of Legislative article to general or revised statutes, 738.

to appoint four additional members of Committee on Revision and Adjustment, 872.

to recind Rule XLIII, 874.

to refer all articles passed third reading to Committee on Revision and Adjustment for final report, 1068.

to approve the amendment to the Constitution of the United States regulating the manner of choosing electors of President and Vice President, 1133.

to provide for night sessions and to limit debate to ten minutes, 1133.

directing Committee on Accounts and Expenditures to make allowance to official reporters, 1231.

to direct Committee on Revision and Adjustment to publish the changes proposed by the new Constitution, 1255.

to provide for paying expenses of commissioners of election for Philadelphia, 1262.

to provide for proper attestation of the ordinance of submission, 1273.

declaring the session of 1875 of the General Assembly to be the first regular biennial session, 1295.

BULLITT, JOHN C., delegate at large :

report of delegates at large appointing member of Convention, 634.

oath administered to 634.

leave of absence granted to, 918.

C.

CALVIN, SAMUEL, delegate at large :

report of delegates at large appointing member of Convention, 504.

oath administered to, 537.

leave of absence, 598.

resolution submitted by—

to add the chairman of each committee to Committee on Revision and Adjustment, 864.

CAMPBELL, JOHN H., delegate at large :

leaves of absence granted to, 802, 1037.

resolutions submitted by—

requesting certain information from the Secretary of the Commonwealth, 54.

relative to the right of suffrage, 73.

to abolish fees from estates of decedents, 73.

to abolish the offices of aldermen and justices of the peace, 73.

to increase the number of members of the General Assembly, 79.

to prevent railroad companies from holding coal and mining lands, 79.

to provide for justices courts in Philadelphia, 103.

to provide for courts of common pleas, 123.

relative to the rights of married women, 124.

to prevent railroads crossing highways at grade, 134.

to provide for cumulative voting in stockholders' elections, 161.

CAMPBELL, JOHN H.—*Continued.*

resolutions submitted by—

- to give married women the rights of those unmarried, 168.
- to provide for boards of arbitration for the settlement of workingmen's disputes, 177.
- to pay all elective officers by stated salaries, 189.
- to disqualify all persons convicted of fraud or bribery at elections, 196.
- to prohibit mining and coal monopoly, 223.

Capital and Labor, a report by Mr. Carey, 634-645.

Capital punishment, memorials in favor of, from—

New Garden Monthly Meeting,	241.
Birmingham	“ 249.
Chester	“ 274.
Kennet	“ 283.
Fishing Creek	“ 287.
Bradford	“ 288.
Buckingham	“ 288.
Abington	“ 293.
Concord	“ 293.
Roaring Creek	“ 293.
Yearly Meeting of Society of Friends,	295.
Solebury Monthly Meeting,	315.
London Grove	“ 319.
Fallowfield	“ 328.
Makefield	“ 335.
Radnor and Goshen Monthly Meeting,	354.
Gwynedd	“ 470.

CAREY, HENRY C., delegate at large from Philadelphia:

reports made by—

- from Committee on Industrial Interests and Labor, 634.
- from special committee on memorial of Mr. Meredith, 976.
- on Capital and Labor, 634-645.

CARTER, HENRY, delegate IXth district:

leaves of absence granted to, 561, 1068.

report made by—

- from minority of Committee on Suffrage, Election and Representation, 270.

resolutions submitted by—

- to exempt persons having religious scruples from military service, 105.
- to hold the general elections in November, 105.
- to abolish capital punishment, 161.
- to provide for printing a memorial of Mr. M'Allister, 488.
- to limit the time of speeches on third reading, 953.
- to decide the question of separate submission of an article without debate, 1183.

CASSIDY, LEWIS C., delegate at large from Philadelphia:

leave of absence granted to, 658.

resolutions submitted by—

- to provide for the election of commissioners of election in large cities, 81.
- prescribing terms of offices for judges, 82.
- to appoint prothonotaries in large cities, 82.
- to vest certain rights in the councils of cities, 82.
- to require court of common pleas to form election districts, 171.
- to abolish the office of aldermen in large cities, 171.

Chair, appeal of Mr. Boyd from decision of, 857; decision sustained, 858.
 appeal of Mr. Cochran from decision of, 1155; decision sustained, 1156.

CHURCH, PEARSON, delegate XXIXth district:

leaves of absence granted to, 97, 275, 315, 501, 631, 1129.

resolutions submitted by—

to abolish the office of associate judge, 80.

to abolish the office of register of wills, 80.

relative to the contract with the State Printer, 215.

relative to leaves of absence by subordinate officers, 247.

Cities and city charters, committee on, appointment of, 89.

Cities and city charters, article on, reported by committee, 317.

read the first time, 318.

consideration of, on second reading, 365.

referred to Committee on Revision and Adjustment, 763.

reported by Committee on Revision and Adjustment, 1026.

to be numbered article XV, 1026.

report of Committee on Revision and Adjustment considered, 1093; adopted, 1093.

article transcribed for a third reading, 1093.

consideration of, on *third reading*, 1093.

article passed, 1097.

CLARK, SILAS M., delegate XXIVth district:

leaves of absence granted to, 215, 537, 545, 759, 1038.

appointed member of Committee on Revision and Adjustment, in place of Mr. Gowen, 634.

resolutions submitted by—

to provide for amending the Constitution every thirty years, 107.

proposing an article on the Judiciary, 250.

to regulate the term of Senators, 258.

COCHRAN, THOMAS E., delegate XXth district:

leaves of absence granted to, 208, 263, 382, 496, 537, 653, 745, 915, 952, 1068.

point of order submitted by, 1156.

appeals from decision of the chair, 1156.

reports made by—

from Committee on Railroads and Canals, 481, 473.

resolutions submitted by—

to fix hour of adjournment, 73.

to provide for the establishment of probate courts, 83.

to provide for the election of a county board, 84.

to elect county auditors by the limited vote, 85.

to elect directors of the poor by the limited vote, 85.

to provide for the election of judges, 85.

relative to printing the Debates and Journal, 112.

to prohibit enacting laws conferring unlimited power upon railroad or other corporations, 286.

to provide for distribution of new Constitution, 1219.

COLLINS, JOHN, delegate XXVth district:

leaves of absence granted to, 312, 544, 693, 974.

communication from, tendering his resignation, 835.

resolution of Mr. Lawrence, requesting him to re-consider resignation, 835.

resignation of withdrawn, 870.

COLLINS, JOHN—*Continued.*

resolutions submitted by—

- proposing a preamble for the Constitution, 75.
- to prohibit the appropriations of school funds to sectarian schools, 104.
- to provide for homestead exemption, 121.

Commissions, Offices, Oath of Office and Incompatibility of Office, committee on, appointment of, 89.

report from, 479.

Communications presented—

- from Mr. Rhone, tendering his resignation, 45.
- from Auditor General, giving expenses of Convention of 1837-8, 62.
- from Secretary of Commonwealth, with detailed statement of expenditures of the Executive and Legislative departments, 66.
- from the Auditor General, relative to the expenses of public printing, 86.
- from the Auditor General, with a statement of moneys paid into State Treasury by the different officers of Philadelphia, 88.
- from the Secretary of the Treasury, enclosing list of National banks in Pennsylvania, 126.
- from Philadelphia Athenæum, inviting members to visit rooms of, 129.
- from Pennsylvania Peace society, requesting certain amendments, 166.
- from the Constitutional Commission of New York, forwarding their proceedings, 175.
- from Historical society of Pennsylvania, inviting members of Convention to visit rooms of, 181.
- from Executive Committee of Philadelphia Soldiers' Colony, 181.
- from the East Pennsylvania Eldership, Church of God, in favor of prohibition, 206.
- from the Philadelphia society for alleviating the public prisons, 206.
- from J. Fisher Leaming, to prohibit the publication of private bequests, 207.
- from the board of directors of the Pennsylvania Institution for the Deaf and Dumb, inviting the members of the Convention to visit the institution, 207.
- from the board of managers of the House of Refuge, inviting the members of Convention to visit the institution, 207.
- from Board of Public Charities, relative to compulsory education, 214.
- from the Auditor General, with statement relative to railroad and canal companies, 220.
- from the Religious Society of Friends of Pennsylvania, 225.
- from the International Workingmen's association, 226.
- from the Chief Clerk, furnishing names of employees about Hall, 227.
- from Mercantile Library company of Philadelphia, extending an invitation to the members of the Convention to visit rooms of, 237.
- from Auditor General in reply to resolution of Convention of 27th November last, 237.
- from the society of friends of Little Britain, Lancaster county, 240.
- from Chicago public library, requesting a copy of Debates and Journal, 247.
- from Messrs. Petry, Geissel, Bayha & Co., relative to chattle mortgage, 256.
- from the New England Historic Genealogical society, requesting copy of Debates and Journal, 256.
- from Board of Public Charities, 258.
- from Jennie M. Petty, of Luzerne county, 267.
- from Pittsburg Woman Suffrage association, 277.
- from Prothonotary Supreme Court, E. D., relative to list of civil causes pending, 280.
- from the trustees of the University of Pennsylvania, requesting the Convention to visit the new University building, 282.
- from Chicago public library, thanking the Convention for copy of Debates and Journal, 287.

Communications presented—

- from the Board of Public Education of Philadelphia, requesting attendance of Convention at commencement of Boys' High School, 292.
- from the Board of Public Education of Philadelphia, tendering thanks for the use of Hall, 298.
- from the board of inspectors of the Eastern Penitentiary, 305.
- from the Franklin Reformatory Home for Inebriates, 303.
- from Mr. Dimmick, tendering his resignation as a member of Convention, 308.
- from the Postmaster General, relative to postage on Debates and Journal, 313.
- from the Pennsylvania Commissioners of the United States Centennial Commission, 314.
- from the executive committee Philadelphia Social Science association, 315.
- from the Citizens' Suffrage association, 319.
- from D. J. Morrell, member of the Centennial Commission, 321.
- from the Reform Club of Philadelphia, 328.
- from Hon. John M. Read, relative to time of municipal election in Philadelphia, 331.
- from Hon. John Scott, United States Senator from Pennsylvania, forwarding copy of report of 9th census, 342.
- from Adelaide U. Murdock, extending an invitation to a lecture against female suffrage, 358.
- a telegram announcing the death of Col. William Hopkins, 361.
- from managers of Industrial Home for Blind Women, inviting Convention to visit institution, 371.
- from the Industrial Home for the Blind, inviting Convention to visit institution, 388.
- from Mrs. Elizabeth Cady Stanton, in favor of female suffrage, 391.
- from the Board of Trade of Philadelphia, in favor of establishing the principle of free trade in money, 392.
- from William P. Prickett, relative to appointing an inspector of intoxicating liquors, 404.
- from the Board of Trade of Philadelphia, 409.
- from Mr. S. H. Reynolds, tendering his resignation, 453.
- from the Pennsylvania Horticultural society, inviting Convention to exhibition, 468.
- from Mr. Bartholomew, tendering his resignation, 469.
- from members of the bar of Philadelphia, against any change in the judicial system, 478.
- from citizens of Bedford, inviting Convention to meet in that borough, 481.
- from J. Fisher Lehming, in reference to trades unions, 500.
- from the mayor of Allentown, extending invitation to Convention to meet in that city, 511.
- from the Sergeant-at-Arms, relative to his search for absentees, 523.
- from the board of managers Northern Home for Friendless Children, extending an invitation to be present at examination of soldiers' orphans, 529.
- from Mr. Gowen, tendering his resignation, 540.
- from Mrs. Elizabeth S. Bladen, requesting use of Hall on behalf of Philadelphia Fountain society, 580.
- from the United Presbyterian General Assembly of the United States, in behalf of Divine acknowledgment in the Constitution, 580.
- from the Temperance Alliance of Pittsburg, in favor of prohibition, 606.
- from the Sunday School Convention of the Churches of God, in favor of prohibition, 616.
- from Mr. Meredith, appointing Mr. Walker President *pro tem.*, 625.
- from Board of Public Charities, asking for use of Hall, 630.
- from Lloyd D. Simpson, requesting use of Hall, for an address against female suffrage, 673.

Communications presented—

- from the faculty of the Polytechnic College, inviting Convention to attend annual commencement, 702.
- from the city of Wilkesbarre, inviting Convention to meet in that city, 723.
- from town council of Gettysburg, inviting Convention to meet in that town, 738.
- from trustees Lehigh University, tendering free use of Packer Hall to Convention, 764.
- from Mr. Woodward, tendering his resignation, 782.
- from council of Williamsport, inviting Convention to meet in that city, 783.
- from Seventh Day Baptist association, relative to observance of the seventh day of the week as the Sabbath day, 783.
- from the mayor and city councils of Erie, inviting Convention to meet in that city, 807.
- from citizens of Gettysburg, inviting Convention to meet in that borough, 816.
- from Mr. Collins, tendering his resignation, 835.
- from councils of Altoona, inviting Convention to meet in that city, 838.
- from president Montgomery County Agricultural society, inviting Convention to visit fair, 870.
- from president Pennsylvania Horticultural society, inviting Convention to visit exhibition, 892.
- from president Board of Public Charities, 982.
- from Mr. J. S. Black, tendering his resignation, 1001.
- from the bar of Philadelphia, 1011.
- from John Dungan, 1050.
- from Deputy Secretary of the Commonwealth, furnishing tabular statement of votes for Governor in 1833, &c., 1111.
- from members of the bar of Armstrong county, 1114.
- from Mr. Singerly, State Printer, relative to his accounts, 1128.
- from Board of Public Charities, 1141.
- from the National Prison association, 1164.
- from Mr. Patton, of Towanda, on the usury question, 1171.
- from Union League, extending invitation to art reception, 1218.
- from select councils of Philadelphia, presenting members of Convention the desks and chairs, 1232.
- from Benjamin Singerly, with statement of burning of State printing office, 1274.
- from Constitutional Convention of Ohio, with Debates of, 1274.

Constitution of 1838 and amendments, 3.

- resolution of Legislature, calling Convention to amend, 18.
- an act to provide for calling, 20.
- assembling of, 231.

Constitution of 1873, as adopted by the Convention, 1303.

- statement and exposition of changes in, 1290.
- vote of the people on the adoption of, 1275.

GENERAL INDEX TO—

- accused, right of, to be heard, Art. I, sec. 9, p. 1301.
- adjournment of General Assembly, Art. II, sec. 14, p. 1337.
- aldermen, abolishment of, in Philadelphia, Art. V, sec. 12, p. 1318.
 - election of, Art. V, sec. 11, p. 1318.
 - in large cities, Sch., sec. 24, p. 1336.
- powers and duties of, *not to be extended*, Art. III, sec. 7, p. 1309.
- special legislation regulating fees of, prohibited, Art. III, sec. 7, p. 1309.
- term of, Art. V, sec. 11, p. 1318.
- Allegheny, causes and proceedings of courts in, how disposed of, Sch., sec. 22, p. 1336.
 - common pleas courts in, Art. V, sec. 6, p. 1317.

ALLEGHENY COUNTY
Law Library,
PITTSBURGH. PA.

Constitution of 1873—General Index to—Continued.

- Allegheny, criminal courts in, Art. V, sec. 8, p. 1317.
 exclusive jurisdiction of each court, Art. V, sec. 6, p. 1317.
 first organization of courts in, Sch., sec. 19, p. 1335; Sch., sec. 20, p. 1335.
 increase of judges in, Art. V, sec. 6, p. 1317.
 president judge of, Sch., sec. 19, p. 1335.
- amendments, future, general, Art. XVIII, p. 1331.
 not to be submitted oftener than once in five years, Art. XVIII, sec. 1, p. 1332.
 published notice to be given of, Art. XVIII, sec. 1, p. 1331.
 schedule to, 1873, p. 1333.
 to be proposed by the Legislature, Art. XVIII, sec. 1, p. 1331.
- appeal from assessment for damages, General Assembly not to deprive, Art. XVI, sec. 8, p. 1329.
 right of, where trial by jury is dispensed with, Art. V, sec. 27, p. 1320.
- appellate jurisdiction, by appeal, of Supreme Court, Art. V, sec. 3, p. 1316.
- apportionment of members of Assembly, Art. II, secs. 16, 17, p. 1307.
 time of, Art. II, sec. 18, p. 1308.
- appropriation bills, partial veto on, allowed, Art. IV, sec. 16, p. 1315.
 general, Art. III, sec. 15, p. 1310.
- appropriations, no money to be drawn from treasury except by, Art. III, sec. 16, p. 1310.
 to charitable institutions not under the control of the State, forbidden, Art. III, sec. 17, p. 1310.
 to sectarian institutions, prohibited, Art. III, sec. 18, p. 1310.
- arms, right of the people to bear, not to be questioned, Art. I, sec. 21, p. 1305.
- army, standing, not to be kept, Art. I, sec. 22, p. 1305.
- arrest, members of General Assembly privileged from, Art. II, sec. 15, p. 1307.
- assemble, right of citizens to, Art. I, sec. 20, p. 1305.
- associate judge, not learned in the law, abolished, Art. V, sec. 5, p. 1316.
 term of commission, Sch., sec. 16, p. 1334.
- attainder of treason or felony, Legislature cannot cause, Art. I, sec. 18, p. 1305.
 not to work corruption of blood, Art. I, sec. 19, p. 1305.
- Attorney General, appointment of, Art. IV, sec. 8, p. 1313.
 member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
- Auditor General, duties of, relative to railroads, transferred to Secretary of Internal Affairs, Art. XVII, sec. 11, p. 1331.
 contracts for stationery, &c., to be approved by, Art. III, sec. 12, p. 1310.
 election and term of, Art. IV, sec. 21, p. 1315.
 eligible only for one term, Art. IV, sec. 21, p. 1316.
- bail, excessive, not to be required, Art. I, sec. 13, p. 1304.
- ballot, each to be numbered, Art. VIII, sec. 4, p. 1322.
 elections to be by, Art. VIII, sec. 4, p. 1322.
 endorsement thereon authorized, Art. VIII, sec. 4, p. 1322.
 officers of election to be sworn not to disclose, Art. VIII, sec. 4, p. 1322.
- banks, charters of, limited to 20 years, Art. XVI, sec. 11, p. 1329.
 notes or bills to be secured, Art. XVI, sec. 9, p. 1329.
 notice of bills to create, Art. XVI, sec. 11, p. 1329.
- biennial elections, for members General Assembly, Art. II, sec. 2, p. 1305.
- bills, amendments to be printed, Art. III, sec. 4, p. 1308.
 appropriation, partial veto allowed, Art. IV, sec. 15, p. 1310.
 general, Art. III, sec. 15, p. 1310.
 approval of, by the Governor, Art. IV, sec. 15, p. 1314.
 conference reports on, to be voted on by yeas and nays, Art. III, sec. 5, p. 1308.

Constitution of 1873—General Index to—Continued.

- bills, interested members in, not to vote on, Art. III, sec. 33, p. 1312.
 - notice of local or special, to be given; Art. III, sec. 8, p. 1309.
 - objected to, by Governor, how considered, Art. IV, sec. 15, p. 1314.
 - passage of, Art. III, sec. 1, p. 1308.
 - reading of, at length, Art. III, sec. 4, p. 1308.
 - reference and printing of, Art. III, sec. 2, p. 1308.
 - retained, by the Governor, to become laws, Art. IV, sec. 15, p. 1315.
 - exceptions to, Art. IV, sec. 15, p. 1315.
 - revenue, origin of, Art. III, sec. 14, p. 1310.
 - signing of, by presiding officers of both Houses, to be public, Art. III, sec. 9, p. 1309.
 - signing of, to be entered on the Journal, Art. III, sec. 9, p. 1309.
 - title of, to be clearly expressed, Art. III, sec. 3, p. 1308.
 - veto of, by the Governor, Art. IV, sec. 15, p. 1314.
 - yeas and nays on final passage of, Art. III, sec. 4, p. 1308.
- bribery, candidates for office guilty of, disqualified, Art. III, sec. 32, p. 1312; Art. VIII, sec. 9, p. 1322.
 - definition of, Art. III, sec. 29, p. 1311.
 - legislative, Art. III, secs. 29, 30, p. 1312.
 - persons convicted of, ineligible to the General Assembly, Art. II, sec. 7, p. 1306.
 - guilty of, Art. III, sec. 30, p. 1312.
 - punishment of, Art. III, sec. 31, p. 1312.
 - testimony of witnesses in, Art. III, sec. 32, p. 1312.
- canals—See Railroads.
- candidates for office guilty of bribery disqualified, Art. VIII, sec. 9, p. 1322.
- capital of the State, changing location of, Art. III, sec. 23, p. 1311.
- capital offences, not to be bailable, Art. I, sec. 14, p. 1305.
- cemeteries, graveyards, &c., legislation for, prohibited, Art. III, sec. 7, p. 1309.
- certiorari*, writs of, jurisdiction of Supreme Court in, Art. V, sec. 3, p. 1316.
 - writs of, to inferior courts by common pleas, Art. V, sec. 10, p. 1317.
- chancery powers of common pleas courts, Art. V, sec. 20, p. 1319.
- charitable institutions, appropriations to, forbidden, Art. III, sec. 17, p. 1310.
- charters, amending, renewing or extending, by special legislation, prohibited, Art. III, sec. 7, p. 1309.
 - bank, limitation of, to 20 years, Art. XVI, sec. 11, p. 1329.
 - corporations not to engage in business unauthorized by, Art. XVI, sec. 6, p. 1329.
 - no law to be passed creating more than one, Art. XVI, sec. 10, p. 1329.
 - repeal of, authorized, Art. XVI, sec. 10, p. 1329.
 - unused, to be void, Art. XVI, sec. 1, p. 1328.
 - validated or amended, prohibited, Art. XVI, sec. 1, p. 1328.
- children, adoption or legitimation of, legislation for, prohibited, Art. III, sec. 9, p. 1309.
- cities and city charters, Art. XV, p. 1328.
- cities, commissions in, not to incur debts, Art. XV, sec. 2, p. 1328.
 - electors to vote in favor of, Art. XV, sec. 1, p. 1328.
 - general laws, to establish, Art. XV, sec. 1, p. 1328.
 - incorporating, etc., General Assembly prohibited from, Art. III, sec. 7, p. 1309.
 - representative apportionment of, Art. II, sec. 17, p. 1307.
 - senatorial representation of, Art. II, sec. 16, p. 1307.
 - sinking funds in, to be created, Art. XV, sec. 3, p. 1328.

Constitution of 1873—General Index to—Continued.

- cities, special legislation for, prohibited, Art. III, sec. 7, p. 1308.
- citizens, right of, to assemble, Art. I, sec. 20, p. 1305.
to bear arms, Art. I, sec. 21, p. 1305.
- civil power, subordination of the military to, Art. I, sec. 22, p. 1305.
- commission of oyer and terminer, or jail delivery, not to be issued, Art. I, sec. 15, p. 1305.
- common pleas courts, chancery powers of, Art. V, sec. 20, p. 1319.
- compensation of judges of, Art. V, sec. 18, p. 1319; Sch., sec. 17, p. 1335.
- disqualification of judges of, Art. V, sec. 18, p. 1319.
- districts not to contain more than four counties, Art. V, sec. 4, p. 1316.
designations of, time when, Sch., sec. 13, p. 1334; Sch., sec. 14, p. 1334.
- election and term of judges of, Art. V, sec. 15, p. 1318.
- fees, &c., to be paid into county treasury, Art. V, sec. 7, p. 1317.
- increase of judges of, in Philadelphia and Allegheny, Art. V, sec. 6, p. 1317.
- jurisdiction of judges of, Art. V, sec. 9, p. 1317.
- of Philadelphia, to have separate dockets, Art. V, sec. 7, p. 1317.
- office of associate judge not learned in the law abolished, Art. V, sec. 5, p. 1316.
- of Schuylkill, who to be judge of, Sch., sec. 15, p. 1334.
- overseers of elections appointed by, Art. VIII, sec. 16, p. 1324.
- priority of commissions of judges of, Art. V, sec. 17, p. 1319.
- prothonotary of, in Philadelphia, Art. V, sec. 7, p. 1317.
- writs of *certiorari* to inferior courts, Art. V, sec. 10, p. 1317.
- “Commonwealth of Pennsylvania,” style of all process to be, Art. V, sec. 23, p. 1319.
- Commonwealth, credit of, not to be pledged or loaned, Art. IX, sec. 6, p. 1325.
- information of, to be given by the Governor, Art. IV, sec. 11, p. 1314.
- suits instituted against the, Art. I, sec. 11, p. 1304.
- compensation, just, for property, to be first made, Art. I, sec. 10, p. 1304.
- compulsory process, the accused to have, Art. I, sec. 9, p. 1304.
- concurrent orders, to be presented to Governor, Art. III, sec. 26, p. 1311.
- Congress, members of, disqualified to fill office of Governor, Art. IV, sec. 6, p. 1313.
- ineligible to General Assembly, Art. II, sec. 6, p. 1306.
- conscience, natural rights of, guaranteed, Art. I, sec. 3, p. 1303.
- Constitution, future amendments to, Art. XVIII, sec. 1, p. 1331.
- General Assembly to pass laws to carry into effect, Sch., sec. 31, p. 1337.
- State and judicial officers to subscribe to, Sch., sec. 30, p. 1337.
- submission, ordinance of, declared to be valid, Sch., sec. 32, p. 1337.
- when to go into effect, Sch., sec. 1, p. 1333.
- contempt, punishment for, shall not bar an indictment, Art. II, sec. 11, p. 1307.
- contested elections, trial of, Art. VIII, sec. 17, p. 1324.
- contracts, laws impairing, forbidden, Art. I, sec. 17, p. 1305.
- corporations, charters of, not to be validated or amended, Art. XVI, sec. 1, p. 1328.
- compensation by, for injury to private property, Art. XVI, sec. 8, p. 1329.
- fictitious stock of, forbidden, Art. XVI, sec. 7, p. 1329.
- foreign, to have places of business in the State, Art. XVI, sec. 5, p. 1328.
- forfeiture of charter, General Assembly not to remit, Art. XVI, sec. 2, p. 1328.
- no law to create, more than one charter, Art. XVI, sec. 10, p. 1329.
- not to engage in business unauthorized by charter, Art. XVI, sec. 6, p. 1329.
- obligations of, to the State not to be released, Art. III, sec. 24, p. 1311.

Constitution of 1873—General Index to—Continued.

- corporations, power of State to tax, not to be surrendered, Art. IX, sec. 3, 1324.
- private, general law, Art. XVI, p. 1328.
- repeal of charters of, authorized, Art. XVI, sec. 10, p. 1329.
- right of eminent domain not to be abridged, Art. XVI, sec. 3, p. 1328.
- right to construct telegraph lines by, Art. XVI, sec. 12, p. 1329.
- special legislation relative to, prohibited, Art. III, sec. 7, p. 1309.
- stockholders, election of, by the free vote, Art. XVI, sec. 4, p. 1328.
- stock and indebtedness not to be increased except by general law, Art. XVI, sec. 7, p. 1329.
- the word defined, Art. XVI, sec. 13, p. 1330.
- unused charters, to be void, Art. XVI, sec. 1, p. 1328.
- corrupt solicitation, punishment of, Art. III, sec. 31, p. 1312.
- corruption, members of Assembly expelled for, ineligible to either House, Art. II, sec. 11, p. 1307.
- to disqualify voters, Art. VIII, sec. 8, p. 1323.
- counties, new, limitation of power to create, Art. XIII, sec. 1, p. 1327.
- senatorial representation of, Art. II, sec. 16, p. 1307.
- special legislation for, prohibited, Art. III, sec. 7, p. 1308.
- county auditors—See County Commissioners.
- county commissioners and auditors, election of, by limited vote, Art. XIV, sec. 7, p. 1328.
- expiration of term of present, Sch., sec. 28, p. 1336.
- term of, Art. XIV, sec. 7, p. 1328.
- vacancy in, how filled, Art. XIV, sec. 7, p. 1328.
- word of, to include commissioners of Philadelphia, Sch., sec. 33, p. 1337.
- county officers, Art. XIV, p. 1327.
- county officers, accountability of, Art. XIV, sec. 6, p. 1327.
- compensation of, XIV, sec. 5, p. 1327.
- election and tenure of, Art. XIV, sec. 2, p. 1327.
- names of, Art. XIV, sec. 1, p. 1327.
- residence of, Art. XIV, sec. 3, p. 1327.
- vacancies in, how filled, Art. XIV, sec. 2, p. 1327.
- county, representative apportionment of, Art. II, sec. 17, p. 1307.
- senatorial representation of, Art. II, sec. 16, p. 1307.
- county offices, where to be kept, Art. XIV, sec. 4, p. 1327.
- seats, locating, legislation for, prohibited, Art. III, sec. 7, p. 1309.
- county treasurer and sheriff, ineligible for second term, Art. XIV, sec. 1, p. 1327.
- courts—See Common Pleas and Supreme.
- laws for, to be uniform, Art. V, sec. 26, p. 1320.
- of *nisi prius* abolished, Art. V, sec. 21, p. 1319.
- of record, existence of, Sch., sec. 11, p. 1334.
- commissions of judges of, Sch., sec. 15, p. 1334.
- special, prohibited, Art. V, sec. 26, p. 1320.
- to be open, Art. I, sec. 11, p. 1304.
- uniform laws for, Art. V, sec. 26, p. 1320.
- vacancies in, how filled, Art. V, sec. 25, p. 1320.
- credit of the State not to be loaned, Art. IX, sec. 6, p. 1325.
- criminal cases, review of, in Supreme Court, Art. V, sec. 24, p. 1320.
- courts in Philadelphia and Allegheny, Art. 5, sec. 8, p. 1317.
- informations limited, Art. I, sec. 10, p. 1304.
- prosecutions, rights of defence in, Art. I, sec. 9, p. 1304.

Constitution of 1873—General Index to—Continued.

- damages, assessment of, appeals from, Art. XVI, sec. 8, p. 1329.
 - no limitation of, for injury to person or property, Art. III, sec. 21, p. 1311.
 - time for bringing suits unlimited, Art. III, sec. 21, p. 1311.
- Dauphin, &c., court of first criminal jurisdiction in, abolished, Sch., sec. 11, p. 1334.
- debtor, imprisonment of insolvent, limited, Art. I, sec. 16, p. 1305.
- debt, State, power to make, Art. IX, sec. 4, p. 1324.
- debts, legislation to change method of collecting, forbidden, Art. III, sec. 7, p. 1309.
- declaration of Rights, Art. I, p. 1303.
- defence, rights of citizens to bear arms for, Art. I, sec. 21, p. 1305.
- defence, rights of, in criminal prosecutions, Art. I, sec. 9, p. 1304.
- descent of succession, change of law forbidden, Art. III, sec. 7, p. 1309.
- disorderly behavior, each House of General Assembly may punish for, Art. II, sec. 11, p. 1306.
- divorces, General Assembly not to grant, Art. III, sec. 7, p. 1309.
- duelling, persons guilty of, disqualified for office, Art. XII, sec. 3, p. 1326.
- education, Art. X, p. 1326.
 - efficient system of, to be provided for, Art. X, sec. 1, p. 1326.
- election boards, constitution of, Art. VII, sec. 14, p. 1323.
 - clerks of, Art. VIII, sec. 14, p. 1323.
 - government officers disqualified, Art. VIII, sec. 15, p. 1323.
 - ineligibility of officers of, VIII, sec. 15, p. 1323.
 - privileges of, Art. VIII, sec. 14, p. 1323.
 - vacancies in, Art. VIII, sec. 14, p. 1323.
- election cases, contested, witnesses not to withhold testimony, Art. VIII, sec. 10, p. 1323.
- election districts, division of, Art. VIII, sec. 11, p. 1323.
- election laws to be uniform, Art. VIII, sec. 7, p. 1322.
 - violation of, to disqualify, Art. VIII, sec. 9, p. 1322.
- elections, general, time of, Art. VIII, sec. 2, p. 1322.
 - military interference in, prohibited, Art. I, sec. 5, p. 1303.
 - municipal, time of, Art. VIII, sec. 3, p. 1322.
 - overseers of, appointed by the courts, Art. VIII, sec. 16, p. 1324.
 - special legislation, rel. to, prohibited, Art. III, sec. 7, p. 1309.
 - to be by ballot, Art. VIII, sec. 4, p. 1322.
 - to be free and equal, Art. I, sec. 5, p. 1303.
- electors, challenging of, Art. VIII, sec. 8, p. 1322.
 - privileged from arrest, Art. VIII, sec. 5, p. 1322.
- emigration from the State permitted, Art. I, sec. 25, p. 1305.
- eminent domain, right of, not to be abridged, Art. XVI, sec. 3, p. 1328.
- estate of suicides, no forfeiture of, Art. I, sec. 19, p. 1305.
- estate, no forfeiture of, beyond life, for attainder, Art. I, sec. 19, p. 1305.
- excessive bail, not required, Art. I, sec. 13, p. 1304.
- executive, Art. IV, p. 1312.
 - department, information from officers of, Art. IV, sec. 10, p. 1314.
 - of what consisting, Art. IV, sec. 1, p. 1312.
 - nominations, Senate to act on, with open doors, Art. IV, sec. 8, p. 1314.
- ex post facto* laws, not to be passed, Art. I, sec. 17, p. 1305.
- extra compensation to public officers, Art. III, sec. 11, p. 1310.
- fees of common pleas courts to be paid into county treasury, Art. V, sec. 13, p. 1318.

Constitution of 1873—General Index to—Continued.

- felony or treason, Legislature cannot attain, Art. I, sec. 18, p. 1305.
- ferries or bridges, special legislation relative to, forbidden, Art. III, sec. 7, p. 1308.
- finer, excessive, not to be imposed, Art. I, sec. 13, p. 1304.
- penalties or forfeitures, General Assembly not to remit, Art. III, sec. 7, p. 1307.
- free and independent, all men equally born, Art. I, sec. 1, p. 1303.
- free government, founded on the authority of the people, Art. I, sec. 2, p. 1303.
- free vote, stockholders' election to be by, Art. XVI, sec. 4, p. 1328.
- freight or passage, discrimination in, by railroads or canals, prohibited, Art. XVII, sec. 3, p. 1330; Art. XVII, sec. 7, p. 1331.
- foreign corporations, to have place of business in the State, Art. XVI, sec. 5, p. 1328.
- future amendments, Art. XVIII, p. 1331.
- General Assembly, adjournment of either House, Art. II, sec. 14, p. 1307.
 - biennial elections of members of, Art. II, sec. 2, p. 1305.
 - bribery by members of, Art. III, sec. 29, p. 1311.
 - concurrent orders of both Houses to be presented to the Governor, Art. III, sec. 26, p. 1311.
 - charters of corporations not to be remitted by, Art. XVI, sec. 2, p. 1328.
 - compensation of members of, Art. II, sec. 8, p. 1306.
 - compensation of officers and employees of, Art. III, sec. 10, p. 1310.
 - conviction of certain crimes to disqualify, Art. II, sec. 7, p. 1303.
 - Governor may convene or adjourn, Art. IV, sec. 12, p. 1314.
 - when to be chosen by, Art. IV, sec. 2, p. 1313.
 - to give information to, Art. IV, sec. 11, p. 1314.
 - increase of salary to members of, forbidden, Art. II, sec. 8, p. 1306.
 - judicial districts to be designated by, Sch., sec. 14, p. 1334.
 - legislative power vested in, Art. II, sec. 1, p. 1305.
- General Assembly, meeting of, Art. II, sec. 4, p. 1306.
- members of Congress ineligible to, Art. II, sec. 6, p. 1306.
- officers and employees of, number, duties, &c., Art. III, sec. 10, p. 1310.
- officers of, Art. II, sec. 9, p. 1306.
- powers of each House of, Art. II, sec. 11, p. 1306.
- privileges of members of, from arrest, Art. II, sec. 15, p. 1307.
- proceedings to be kept and published, Art. II, sec. 12, p. 1307.
- protection of members of, Art. II, sec. 11, p. 1307.
- qualification of members of, each House to judge, Art. II, sec. 9, p. 1306.
- quorum of each House of, Art. II, sec. 10, p. 1306.
- residence of members of, Art. II, sec. 5, p. 1306.
- sessions of, to be open, Art. II, sec. 13, p. 1307.
- signing of bills by presiding officers, Art. III, sec. 9, p. 1309.
- special legislation by, prohibited, Art. III, sec. 7, p. 1308.
- special sessions of, limitation of legislative power at, Art. III, sec. 25, p. 1311.
- speech or debate, members not to be questioned, Art. II, sec. 15, p. 1307.
- term of, when begins, Art. II, sec. 2, p. 1306.
- to enforce provisions of railroad article by appropriate legislation, Art. XVII, sec. 12, p. 1331.
- to pass laws to carry Constitution into effect, Sch., sec. 31, p. 1337.
- God, the people of the Commonwealth grateful to, Pr., p. 1303.
 - right to worship, Art. I, sec. 3, p. 1303.
- government, right of the people to alter, reform or abolish, Art. I, sec. 2, p. 1303.
 - right of the press to examine into, Art. I, sec. 7, p. 1305.

Constitution of 1873—General Index to—Continued.

- Governor, commander-in-chief of the army and navy, Art. IV, sec. 7, p. 1313.
 contested elections of, Art. IV, sec. 2, p. 1313.
 chief justice to preside in, Art. IV, sec. 17, p. 1315.
 concurrent orders, to be presented to, Art. III, sec. 26, p. 1311.
 contracts for stationery, &c., to be approved by, Art. III, sec. 12, p. 1310.
 election of, Art. IV, sec. 2, p. 1317.
 eligible only for one term, Art. IV, sec. 3, p. 1313.
 first election of, under Constitution, Sch., sec. 5, p. 1333.
 impeachment of, Art. VI, sec. 3, p. 1320.
 information from Executive Department, Art. V, sec. 10, p. 1314.
 information to be given General Assembly, Art. IV, sec. 11, p. 1314.
 Lieutenant Governor to act in case of death of, Art. IV, sec. 13, p. 1314.
 may convene and adjourn General Assembly, Art. IV, sec. 12, p. 1314.
 official acts and proceedings of, to be kept, Art. IV, sec. 18, p. 1315.
 pardoning power of, Art. IV, sec. 9, p. 1314.
 persons disqualified for office of, Art. IV, sec. 6, p. 1313.
 power of appointment by, Art. IV, sec. 8, p. 1313.
 power to fill vacancies by, Art. IV, sec. 8, p. 1313.
 qualifications of, Art. IV, sec. 5, p. 1313.
 returns of election for, Art. IV, sec. 2, p. 1313.
 supreme executive power vested in, Art. IV, sec. 2, p. 1312.
 term of, Art. IV, sec. 3, p. 1313; Sch., sec. 5, p. 1333.
 to remain in office until successor qualified, Art. IV, sec. 17, p. 1315.
 vacancies in court of record to be filled by, Art. V, sec. 25, p. 1320.
 veto power of, Art. IV, sec. 15, p. 1314.
- Governor, Lieutenant, election of, Art. IV, sec. 4, p. 1313.
 first election under Constitution, Sch., sec. 6, p. 1333.
 member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
- Governor, Lieutenant, persons disqualified for office of, Art. IV, sec. 6, p. 1313.
 president of the Senate, Art. IV, sec. 4, p. 1313.
 qualifications of, Art. IV, sec. 5, p. 1313.
 to fill vacancy in office of Governor, Art. IV, sec. 13, p. 1314.
 vacancy in office of, how filled, Art. IV, sec. 14, p. 1314.
- grievances, right of the people to petition for redress of, Art. I, sec. 20, p. 1305.
habeas corpus, writ of, not to be suspended, Art. I, sec. 14, p. 1305.
 jurisdiction of Supreme Court in, Art. V, sec. 3, p. 1316.
- happiness, pursuit of, guaranteed, Art. I, sec. 1, p. 1303.
- hereditary distinction, legislature not to create, Art. I, sec. 24, p. 1305.
- highways, railroads and canals declared public, Art. XVII, sec. 1, p. 1330.
- homicide, felonious, cases of, removed to Supreme Court, Art. V, sec. 24, p. 1320.
- House of Representatives—See Representatives.
 adjournment of, without consent of Senate, Art. II, sec. 14, p. 1307.
 apportionment of members of, Art. II, sec. 17, p. 1307.
 members expelled for corruption ineligible to, Art. II, sec. 11, p. 1307.
 oath of, by whom administered, Art. VII, sec. 1, p. 1321.
 quorum of, Art. II, sec. 10, p. 1306.
 ratio of apportionment for members of, Art. II, sec. 17, p. 1307.
 revenue bills to originate in, Art. III, sec. 14, p. 1310.
 sole power of impeachment, Art. VI, sec. 1, p. 1320.
 Speaker of, Art. II, sec. 9, p. 1306.

Constitution of 1873—General Index to—Continued.

- immunity, special or exclusive, not to be granted, Art. III, sec. 7, p. 1309.
- impeachment and removal from office, Art. VI, p. 1320.
- impeachment, Governor and all civil officers to be liable to, Art. VI, sec. 3, p. 1320.
- House of Representatives to have sole power of, Art. VI, sec. 1, p. 1320.
- judgment in, extent of, Art. VI, sec. 3, p. 1320.
- to be tried by the Senate, Art. VI, sec. 2, p. 1320.
- imprisonment of debtors, limited, Art. I, sec. 16, p. 1305.
- indictment, style of process of, Art. V, sec. 23, p. 1320.
- industrial statistics, bureau of, Art. IV, sec. 19, p. 1315.
- injury to person, &c., remedy for, Art. I, sec. 11, p. 1304.
- information, no person to be proceeded against criminally by, Art. I, sec. 10, p. 1304.
- inspectors of merchandise, State officers for, prohibited, Art. III, sec. 27, p. 1311.
- may be appointed for county or municipality, Art. III, sec. 27, p. 1311.
- interest, General Assembly not to fix rate of, Art. III, sec. 7, p. 1309.
- internal Affairs, Secretary of, duties of Auditor General relative to railroads, &c., to be transferred to, Art. XVII, sec. 11, p. 1331.
- election and term of, Art. IV, sec. 21, p. 1315.
- first election of, under Constitution, Sch., sec. 7, p. 1333.
- powers of, Art. IV, sec. 19, p. 1315.
- to be a member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
- invasion, writ of *habeas corpus* may be suspended in, Art. I, sec. 14, p. 1305.
- jeopardy of life or limb, citizens cannot be twice put in, Art. I, sec. 10, p. 1304.
- judges, common pleas court, compensation of, Art. V, sec. 18, p. 1319.
- judges, common pleas court, election and term of, Art. V, sec. 15, p. 1318.
- General Assembly to fix compensation of, Art. V, sec. 18, p. 19, Sch., sec. 17, p. 1335.
- increase of, in Philadelphia and Allegheny, Art. V, sec. 6, p. 1317.
- jurisdiction of, Art. V, sec. 9, p. 1317.
- learned in the law, expiration of commissions of, Sch., sec. 15, p. 1334.
- of Philadelphia to have separate dockets, Art. V, sec. 7, p. 1317.
- office of associate, not learned in the law, abolished, Art. V, sec. 5, p. 1316.
- overseers of elections appointed by, Art. VIII, sec. 16, p. 1324.
- priority of commissions of, Art. V, sec. 17, p. 1319.
- residence of, Art. V, sec. 19, p. 1319.
- removal of, from office, Art. V, sec. 15, p. 1318.
- salary of, not to be reduced, Sch., sec. 17, p. 1335.
- judges of Supreme Court, compensation of, Art. V, sec. 18, p. 1319.
- continuance in office of present, Sch., sec. 13, p. 1334.
- disqualification of, Art. V, sec. 18, p. 1319.
- election of, by the limited vote, Art. V, sec. 16, p. 1318.
- jurisdiction of the, Art. V, sec. 3, p. 1316.
- number and election of, Art. V, sec. 2, p. 1316.
- priority of commission of, Art. V, sec. 17, p. 1319.
- residence of, Art. V, sec. 19, p. 1319.
- tenure of, Art. V, sec. 2, p. 1316.
- judicial districts, separate, Art. V, sec. 5, p. 1316.
- when designated, Sch., sec. 13, p. 1334; Sch., sec. 14, p. 1334.
- power, vesting of, Art. V, sec. 1, p. 1316.
- proceedings, special legislation relative to, prohibited, Art. III, sec. 7, p. 1309.

Constitution of 1873—General Index to—Continued.

- judiciary, Art. V, p. 1316.
- jury to determine the law and the facts in indictments for libel, Art. I, sec. 7, p. 1304.
- jury, trial by, to remain inviolate, Art. I, sec. 6, p. 1304.
 - to be speedy in criminal cases, Art. I, sec. 9, p. 1304.
 - may be dispensed with in civil cases, Art. V, sec. 27, p. 1320.
- justice, administration of, to be free, Art. I, sec. 11, p. 1304.
- justices of the peace and aldermen, election and term of, Art. V, sec. 11, p. 1318.
- law, no revival of, by reference to its title only, Art. III, sec. 6, p. 1308.
- laws, general, Assembly cannot enact local or special, by partial repeal of, Art. III, sec. 7, p. 1309.
 - Governor to execute faithfully, Art. IV, sec. 2, p. 1312.
 - limitation of suspension of, Art. I, sec. 12, p. 1304.
 - not inconsistent with Constitution to remain in force, Sch., sec. 2, p. 1333.
 - not to be passed where courts have jurisdiction, Art. III, sec. 7, p. 1309.
 - revival of, Art. III, sec. 6, p. 1308.
 - supervision of, Art. I, sec. 12, p. 1304.
- Lebanon, &c., court of first criminal jurisdiction in, abolished, Sch., sec. 11, p. 1334.
- legislation, Art. III, p. 1308.
- legislation, special, application for, to be published, Art. III, sec. 8, p. 1309.
- limited, Art. III, sec. 7, p. 1308.
- legislative officers, Assembly to prescribe, Art. III, sec. 10, p. 1310.
 - power, vesting of, Art. II, sec. 1, p. 1305.
 - terms of, Art. II, sec. 3, p. 1306.
- Legislature, Art. II, p. 1305.
 - cannot attain for treason or felony, Art. I, sec. 18, p. 1305.
- Legislature, power of, to suspend laws, Art. I, sec. 12, p. 1304.
- libel, indictments for, Art. I, sec. 7, p. 1304.
- liberty of speech, abuse of, responsibility for, Art. I, sec. 7, p. 1304.
- liens not to be created, extended or impaired, Art. III, sec. 7, p. 1308.
- Lieutenant Governor, election of, Art. IV, sec. 4, p. 1313.
 - first election, under Constitution, Sch., sec. 6, p. 1333.
 - member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
 - persons disqualified for office of, Art. IV, sec. 6, p. 1313.
 - president of the Senate, Art. IV, sec. 4, p. 1313.
 - qualifications of, Art. IV, sec. 5, p. 1313.
 - to fill vacancy in office of Governor, Art. IV, sec. 13, p. 1314.
 - vacancy in office of, how filled, Art. IV, sec. 14, p. 1314.
- life and liberty, enjoying and defending, Art. I, sec. 1, p. 1303.
- life and limb not to be twice put in jeopardy, Art. I, sec. 10, p. 1304.
- life, liberty or property, no one to be deprived of, Art. I, sec. 9, p. 1304.
- limited vote, election of county commissioners and auditors by, Art. XIV, sec. 7, p. 1323.
 - election of Supreme Court judges by, Art. V, sec. 16, p. 1318.
 - election of judges in Philadelphia in 1874 by, Sch., sec. 18, p. 1335.
- local or special bills, notice of, to be published, Art. III, sec. 8, p. 1309.
- magistrates' courts in Philadelphia, Art. V, sec. 12, p. 1318.
- magistrates, election of, in Philadelphia, Art. V, sec. 12, p. 1318; Sch., sec. 25, p. 1336.
- mandamus*, jurisdiction of Supreme Court in, Art. V, sec. 3, p. 1316.
- military power, subordination of, to the civil, Art. I, sec. 22, p. 1305.

Constitution of 1873—General Index to—Continued.

- militia, Art. XI, p. 1326.
 - exemptions from, authorized, Art. XI, sec. 1, p. 1326.
 - Governor to be commander-in-chief of, Art. IV, sec. 7, p. 1313.
 - organization of, provided for, Art. XI, sec. 1, p. 1326.
- Mining or manufacturing, common carrier corporations not to engage in, Art. XVII, sec. 5, p. 1330.
 - special legislation regulating, prohibited, Art. III, sec. 7, p. 1309.
 - minors, legislation affecting estates of, prohibited, Art. III, sec. 7, p. 1309.
- moneys of the State, investment of, Art. IX, sec. 12, p. 1326.
 - profit out of, for private use, prohibited, Art. IX, sec. 14, p. 1326.
- municipal commissions, special, prohibited, Art. III, sec. 20, p. 1311.
 - not to incur debt, Art. XV, sec. 2, p. 1328.
 - consent to be given to construction of passenger railways, Art. XVII, sec. 9, p. 1331.
- debts, limitation of, Art. IX, sec. 8, p. 1325.
 - re-payment of, to be provided for, Art. IX, sec. 10, p. 1325.
 - State not to assume any, Art. IX, sec. 9, p. 1325.
- officers, accountability of, Art. XIV, sec. 6, p. 1327.
- municipalities not to become stockholders, Art. IX, sec. 7, p. 1325.
- new counties, Art. XIII, p. 1327.
 - power to create, limited, Art. XIII, sec. 1, p. 1327.
 - special legislation for, prohibited, Art. III, sec. 7, p. 1309.
- nisi prius* court, abolishment of, Art. V, sec. 21, p. 1319.
 - in Philadelphia, no new suits to be instituted in, Sch., sec. 20, p. 1335.
 - present proceedings in, how disposed of, Sch., sec. 21, p. 1336.
- nobility no, title of, to be created, Art. I, sec. 24, p. 1305.
- nominations, Executive, Senate to act on, with open doors, Art. IV, sec. 8, p. 1314.
 - vote on, to be taken by yeas and nays, Art. IV, sec. 8, p. 1314.
- normal schools, appropriations for, Art. III, sec. 17, p. 1310.
- oath of office, Art. VII, p. 1321.
 - oath of office, all State and judicial officers to take, within one month of adoption of Constitution, Sch., sec. 30, p. 1337.
 - by whom administered, Art. VII, sec. 1, p. 1321.
 - general, Art. VII, sec. 1, p. 1321.
 - refusal to take, Art. VII, sec. 1, p. 1321.
 - to take effect January 1, 1875, Sch., sec. 27, p. 1336.
 - when filed, Art. VII, sec. 1, p. 1321.
- obligations of corporations to the State not to be released, Art. III, sec. 24, p. 1311.
- creating of special, by General Assembly, forbidden, Art. III, sec. 7, p. 1309.
- office, duelling disqualifies for, Art. XII, sec. 3, p. 1326.
 - no tenure of, beyond good behavior, Art. I, sec. 24, p. 1305.
 - persons convicted of bribery ineligible to, Art. II, sec. 7, p. 1306.
 - persons in, to continue until successors are qualified, Sch., sec. 26, p. 1336.
 - re-election to, under Constitution, Sch., sec. 9, p. 1333.
 - religious opinion not to disqualify for, Art. I, sec. 4, p. 1303.
 - removal from, Art. VI, sec. 4, p. 1320.
- officers, accountability of, Art. XIV, sec. 6, p. 1327.
 - compensation of, Art. XIV, sec. 5, p. 1327.
 - election and tenure of, Art. XIV, sec. 2, p. 1327.
 - extension of term of, prohibited, Art. III, sec. 13, p. 1310.
 - federal, disqualified for State, Art. XII, sec. 2, p. 1326.
 - increase of compensation to, forbidden, Art. III, sec. 13, p. 1310.

Constitution of 1873—General Index to—Continued.

- officers, names of county, Art. XIV, sec. 1, p. 1327.
- public, Art. XII, p. 1326.
- residence of county, Art. XIV, sec. 3, p. 1327.
- selection of, Art. XII, sec. 1, p. 1326.
- special legislation rel. to, prohibited, Art. III, sec. 7, p. 1309.
- vacancies in county, how filled, Art. XIV, sec. 2, p. 1327.
- official conduct of persons in public capacity, no prosecution for publication relating to, Art. I, sec. 7, p. 1304.
- official tenure, condition of, Art. VI, sec. 4, p. 1320.
- ordinance of submission declared valid, Sch., sec. 32, p. 1357.
- orphans' court, separate, provided, Art. V, sec. 22, p. 1319.
- register of wills to be clerk in such, Art. V, sec. 22, p. 1319.
- orphans, soldiers', appropriations to institutions for, Art. III, sec. 19, p. 1310.
- overseers of elections, appointment of, Art. VIII, sec. 16, p. 1324.
- to decide questions of difference, Art. VIII, sec. 16, p. 1324.
- oyer and terminer, no commission of, to be issued, Art. I, sec. 15, p. 1305.
- pardoning power, in whom vested, Art. IV, sec. 9, p. 1314.
- passage or freight, no discrimination in, by railroads or canals, Art. XVII, sec. 3, p. 1330.
- passenger railways not to be constructed without municipal consent, Art. XVII, sec. 9, p. 1331.
- passes, issue of free, prohibited, Art. XVII, sec. 8, p. 1331.
- people, all power inherent in, Art. I, sec. 2, p. 1303.
- to be secure in their persons, &c., Art. I, sec. 8, p. 1304.
- pensions or gratuities, appropriations for, Art. III, sec. 18, p. 1310.
- petition, right of the people to, Art. I, sec. 20, p. 1305.
- Philadelphia, aldermen in, abolished, Art. V, sec. 13, p. 1318.
- common pleas courts in, Art. V, sec. 6, p. 1317.
- criminal courts in, Art. V, sec. 8, p. 1317.
- commissioners of, to be included in "county commissioners," Sch., sec. 33, p. 1337.
- election of judges in 1874 by limited vote, Sch., sec. 18, p. 1335.
- exclusive jurisdiction of each court, Art. V, sec. 6, p. 1317.
- first organization of courts in, Sch., sec. 18, p. 35; Sch., sec. 20, p. 1335.
- increase of judges in, Art. V, sec. 6, p. 1317.
- magistrates in, election of, Art. V, sec. 12, p. 1318.
- when to be elected, Sch., sec. 25, p. 1336.
- nisi prius* courts in, Art. V, sec. 21, p. 1319.
- president judges of, Sch., sec. 18, p. 1335.
- police courts in, Art. V, sec. 12, p. 1318.
- prothonotary in, Art. V, sec. 7, p. 1317.
- appointment of, in, Art. V, sec. 7, p. 1317.
- when first appointed, Sch., sec. 23, p. 1336.
- separate dockets for courts in, Art. V, sec. 7, p. 1317.
- PREAMBLE, p. 1303.
- printing, &c., contracts to be awarded for, Art. III, sec. 12, p. 1310.
- printing press, to be free, Art. I, sec. 7, p. 1304.
- prisoners, all to be bailable, except for capital offences, Art. I, sec. 14, p. 1305.
- privileges or immunities, grants for special, not to be irrevocable, Art. I, sec. 17, p. 1305.
- police power of the State, not to be abridged, Art. XVI, sec. 3, p. 1328.
- powers of government, exceptions from, Art. I, sec. 26, p. 1305.

Constitution of 1873—General Index to—Continued.

- power of government inherent in the people, Art. I, sec. 2, p. 1303.
- proceedings of government, the press may examine, Art. I, sec. 7, p. 1304.
- process, style of, Art. V, sec. 23, p. 1319.
- property, protection of, guaranteed, Art. I, sec. 1, p. 1303.
- private, not to be taken for public use, Art. I, sec. 10, p. 1304.
- compensation for injury to, by corporations, Art. XVI, sec. 8, p. 1329.
- prosecutions, in all criminal, right of the accused to be heard, Art. I, sec. 9, p. 1304.
- prothonotary of Philadelphia, appointment of, Art. V, sec. 7, p. 1317.
- when first appointed, Sch., sec. 23, p. 1336.
- publication of intended application for local or special legislation, Art. III, sec. 8, p. 1309.
- punishments, cruel, not to be inflicted, Art. I, sec. 13, p. 1304.
- quorum, of each House of General Assembly, Art. II, sec. 10, p. 1305.
- quo warranto*, jurisdiction of Supreme Court in, Art. V, sec. 3, p. 1316.
- railroads and canals, Art. XVII, p. 1330.
- acceptance by, of any Constitutional provisions, Art. XVII, sec. 10, p. 1331.
- construction of, right to, Art. XVII, sec. 1, p. 1330.
- connections with other roads guaranteed, Art. XVII, sec. 1, p. 1330.
- consolidation prohibited, Art. XVII, sec. 4, p. 1330.
- discrimination in freight or passage prohibited, Art. XVII, sec. 3, p. 1330; Art. XVII, sec. 7, p. 1331.
- railroads, free passes by, prohibited, Art. XVII, sec. 8, p. 1331.
- legislation by General Assembly to enforce constitutional provisions, Art. XVII, sec. 12, p. 1331.
- mining or manufacturing, not to engage in, Art. XVII, sec. 5, p. 1330.
- obligation or liability of, assumed by the State, not to be released, Art. III, sec. 24, p. 1311.
- officers of competing companies, Art. XVII, sec. 4, p. 1330.
- officers of, to be in the State, Art. XVII, sec. 2, p. 1330.
- passenger, not to be constructed without municipal consent, Art. XVII, sec. 9, p. 1331.
- public highways, Art. XVII, sec. 1, p. 1330.
- right of corporations, &c., to construct, Art. XVII, sec. 1, p. 1330.
- stock of, where transfers to be made, Art. XVII, sec. 2, p. 1330.
- track of, special legislation to lay, prohibited, Art. III, sec. 7, p. 1309.
- transportation, officers, &c., of, not to engage in, Art. XVII, sec. 6, p. 1331.
- transporters, no discrimination in charges to, Art. XVII, sec. 3, p. 1330; Art. XVII, sec. 7, p. 1331.
- real estate, legislation relative to sales of, prohibited, Art. III, sec. 7, p. 1309.
- rebellion or invasion, writ of *habeas corpus* can be suspended, Art. I, sec. 14, p. 1305.
- reform, right to, in government, Art. I, sec. 2, p. 1303.
- register of wills to be clerk of separate orphans' courts, Art. V, sec. 22, p. 1319.
- accounts of, to be audited by the courts, Art. V, sec. 22, p. 1319.
- register's court, abolishment of, Art. V, sec. 22, p. 1319.
- when to cease, Sch., sec. 12, p. 1334.
- registration of electors, laws for to be uniform, Art. VIII, sec. 7, p. 1322.
- religious establishments, no preference to be given to, Art. I, sec. 3, p. 1303.
- sentiments, not to disqualify, Art. I, sec. 4, p. 1303.
- reputation, protection of, guaranteed, Art. I, sec. 1, p. 1303.
- representative districts, apportionment of, Art. II, sec. 17, p. 1307.
- representatives, age of, Art. II, sec. 5, p. 1306.

Constitution of 1873—General Index to—Continued.

- representatives, certain crimes to disqualify, Art. II, sec. 7, p. 1306.
- disqualification for appointment to office, Art. II, sec. 6, p. 1306.
- election of, Art. II, sec. 2, p. 1305.
- qualification of, Art. II, sec. 5, p. 1306.
- revenue bills to originate in House of, Art. III, sec. 14, p. 1310.
- sole power of impeachment in House of, Art. VI, sec. 1, p. 1320.
- term of, Art. II, sec. 3, p. 1306.
- revenue bills, where to originate, Art. III, sec. 14, p. 1310.
- rights, declaration of, Art. I, p. 1303.
 - of individuals, corporations not to infringe, Art. XVI, sec. 3, p. 1328.
- roads, streets, &c., legislation for, prohibited, Art. III, sec. 7, p. 1308.
- salary, increase of, to members of General Assembly, forbidden, Art. II, sec. 8, p. 1306.
- schedule to Constitution, p. 1333.
- school districts, special legislation for, prohibited, Art. III, sec. 7, p. 1308.
- schools, amount to be annually appropriated to, Art. X, sec. 1, p. 1326.
 - General Assembly to provide for support of, Art. X, sec. 1, p. 1326.
 - public, legislation regulating management of, prohibited, Art. III, sec. 7, p. 1309.
 - women eligible to office in, Art. X, sec. 3, p. 1326.
- Schuykill, &c., court of first criminal jurisdiction in, abolished, Sch., sec. 11, p. 1334.
 - judge of first criminal court to be judge of common pleas of, Sch., sec. 15, p. 1334.
- seal of State, designated, Art. IV, sec. 22, p. 1316.
- searches and seizures, unreasonable, prohibited, Art. I, sec. 8, p. 1304.
- Secretary of Internal Affairs, election and term of, Art. IV, sec. 21, p. 1315.
 - duties of Auditor General relative to railroads, &c., transferred to, Art. XVII, sec. 11, p. 1331.
 - first election of, under Constitution, Sch., sec. 7, p. 1333.
 - powers of, Art. IV, sec. 19, p. 1315.
 - to be member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
- Secretary of the Commonwealth, appointment of, Art. IV, sec. 8, p. 1313.
 - duties of, Art. IV, sec. 18, p. 1315.
 - to be member of the Board of Pardons, Art. IV, sec. 9, p. 1314.
 - to keep record of official acts of the Governor, Art. IV, sec. 18, p. 1315.
- sectarian institutions, appropriations to, forbidden, Art. III, sec. 18, p. 1310.
- schools, public moneys not to be appropriated to, Art. X, sec. 2, p. 1326.
- Senate, action of, on nominations by Governor with open doors, Art. IV, sec. 8, p. 1314.
 - consent of, to nominations by the Governor, Art. IV, sec. 8, p. 1313.
 - extraordinary session, Governor may convene, Art. IV, sec. 12, p. 1314.
 - Lieutenant Governor to be president of, Art. II, sec. 9, p. 6; Art. IV, sec. 4, p. 1313.
 - members expelled for corruption ineligible to, Art. II, sec. 11, p. 1307.
 - oath to, by whom administered, Art. VII, sec. 1, p. 1321.
 - president *pro tempore* of, Art. II, sec. 9, p. 1306.
 - president, as Lieutenant Governor, Art. IV, sec. 14, p. 1314.
 - quorum of, Art. II, sec. 5, p. 1306.
 - to try all impeachments, Art. VI, sec. 2, p. 1320.
- senatorial districts, apportionment of, Art. II, sec. 16, p. 1307.
 - ratio, how ascertained, Art. II, sec. 16, p. 1307.

Constitution of 1873—General Index to—Continued.

- Senators, age of, Art. II, sec. 5, p. 1306.
 - certain crimes to disqualify, Art. II, sec. 16, p. 1307.
 - disqualifications for appointment to office, Art. II, sec. 6, p. 1306.
 - election of, Art. II, sec. 2, p. 1305.
 - in 1874 and 1875, Sch., sec. 3, p. 1333.
 - in 1876, Sch., sec. 4, 1333.
 - qualifications of, Art. II, sec. 5, p. 1306.
 - term of, Art. II, sec. 3, p. 1306.
- sheriff or treasurer of county ineligible for second term, Art. XIV, sec. 1, p. 1327.
- sinking fund, investment of moneys of, Art. IX, sec. 12, p. 1325.
 - resources of, Art. IX, sec. 11, p. 1325.
 - reserve moneys in, Art. IX, sec. 13, p. 1325.
 - to be continued and maintained, Art. IX, sec. 11, p. 1325.
- soldiers, quartering of, in times of peace, forbidden, Art. I, sec. 23, p. 1305.
 - voting of, in time of war, Art. VIII, sec. 6, p. 1322.
- widows and orphans of, appropriation for support of, Art. III, sec. 19, p. 1310.
- special sessions of General Assembly, limitation of legislative power at, Art. III, sec. 25, p. 1311.
- speech, frædom of, guarranteed, Art. I, sec. 7, p. 1304.
- speech or debate, members of General Assembly not questioned for, Art. II, sec. 15, p. 1307.
- State and judicial officers to subscribe to Constitution within one month, Sch., sec. 30, p. 1337.
 - credit of, not to be loaned, Art. IX, sec. 6, p. 1325.
 - money borrowed for, to be specified, Art. IX, sec. 5, p. 1324.
 - no assumption of municipal debts by, Art. IX, sec. 9, p. 1325.
 - police, power of, not to be abridged, Art. XVI, sec. 3, p. 1328.
- State Treasurer, &c., contracts for stationery, &c., to be approved by, Art. III, sec. 12, p. 1310.
 - election and term of, Art. IV, sec. 21, p. 1315.
 - eligible for only one term, Art. IV, sec. 21, p. 1316.
- stationery, &c., contracts to be awarded for, Art. III, sec. 12, p. 1310.
- stockholders' elections, free vote in, Art. XVI, sec. 4, p. 1328.
- stocks or bonds, corporations prohibited from issuing fictitious, Art. XVI, sec. 7, p. 1329.
- streets, alleys, &c., vacating, special legislation for, prohibited, Art. III, sec. 7, p. 1309.
- submission, ordinance of, declared valid, Sch., sec. 32, p. 1337.
- suffrage and elections, Art. VIII, p. 1321.
 - free exercise of, guaranteed, Art. I, sec. 5, p. 1303.
- suicides, no forfeiture of estates of, Art. I, sec. 19, p. 1305.
- suits for damages, no limitation of time in, Art. III, sec. 21, p. 1311.
- Superintendent of Common Schools, duties of, to be performed by Superintendent of Public Instruction, Art. IV, sec. 20, p. 1315.
 - office of, when to cease, Sch., sec. 8, p. 1333.
- Superintendent of Public Instruction, appointment of, Art. IV, sec. 8, p. 1313.
 - powers and duties of, Art. IV, sec. 20, p. 1315.
 - removal of, Art. VI, sec. 11, p. 1320.
- Supreme Court, Chief Justice of, Art. V, sec. 2, p. 1316.
 - chief justice to preside in contested election of Governor, Art. IV, sec. 1317,
 - continuance in office of present judges of, Sch., sec. 10, p. 1334.
 - compensation of judges of, Art. V, sec. 18, p. 19; Sch., sec. 17, p. 1335.
 - disqualification of judges of, Art. V, sec. 18, p. 1319.

Constitution of 1873—General Index to—Continued.

- Supreme Court, election of judges of, by limited vote, Art. V, sec. 16, p. 1318
 - first election of, after adoption of Constitution, Sch., sec. 10, p. 1334.
 - jurisdiction of the, Art. V, sec. 3, p. 1316.
 - non-judicial duties of members of, prohibited, Art. V, sec. 21, p. 1319.
 - number and election of judges of, Art. V, sec. 2, p. 1316.
 - priority of commissions of judges of, Art. V, sec. 17, p. 1319.
 - residence of judges of, Art. V, sec. 19, p. 1319.
 - review of criminal cases in, Art. V, sec. 24, p. 1320.
 - tenure of judges of, Art. V, sec. 2, p. 1316.
- Surveyor General, duties of, to be performed by Secretary of Internal Affairs, Art. IV, sec. 19, p. 1315.
 - office of, abolished, Sch., sec. 7, p. 1333.
- suspension of laws, limitation of, Art. I, sec. 12, p. 1304.
- taxation and finance, Art. IX, p. 1324.
- taxation, exemptions from, Art. IX, sec. 1, p. 1324.
 - limitation of power to exempt, Art. IX, sec. 2, p. 1324.
 - of corporations, power of, not to be surrendered, Art. IX, sec. 3, p. 1324.
 - special exemptions from, prohibited, Art. III, sec. 7, p. 1309.
 - uniformity of, Art. IX, sec. 1, p. 1324.
- tax, payment of prior to election, Art. VIII, sec. 1, p. 1322.
- telegraph lines, any association or corporation may construct, Art. XVI, sec. 12, p. 1329.
- thoughts and opinions, free communication of, guaranteed, Art. I, sec. 7, p. 1304.
- townships or boroughs, special legislation for, prohibited, Art. III, sec. 7, p. 1309.
- transportation, officers, &c., of railroads not to engage in, Art. XVII, sec. 6, p. 1331.
- troops, quartering of, in times of peace, Art. I, sec. 23, p. 1305.
- transporters, no discrimination in charges to, Art. XVII, sec. 3, p. 1330; Art. XVII, sec. 7, p. 1331.
- treason or felony, Legislature cannot attain, Art. I, sec. 18, p. 1305.
- treasury, reserve in, monthly statement of, Art. IX, sec. 13, p. 1326.
 - not to be converted to private use, Art. IX, sec. 14, p. 1326.
- trial by jury, may be dispensed with in civil cases, Art. V, sec. 27, p. 1320.
 - the right of, to remain inviolate, Art. I, sec. 6, p. 1304.
- trust funds, investment of, Art. III, sec. 22, p. 1311.
- United States Senator, vacancy in office of, during recess, Governor to convene Legislature, Art. II, sec. 4, p. 1306.
- vacancy in General Assembly, how to provide for, Art. II, sec. 2, p. 1306.
- venue, General Assembly prohibited from changing, Art. III, sec. 7, p. 1308.
 - change of, power of the courts in, Art. III, sec. 23, p. 1311.
- veto of bills, how considered, Art. IV, sec. 15, p. 1314.
 - power, in whom vested, Art. IV, sec. 15, p. 1314.
- Viva voce*, representatives to vote, Art. VIII, sec. 12, p. 1323.
- vote, free, in stockholders' election, Art. XVI, sec. 4, p. 1328.
 - limited, county commissioners and auditors elected by, Art. XIV, sec. 7, p. 1328.
 - judges elected by, when two or more are to be chosen, Art. V, sec. 16, p. 1318.
- voters, corruption to disqualify, Art. VIII, sec. 8, p. 1322.
- qualifications of, Art. VIII, sec. 1, p. 1321.
 - residence of, Art. VIII, sec. 1, p. 1321; Art. VIII, sec. 13, p. 1323.
- ward, borough or township not to be divided in forming senatorial districts, Art. II, sec. 16, p. 1307.

Constitution of 1873—General Index to—Continued.

- war, quartering of troops in time of, Art. I, sec. 23, p. 1305.
 - widows and orphans of soldiers, appropriations to institutions for, Art. III, sec. 19, p. 1310.
 - women, eligibility of, to school offices, Art. X, sec. 3, p. 1326.
 - worship, freedom of, guaranteed, Art. I, sec. 3, p. 1303.
 - writ of error, jurisdiction of Supreme Court in, Art. V, sec. 3, p. 1316.
 - yeas and nays, conference reports to be voted on by, Art. III, sec. 5, p. 1308.
 - on Executive nominations, to be taken, Art. IV, sec. 8, p. 1314.
 - on final passage of bills, to be taken, Art. III, sec. 4, p. 1308.
 - to be entered on the Journal at the desire of any two members, Art. II, sec. 12, p. 1307.
- Constitutional Sanctions, committee on, appointment of, 90.**
- Convention called to order by Secretary of Commonwealth, 23.**
- act authorizing the, 29.
 - list of delegates composing the, 30.
 - invitation of councils of Philadelphia to meet in that city, 33.
 - invitation of councils of Pittsburg to meet in that city, 38.
 - report of select committee designating officers of, 38.
 - thanks of, tendered Hon. Francis Jordan, Secretary of Commonwealth, 39.
 - resolution to proceed to nominate and elect officers of, 41.
 - resolution declaring elected certain officers of, 42.
 - resolution to appoint committee to designate standing committees, and report rules of, 44.
 - report of committee, designating standing committees of, 47.
 - rules of, reported, 56.
 - report of committee of fifteen, relative to printing proceedings of, 63.
 - resolution relative to receiving proposals for printing the proceedings of, 66.
 - resolution relative to printing of, 70.
 - thanks of, to John A. Smull, Esq., Resident Clerk of House of Representatives, 111.
 - thanks of, to Gen. Selfridge and Thomas M'Camant, Esq., 112.
 - resolution relative to printing Debates and Journal of, 112.
 - residence and mileage of members of, 114.
- CORBETT, WM. L., delegate at large:**
- leaves of absence granted to, 745, 915, 993, 1114.
 - report made by—
 - from special committee on Railroad article, 1154.
- COBSON, GEO. N., delegate VIth district:**
- leaves of absence granted to, 175, 242, 327, 523, 672, 745, 926, 1129.
 - resolutions submitted by—
 - to proceed to election of stenographer, 56.
 - relative to the trial by jury, 74.
 - to strike out the word "white" from the Constitution, 104.
 - to require all judges to be learned in the law, 162.
 - relative to the law of libel, 209.
 - directing the Committee on House to procure proper drapery for the windows, 244.
 - of inquiry, concerning draping the windows of Hall, 294.
 - to provide for uniform practice in the courts throughout the State, 392.
 - relative to absentees and a quorum, 983.

- County officers*, article on, reported by committee, 394.
 read the first time, 394.
 consideration of, on second reading, 540.
 article referred to *Committee on Revision and Adjustment*, 758.
 reported by *Committee on Revision and Adjustment*, 1025.
 to be numbered XIV, 1025.
 report of committee considered, 1089; adopted, 1089.
 article transcribed for third reading, 1089.
 consideration of, on *third reading*, 1089.
 the article passed, 1092.
 re-consideration of vote on, 1155.
 article passed, 1187.
- Counties, Townships and Boroughs, committee on, appointment of, 89.
 report from, 394.
- County, Township and Borough Officers, committee on, appointment of, 89.
 report from, 394.
- Cowan, Edgar, report of delegates at large, appointing member of Convention in place of Mr. Gowen, 585.
 declines to accept seat in Convention, 632.
- CRAIG, DAVID, delegate XXVIIIth district:
 leaves of absence granted to, 284, 363, 527, 712, 907.
 announcement of death of, 1295.
 resolutions of Mr. Beebe, relative to death of, 1295.
 resolution submitted by—
 to submit the question of prohibition separately, 134.
- CRONMILLER, JOHN P., delegate XVIIth district:
 leaves of absence granted to, 537, 784.
- CURRY, JAMES W., delegate XXIst district:
 leaves of absence granted to, 267, 311, 337, 379, 683, 789, 962, 1004.
 requested to act as Chaplain to Convention, 203.
 report from select committee on compensation of members, 530.
 from special committee on salary of members and officers, 632.
 resolutions submitted by—
 to provide for furnishing stationery, &c., by contract, 201.
 to appoint a committee of seven to consider and report on salary of members of Convention, 512.
 to draw warrants in favor of members and officers for four-fifths of salary, 651.
 resolution of Mr. Woodward, to pay \$100 to, as a testimonial of respect for services as Chaplain, 1227.
- CURTIN, ANDREW G., delegate at large:
 leaves of absence granted to, 200, 256, 530, 1129.
 report made by—
 from *Committee on the Executive Department*, reporting article, 323.
 resolutions submitted by—
 to publish *Debates* in two daily newspapers of Philadelphia, 372.
 relative to death of Mr. M'Allister, 486.
 to adjourn for participation in *Decoration Day* services, 546.
 to place Mr. Barr on committees of which his predecessor was a member, 1185.
 to pay for reporting proceedings in *Supreme Court*, 1282.
- CUYLER, THEODORE, delegate at large from Philadelphia:
 leaves of absence granted to, 524, 546, 750, 1011.

CUYLER, THEODORE—*Continued.*

report made by—

from minority Committee on the Judiciary, 422.

resolutions submitted by—

relative to acts of Assembly passed by fraud, deceit or misrepresentation, 247.

to prevent decisions of caucuses of the Legislature from controlling the actions of members, 351.

to have the address to the people of the State attested by the President, 1260.

D.

DALLAS, GEORGE M., delegate at large:

leaves of absence granted to, 250, 303, 333, 488, 1114.

communications presented by—

from librarian of the Law Association of Philadelphia, granting use of, to Convention, 55.

from librarian of the Loganian library of Philadelphia, granting use of to Convention, 55.

reports made by—

from minority of Committee on Legislature, 203.

Judiciary, 422.

Legislation, 817.

resolutions submitted by—

to fix hours of session, 44.

to appoint a committee to confer with councils of Philadelphia to arrange Hall for Convention, 55.

to provide for the better protection of the press, 132.

to refer all articles passed second reading to Committee on Revision and Adjustment, 243.

demanding greater speed in printing and delivery of the Debates, 281.

relative to the chartered privileges of existing corporations, 294.

to accept invitation of Pennsylvania Horticultural society, to visit exhibition, 468.

proposing an article on railroads, 470.

to submit article on railroads and canals separately, 1172.

to authorize President of Convention to call special session, 1253.

DARLINGTON, WILLIAM, delegate 7th district:

leaves of absence granted to, 275, 293, 312, 369, 496, 530, 617, 838.

report made by—

from Committee on Education, reporting article, 338.

resolutions submitted by—

thanking the councils of Pittsburg for invitation to Convention, 38.

to elect certain named officers of Convention, 42.

to elect Senators by single districts, 120.

to provide for a council of pardons, 120.

to provide for decennial apportionment of members of the Legislature, 169.

to allow women to vote for and serve as school directors, 169.

to provide for filling vacancies in office of State Treasurer, 173.

to establish courts of conciliation, 178.

to purchase one copy of Purdon's Digest for the use of members, 229.

to decide all questions as to time of meeting, &c., without debate, 300.

to rescind the resolution limiting debate, 332.

to accept resignation of Mr. Bartholomew, 469.

DARLINGTON, WM.—*Continued.*

- to amend Rule XLI, 520.
- to rescind the resolution fixing the compensation of members of Convention, 541.
- thanking the authorities of Gettysburg for invitation to Convention to meet in that borough, 738.
- thanking the mayor and councils of Erie for invitation to Convention to meet in that city, 807.
- thanking Montgomery County Agricultural society for invitation to visit fair, 870.
- relative to disposition of surplus copies of Debates, 1132.

DAVIS, WILLIAM, delegate at large :

- leaves of absence granted to, 222, 303, 327, 530, 653, 745, 828, 907, 1004, 1068.

Declaration of Rights, committee on, appointment of, 90.
reports of committee, 48, 424, 426.*Declaration of Rights*, report of minority of committee on rules and standing committees against the appointment of committee on, 48.

- reasons of Mr. Purman for vote on, 52.
- article on reported by committee, 424.
- read the first time, 425.
- minority report of committee, 426.
- consideration of on second reading, 521.
- consideration of on second reading resumed, 658.
- referred to Committee on Revision and Adjustment, 671.
- report of Committee on Revision and Adjustment, 943.
- to be numbered Art. I, 943.
- consideration of report, 943.
- amendment of Mr. MacVeagh, 943; adopted, 943.
- amendment of Mr. Woodward, 943; adopted, 943.
- the report of the committee was agreed to, 944.
- article transcribed for a third reading, 944.
- consideration of on third reading, 947.
- article passed, 965.

DE FRANCE, ROBERT M., delegate XXVIIIth district :

resolutions submitted by—

- to provide for the fencing of railroads, 125.
- requesting information from the commissioners of the sinking fund, 159.
- to provide just compensation for damages to property, 159.
- to make irrevocable any grant of special privileges, 159.
- that the trial by jury shall remain inviolate, 159.
- to prohibit the Legislature from limiting the amount of damages in railroad suits, 173.
- to adopt the preferential mode of voting for the election of county commissioners and auditors, 173.
- to provide for a division of the State into seventeen Senatorial districts, 177.
- to provide that trial by jury remain as heretofore, 190.
- to amend rule XI, 228.
- to require all bills to be read in full on three different days, 243.
- to prevent leaves of absence, 322.

DIMMICK, SAMUEL E., delegate at large :

- tenders resignation, 308.
- resignation accepted, 309.
- report of delegates appointing Mr. Green in place of, 322.

- DODD, SAMUEL C. T., delegate at large :
 leaves of absence granted to, 128, 232, 311, 496, 544, 802, 1244.
 resolutions submitted by—
 to prevent the enactment of retro-active laws, 104.
 directing the Sergeant-at-Arms to distribute the printed report of Com
 on Legislature, 222.
 to amend Rule XXV, 300.
- DUNNING, ABRAHAM B., delegate XIIIth district :
 leaves of absence granted to, 653, 745, 1004, 1068.
 resolutions submitted by—
 relative to the appointment of judges, 80.
 relative to the division of counties, 171.
 to divide counties into judicial districts, 209.
 to provide for sub-division of counties for judicial purposes, 357.
 to pay one-half of salary of officers unpaid, 539.

E.

- EDWARDS, MATTHEW, delegate XXIIIrd district :
 leaves of absence granted to, 232, 745, 993, 1181.
 resolutions submitted by—
 relative to the freedom of speech and of the press, 132.
 to establish a bureau of industrial interests, 133.
 to establish a complete system of detailed statistics, 163.
 to amend Rule XXV, 303.
- Education, committee on, appointment of, 89.
 reports of committee on, 338.
- Education*, article on, reported by committee, 338.
 read first time, 339.
 considered on second reading, 365.
 re-committed to committee, 724.
 reported by committee, 725.
 consideration on second reading resumed, 725.
 referred to Committee on Revision and Adjustment, 729.
 report of Committee on Revision and Adjustment, 1006.
 to be numbered Art. X, 1006.
 report of committee considered, 1075; adopted, 1075.
 article transcribed for a third reading, 1075.
 consideration of, on third reading.
 article passed, 1080.
- Elections*, general and municipal, article on, reported by committee, 156.
 read the first time, 156.
 consideration of, on second reading, 190.
 article transcribed for a third reading, 234.
 consideration of, on third reading, 239.
 article passed, 239.
 directed to be inserted in article on suffrage, 993.
- Election, report of commissioners of, for Philadelphia, 1286.
- ELLIOTT, MORTIMER F., delegate XVIth district :
 leaves of absence granted to, 97, 247, 329, 382, 385, 454, 537, 598, 1081.
 resolution submitted by—
 relative to taxation of corporations, 196.

ELLIS, JAMES, delegate at large :

leaves of absence granted to, 543, 759, 835.

resolutions submitted by—

providing for the adoption of parliamentary practice of Jefferson's Manual, 60.

to punish fraud at elections by hanging, 243.

to procure skeleton maps of the State, 333.

Evans, Clement, elected Doorkeeper, 43.

EWING, THOMAS, delegate XXIII^d district :

leaves of absence granted to, 307, 527, 789.

resolutions submitted by—

relative to reports from standing committees, 76.

to print all resolutions and propositions, 76.

relative to the examination of insurance companies, 121.

relative to the election of mayor of cities, 121.

requesting the Auditor General to furnish information relative to railroads, 189.

to amend Rule XLI, 983.

to hold evening sessions, 1144.

to authorize Committee on Revision and Adjustment to sit during sessions, 1266.

Executive Committee of Thirty-three, resolution of Mr. Howard to appoint, 1229.

appointment of, 1244.

report of, 1283.

address of, 1285.

resolution of Mr. Stanton tendering thanks to, 1289.

Executive Department, Committee on, appointment of, 89.

reports of, 323, 325.

Executive, the, article on, reported by committee, 323.

read first time, 325.

consideration of, on second reading, 358.

referred to Committee on Revision and Adjustment, 593.

report of Committee on Revision and Adjustment, 957.

to be numbered article IV, 957.

ordered to be printed, 958.

report of committee considered, 976 ; adopted, 976.

article transcribed for a third reading, 976.

considered on *third reading*, 1002.

article passed, 1004.

additional section proposed by Mr. Curtin, 1197.

passed third reading and referred, 1197.

F. •

FELL, J. GILLINGHAM, delegate at large :

leaves of absence granted to, 524, 546, 974.

reports made by—

from delegates at large, appointing Mr. Green member in place of Mr. Dimmick, 323.

from delegates at large, appointing Morton M'Michael member of Convention, 871.

Federal relations, resolution to appoint committee on, 164 ; adoption of, 174.

Female suffrage, memorials in favor of, from—

Pennsylvania Woman's Suffrage association, 167.

Monthly Meeting of Longwood, 282.

Female suffrage, petitions in favor of, from citizens of—

Allegheny county, 267, 278, 295.
 Bradford “ 282.
 Bucks “ 302.
 Chester “ 208, 240, 279, 517, 558.
 Delaware “ 279.
 Lancaster “ 267, 295, 379.
 Mercer “ 312.
 Pennsylvania at large, 208, 282.
 Washington county, 267.

from Lucretia Mott and others, in favor of, 263.

from citizens of Harrisburg, in favor of, 389.

from Obadiah Wheelock, in favor of, 458.

FINNEY, ASHEL C., delegate XVIIIth district:

leaves of absence granted to, 167, 390, 517, 918.

report made by—

from Committee on Agriculture, Mines, Manufactures and Commerce, 383.

resolutions submitted by—

to require all electors after 1835 to be able to read and write, 251.

to allow female suffrage in all municipal elections, 291.

FREEZE, JOHN G., delegate XVth district:

resignation of tendered, 54.

resolution submitted by—

requesting the Secretary of the Commonwealth to furnish the Convention the expenditures of all the departments of the State government, &c., 46.

FULTON, ANDREW M., delegate XXIVth district:

leaves of absence granted to, 363, 382, 561, 952, 1037, 1171.

FUNCK, JOSIAH, delegate XIIth district:

leaves of absence granted to, 167, 307, 527, 561, 735, 952.

report made by, from Committee on Future Amendments, 423.

resolutions submitted by—

to appoint one person to collect taxes of every kind in each district, 87.

to annul all bank charters, 87.

to prevent the chartering of any other than banks of issue, 87.

to prohibit all banks from paying interest on deposits, 159.

to compel banking institutions to make quarterly returns, 159.

to terminate debate on the article reported by Committee on Suffrage, 285.

Future Amendments, committee on, appointment of, 90.

report of, 423.

Future Amendments, article on, reported by committee, 423.

read the first time, 424.

consideration of, on second reading, 542.

referred to Committee on Revision and Adjustment, 752.

report of Committee on Revision and Adjustment, 1039.

consideration of report of, 1139; adopted, 1139.

article transcribed for third reading, 1139.

consideration of, on third reading, 1139.

article passed, 1139.

G.

- GIBSON, JOHN, delegate XXth district:
 resolutions submitted by—
 to abolish the oath as administered in courts of justice, 123.
 to provide for the election of judges by the people at the spring election, 215.
 relative to the action of Convention on the reports of committees, 232.
- GILPIN, JOHN, delegate XXVIIth district:
 leaves of absence granted to, 228, 337, 530, 759, 1050, 1081, 1189.
 resolutions submitted by—
 relative to *ex post facto* laws, 104.
 to increase number of copies of debates to each member, 211.
- GOWEN, FRANKLIN B., delegate at large:
 leaves of absence granted to, 60, 159, 404.
 resignation of, tendered, 550.
 communication presented by—
 from Mr. John G. Freeze, tendering his resignation as a member of the Convention, 54.
 reports made by—
 from delegates at large, appointing Charles R. Buckalew delegate XVth district, 55.
 of thanks to Philadelphia Atheneum, 129.
 to prohibit the vesting of any appointment in courts or judges, 228.
 to lay copies of proceedings on reporters' desks, 242.
 resolution submitted by—
 to appoint a committee to report names of proper persons for officers, 39.
- GREEN, HENRY, delegate at large:
 report of delegates at large appointing, in place of Mr. Dimnick, 322.
 oath administered to, 323.
 appointed on committees, 331.
- GUTHRIE, JOHN B., delegate XXIIIrd district:
 leave of absence granted to, 488.
 resolutions submitted by—
 directing the State Printer to execute the printing of the Convention, 60.
 to provide for the government of cities, 188.

H.

- HALL, JOHN G., delegate XVIIIth district:
 leaves of absence granted to, 175, 303, 379, 772, 1005, 1068, 1129.
- HANNA, WM. B., delegate IId district:
 leaves of absence granted to, 454, 471, 490, 735, 860.
 resolutions submitted by—
 relative to legislation, 80.
 to provide for the election of a Lieutenant Governor, 80.
 to print the rules of the Convention, 97.
 to amend Rule VII, 104.
 to adopt Rule XLIII, 105.
 to submit article on Railroads and Canals separately, 1247.
- Harlan, A. D.
 elected Second Assistant Clerk, 43.

- Harrisburg, assembling of Convention in, 23.
 resolution to invite clergy of, to open morning sessions with prayer, 44.
 resolution of thanks to clergy of, 112.
 resolution of Mr. Metzger to hold sessions at, after adjournment of Legislature, 351.
 petition from citizens of, in favor of female suffrage, 389.
 resolution of Mr. Alricks to adjourn to meet at, 27th day of December, 1273.
- Harding, William W., resolution of Committee on Printing to make contract with, for supply of paper, 164.
- HARVEY, EDWARD, delegate XIth district:
 leaves of absence granted to, 598, 683, 952, 993.
 resolutions submitted by—
 declaring railroads public highways, 125.
 declaring who shall have the right of suffrage, 125.
 to provide for separate judicial districts, 125.
 to provide for senatorial districts, 125.
- HAY, MALCOLM, delegate XXIIIrd district:
 leaves of absence granted to, 359, 546, 1050, 1171.
 reports made by—
 from Committee on Accounts and Expenditures, 98, 113, 164, 173, 216, 245, 301, 320, 333, 351, 393, 401, 407, 434, 435, 473, 482, 496, 497, 501, 547, 598, 655, 673, 772, 816, 817, 835, 865, 874, 940, 1006, 1026, 1051, 1082, 1174, 1198, 1199, 1245, 1265, 1288.
 resolutions submitted by—
 relative to private property taken for public use, 76.
 relative to the waiving of a trial by jury, 77.
 relative to property exempted from taxation, 77.
 to fix the compensation of the official reporter, 98.
 to request delegates to furnish the distance of their residence from Harrisburg, 102.
 to select seats of absent members, 128.
 to provide for appointment of aldermen by the Governor, 187.
 to furnish Chicago Public Library with copy of the Debates and Journal, 210.
 to furnish copies of Debates to sundry libraries, 210.
 to visit the Eastern Penitentiary, 316.
 to have prepared a proper index of the Journal and Debates, 376.
 to direct the Chief Clerk to discontinue the employment of firemen, 641.
 to refer resolution to direct warrants to be drawn in favor of members to Committee on Accounts, 654.
 to permit Committee on Accounts and Expenditures to sit during recess, 865.
 to present a copy of Debates to the surviving members of Convention of 1837-8, 902.
 directing members to furnish Chief Clerk with residence and distance from Philadelphia, 915.
 presenting copies of Debates and Journal to members of Convention who have resigned, 915.
 to furnish library of Congress and United States Senate with copies of Debates and Journal, 1051.
 to print all articles passed third reading and reported, on parchment for signature, 1093.
 to pay the firemen, 1115.
 to have an index prepared for the Journal, 1229.
 to refer all unsettled accounts to Auditor General and Attorney General, 1278.
- HAZARD, THOS. R., delegate XXVIth district:
 leaves of absence granted to, 517, 683, 802, 899.

HAZZARD, THOS. R.—Continued.

resolutions submitted by—

that the trial by jury shall remain inviolate, 103.

to amend article XII of the Constitution, 103.

to limit debate on the subject of woman suffrage, 281.

to provide that any member neglecting to vote on call, shall not vote without consent, 588.

to instruct the Clerk to prepare the parchment for signatures of members to new Constitution, 1244.

of thanks to Mr. Walker, President of the Convention, 1295.

HEMPHILL, JOSEPH, delegate Vth district :

leaves of absence granted to, 275, 359, 561, 598, 631, 658, 816, 870, 1024.

report made by—

from minority Committee on Railroads and Canals, 466.

resolutions submitted by—

to give the Governor the appointment of judges, 134.

to appoint a court of pardons, 134.

providing for one term for the Governor, 134.

to pay all State officers salaries, 189.

to pay all elective officers salaries, 189.

to form an additional Committee on Salaries, Fees and Compensation of Officers, 279.

to prohibit *viva voce* voting in all Federal, State and municipal elections, 317.

HEVERIN, JAMES H., delegate at large from Philadelphia :

resolutions submitted by—

to unite the district and common pleas courts of Philadelphia, 133.

to provide that all persons shall be competent witnesses, 163.

to provide that expression of opinion shall not disqualify a juror, 163.

to abolish all usury laws, 179.

HOPKINS, WILLIAM, delegate XXVIth district :

leaves of absence granted to, 242, 337.

announcement of death of, 361.

resolutions relative to, 361.

appointment of committee to attend funeral of, 361.

resolution to print a memorial of, 363.

resolution to drape the Hall for 30 days, out of respect for, 368.

resolution prescribing manner of printing memorial of, 385.

resolutions submitted by—

to adopt the rules of the Convention of 1837, 33.

to disfranchise all persons guilty of election fraud, 126.

declaring elections to be free and equal, 208.

HORTON, GEORGE F., delegate XIVth district :

leaves of absence granted to, 329, 501, 703, 784, 962, 1068.

resolutions submitted by—

to prohibit the abridging the right of the majority, 132.

to provide for a common school sinking fund, 132.

to read Washington's Farewell Address 22d February, 222.

House, Committee on, resolution to appoint, 157.

resolution adopted, 165.

appointment of committee on, 166.

reports of committee, 370, 400.

HOWARD, THOMAS, delegate XXIII^d district :

leave of absence granted to, 488.

resolutions submitted by—

relative to the passage of appropriation bills, 105.

relative to the sinking fund, 105.

to create a financial board of control, 106.

to prohibit the creating of municipal commissions, 106.

relative to the obligations of the State, 106.

relative to the levy of taxes and exemption therefrom, 106.

relative to the repeal of tax laws, 106.

relative to the allegiance due to the Constitution and government of the United States, 106.

to prohibit the increase of officers' fees, 107.

to limit municipal indebtedness, 189.

to limit liens of mechanics, &c., 232.

to require enrolment tax on laws to be paid within six months, 243.

to provide for the election of solicitor in cities, 257.

to require published notice of special legislation, 257.

to administer an oath to all officers of nominating elections, 294.

to select an Executive Committee of thirty-three, 1229.

HUNSICKER, CHARLES, delegate Vth district :

leaves of absence granted to, 175, 322, 527, 745.

resolutions submitted by—

to prevent limiting the amount of damages for injury, 74.

to provide that all courts shall be open, 87.

to hold sessions of the Legislature tri-ennially, 160.

relative to assessment of damages to private property taken for public use, 171.

to accept the act of Assembly of April 11, 1872, 188.

I.

IMBRIE, D. L., elected Chief Clerk of Convention, 41.

bond of, 246.

leave of absence granted to, 1068.

abstract of expenditures made by, 393.

Impeachment and Removal from Office, Committee on, appointment of, 89.

report of committee on, 390.

Impeachment and removal from office, article on, reported by committee, 390.

read the first time, 390.

consideration of, on second reading, 437.

referred to Committee on Revision and Adjustment, 630.

reported by Committee on Revision and Adjustment, 963.

to be numbered article VI, 963.

ordered to be printed, 963.

report of committee adopted, 977.

article transcribed for a third reading, 977.

article passed, 977.

re-consideration of, 1106; postponed, 1106.

consideration of, resumed, 1152.

the article passed, 1152.

Industrial Interests and Labor, Committee on, appointment of, 90.**Industrial schools, resolution of Mr. Wherry to provide for establishing, 369.**

J.

- JORDAN, FRANCIS, Secretary of the Commonwealth, calls the Convention to order, 23
 empowered to administer oaths to members of the Convention, 27.
 communication from, 27.
 resolution of thanks to, by Convention, 39.
- Judiciary, committee on, appointment of, 89.
 reports of, 412, 418, 421, 422, 423, 439, 463.
- Judiciary*, the, article on, reported by committee, 412.
 read the first time, 418.
 minority reports of committee on, 418, 421, 422, 423, 439, 463.
 consideration of, on second reading, 463.
 article referred to Committee on Revision and Adjustment, 823.
 report of Committee on Revision and Adjustment, 962.
 ordered to be printed, 963.
 report of committee adopted, 976.
 article transcribed for a third reading, 977.
 article on third reading, 1007.
 resolution to close debate on, adopted, 1051.
 article passed finally, 1058.
 resolution of Mr. Baer to re-consider and refer to special committee, 1069; re-
 jected, 1069.
 resolution of Mr. J. Baily and Mr. Darlington, to re-consider vote, 1116; post-
 poned, 1116.
 resolution of Mr. Lamberton, to have a separate submission of, 1246.
 resolution of Mr. Joseph Baily, to have a separate submission of 27th section, 1248.
 demand of forty-six members of Convention, for separate submission of, 1254.
 resolution of Mr. Mantor, relative to demand of members for separate submis-
 sion of, 1258.

K.

KAINE, DANIEL, delegate XXVth district:

leaves of absence granted to, 208, 337, 664, 974, 1011.

reports made by—

from the minority Committee on the Judiciary, 418.

from Committee on Commissions, Offices, Oaths of Office, &c., 479, 907.

resolutions submitted by—

to print 1,000 copies of the rules, 60.

to direct Committee on Accounts to report the accounts of members, 102.

to appoint a Committee on the State, 173.

to print 300 copies of the proposed texts of the Constitution, 276.

to have the Constitution of 1838 correctly printed for the use of the members,
 296.

to have the Constitution of the State correctly printed in bill form, 317.

prescribing manner of printing memorial of Mr. Hopkins, 385.

to report a provision fixing the capital of the State at Harrisburg, 695.

to refer article on Elections to Committee on Revision and Adjustment, 873.

declaring the seats of absentees without leave for two days vacant, 972.

proposing an ordinance declaring the boundaries of the State, 1115.

directing Committee on Revision and Adjustment to strike out section of Edu-
 cation article allowing women to be school directors, 1174.

extending thanks to Mr. Walker, President of Convention, 1267.

KNIGHT, EDWARD C., delegate at large from Philadelphia :

leave of absence granted to, 489.

reports made by—

from Committee on Revision and Adjustment, 993, 1006, 1024, 1025, 1026, 1039, 1040, 1255, 1237, 1268.

resolutions submitted by—

to establish seven per cent. as the legal rate of interest, 187.

to present copy of the Constitution, printed on parchment, to the Historical Society of Pennsylvania, 1219.

to pay L. Rogers, Clerk to Committee on Revision and Adjustment, three hundred dollars, 1228.

L.

LAMBERTON, ROBERT A., delegate at large :

leaves of absence granted to, 242, 337, 607, 1114.

rises to a privileged question, 1254.

resolutions submitted by—

to increase the number of justices of the Supreme Court, 71.

relative to passage of bills by Legislature, 72, 80.

to increase the length of residence of voters, 72.

to provide for a special election for judges, 80.

to provide for a council advisory to the Governor on pardons, 121.

to limit the amount of municipal indebtedness, 172.

proposing an article on the Judiciary, 193.

requesting Auditor General to furnish copies of his report for fiscal year ending November 30, 1872, 338.

of thanks to Mrs. Hutter, president of board of managers Northern Home for Friendless Children, 529.

to submit article on the Judiciary separately, 1246.

LANDIS, AUGUSTUS S., delegate XX1st district :

leaves of absence granted to, 128, 263, 401, 517, 703, 1068.

resolutions submitted by—

requesting Secretary of the Commonwealth to furnish six copies of Purdon's Digest, 62.

to prohibit members of the Legislature receiving extra compensation, 81.

to prevent special legislation for corporations, 93.

to provide for election of members of Assembly by the limited vote, 93.

to prevent railroad companies from preferring foreign shippers to shippers resident, 177.

to appoint a committee to attend the obsequies of Gov. Geary, 300.

relative to fixing amount of compensation to members by the Convention, 585.

LAWRENCE, GEORGE V., delegate at large :

leaves of absence granted to, 634, 1011.

report made by—

from delegates at large, appointing Mr. Calvin in place of Mr. M'Allister, 504.

resolutions submitted by—

declaring that members who absent themselves without leave are censurable, 515.

to censure absentees, 519.

requesting Mr. Collins to re-consider his resignation, 835.

LEAR, GEORGE, delegate VIIth district :

leaves of absence granted to, 1050.

personal explanation by, 543.

LEAR, GEORGE—*Continued.*

resolutions submitted by—

relative to gambling and gamblers, 172.

to rescind the resolution which prohibits debate on resolutions for adjournment, 365.

Legislation, Committee on, appointment of, 89.

Legislation, article on, reported by committee, 343.

read the first time, 347.

consideration of, on second reading, 370.

referred to Committee on Revision and Adjustment, 615.

report of Committee on Revision and Adjustment, 945.

to be numbered Article III, 945.

report directed to be printed, 947.

report of Committee on Revenue and Adjustment considered, 947; adopted, 976.

article transcribed for a *third* reading, 977.

article passed, 1001.

Legislature, Committee on, appointment of, 89.

Legislature, the, article on, reported by committee, 197.

read the first time, 199.

minority reports on, 203, 217.

consideration of, on *second reading*, 234.

re-committed to committee, 357.

reported by committee, 410.

minority report of committee, 412.

further consideration postponed and referred to special committee, 913.

report of committee on, 924.

further consideration of, 926.

referred to Committee on Revision and Adjustment, 938.

report of Committee on Revision and Adjustment, 944.

to be numbered Article II, 944.

report directed to be printed, 945.

report considered and adopted, 965.

article on *third reading*, 965.

re-committed to Committee on Revision and Adjustment, 971.

time extended for Committee on Revision and Adjustment to report, 976.

report of Committee on Revision and Adjustment, 1117.

consideration on *third reading* resumed, 1140.

article passed, 1151.

resolution of Mr. Mann and Mr. Hunsicker to re-consider, 1152; rejected, 1252.

report of committee on proposing an amendment to sixteenth section, 1201.

consideration of report, 1201; *passed, 1204.

LILLY, WILLIAM, delegate at large:

resolutions submitted by—

to require holding of certificates of naturalization six months, 76.

to provide for compulsory voting, 76.

to provide for life-tenure of judges of the Supreme Court, 87.

to provide for the election of a county board of supervision, 91.

to define what constitutes a residence, 122.

to supply each member with five copies of loose sheets of Debates, 173.

to have reports of committees placed on the desks next morning after being made, 200.

to change the position in the Hall, of the official reporters, 244.

LILLY, WILLIAM—*Continued.*

resolutions submitted by—

directing Committee on Accounts and Expenditures to estimate the expenses of the Convention, 264.

to restrict the State Treasurer from farming out the funds of the Commonwealth, 275.

relative to the printing of the report of the Committee on Suffrage, 376.

to limit speeches in committee of the whole to ten minutes, 326.

requesting State Printer to furnish Smull's Hand-Book for 1873, 332.

to limit speeches on resolution relative to adjournment and hours of sessions, to three minutes, 350.

to request House committee to arrange for better ventilation, 372.

relative to the judiciary, 379.

to change the rules, 392.

to take a vote on legislative article, 396.

to require reporter not to withhold copy of Debates more than two days, 402.

to refer the number of pages of the volumes of Debates to the Committee on Printing, 439.

to have the street in front of the Hall covered with saw dust or tan, 545.

to allow members to speak but once on any question, 547.

to require ten delegates to demand call for yeas and nays on all amendments on second reading, 672.

returning thanks to Pennsylvania Horticultural society, for invitation to visit exhibition, 892.

directing State Printer to mail remaining sheets of Debates and Journal, 1244.

tendering thanks of Convention to official reporter, 1258.

to provide for re-printing of Debates and Journal destroyed by fire, 1277.

Linton, John L., elected Transcribing Clerk, 42.

LITTLETON, WILLIAM E., delegate III^d district :

leave of absence granted to, 541.

communication presented by—

from board of directors of the Union League of Philadelphia, extending courtesies of the League House to Convention, 200.

resolution submitted by—

to provide for subscriptions by the State to the Centennial, 243.

LONG, ZACHARIAH, delegate XIth district :

leaves of absence granted to, 263, 350.

M'ALLISTER, HUGH N., delegate at large :

leaves of absence granted to, 238, 335, 350, 379, 471.

announcement of death of, 486.

resolutions of Mr. Curtin, relative to death of, 486.

resolutions of Committee on Suffrage, Election and Representation on death of, 487.

resolution of Mr. Carter, to print a memorial of, 488.

reports made by—

from Committee on Suffrage, Election and Representation, 156, 268, 302, 309.

from minority Committee on Railroads and Canals, 467.

resolutions submitted by—

tendering the thanks of the Convention to Hon. Francis Jordan, Secretary of the Commonwealth, 39.

to invite the clergy of Harrisburg to open the sessions with prayer, 44.

to employ a suitable person to take charge of the coat room, 62.

to prevent any legislative, executive or judicial officer from accepting a railroad pass, 74.

M'ALLISTER, HUGH N.—*Continued.*

resolutions submitted by—

- to prohibit the sale of intoxicating drinks as a beverage, 74.
- to prohibit judges being eligible to re-election, 103.
- to print all propositions referred to Committee on Suffrage, 111.
- granting the use of the Hall to association on female suffrage, 168.

M'CAMANT, JOEL B., delegate Xth district :

resolutions submitted by—

- to prohibit the employment of children under twelve in mines or factories, 102.
- to provide for eight hours constituting a day's work, 103.

M'Camant, Thomas, resolution of Mr. Bowman, tendering thanks of Convention to, 112.

M'CLEAN, WILLIAM, delegate XXth district :

leaves of absence granted to, 263, 390, 477, 517, 1081.

MACCONNELL, THOMAS, delegate XXIIIrd district :

leave of absence granted to, 327.

reports made by—

- from the Committee on Future Amendments, 424.
- from the Committee on Declaration of Rights, 499, 1229.

resolutions submitted by—

- to prevent the sale of cemeteries and places of sepulture, 75.
- to provide that the estate of married women shall remain their sole property, 78.
- to provide that no married woman shall become security for her husband, 78.
- to divide the State into Supreme Court districts, 78.
- relative to the orphans' courts, 78.
- to abolish the registers' courts, 78.
- relative to female suffrage, 161.
- relative to the Declaration of Rights, 176.
- to elect a State board of prison inspectors, 202.
- to prohibit members from speaking on same subject more than once, 663.

M'CULLOCH, JOHN, delegate XXIIIrd district :

leaves of absence granted to, 537, 653, 745, 1068.

M'MICHAEL, MORTON, delegate at large :

appointment of, as delegate, 871.

oath of office administered to.

M'MURRAY, JOHN, delegate XXVIIth district :

leaves of absence granted to, 293, 369, 537, 759, 870, 1129.

resolutions submitted by—

- to amend Rule VII, 86.
- to provide for right of suffrage, 124.
- relative to fire insurance companies, 216.

MACVEAGH, WAYNE, delegate XIIth district :

leaves of absence granted to, 267, 335, 485, 517, 789, 952, 1181.

reports presented by—

- from select committee, designating officers of Convention, 33.
- from Committee on Legislature, 197, 410.

resolutions submitted by—

- to appoint a committee to designate officers, 36.
- to print the proposed texts the Constitution in the form of Legislative bills, 197.

MACVEAGH, WAYNE—*Continued.*

resolutions submitted by—

to print additional copies of the reports of the Committee on the Legislature, 209.

requesting the prothonotary of each county to furnish the number of civil cases pending, 211.

to amend Rule VII, 223.

requesting all standing committees to make their reports, 388.

directing Committee on Printing to have printed three copies of each report for each member, 388.

to restrict the number of bound volumes of Debates, 588.

appointing committee to report on time and method for submission of the Constitution, 871.

to close debate on Judiciary article, 1051.

Major, B. Frank, elected Assistant Postmaster, 43.

MANN, JOHN S., delegate XVith district :

leaves of absence granted to, 312, 607, 745, 870, 1068.

report made by—

from Committee on Religious and Charitable Corporations, 498.

resolutions submitted by—

relative to the reports of standing committees, 63.

to amend Rule XXXVI, 81.

relative to the legal rights of married women, 125.

to provide for representative apportionment, 188.

to call the roll of members, 216.

to grant use of Hall to representatives of industrial interests, 257.

to limit speeches in committee of the whole to fifteen minutes, 342.

MANTOR, FRANK, delegate XXIXth district :

leaves of absence granted to, 501, 745, 952, 1011.

resolutions submitted by—

to establish county boards of supervisors, 133.

to authorize women to exercise the elective franchise, 161.

to send each newspaper in the State one copy of Debates and Journal, 176.

to provide for the best protection to life, limb and property by railroad companies, 196.

relative to the right of suffrage, 259.

to limit speeches on all questions to twenty minutes, 294.

to confer with State Printer relative to printed matter for Convention, 318.

relative to demand of members for separate submission of Judiciary article, 1258.

Memorials—See Communications—

from Pennsylvania Woman Suffrage association in favor of equality of citizenship, 167.

from Citizens' Municipal Reform association, of Philadelphia, 182.

from the Commercial Exchange, of Philadelphia, 208.

from the members of the legal profession of Northumberland county, relative to the judiciary, 221.

from the State Council of Junior Order of United American Mechanics, relative to the limiting of apprentices, 238.

from the New Garden Monthly Meeting, relative to exemptions from military service, 241.

from the same in favor of prohibitory license, 241.

from the same, against capital punishment, 241.

Memorials—*Continued.*

- from Birmingham Monthly Meeting against capital punishment, 249.
- from same, in favor of prohibition, 249.
- from the same, relative to exemption from military service, 250.
- from the religious society of Friends of Philadelphia, in favor of prohibition, 260.
- from the same, relative to exemption from military service, 261.
- from Chester Monthly Meeting, relative to traffic in intoxicating liquors, 274.
- from the same, relative to exemption from military duty, 274.
- from the same, in favor of abolition of the death penalty, 275.
- from the Citizens' Municipal Reform association of Philadelphia, 278.
- from the Monthly Meeting of Longwood, Chester county, in favor of female suffrage, 282.
- from Kennet Monthly Meeting, against liquor traffic, 282.
- from the same, to abolish capital punishment, 283.
- from the same, relative to exemption from military duty, 283.
- from Fishing Creek Monthly Meeting, in favor of abolishing the death penalty, 287.
- from the same, to exempt from military service, 287.
- from Bradford Monthly Meeting of Friends in favor of prohibition, 288.
- from the same, to abolish capital punishment, 288.
- from the same, relative to exemption from military service, 288.
- from Buckingham Monthly Meeting, relative to exemption from military service, 288.
- from the same, praying for abolition of capital punishment, 288.
- from the same, in favor of prohibition, 288.
- from Abington Monthly Meeting, in favor of prohibition, 293.
- from the same, relative to exemption from military service, 293.
- from the same, in favor of abolishing the death penalty, 293.
- from Concord Monthly Meeting, in favor of prohibition, 293.
- from the same, in favor of abolishing the death penalty, 293.
- from Roaring Creek Monthly Meeting, in favor of prohibition, 293.
- from the same, to abolish the death penalty, 293.
- from the same in favor of exemption from military service, 293.
- from James B. Fulton and others, in favor of prohibition, 295.
- from a committee of a Yearly Meeting of a Society of Friends, for abolition of the death penalty, 295.
- from the Solebury Monthly Meeting, in favor of prohibition, 315.
- from the same, to abolish the death penalty, 315.
- from the same, to exempt persons of conscientious scruples from military service, 315.
- from Lancaster county, relative to private corporations, 316.
- from the London Grove Monthly Meeting, in favor of prohibition, 319.
- from the same to abolish capital punishment, 319.
- from the same, to exempt persons of conscientious scruples from military service, 319.
- from the Monongahela Valley district convention of I. O. of G. T., in favor of prohibition, 319.
- from Abner Applegate, of Mercer county, in favor of prohibition, 326.
- from the Fallowfield Monthly Meeting, in favor of the abolishment of the death penalty, 328.
- from the Pennsylvania Editorial association, 332.
- from Makefield Monthly Meeting, in favor of prohibition, 335.
- from the same, in favor of military exemption, 335.
- from the same, for the abolition of the death penalty, 335.

Memorials—Continued.

- from Radnor and Goshen Monthly Meeting, in favor of military exemption, 354.
 - from the same, in favor of the abolition of the death penalty, 354.
 - from the same, in favor of prohibition, 354.
 - from Longwood Monthly Meeting, in favor of prohibition, 359.
 - from Alex. W. Foster, praying for a better system of selecting members of the General Assembly, 362.
 - from members of the Frankford Social Temple of True Templars, in favor of prohibition, 365.
 - from the Philadelphia annual conference, in favor of prohibition, 385.
 - from a committee of citizens in favor of an acknowledgment of Almighty God in the Constitution, 395.
 - from Pennsylvania peace society, relative to the bearing of arms in defence, 465.
 - from Pennsylvania society, for promoting the abolition of slavery, 465.
 - from Gwynedd Monthly Meeting of Friends, in favor of abolishing the death penalty, 470.
 - from Clearfield County bar association, in opposition to the circuit court system, 484.
 - from Board of Public Charities, relative to establishment of Industrial schools, 892.
 - from Benjamin Singerly, State Printer, relative to settlement of his accounts, 925.
- MEREDITH, WILLIAM M.**, delegate at large:
- elected President of Convention, 27.
 - appoints Mr. Walker, President *pro tem.*, 302.
 - communication from, appointing Mr. Walker, President *pro tem.*, 625.
 - death of, announced by President *pro tem.*, 868.
 - resolutions of Mr. Carey, relative to death of, 868.
 - report of committee on memorial of, 971.
- MEYER, JOHN J.**, delegate XVth district:
- leaves of absence granted to, 242, 296, 369, 524, 735, 838, 915, 1114.
 - resolutions submitted by—
 - to try certain cases by a jury without presentment, 170.
 - to exclude all persons guilty of fraudulent voting from suffrage, 170.
 - relative to law of contracts, 196.
 - to hold sessions at Harrisburg after the adjournment of the Legislature, *sine die*, 351.
- Military exemption, memorials from—**
- New Garden Montly Meeting, 241.
 - Birmingham " 250.
 - Religious Society of Friends, of Philadelphia, 261.
 - Chester Monthly Meeting, 274.
 - Kennett " 283.
 - Fishing Creek " 287.
 - Bradford " 288.
 - Buckingham " 288.
 - Abington " 293.
 - Roaring Creek " 293.
 - Solebury " 315.
 - London Grove " 319.
 - Makefield " 335.
 - Radnor and Goshen Monthly Meeting, 354.
- Militia**, article on, reported by committee, 377.
- read the first time, 377.
 - consideration of, on second reading, 615.

Militia, article on—*Continued*

- referred to Committee on Revision and Adjustment, 615.
- report of Committee on Revision and Adjustment, 1003.
- to be numbered article XI, 1003.
- report of Committee on Revision and Adjustment considered, 1036; adopted, 1036.
- article transcribed for a third reading, 1033.
- article considered on third reading, 1036.
- article passed third reading, 1044.

Militia, Committee on, appointment of, 89.
reports from, 377.

MINOR, SAMUEL, delegate XXIXth district:

- leaves of absence granted to, 521, 802.
- resolutions submitted by—
 - relative to the style of process, 173.
 - to limit the making of appropriations to charitable institutions, 179.
 - to modify existing rules as to qualifications of jurors, 258.

MITCHELL, LEWIS Z., delegate XXVith district:

- appointment of in place of Mr. Hopkins, 375.
- oath of office administered to, 404.
- leaves of absence granted to, 458, 802.

MOTT, HENRY S., delegate XIIith district:

- leaves of absence granted to, 215, 333, 496, 745, 808.
- resolutions submitted by—
 - to extend the term of the Supreme Court judges, 124.
 - to prohibit mining companies from holding more than 1,000 acres of land at any one time, 307.

Murphy, D. F., elected Official Reporter, 101.

- contract of with Convention, 116.

New Counties, article on, reported by committee, 394.

- read the first time, 394.
- consideration of, on second reading, 436.
- referred to Committee on Revision and Adjustment, 451.
- report of Committee on Revision and Adjustment, 1026.
- article to be numbered XIII, 1026.
- report of Committee on Revision and Adjustment considered, 1086; adopted, 1087.
- article transcribed for third reading, 1087.
- consideration of on *third reading*, 1087.
- the article passed, 1088.
- resolution of Mr. Broomall and Mr. S. A. Purviance to re-consider vote on, 1120; adopted, 1131.
- the article passed, 1131.

N.

NEWLIN, JAMES W. M., delegate 1st district:

- reports made by—
 - from committee of fifteen, reporting standing committees, 47.
 - from committee on rules, reporting the same for government of Convention, 56.
 - from committee of fifteen, relative to printing the proceedings of Convention, 63.
 - from Committee on Printing, 116, 117, 136, 164, 192, 223, 300, 313, 392, 645.

NEWLIN, JAMES W. M.—*Continued.*

reports made by—

- from minority Committee on Declaration of Rights, 426.
- from minority of Committee on Declaration of Rights, 1229.

reasons of, for voting to sustain the report of committee on powers of Convention, 1296.

resolutions submitted by—

- to appoint a committee to designate standing committee and report rules, 44.
- to allow committee an rules to sit during sessions, 48.
- to appoint the standing committees, 49.
- to make a contract for printing and binding with Joseph S. Lare, 186.
- to make a contract with W. W. Harding, to supply the printing paper for the same, 186.
- to provide for removal of any municipal officer for malfeasance in office, 200.
- to appoint judges of the court of probate, 209.
- relative to distribution of the Debates, 215.
- directing the State Printer to distribute the Debates and Journal, 223.
- to abolish all municipal commissions, 257.
- to prohibit the division of the school fund for sectarian purposes, 263.
- to prohibit members of Legislature or municipal councils from holding any other official position, 267.
- to allow the Governor to approve or disapprove any appropriation in the same bill, 307.
- to provide for a State Board of Education, 311.
- to authorize the principal officer in each of the Executive Departments to discuss in the Legislature what appertains to his department, 315.
- to amend Rule XXIX, 438.
- to direct that all motions to change time of sessions be decided without debate, 462.
- to provide for binding the Debates and Journal, 484.
- to provide for style of binding of the volumes of Debates, 520.
- directing Committee on Revision and Adjustment to submit an address to the people, 1185.
- to appoint an Executive Committee of fourteen, 1221.
- to appoint an Executive Committee of sixteen, 1228.
- to allow the Official Reporter five additional copies of Debates, 1229.

NILES, JEROME B., delegate XVIth district:

leaves of absence granted to, 97, 537, 1681.

reports made by—

- from minority Committee on Legislature, 217.
- from the majority Committee on the Legislature, 817.

resolutions submitted by—

- proposing an article on counties, 131.
- to provide that all taxation shall be equal, 190.
- to print 500 copies of the report on railroads and canals, 434.
- to grant the use of Hall to the Women's Centennial association of America, 502.
- returning thanks to West Jersey railroad company for special excursion to Cape May, 663.
- presenting desks and chairs to officers of Convention, 1272.

O.

OATH administered to members of Convention, 27.

Oath of Office, article on, reported by committee, 479.

4* CON. JOUR.

- Oath of Office, article on first reading, 479.
 consideration of on second reading, 543; rejected, 731.
 re-consideration of vote negating, 748; agreed to 748.
 referred to Committee on Revision and Adjustment, 751.
 report of Committee on Revision and Adjustment, 983.
 to be numbered article VII, 983.
 ordered to be printed, 984.
 report of Committee on Revision and Adjustment considered, 1032; adopted,
 1033.
 article transcribed for a third reading, 1033.
 article considered on third reading, 1033.
 passed third reading, 1035.
- Ohio, Debates of Constitutional Convention of, presented, 940.
 resolution to forward copy of Debates and Journal to, 940.
- Onslow, James, elected Sergeant-at-Arms, 43.
 leaves of absence granted to, 215, 915, 1093.
 communication from Sergeant-at-Arms relative to search for absentees, 523.

P.

- PALMER, GIDEON W., delegate XIIIth district :
 leaves of absence granted to, 333, 1050.
 report made by—
 from Committee on Schedule, 1161.
 resolution submitted by—
 prescribing an oath for civil officers, 81.
- PALMER, HENRY W., delegate XIIIth district :
 leaves of absence granted to, 89, 293, 496, 828, 870, 1129.
 resolutions submitted by—
 relative to the charging of juries, 77.
 to print a memorial of Mr. Hopkins, 363.
 to print all articles passed second reading, 631.
 to hold sessions of Convention in some other place than Philadelphia, 785.
- Parker, A. T., elected Transcribing Clerk, 43.
- PARSONS, HENRY C., delegate XVth district :
 leaves of absence granted to, 242, 311, 546, 746, 1004, 1114.
 resolutions submitted by—
 to make ineligible to vote or hold office all persons who cannot read and write,
 160.
 to authorize the Supreme Court to appoint a reporter, 169.
 directing Committee on Accounts and Expenditures to report a resolution for
 payment of one-fifth of compensation due officers, 828.
- PATTERSON, DAVID W., delegate IXth district :
 leaves of absence granted to, 307, 1093.
 reports made by—
 from Committee on Revision and Adjustment, 962, 963.
 from Committee on Schedule, 1210, 1224.
 resolutions submitted by—
 relative to voting on propositions for taxation, 107.
 relative to minority representation, 107.
 to exclude the right of suffrage to persons convicted of infamous crimes, 107.

PATTERSON, DAVID W.—*Continued.*

resolutions submitted by—

to restrain the Legislature from creating railroad corporations for a longer period than forty years, 289.

to adopt Rule XLIII, 377.

to adjourn Convention over the day of the general election, 1082.

to submit section three of article on Suffrage and Elections separately, 1248.

directing Secretary of Commonwealth to receive signatures of absent members, 1253.

to give the janitors extra compensation, 1273.

directing the Chief Clerk to deposit the new Constitution, when signed, in the office of the Secretary of the Commonwealth, 1273.

PATTERSON, THOMAS H. B., delegate XXIII^d district :

leaves of absence granted to, 208, 242, 288, 311, 342, 369, 385, 759, 1114, 1253.

resolutions submitted by—

proposing a preamble to the Constitution, 195.

relative to eligibility for the office of mayor, 300.

to take final vote on license question, 396.

PATTON, JOSEPH G., delegate XIVth district :

leave of absence granted to, 369.

solutions submitted by—

to provide for an open ballot, 91.

to provide for proper publication of legal notices, &c., 299.

to provide for a proper assessment for taxation, 402.

to authorize a geological and mineralogical survey of the State, 471.

declaring that all laws exempting property from levy and sale shall be in-
viate, 512.

to pay for reporting argument in Supreme Court, 1283.

Patton, William, of Towanda, communication from, relative to the usury laws, 1171.

Peace Society of Pennsylvania, memorial from, 163.

Petitions presented—See Memorials.

in favor of prohibitory license, from citizens of—

Allegheny county, 311, 322, 337, 359, 443.

Beaver county, 451.

Berks county, 238.

Blair county, 207, 319, 326, 332, 362.

Bradford county, 221, 322, 379, 411.

Butler county, 317, 359, 400, 409.

Cameron county, 238.

Carbon county, 332.

Centre county, 293.

Chester county, 279, 293, 299, 329, 335, 404, 479.

Clearfield county, 438.

Columbia county, 332.

Crawford county, 238, 389 451.

Dauphin county, 317.

Forest county, 342.

Greene county, 404.

Huntingdon county, 337, 371, 376.

Indiana county, 200, 335, 396.

Jefferson county, 396.

Juniata county, 292, 332, 371.

Petitions presented—*Continued.*

in favor of prohibitory license, from citizens of—

Lancaster county, 247, 284, 315, 317, 517.

Lawrence county, 212, 319.

Luzerne county, 295, 298, 322, 332, 359, 362, 372, 379, 388, 458.

Lycoming county, 280, 284, 288, 298, 303, 332, 355, 359.

Mercer county, 287, 369.

Monroe county, 256.

Montgomery county, 537, 381.

Perry county, 329.

Philadelphia, 303, 342, 409.

Potter county, 362.

Somerset county, 247.

Susquehanna county, 187, 254, 280, 307, 326, 335, 401.

Tioga county, 292.

Venango county, 175, 295, 385.

Warren county, 454.

Washington county, 175, 312, 332.

Wayne county, 332.

Westmoreland county, 293, 326, 335, 362, 388.

Wyoming county, 215, 284.

in favor of female suffrage, from citizens of—

Allegheny county, 267, 278, 295.

Bradford county, 282.

Bucks county, 362.

Chester county, 208, 240, 279, 517, 558.

Delaware county, 279.

Lancaster county, 267, 295, 379.

Mercer county, 312.

Pennsylvania at large, 208, 282.

Washington county, 267.

from Lucretia Mott and others, in favor of the same, 263.

from citizens of Harrisburg, in favor of the same, 389.

from Obadiah Wheelock, in favor of the same, 458.

in favor of recognition of Almighty God in the Constitution, from citizens of—

Adams county, 488.

Allegheny county, 456, 458, 485, 506, 512, 523.

Armstrong county, 400, 456.

Bedford county, 408, 456.

Berks county, 288.

Blair county, 458.

Bradford county, 438, 541, 558.

Bucks county, 409, 485, 541.

Butler county, 408, 409, 438, 488, 512, 541, 544.

Carbon county, 400.

Centre county, 456.

Chester county, 279.

Clarion county, 456.

Clearfield county, 458.

Crawford county, 404.

Cumberland county, 458.

Petitions presented—*Continued.*

in favor of recognition of Almighty God in the Constitution, from citizens of—

- Dauphin county, 409, 438.
- Delaware county, 408.
- Elk county, 438.
- Fayette county, 400, 517.
- Franklin county, 438, 681, 523.
- Greene county, 499.
- Huntingdon county, 402, 541.
- Indiana county, 400, 438, 481.
- Jefferson county, 523, 541.
- Lancaster county, 438, 523.
- Lawrence county, 404, 517.
- Lebanon county, 541.
- Lehigh county, 408.
- Luzerne county, 400, 404.
- Mercer county, 400, 438.
- Montgomery county, 438.
- Montour county, 541.
- Northampton county, 484.
- Northumberland county, 443.
- Perry county, 456.
- Pennsylvania at large, 395.
- Philadelphia, 404, 408, 485, 456, 517.
- Snyder county, 402, 409.
- Somerset county, 402.
- Sullivan county, 438.
- Susquehanna county, 484, 517.
- Union county, 409, 456.
- Venango county, 456.
- Washington county, 408, 456.
- Westmoreland county, 481, 828.
- York county, 456, 487.

in favor of recognition of the Lord Jesus in the Constitution, from citizens of—

- Washington county, 335.
- from citizens of Perry county, asking for restrictions to railroads and canals, 210, 329.
- from citizens of Philadelphia, to secure a more faithful collection of the poll tax, 280.
- from citizens of Pennsylvania, to impose certain restrictions on railroad and canal companies, 295.
- from citizens of Luzerne county, relative to sub-divisions of counties for judicial purposes, 315, 322, 409.
- from citizens of Scranton, relative to the division of counties, 332.
- from Hon. A. C. Bush, against a change in relation to formation of new counties, 359.
- from citizens of Pennsylvania, against advancing of present rate of interest, 438.
- from the bar of Northampton county, against the adoption of the report on the Judiciary, 443.
- from the bar of Allegheny county, against the same, 443.
- from citizens of Pennsylvania, directing all contested election cases to be decided by the courts, 465.
- from citizens of Pennsylvania, in favor of certain sections of Railroad article, 468, 471.

Petitions presented—*Continued.*

- from the members of Berks county bar, in favor of abolishing the grand jury system, 471.
- from the employees of State Printing office, requesting copies of the Debates, 631.
- from citizens of Philadelphia and Allegheny county, in favor of recognition of Almighty God in the Constitution, 658.
- Philadelphia, invitation of councils of, to Convention to meet in that city, 33.
 - resolution to accept invitation, 33.
 - invitation accepted, 36.
 - Convention adjourned to meet in, 126.
 - resolution of thanks to councils of, 128.
 - Athenæum of, invitation from, to visit their rooms, 129.
 - resolution inviting clergy of, to open sessions with prayer, 129.
 - resolution to locate capital of State at, 169.
 - communication from executive committee of Soldiers' Colony of, 181.
 - communication from the Society of, for alleviating the miseries of public prisons, 206.
 - memorial from City Municipal Reform association of, 182.
 - communication from Union League of, extending courtesies of League House to Convention, 200.
- Pittsburg, invitation to Convention to meet in that city, 38.
 - resolution of thanks to, for invitation, 38.
- PORTER, DANIEL S., delegate XXIVth district:
 - leaves of absence granted to, 200, 321, 653, 745, 1068.
 - report made by—
 - from Committee on the Militia, 377.
 - resolution submitted by—
 - relative to furnishing copy of proceedings to the newspapers of the State, 286.
- Printing and Binding, committee on, appointment of, 90.
 - reports of committee on, 116, 117, 136, 164, 192, 223, 300, 313, 392.
 - proposals for, 140-153.
- Private Corporations, appointment of committee on, 90.
- Private Corporations*, article on, reported by committee, 491.
 - read the first time, 291.
 - consideration of, on second reading, 521.
 - referred to Committee on Revision and Adjustment, 719.
 - reported by Committee on Revision and Adjustment, 1024.
 - article to be numbered XVI, 1034.
 - report of Committee on Revision and Adjustment considered, 1097; adopted, 1098.
 - article transcribed for third reading, 1098.
 - consideration of, on third reading, 1098.
 - article passed, 1105.
 - report of committee on proposing an additional section to, 1175.
 - consideration of report, 1186; and passed finally, 1187.
 - resolution of Mr. Bullitt, to amend sixth section, 1265.
 - referred to committee on Revision and Adjustment, 1265.
 - report of Committee on Revision and Adjustment, approving of amendments, 1267; adopted, 1267.
- Prohibition, memorials in favor of, from—
 - New Garden Monthly Meeting, 241.
 - Birmingham Monthly Meeting, 249.
 - Religious Society of Friends of Philadelphia, 260.
 - Chester Monthly Meeting, 274.

- Prohibition, memorials in favor of, from—
- Kennett Monthly Meeting, 282.
 - Bradford Monthly Meeting, 288.
 - Buckingham Monthly Meeting, 288.
 - Abington Monthly Meeting, 293.
 - Concord Monthly Meeting, 293.
 - Roaring Creek Monthly Meeting, 293.
 - James B. Fulton, and others, 395.
 - Solebury Monthly Meeting, 315.
 - London Grove Monthly Meeting, 319.
 - Monongahela Valley district congregation of I. O. of Good Templars, 319.
 - Abner Applegate, of Mercer county, 326.
 - Makefield Monthly Meeting, 335.
 - Radnor and Goshen Monthly Meeting, 354.
 - Longwood Monthly Meeting, 359.
 - Frankford Social Temple of True Templars, 385.
 - Philadelphia annual conference Methodist Episcopal church, 385.
- petitions in favor of, from citizens of—
- Allegheny county, 311, 322, 337, 359, 443.
 - Beaver county, 451.
 - Berks county, 288.
 - Blair county, 207, 319, 326, 332, 262,
 - Bradford county, 221, 322, 379, 488.
 - Butler county, 317, 359, 400, 409.
 - Cameron county, 238.
 - Carbon county, 332.
 - Centre county, 293.
 - Chester county, 279, 293, 299, 329, 335, 404, 479.
 - Clearfield county, 433.
 - Columbia county, 332.
 - Crawford county, 233, 389, 451.
 - Dauphin county, 317.
 - Forest county, 342.
 - Greene county, 404.
 - Huntingdon county, 337, 371, 376.
 - Indiana county, 200, 335, 396.
 - Jefferson county, 396.
 - Juniata county, 292, 332, 371.
 - Lancaster county, 247, 284, 315, 317, 517.
 - Lawrence county, 312, 319.
 - Luzerne county, 295, 298, 322, 332, 359, 362, 372, 379, 388, 458.
 - Lycoming county, 280, 284, 288, 298, 303, 332, 355, 359.
 - Mercer county, 287, 369.
 - Montgomery county, 337, 381.
 - Perry county, 329.
 - Philadelphia county, 303, 342, 409.
 - ter county,
 - Somerset county, 247.
 - Susquehanna county, 187, 254, 280, 307, 326, 335, 404.
 - Tioga county, 292.
 - Venango county, 175, 295, 385.
 - Warren county, 454.

Prohibition, petitions in favor of, from citizens of—

- Washington county, 175, 312, 332.
- Wayne county, 332.
- Westmoreland county, 293, 326, 335, 462, 388.
- Wyoming county, 215, 284.

Price, Henry B., elected postmaster of Convention, 43.

Prothonotary, reports of, from—

- Adams county, 306.
- Bradford county, 255.
- Cambria county, 273.
- Cameron county, 273.
- Carbon county, 298.
- Chester county, 350.
- Clearfield county, 255.
- Clinton county, 255.
- Dauphin county, 277.
- Erie county, 315.
- Fayette county, 298.
- Forest county, 260.
- Franklin county, 321.
- Fulton county, 272.
- Greene county, 311.
- Huntingdon county, 292.
- Indiana county, 317.
- Jefferson county, 260.
- Lawrence county, 303.
- M'Kean county, 293.
- Mercer county, 292.
- Pike county, 274, 292.
- Potter county, 287.
- Schuylkill county, 292.
- Tioga county, 319.
- Westmoreland county, 306.
- York county, 282.

Public Officers, article on, reported by committee, 330.

- article read first time, 517.
- consideration of on second reading, 923.
- referred to Committee on Revision and Adjustment, 924.
- report of Committee on Revision and Adjustment, 1025.
- to be numbered article XII, 1025.
- report of Committee on Revision and Adjustment, 1138.
- consideration of report 1138; adopted, 1138.
- article transcribed for third reading, 1138.
- consideration of, on *third reading*, 1139.
- article passed, 1139.

Public and Municipal Debts and Sinking Funds, committee on, appointment of, 89.

PUGHE, LEWIS, delegate XIIIth district :

- leaves of absence granted to, 404, 745, 1005.
- resolutions submitted by—
 - to establish a Bureau of Statistics, 105.
 - relative to mayors' court in large cities, 264.
 - to establish free schools of mining and engineering, 264.

PURMAN, ANDREW A., delegate at large :

- leaves of absence granted to, 89, 280, 350, 500, 607.
- reasons for his vote on appointment of Committee on Declaration of Rights, 52.
- resolutions submitted by—
 - to provide that all bills of revenue shall originate in the House of Representatives, 132.
 - to add an attesting clause to submission ordinance, 1273.

PURVIANCE, JOHN N., delegate XXVIth district :

- leaves of absence granted to, 128, 200, 745, 835, 860.
- report made by—
 - from minority of Committee on Executive, 325.
- resolutions submitted by—
 - directing the Committee on Accounts to examine and report on all accounts monthly, 61.
 - to levy a special tax on railroads and insurance corporations for school purposes, 86.
 - to charter no banks except by general law, 86.
 - to set apart a certain sum for the payment of the State debt, 91.
 - to fix the compensation of members of the General Assembly, 108.
 - relative to private appropriation bills, 108.
 - to direct Auditor General to publish statement of expenditures of each General Assembly, 108.
 - requesting the State Treasurer to furnish the amount of interest paid from 1845 to 1872, 164.
 - to amend Rule XXVIII, 164.
 - to elect Supreme Court judges by districts, 172.
 - to appoint two additional pages, 173.
 - to provide that members of Convention be ineligible to any office created by, 175.
 - tendering thanks of the Convention to Mr. Knight, 407.
 - to print 1,000 copies of the report of the Judiciary Committee, 433.
 - relative to death of Chief Justice Chase, 489.
 - to limit debate in committee of the whole, 494.
 - to discontinue publication of the Debates after 1st October, 870.
 - to present a copy of Debates to each judge of the Supreme Court, 918.
 - to appoint a comparing committee, 982.
 - to make forty-five delegates constitute a quorum, 1012.
 - tendering thanks of the Convention to the Clerks, 1259.
 - to give extra compensation to employees of Hall, 1259.
 - to publish Constitution without note or comment, 1272.
 - requesting Governor to issue his proclamation of the passage of the Constitution, 1273.

PURVIANCE, SAMUEL A., delegate XXIIIrd district :

- leaves of absence granted to, 89, 307, 485, 561, 784, 1129, 1244.
- reports made by—
 - from the minority Committee on Judiciary, 421.
 - from select committee to wait on Mr. Black, 1083.
- resolutions submitted by—
 - to adjourn, *sine die*, 15th April, 223.
 - relative to term of present senators, 256.
 - to instruct Committee on Suffrage to report two propositions, one in favor prohibition, the other female suffrage, 284.
 - to elect a board of railroad inspectors, 369.

PURVIANCE, SAMUEL A.—*Continued.*

- resolutions submitted
 - to authorize the calling to order of every one not speaking to the point or question, 396.
 - to limit debate to ten minutes, 538.
 - to amend Rule VII, 540.
 - to instruct Committee on Suffrage to report a prohibitory liquor clause, to be submitted separately, 658.
 - prescribing the orders of the day, 874.
 - relative to submission of the Constitution, 1081.
 - to provide for evening sessions, and *sine die* adjournment, 1081.

Q.

QUORUM of members not present, 348, 384.

R.

- RAILROADS AND CANALS, Committee on, appointment of, 90.
- Railroads and Canals*, article on, reported by committee, 431.
 - read the first time, 433.
 - reports of minority of committee, 445, 447, 466, 467.
 - consideration of on second reading, 463.
 - referred to Committee on Revision and Adjustment, 868.
 - report of Committee on Revision and Adjustment, 1039.
 - to be numbered article XVII, 1039.
 - report of Committee on Revision and Adjustment considered, 1106; adopted, 1106.
 - article transcribed for third reading, 1106.
 - consideration of, on *third reading*, 1106.
 - article passed, 1126.
 - resolution of Mr. Buckalew and Mr. Hay, to re-consider, 1127; adopted, 1127.
 - article referred to a select committee for revision and modification, 1137.
 - committee on, 1138.
 - report of special committee on, 1154.
 - consideration of, 1156.
 - article passed, 1180.
 - resolution of Mr. Cochran to amend fifth section, 1266; referred to Committee on Revision and Adjustment, 1266.
 - report of Committee on Revision and Adjustment, approving proposed amendments, 1267; adopted, 1267.
- READ, JOHN R., delegate IId district:
 - leaves of absence granted to, 672, 934.
 - resolutions submitted by—
 - to prohibit extra compensation to public officers, 88.
 - to prohibit the re-election of all collectors or holders of public moneys to the same position, 372.
 - to prohibit the General Assembly granting railroad companies the right to construct their road within the limits of any municipality without consent of local authorities, 172.
 - relative to ratifications to amendments of the Constitution of the United States, 195.
- REED ANDREW, delegate XXIIId district:
 - leaves of absence granted to, 625, 1068.
 - resolution submitted by—
 - relative to the passage of bills by the Legislature, 31.

Religious and Charitable Institutions, committee on appointment of, 89.

Resolutions submitted—

- to adopt the rules of Convention of 1837, 33.
- to appoint delegates at large to inquire into election in III^d district, 33.
- to accept the invitation of councils of Philadelphia to meet in that city, 33.
- to appoint a committee to designate officers, 36.
- to proceed to nomination of Chief Clerk, 37.
- thanking the councils of Pittsburg for invitation to Convention, 38.
- tendering thanks to Hon. Francis Jordan, Secretary of Commonwealth, 39.
- to appoint committee to report names of persons for officers of Convention, 39.
- to proceed to the nomination and election of officers of Convention, 41.
- to declare elected certain named officers, 42.
- to appoint a committee to designate standing committees and report rules, 44.
- to fix hours of session, 44, 128, 129, 135, 133, 157, 210, 212, 228, 253, 267, 296, 299, 303, 335, 338, 343, 351, 355, 381, 387, 396, 407, 443, 454, 460, 465, 496, 502, 503, 518, 524, 530, 547, 559, 772, 872, 873, 899, 953, 974.
- to invite the clergy of Harrisburg to open the sessions with prayer, 44.
- to appoint a committee on printing and reporting of proceedings, 45.
- appointing Caleb E. Wright member of the Convention, 46.
- requesting Auditor General to give information relative to expenses of Convention of 1837 and 1838, 46.
- requesting the Secretary of the Commonwealth to furnish the Convention the expenditures of all the departments of the State Government, 46.
- requesting the State Librarian to furnish books to the members of the Convention, 46.
- to print copies of the Constitutions of 1776, 1790 and 1838, in pamphlet form, 47.
- requesting Auditor General to furnish copies of his annual report for 1871 and 1872, 47.
- to allow Committee on Rules to sit during sessions, 48.
- to appoint the standing committees, 49.
- relative to hour of adjournment of Convention, 54, 75, 211, 213, 218, 244, 245, 264, 285, 289, 319, 363, 364, 381, 399, 404, 537, 945, 746, 759, 764, 784, 789, 795, 796, 835, 836, 952.
- to provide for selection of seats, 54.
- to request certain information of Secretary of Commonwealth, 54.
- to appoint a committee to confer with councils of Philadelphia, relative to Hall for use of Convention, 55.
- to proceed to election of stenographer, 55.
- to adopt the parliamentary practice comprised in Jefferson's Manual, 60.
- to print 1,000 copies of the rules, 60.
- directing the State Printer to execute the printing of the Convention, 60.
- directing the Committee on Accounts to examine and report on all accounts monthly, 61.
- requiring all standing committees to meet once a week, 61.
- to employ a suitable person to take charge of the coat room, 62.
- requesting the Secretary of the Commonwealth to furnish six copies Purdon's Digest, 62.
- relative to reports of standing committees, 63.
- not to accept the resignation of any member, 63.
- relative to receiving proposals for printing the proceedings of Convention, 63.
- requiring the Secretary to furnish each member with stationery, 70.
- relative to the printing for the Convention, 70.
- relative to securing the right of suffrage without regard to sex, 71.
- to make the term of Governor four years, 71.
- relative to special exemptions from taxation, 71.

Resolutions submitted—

- to provide for biennial sessions of the Legislature, 71.
- relative to appointment of judges by the Governor, 71.
- to increase the number of justices of the Supreme Court, 71.
- relative to passage of bills by the Legislature, 72.
- to increase the length of residence of voters, 72.
- requesting Auditor General to furnish information in regard to public printing, 72.
- to prevent special legislation, 72.
- to refer certain portions of present Constitution to appropriate standing committees, 72.
- to prevent appropriations to sectarian institutions, 73.
- to define the term of members of the Legislature, 73.
- relative to the right of suffrage, 73.
- to abolish fees from estates of decedents, 73.
- to abolish the offices of aldermen and justices of the peace, 73.
- to limit the pardoning power of the Governor, 73.
- to pay all officers fixed salaries, 73.
- requesting Secretary of the Commonwealth to furnish list of all pardons since January 1, 1838, 74.
- to establish a court of pardons, 74.
- to prevent any legislative, executive or judicial officer from accepting a railroad pass, 74.
- to prohibit the sale of intoxicating drinks as a beverage, 74.
- requesting Auditor General to furnish information relative to amount of money paid into State Treasury by certain officers of Philadelphia, 74.
- to prevent limiting the amount of damages for injury, 74.
- relative to the right of suffrage, 74.
- relative to the trial by jury, 74.
- relative to enacting special law extending time for payment of contract debts, 74.
- to prevent the sale of cemeteries and places of sepulture, 75.
- proposing an article on Education, 75.
- proposing a Preamble for the Constitution, 75.
- to authorize juries to render a verdict by a two-thirds majority, 75.
- relative to persons guilty of bribery, 75.
- relative to defence in trials for libel, 75.
- relative to granting of divorces, 75.
- relative to costs in suits ignored, &c., 75.
- relative to trial by jury, 75.
- relative to the exemption of property of debtors, 76.
- relative to reports from standing committees, 76.
- to print all resolutions and propositions, 76.
- providing for all amendments to be reported to a committee of the whole, 76.
- to require holding of certificates of naturalization six months, 76.
- to provide for compulsory voting, 76.
- relative to private property taken for public use, 76.
- relative to the waiving of a trial by jury, 77.
- relative to property exempted from taxation, 77.
- relative to the charging of juries, 77.
- to allow Governor to fill vacancies in the Legislature, 77.
- to provide for the election of a Lieutenant Governor, 77.
- to refer all resolutions to committees without debate, 77.
- to allow Governor to fill vacancies in any State office, 78.
- to adjourn Convention to December 3, 1872, 78.

Resolutions submitted—

- to provide that the estate of married women shall remain their sole property, 78.
- to provide that no married woman shall become security for her husband, 78.
- to divide the State into Supreme Court districts, 78.
- relative to the orphans' court, 78.
- to abolish the register's courts, 78.
- relative to legislation for municipalities, 78.
- to adjourn Convention to January 14, 1873, 79.
- to restrict further grants to corporations, 79.
- to increase the number of members of the General Assembly, 79.
- to prevent railroad companies from holding coal and mining lands, 79.
- to request Secretary Commonwealth to furnish the number of persons killed and injured in the mines since 1869, 79.
- to abolish the grand jury system, 79.
- that judges shall not be required to reside in their district, 80.
- relative to the passage of bills by the Legislature, 80.
- to provide for a special election for judges, 80.
- relative to priority of liens, 80.
- relative to the appointment of judges, 80.
- to abolish the office of associate judge, 80.
- to abolish the office of register of wills, 80.
- relative to legislation, 80.
- to provide for the election of a Lieutenant Governor, 80.
- to prohibit unjust discrimination in freight or passage, 81.
- to prohibit members of the Legislature receiving extra compensation, 81.
- prescribing an oath for civil officers, 81.
- relative to the passage of bills by the Legislature, 81.
- to abolish the secret ballot, 81.
- to amend Rule XXXVI, 81.
- to provide for the election of commissioners in large cities, 81.
- prescribing term of office for judges, 82.
- to appoint prothonotaries in large cities, 82.
- to vest certain rights in the councils of cities, 82.
- to adjourn Convention to December 2, 1872, 83.
- to require Legislature to make annual appropriations for support of common schools, 83.
- to provide for the establishment of probate courts, 83.
- to provide for the election of a county board, 84.
- to provide for the election of county auditors by the limited vote, 85.
- to elect directors of the poor by the limited vote, 85.
- to provide for election of judges, 85.
- to levy a special tax on railroad and insurance corporations for school purposes, 86.
- to charter no banks except by general law, 86.
- to amend Rule VII, 86.
- to draw warrants for stationery for members, 87.
- to provide that all courts shall be open, 87.
- to print an appropriate heading on the paper furnished to Convention, 87.
- to appoint one person to collect taxes of every kind in each district, 87.
- to annul all bank charters, 87.
- to prevent the chartering of any other than banks of issue, 87.
- to enter the names of absentees or non-voters on the Journal, 87.
- to provide for a life tenure of judges of Supreme Court, 87.

Resolutions submitted—

- to prohibit extra compensation to public officers, 88.
- to print the list of standing committees, 90.
- to refer all propositions to respective committees, 90.
- to provide for the election of a county board of supervision, 91.
- to provide for an open ballot, 91.
- to set apart a certain sum for the payment of the State debt, 91.
- to provide for prohibitory license, 92.
- to prohibit appropriations to sectarian institutions, 92.
- to take the pardoning power out of the hands of the Governor, 92.
- relative to creating municipal debts, 92.
- relative to the liberty of the press, 92.
- relative to the appointment of Supreme Court judges, 93.
- to prevent special legislation for corporations, 93.
- to provide for election of members of the Assembly by the cumulative vote, 93.
- to fix the compensation of State officers, 93.
- to adjourn Convention to January 1, 1873, 93.
- to print the rules, &c., 97.
- to fix the compensation of the Official Reporter, 98.
- to proceed to the election of Official Reporter *viva voce*, 100.
- to continue the acting reporters, 102.
- to direct Committee on Accounts to report the accounts of members, 102.
- to request delegates to furnish the distance of their places of residence from Harrisburg, 102.
- to print the returns of election for calling Convention, &c., in the Journal, 102.
- requesting the Secretary of the Commonwealth to furnish the Convention the election returns, &c., 102.
- to amend Rule XLIII, 102.
- to direct all courts to publish rules for transaction of business, 102.
- to prohibit the employment of children under twelve, in mines or factories, 102.
- to provide for eight hours constituting a day's work, 103.
- to prohibit judges from being eligible to re-election, 103.
- relative to the judges of the several courts, 103.
- that the trial by jury shall remain inviolate, 103.
- to amend Article XII of the Constitution, 103.
- to provide for justices courts in Philadelphia, 103.
- to prohibit the appropriation of school funds for religious schools, 104.
- relative to *ex post facto* laws, 104.
- to guarantee men and women an equal right of suffrage, 104.
- to strike out the word white from the Constitution, 104.
- to prevent the enacting of retro-active laws, 104.
- to amend Rule VII, 104.
- to adopt Rule XLIII, 105.
- that all courts shall be open, 105.
- to establish a Bureau of Statistics, 105.
- to provide for joint sessions of standing committees, 105.
- to exempt persons from military service, having religious scruples, 105.
- to hold the general elections on first Tuesday after the first Monday in November, 105.
- relative to the passage of appropriation bills, 105.
- relative to the Sinking Fund, 105.
- to create a financial board of control, 106.

Resolutions submitted—

- to prohibit the creating of municipal commissions, 106.
- relative to the obligations of the State, 106.
- relative to the levy of taxes and exemption therefrom, 106.
- relative to the repeal of tax laws, 106.
- relative to the selection of books used in the public schools, 106.
- relative to the allegiance due to the Constitution and government of the United States, 106.
- to prohibit the increase of officers' fees, 107.
- relative to voting on propositions for taxation, 107.
- relative to minority representation, 107.
- to exclude the right of suffrage to persons convicted of infamous crimes, 107.
- to provide for free vote in stockholders' elections, 107.
- to provide for amending the Constitution every thirty years, 107.
- to forbid judges from accepting a non-judicial office, 108.
- to fix the compensation of members of General Assembly, 108.
- relative to private appropriation bills, 108.
- to direct Auditor General to publish a statement of expenditures of each General Assembly, 108.
- to provide for a meeting of the first five committees of the Convention, 109.
- requesting Auditor General to furnish a list of all private corporations in the State, 110.
- requesting Secretary of the Treasury of the United States to furnish lists of national banks in the State, 111.
- of thanks to John A. Smull, Esq., Resident Clerk of the House of Representatives, 111.
- to print all propositions referred to Committee on Suffrage, 111.
- of thanks to General Selfridge and Thomas M'Camant, Esq., 112.
- of thanks to the clergy of Harrisburg, 112.
- relative to printing the Debates and Journal, 117.
- to increase Committee on State Institutions, &c., to eleven members, 120.
- to elect Senators by single districts, 120.
- to provide for a Council of Pardons, 120.
- relative to verdict in murder cases, 120.
- to hold the general elections in November, 120.
- relative to prosecutions for libel, 121.
- relative to rights of employer and employee, 121.
- relative to the examination of insurance companies, 121.
- relative to the election of mayor of cities, 121.
- to provide for homestead exemption, 121.
- to provide for a council advisory to the Governor on pardons, 121.
- relative to suits for libel, 122.
- to prohibit extra pay to legislative committees, 122.
- relative to compensation in cases of contested election, 122.
- to authorize every man of good moral character to practice as an attorney, 122.
- declaring who are ineligible to office, 122.
- to provide for a State Commissioner of Agriculture, &c., 122.
- to define what constitutes a residence, 122.
- to provide for expenses of the militia, 122.
- to abolish the grand jury system, 122.
- relative to right of suffrage of persons in military service, 123.
- to prohibit the creating of any corporation for agricultural purposes, 123.
- to provide for courts of common pleas, 123.

Resolutions submitted—

- to prohibit the sale of intoxicating liquors, 123.
- to abolish the oaths as administered in courts of justice, 123.
- relative to the pardoning power of the Governor, 123.
- relative to general appropriations by the General Assembly, 123.
- relative to apportionment bills, 123.
- to extend the term of the Supreme Court Judges, 124.
- relative to the right of married women, 124.
- to provide for the number of Representatives, 124.
- to provide for the number of Senators, 124.
- to provide for right of suffrage, 124.
- relative to bribery in elections, 124.
- relative to the legal rights of married women, 125.
- to provide for the fencing of railroads, 125.
- declaring railroads public highways, 125.
- declaring who shall have the right of suffrage, 125.
- to provide for separate judicial districts, 125.
- to provide for Senatorial districts, 125.
- relative to the formation of new counties, 125.
- to prohibit the sale or furnishing of intoxicating liquors, 126.
- to disfranchise all guilty of election frauds, 126.
- to provide for selection of seats, 127.
- to select seats of absent members, 128.
- of thanks to councils of Philadelphia, 128.
- of thanks to Philadelphia Athæneum, 129.
- to fix hours for meeting of committees, 129.
- to extend an invitation to clergy of Philadelphia to open Convention with prayer, 129.
- relative to taxation for school purposes, 130.
- to abolish all offices for weighing and inspecting, 130.
- to exempt members of certain religious denominations from military service, 130.
- to forbid paying for any military services except during invasion or insurrection, 130.
- proposing an article on railroads and canals, 130.
- proposing an article on counties, 131.
- to provide for the better protection of the press, 132.
- to prohibit the abridging the right of the majority, 132.
- to provide for a common school sinking fund, 132.
- to provide that all bills of revenue shall originate in the House of Representatives, 132.
- relative to the freedom of speech and of the press, 132.
- to establish a bureau of industrial interests, 133.
- to establish a board of supervisors for counties, 133.
- to prevent Legislature granting extra compensation, 133.
- to appoint all judicial officers, 133.
- to unite the district and common pleas courts of Philadelphia, 134.
- giving the Governor the appointment of judges, 134.
- to appoint a court of pardons, 134.
- providing for one term of the Governor, 134.
- to submit the question of prohibition separately, 134.
- to prevent railroads crossing highways at grade, 134.
- to submit all amendments to the Constitution of the United States first to the people, 134.

Resolutions submitted—

- to empower the courts to try the validity of acts of Assembly, 135.
- authorizing the Attorney General to proceed, by *scire facias*, to try the validity of acts of Assembly, 135.
- to abolish the office of register of wills, 135.
- to prevent any obligation due the State by corporations to be remitted, 135.
- to authorize standing committees to print such propositions as they deem proper, 135.
- to appoint a "House Committee," 157.
- to appoint five additional pages, 157.
- requesting information from the Commissioners of the Sinking Fund, 159.
- to provide just compensation for damages to property, 159.
- to make irrevocable any grant of special privileges, 159.
- that the trial by jury shall remain inviolate, 159.
- to prohibit all banks from paying interest on deposits, 159.
- to compel banking institutions to make monthly returns, 159.
- relative to the protection of the rights of the accused, 159.
- to require judges to decide questions of fact, 160.
- not to disqualify persons on account of religious sentiments, 160.
- relative to the right of trial by jury, 160.
- to prohibit capital punishment, 160.
- to make ineligible to vote and hold office all persons who cannot read and write, 160.
- to authorize the courts to appoint prothonotaries and clerks, 160.
- to hold sessions of the Legislature tri-ennially, 160.
- relative to the right of eminent domain, 160.
- to limit all corporation franchises, 160.
- to render rolling stock, &c., of railroad companies, liable to levy and sale, 161.
- to provide for cumulative voting in stockholders' elections, 161.
- to require all legal voters to participate in the selection of candidates for office, 161.
- to authorize women to exercise the elective franchise, 161.
- to require all bills to be read in full on three different days, 161.
- to abolish capital punishment, 161.
- relative to female suffrage, 161.
- providing for an oath of office for city or borough councils, 162.
- to require all judges to be learned in the law, 162.
- to assess all property at full market value, 162.
- to provide that all persons shall be competent witnesses, 163.
- to provide that an expression of an opinion by a citizen shall not disqualify him acting as a juror, 163.
- to prohibit the increase of Governor's pay while in office, 163.
- to establish a complete system of detailed statistics, 163.
- to limit the granting of licenses in cities and boroughs, 163.
- to elect the Secretary of the Commonwealth and Attorney General, 163.
- to elect a Lieutenant Governor, one Commissioner of Insurance and an Inspector General of Iron, 163.
- to authorize the printing of a directory of the Convention, 163.
- requesting the State Treasurer to furnish the amount of interest paid from 1845 to 1872, 164.
- to amend Rule XXVIIIth, 164.
- to adjourn to attend funeral of Mr. James Gowan, at Mt. Airy, 167.
- relative to the compensation of Charles Cilley, 168.

Resolutions submitted—

- granting the use of the Hall to Association on Female Suffrage, 168.
- directing the Committee on Accounts to settle with reporters of proceedings at Harrisburg, 168.
- to provide for representative apportionment, 168.
- to give married women the rights of those unmarried, 168.
- to provide for appointment of State Board of Prison Managers, 168.
- to provide for locating the capital of the State at Philadelphia, 169.
- to provide for decennial apportionment of members of the Legislature, 169.
- to allow women to vote for and serve as school directors, 169.
- authorizing the Supreme Court to appoint a reporter, 169.
- to prohibit corporations from limiting or impairing its responsibilities, 170.
- to prevent municipal indebtedness, 170.
- to prohibit the limitation of apprentices, 170.
- to try certain cases by a jury without presentment, 170.
- to exclude all persons guilty of fraudulent voting from suffrage, 170.
- to provide for selection, by the courts, of justices of the peace, &c., 170.
- to pay justices of the peace, &c., a fixed salary, 170.
- to require the State Treasurer to publish a quarterly statement of the public funds, 170.
- to provide for public funds to be placed at interest, 171.
- to provide for seat of government remaining at Harrisburg, 171.
- to require courts of common pleas to form election districts, 171.
- to abolish the office of aldermen in large cities, 171.
- relative to the division of counties, 171.
- to make elective the offices of Attorney General and Secretary of Commonwealth, 171.
- relative to assessment of damages of private property taken for public use, 171.
- to prevent the Legislature annulling marriage contracts, 172.
- to elect Supreme Court judges by districts, 172.
- to prohibit consolidation of stock by railroad companies, 172.
- relative to gambling, 172.
- to prohibit the re-election of all collectors or holders of public moneys to the same position, 172.
- to prohibit General Assembly granting railroad companies the right to construct a railroad within the limits of any municipality without consent of local authorities, 172.
- to limit the amount of municipal indebtedness, 172.
- relative to the style of process, 173.
- to provide for election of judges, 173.
- to provide for filling vacancy in office of State Treasurer, 173.
- to prohibit the Legislature from limiting the amount of damages in railroad suits, 173.
- to adopt the preferential mode of voting in the election of county commissioners and auditors, 173.
- to supply each member with five copies of the loose sheets of Debates, 173.
- to appoint a Committee on the State, 173.
- to appoint two additional pages, 173.
- to employ Powell De France, 175.
- directing copy of Journal to be forwarded to Constitutional Convention of New York, 175.
- to provide that members of Convention be ineligible to any office created by, 175.
- relative to the investigation of municipal abuses, 176.
- to prevent operating street railways without municipal consent, 176.

Resolutions submitted—

- to abolish the grand jury system, 176.
- to provide for the election of a Superintendent of Public Instruction, 176.
- to provide for compulsory education between the ages of six and eighteen, 176.
- relative to Declaration of Rights, 176.
- to send each newspaper in the State one copy of the Debates and Journal, 176.
- to provide for boards of arbitration for the settlement of workingmen's disputes, 177.
- to provide for a division of the State into seventeen senatorial districts, 177.
- to prevent railroad companies from preferring foreign shippers to shippers resident, 177.
- relative to funding municipal debts, 178.
- directing the manner of printing for committees, 178.
- to establish courts of conciliation, 178.
- to enter absentees and non-voters on call of yeas and nays, 178.
- to limit the making of appropriations to charitable institutions, 179.
- to abolish all usury laws, 179.
- to provide for a uniform system of assessment of taxes, 179.
- to provide for compulsory education, 180.
- to print a directory of the Convention, 180.
- to establish seven per cent. as the legal rate of interest, 187.
- relative to discrimination in freight or passage by railroad companies, 187.
- to provide for the appointment of aldermen by the Governor, 187.
- to separate the office of sheriff from prison-keeper, 188.
- relative to the election of judicial officers, 188.
- to accept the act of Assembly of April 11, 1872, 188.
- to provide for the government of cities, 188.
- requesting Auditor General to furnish information relative to railroads, 189.
- to limit municipal indebtedness, 189.
- to pay all State officers salaries, 189.
- to pay all elective officers salaries, 189.
- to provide that trial by jury remain as heretofore, 190.
- to provide that all taxation shall be equal, 190.
- to provide for change of venue, 190.
- to prevent issuing of warrants for municipal indebtedness, 190.
- to elect a State Revisor, 193.
- proposing an article on the Judiciary, 193.
- to provide for a Constitutional Convention every ten years after 1892, 195.
- to provide that the marriage contract shall have no effect on the rights of property, 195.
- proposing a Preamble to the Constitution, 195.
- to prevent burial places, &c., from being appropriated to other uses, 195.
- relative to ratification of amendments to the Constitution of the United States, 195.
- to provide for the best protection to life, limb and property by railroad companies, 196.
- to provide for cheap transportation of persons and property, 196.
- relative to law of contracts, 196.
- relative to taxation of corporations, 196.
- to disqualify all persons convicted of fraud or bribery at elections, 196.
- to direct the Chief Clerk to appoint an additional page, 196.
- to print the proposed texts of the Constitution in the form of Legislative bills, 197.
- to request Auditor General to respond to resolution of 27th November last, 200.

Resolutions submitted—

- to have reports of committees placed on the desks next morning after being made, 200.
- to provide for removal of any municipal officer for malfeasance in office, 200.
- relative to the right of eminent domain, 201.
- relative to the original allowance of six per cent. to the patentees of land under the proprietary grant, 201.
- to provide that no person shall be eligible to more than one lucrative office at the same time, 201.
- to provide for furnishing stationery, &c., by contract, 201.
- to provide for election of Governor to fill vacancy, 201.
- to divide the State into Supreme Court districts, 201.
- to provide that election officers serving without compensation shall be exempt from jury service, 202.
- to elect a State board of prison inspectors, 202.
- directing Committee on Accounts to draw warrants in favor of officers of Convention, 203.
- requesting Mr. Curry to act as Chaplain to Convention, 203.
- fixing term of judges of the courts, 203.
- declaring elections to be free and equal, 208.
- relative to the franchise, 208.
- relative to irredeemable ground rents, 208.
- relative to the law of libel, 209.
- relative to holding real estate by foreign corporations, 209.
- to appoint judges of the court of probate, 209.
- to provide that all elections shall be by ballot, 209.
- to divide counties into judicial districts, 209.
- to print additional copies of the reports on the Legislature, 209.
- to furnish Chicago public library with copy of the Debates and Journal, 210.
- to furnish Mercantile library and Mechanics Institute of Pittsburg, and Mercantile library of Philadelphia, with copy of Debates and Journal, 210.
- to increase the number of copies of Debates to each member, 211.
- designating prothonotary of each county to furnish the members of civil causes at issue, 211.
- to provide for election of judges by the people at the spring election, 215.
- relative to contract with Mr. Singerly, 215.
- relative to fire insurance corporations, 216.
- relative to distributing the Debates, 215.
- to prevent leaves of absence, 216.
- to fix adjournment *sine die*, 215, 336, 490, 513.
- to call the roll of members, 216.
- directing a report of all persons employed by the Convention, 222.
- to read Washington's Farewell address on February 22d, &c., 222.
- directing Sergeant-at-Arms to distribute the printed report of Committee on Legislature, 222.
- declaring all priests and ministers of the gospel ineligible to member of the General Assembly, 222.
- to prohibit mining and coal monopoly, 223.
- to limit liens of mechanics, &c., 223.
- directing the State Printer to distribute the Debates and Journal, 223.
- to restrict further grants to corporations, 227.
- to adjourn *sine die* 15th April, 228.
- to prohibit the vesting of any appointment in courts or judges, 228.
- to amend Rule VII, 228.

Resolutions submitted—

- to amend Rule XI, 228.
- to purchase one copy of Purdon's Digest, for the use of members, 229.
- to provide for compulsory education, between the ages of five and fifteen, 232.
- relative to the action of Convention on reports of committees, 232.
- to furnish copies of Journal to newspaper reporters, 232.
- to lay copies of proceedings on reporters' desks, 242.
- to provide for subscription by the State to the Centennial, 243.
- to require enrolment tax on laws to be paid within six months, 243.
- relative to construction of telegraph lines, 243.
- to require all bills to be read in full on three different days, 343.
- to punish frauds at elections by hanging, 243.
- to refer all articles passed second reading to Committee on Revision and Adjustment, 243.
- to change the position in the Hall of the Official Reporters, 244.
- directing the Committee on House to procure drapery for the windows, 244.
- to ascertain probable expense of draping, &c., of Hall, 247.
- relative to leaves of absence by subordinate officers, 247.
- relative to the rights of accused persons and criminals, 247.
- to provide for Congressional apportionment, 247.
- relative to acts of Assembly passed by fraud, deceit or misrepresentation, 247.
- to make seven constitute a quorum of standing committees of fifteen, 248.
- proposing an article on the Judiciary, 250.
- relative to the observance of the seventh day of the week, 253.
- relative to term of present Senators, 256.
- relative to the administration of oaths at elections, 257.
- relative to the writ of error in capital cases, 257.
- to provide for election of solicitor in cities, 257.
- to require published notice of special legislation, 257.
- to abolish all municipal commissions, 257.
- to grant use of Hall to representatives of industrial interests, 257.
- to forward copy of Debates and Journal to New England Historical and Genealogical society, 257.
- to modify existing rules as to qualifications of jurors, 258.
- to regulate the terms of Senators, 258.
- relative to the right of suffrage, 259.
- to prohibit the division of the school fund for sectarian purposes, 263.
- to allow the people to vote on locating the seat of government, 263.
- relative to mayor's court in large cities, 264.
- to establish free schools of mining and engineering, 264.
- directing Committee on Accounts to estimate the expenses of the Convention, 264.
- to secure the purity of elections, 264.
- to prohibit members of Legislature or municipal council from holding any other official position, 267.
- instructing Official Reporter to omit the prayers from reported debates, 271.
- to provide for exemptions of household goods from levy and sale, 275.
- to restrict the State Treasurer from farming out the funds of the Commonwealth, 275.
- relative to the printing of the report of the Committee on Suffrage, 276.
- to print three hundred copies of the proposed texts of the Constitution, 276.
- to form an additional Committee on Salaries, Fees and Compensation of Officers, 279.
- to provide for an equitable assessment of benefits in favor of mine owners, &c., 279.

Resolutions submitted—

- to limit debate on the subject of woman suffrage, 281.
- to provide that in all cases of acquittal the defendant shall not be proceeded against for the same offence, 281.
- to require all electors, after 1885, to be able to read and write, 281.
- demanding greater speed in printing and delivery of the Debates, 281.
- instructing Committee on Suffrage to report two separate propositions, one in favor of prohibition, and the other female suffrage, 284.
- to prohibit the manufacture and sale of liquor, 285.
- to grant the use of the Hall to the Board of Public Education, 285.
- to terminate debate on the article reported by Committee on Suffrage, &c., 285.
- relative to furnishing copy of proceedings to the newspapers of the State, 286.
- to prohibit the Legislature from enacting laws conferring unlimited power upon railroads or other corporations, 286.
- to terminate debate on woman suffrage, 288.
- to restrain the Legislature from creating railroad corporations for a longer period than forty years, 289.
- to provide that no law shall be enacted dependent on a majority vote of the people, 289.
- to cease printing petitions or memorials, 289.
- relative to death of Gov. John W. Geary, 292.
- to administer an oath to all officers of nominating elections, 294.
- to fix the hours for opening post office in Hall on Sundays, 294.
- of inquiry, concerning draping the windows of Hall, 294.
- to limit speeches on all questions to twenty minutes, 294.
- to prevent combinations between railroad companies, 294.
- relative to the chartered privileges of existing corporations, 294.
- to allow female suffrage in all municipal elections, 294.
- relative to contract with State Printer, 296.
- to have the Constitution of 1838 correctly printed, and put on the files of members, 296.
- directing clerk to procure five copies of Purdon's Digest, 299.
- to provide for proper publication of legal notices, &c., 299.
- to appoint a committee to attend the obsequies of Governor Geary, 300.
- to decide all questions as to time of meeting, &c., without debate, 300.
- relative to the eligibility for the office of mayor, 300.
- to amend Rule XXV, 300, 303.
- to fix compensation of all judicial officers, 303.
- relative to approval of appropriation bills by the Governor, 307.
- to prohibit mining companies from holding more than one thousand acres of land at any one time, 307.
- to grant use of Hall to hold a meeting in reference to the Centennial Exposition, 309.
- to provide for a State Board of Education, 311.
- to limit debate in committee of the whole, 312.
- to confer with the State Printer relative to printed matter for Convention, 313.
- to authorize the principal officer in each of the Executive Departments to discuss in the Legislature what appertains to his department, 315.
- to visit the Eastern Penitentiary, 316.
- to have the Constitution of the State correctly printed in bill form, 317.
- to prohibit *viva voce* voting in all Federal, State and municipal elections, 317.
- to prevent leaves of absence, 322.
- to restrict speeches in committee of the whole to ten minutes, 326.
- to allow judges of courts to have the power to charter any institution in the State, 327.

Resolutions submitted—

- relative to the extension of time for debate, 332.
- to rescind the resolution limiting debate, 332.
- requesting State Printer to furnish Smull's Hand Book for 1873, 332.
- to procure skeleton maps of the State, 333.
- requesting Auditor General to furnish copies of his report for fiscal year ending November 30, 1872, 338.
- to limit speeches in committee of the whole to fifteen minutes, 342.
- to rescind all resolutions violative of Rule XXV, 342.
- proposing method to adopt in revising Constitution, 343.
- not to grant leaves of absence unless reason fully stated, 350.
- to limit speeches on resolutions relative to adjournment and hours of sessions to three minutes, 350.
- to prevent the decisions of caucuses of the Legislature from controlling the actions of members, 351.
- to call the names of delegates every morning, 351.
- to hold sessions at Harrisburg after the adjournment of the Legislature *sine die*, 351.
- to provide for sub-division of counties for judicial purposes, 357.
- providing for an apportionment of the State for Senators and Representatives every ten years, 359.
- relative to the number of Senatorial and Representative districts, 359.
- to provide for submission of the Constitution, 362.
- relative to damages by municipal corporations, 363.
- to print a memorial of Mr. Hopkins, 363.
- to allow the Official Reporter the matter of standing and select Convention reports, 364.
- to amend Rule XVIII, 364.
- directing the Legislature to settle the accounts of the State Printer, 365.
- to rescind the resolution which prohibits debate on resolutions for adjournment, 365.
- to print in bill form all reports of standing committees, 366.
- to rescind resolution prohibiting debate on time of meeting and adjournment, 368.
- to drape the Hall for thirty days, in respect for Mr. Hopkins, 368.
- to provide for establishment of industrial schools, 369.
- to require Legislature to enact a general railroad law, 369.
- to elect a State Board of Railroad Inspectors, 369.
- to make the owners of property responsible for loss at gaming or damage by intoxicating drinks, 370.
- relative to the election on the adoption or rejection of the Constitution, 370.
- to provide for determining Senatorial and Representative ratio for apportionment, 372.
- to provide for the extinguishment of irredeemable ground rents, 372.
- to request House Committee to arrange for better ventilation, 372.
- to publish Debates in two daily newspapers of Philadelphia, 372.
- to adopt Rule XLIII, 372.
- appointing Lewis Z. Mitchell, member of Convention in place of Mr. Hopkins, 375.
- to have prepared a proper index for the Journal and Debates, 376.
- relative to the Judiciary, 379.
- to provide for the arrest of vagrants, 379.
- to rescind Rule XIII, 385.
- prescribing manner of printing memorial of Mr. Hopkins, 385.
- requesting standing committees to make their reports, 388.

Resolutions submitted—

- directing committee on printing to have printed three copies of each report for each member, 388.
- to provide for each county a separate judicial and representative district, 389.
- to provide for uniform practice in the courts throughout the State, 392.
- to change the rules, 392.
- to provide for proper supervision of all bills passed third reading, 396.
- to take a vote on Legislative article, 393.
- to take final vote on license question, 396.
- to authorize the culling to order of every one not speaking to the point in question, 396.
- to accept the invitation of Mr. Knight to the launch of the steam ship Indiana, 402.
- to provide for a proper assessment for taxation, 402.
- to require reporter not to withhold copy of Debates longer than two days, 402.
- to prohibit the imposing of inheritance tax, 406.
- to elect six judges for courts of common pleas at large in the State, 406.
- tendering thanks of the Convention to Mr. Knight, 407.
- relative to repetition of the Journal in the Debates, 407.
- instructing the Committee on the Judiciary to report, 407.
- to provide for furnishing printed Debates the morning after, 409.
- to direct warrants to be drawn for proper proportion of pay to officers of Convention, 409.
- to instruct Committee on Revision and Adjustment to report the order for consideration of articles on second and third readings, 410.
- to increase the Committee on Revision and Adjustment to fifteen, 410.
- to print one thousand copies of the report of the Judiciary Committee, 433.
- to print five hundred copies of the report of the Committee on Railroads and Canals, 434.
- to amend Rule XXIX, 438.
- to direct Committee on House to take charge of Hall during recess, 438.
- to refer the number of pages of the volumes of the Debates to the Committee on Printing, 439.
- to dispose of all questions of adjournment without debate, 456.
- to direct that all motions to change time of sessions be decided without debate, 462.
- to direct Public Printer not to publish any remarks or debates until proof having been first submitted, 462.
- to accept invitation of Pennsylvania Horticultural society to visit exhibition, 468.
- to accept resignation of Mr. Bartholomew, 469.
- proposing an article on Railroads, 470.
- to authorize a geological and mineralogical survey of the State, 471.
- to fix the salaries of members, 481.
- to provide for binding the Journal and Debates, 481.
- relative to death of Mr. M'Allister, 486.
- to provide for printing a memorial of Mr. M'Allister, 488.
- relative to the death of Chief Justice Chase, 489.
- to limit debate in committee of the whole, 494.
- to grant the use of the Hall to the Women's Centennial Association of America, 502.
- to thank the mayor and councils of Allentown for invitation to meet in that city, 512.
- to appoint a committee of seven to consider and report upon salary of members of Convention, 512.
- that all loans exempting property from levy and sale shall be inviolate, 512.

Resolutions submitted—

- declaring that members who absent themselves without leave are worthy of censure, 515.
- relative to call of the House and sending for absentees, 516.
- to censure absentees, 519.
- to amend Rule XLI, 520.
- to provide for style of binding the volumes of Debates, 520.
- to instruct Sergeant-at-Arms to bring in absentees, 522.
- to direct special committee on salary to consider compensation of officers, 526.
- of approval of plan for improving Independence Square, 527.
- proposing an article of submission, 528.
- of thanks to Mrs. Hutter, president of managers Northern Home for Friendless Children, 529.
- directing President to draw his warrant in favor of members for salary, 530.
- to limit all debate to ten minutes, 538.
- to amend Rule VII, 540.
- to rescind the resolution fixing the compensation of the members of Convention, 541.
- to direct the Chief Clerk to discontinue the employment of firemen, 541.
- to number and take up in order the articles of the amended Constitution, 542.
- to have the street in front of the Hall covered with saw dust or spent-tan bark, 545.
- to print all articles on second reading in pamphlet form, 547.
- to allow members to speak but once on any question, 547.
- to adjourn for participation in Decoration Day services, 546.
- to provide for a recess of Convention, 547, 561.
- to call the yeas and nays only at the request of twenty members, 571.
- to accept resignation of Mr. Gowen, 571.
- relative to fixing amount of compensation to members by the Convention, 585.
- to provide that any member neglecting to vote on call, shall not vote without consent, 588.
- to restrict the number of bound volumes of Debates, 588.
- to provide for expiration of term of present county commissioners and auditors, 616.
- to print all articles passed second reading, 631.
- to require previous notice for all resolutions changing hours of sessions, 631.
- declaring seat of Mr. Gowen vacant on declination of Mr. Cowan, 632.
- to draw warrants in favor of members and officers for four-fifths of salary, 651.
- to instruct Committee on Salaries to report compensation of firemen, 653.
- to refer resolution to direct warrants to be drawn in favor of members to Committee on Accounts, 654.
- to instruct Committee on Suffrage to report a prohibitory liquor clause, to be submitted separately, 658.
- returning thanks to West Jersey railroad company, for special excursion to Cape May, 663.
- to appoint a special committee on submission of the Constitution, 663.
- to prohibit members from speaking on same subject more than once, 663.
- to require ten delegates to demand call for yeas and nays on all amendments on second reading, 672.
- to report a provision fixing the capital of the State at Harrisburg, 695.
- returning thanks to faculty of Polytechnic college of Pennsylvania, for invitation to annual commencement, 702.
- to instruct the secretaries to publish a statement of the several amendments passed second reading, 702.
- to provide for division of net earnings of all corporations, 703.

Resolutions submitted—

- to appoint a committee to visit Bethlehem and examine into the accommodations there to be given the Convention, 707.
- to appoint a committee of five to enquire what facilities are offered by other places for setting of Convention, 721.
- thanking the authorities of Gettysburg for invitation to Convention to meet in that borough, 738.
- relative to the application of legislative article to general or revised statutes, 738.
- thanking trustees Lehigh university, tendering use of Packer Hall to Convention, 764.
- not to accept resignation of Mr. Woodward, 783.
- thanking councils of Williamsport for invitation to Convention to meet in that city, 784.
- to provide for a recess of Convention, 785, 795, 800, 823, 835.
- to hold sessions of Convention in some other place than Philadelphia, 785.
- to discontinue printing the Debates, 799.
- thanking the mayor and councils of Erie for invitation to Convention to meet in that city, 807.
- thanking the citizens of Gettysburg for invitation to Convention to meet in that borough, 816.
- directing Committee on Accounts and Expenditures to report a resolution for payment of one-fifth compensation due officers, 828.
- requesting Mr. Collins to re-consider his resignation, 835.
- returning thanks to council of Altoona for invitation to Convention, 839.
- directing Committee on Revision and Adjustment to make verbal changes, &c., 863.
- to prolong session without recess, 864.
- to add the chairman of each committee to Committee on Revision and Adjustment, 864.
- directing Committee on House to take charge of Hall, 864.
- to permit Committee on Accounts and Expenditures to sit during recess, 865.
- thanking Montgomery County Agricultural society for inviting Convention to visit fair, 870.
- to discontinue publication of the Debates after 1st of October, 870.
- to appoint a committee to report on the time and method for submission of the Constitution, 871.
- directing Committee on Suffrage to report an ordinance for submission of the Constitution, 872.
- to appoint four additional members of Committee on Revision and Adjustment, 872.
- to refer article on Elections to Committee on Revision and Adjustment, 873.
- to rescind Rule XLIII, 874.
- prescribing the orders of the day, 874.
- to change the rules in regard to resolution changing hours of meeting, &c., 902.
- presenting copies of Debates to surviving members of Constitutional Convention of 1837-8, 902.
- to hold sessions at Harrisburg, 907.
- directing members to furnish Chief Clerk with residence and distance from Philadelphia, 915.
- presenting copies of Debates and Journal to members of Convention who have resigned, 915.
- presenting a copy of Debates to each judge of the Supreme Court, 918.
- directing the Committee on the Judiciary to inquire into the expediency of reporting a section relative to the construction of wills, 934.
- presenting a copy of Debates and Journal to Constitutional Convention of Ohio, 940.
- to pay one-half the salary due officers unpaid, 953.

Resolutions submitted—

- to limit the time of speeches on third reading, 953.
- to prohibit the erection of new buildings for assembling of the Legislature, 962.
- declaring the seats of absentees for two days vacant, 972.
- to appoint a comparing committee, 982.
- not to grant any leaves of absence, 982.
- relative to absentees and a quorum, 983.
- to amend Rule XLI, 983.
- to limit leaves of absence to 30 days, 983.
- to make forty-five delegates constitute a quorum, 1012.
- directing Committee on Accounts and Expenditures to examine accounts of the firemen, 1012.
- to provide for *sine die* adjournment, 1037, 1050, 1069, 1128.
- relative to call of previous question, 1051.
- requesting Secretary of Commonwealth to furnish statement of votes cast for and against the Constitution of 1838, 1051.
- to close debate on the Judiciary article, 1051.
- to furnish library of the United States Senate, and of Congress, with Debates, 1057.
- to hold an evening session, 1068.
- directing Committee on Accounts and Expenditures to draw warrants in favor of the officers of Convention, 1068.
- to refer all articles passed third reading to Committee on Revision and Adjustment for final report, 1068.
- to re-consider vote on Judiciary article and refer to special committee, 1069.
- to provide for evening sessions and *sine die* adjournment, 1081.
- to adjourn over the day of the general election, 1082.
- to print all articles passed third reading and reported on parchment for signature, 1093.
- to close debate on Railroad article, 1114.
- fixing salary of Transcribing Clerks, 1114.
- proposing an ordinance declaring the boundaries of the State, 1115.
- to pay the firemen, 1115.
- to provide for organization of telegraph companies, 1132.
- relative to distribution of Debates, 1132.
- to appoint a committee on an address to the people of the State, 1133.
- to approve the amendment to the Constitution of the United States, regulating the manner of choosing electors, 1133.
- to provide for night sessions and limiting debate to ten minutes, 1133.
- to appoint a committee of one from each Senatorial district to present an address to the people of the State, 1144.
- relative to the submission of the Constitution, 1154.
- directing Committee on Revision and Adjustment to make certain corrections in article on Taxation and Revenue, 1164.
- to submit article on Railroads and Canals separately, 1172.
- directing Committee on Revision and Adjustment to strike out section of Education article allowing women to serve as school directors, 1173.
- to decide the question of separate submission of an article without debate, 1183.
- to investigate charges made against the Convention, 1183.
- directing Committee on Revision and Adjustment to submit an address to the people, 1185.
- to place Mr. Barr on committees of which his predecessor was a member, 1185.
- to prohibit passage of any law that discriminates in favor of any class, 1218.
- to present copy of Constitution, printed on parchment, to Pennsylvania Historical Society, 1219.
- to provide for distribution of new Constitution, 1219.

Resolutions submitted—

- to grant extra compensation to Powell DeFrance, 1219.
- to submit Legislative article separately, 1219.
- to appoint an Executive Committee of fourteen, 1221.
- to appoint five commissioners for Philadelphia to execute the ordinance of submission, 1226.
- to pay Rev. James W. Curry \$100 as a testimonial of respect for his services as Chaplain, 1227.
- to print fourteen thousand copies of the Constitution in pamphlet form, 1227.
- to appoint an Executive Committee of sixteen, 1228.
- to pay L. Rogers, clerk of the Committee on Revision and Adjustment, three hundred dollars, 1228.
- to provide for distribution of the new Constitution, 1228.
- to select an Executive Committee of thirty-three, 1229.
- to have a suitable index prepared for the Journal, 1229.
- to allow the Official Reporter five additional copies of Debates, 1229.
- directing Committee on Accounts and Expenditures to make allowance to Official Reporter, 1231.
- instructing the Clerk to prepare the parchment for the signatures of the members of the Convention, 1244.
- directing State Printer to mail remaining sheets of Debates and Journal, 1244.
- of thanks to the city authorities of Philadelphia, 1244.
- to print copies of the Constitution for distribution by the newspapers of the State, 1245.
- to submit the Judiciary article separately, 1246.
- to submit article on Taxation and Finance separately, 1246.
- to submit article on Railroads and Canals separately, 1247.
- to submit section twenty-seven of the Judiciary article separately, 1248.
- to submit section three of article on Suffrage and Elections separately, 1248.
- thanking city councils of Philadelphia for their friendly regard, 1252.
- directing Secretary of the Commonwealth to receive signatures of absent members to Constitution, 1253.
- to authorize the President of the Convention to call a special session, 1253.
- to provide for delivering up of Hall to authorities of Philadelphia, 1255.
- directing Committee on Revision and Adjustment to publish the changes proposed by the new Constitution, 1255.
- tendering thanks of Convention to the Official Reporter, 1258.
- relative to demand of members for separate submission of Judiciary article, 1258.
- to submit separately such articles as one-third of Convention shall designate, 1259.
- tendering thanks to the clerks of Convention, 1259.
- to give extra compensation to employees of Hall, 1259.
- to have the address to the people of the State attested by the President, 1260.
- to add four names to Executive Committee, 1260.
- to appropriate money for the use of Executive Committee, 1261.
- to add Messrs. Mantor and Brown to Executive Committee, 1262.
- to provide for paying expenses of commissioners of election for Philadelphia, 1262.
- authorizing Committee on Revision and Adjustment to sit during sessions, 1266.
- to pay all necessary expenses of Executive Committee, 1266.
- tendering thanks to Mr. Walker, President of the Convention, 1267.
- presenting desks and chairs to officers of Convention, 1272.
- to publish Constitution without note or comment, 1272.
- to provide for payment of gas, &c., 1272.
- tendering thanks of the Convention to newspaper reporters, 1272.
- tendering thanks to different associations of Philadelphia for courtesies, 1272.

Resolutions submitted—

- to print Constitution for free distribution on cheap paper, 1273.
 - to give janitors extra compensation, 1273.
 - providing for proper attestation of ordinance of submission, 1273.
 - to adjourn to meet at Harrisburg, 27th day of December, 1273.
 - to add an attesting clause to submission ordinance, 1273.
 - declaring the duty of every member of Convention to work for the adoption of the Constitution, 1273.
 - directing the Chief Clerk to deposit the new Constitution, when signed, in the office of Secretary of Commonwealth, 1273.
 - to appoint a committee of thirteen on the powers of the Convention, 1274.
 - to provide for re-printing the Debates and Journal destroyed by fire, 1277.
 - requesting the Governor to issue his proclamation of the passage of the Constitution, 1278.
 - to instruct Auditor General and Attorney General to contract for re-printing Debates and Journal, 1278.
 - to refer all unsettled accounts to Auditor General and Attorney General, 1278.
 - directing Mr. Singerly to re-print the Debates and Journal, 1282.
 - to procure *fac simile* copies of the Constitution, 1282.
 - to pay for reporting proceedings in Supreme Court, 1282.
 - congratulating the people of the State on the adoption of the new Constitution, 1282.
 - to pay for reporting argument in Supreme Court, 1289.
 - thanking Executive Committee, 1289.
 - declaring the session of General Assembly of 1875 to be the first regular biennial session, 1295.
 - relative to the death of Mr. Craig, 1295.
 - thanking Mr. Walker, President of the Convention, 1295.
- Revenue, Taxation and Finance, Committee on, appointment of, 90.
report of Committee, 430.
- Revision and Adjustment, committee on, appointment of, 90.
report of committee, 943, 944, 945, 957, 983, 993, 1006, 1024, 1025, 1026, 1039, 1040, 1225, 1267, 1268, 1290.
- REYNOLDS, JAMES L., delegate at large :
leaves of absence granted to, 537, 1068.
report made by—
from the minority Committee on the Judiciary, 421.
- REYNOLDS, SAMUEL H., delegate at large :
leave of absence granted to, 215.
communication from, tendering his resignation, 453.
resignation accepted, 453.
resolutions submitted by—
to assess all property at full market value, 162.
to provide for election of judges, 173.
fixing term of the judges of the courts, 203.
- RHONE, DANIEL L., delegate XIIIth district :
tenders his resignation as delegate, 45.
committee appointed to fill vacancy occasioned by resignation of, 45.
- Rogers, Lucius, elected First Assistant Clerk, 42.
leave of absence granted to, 89.
- ROOKE, LEVI, delegate XVIIth district :
leave of absence granted to, 89.

- ROSS, GEORGE**, delegate VIIIth district :
 leaves of absence granted to, 828, 1037.
 resolutions submitted by—
 to abolish the grand jury system, 70.
 not to require judges to reside in their district, 80.
 to provide for paying expenses of military, 122.
 relative to right of suffrage of persons in actual military service, 122.
 to prohibit Legislature granting divorcees, 172.
 relative to the right of eminent domain, 201.
 relative to the original allowance of six per cent. to the patentees of land under the proprietary grant, 201.
 to provide that no law shall be enacted dependent on a majority vote of the people, 289.
- Rules of Convention, appointment of committee, to report, 44.**
 report of committee, 56.
- RUNK, CHARLES M.**, delegate XIth district :
 resolutions submitted by—
 declaring who are ineligible to office, 122.
 to provide for the number of representatives, 124.
 to provide for the number of Senators, 124.
 to fix hour for meeting of committees, 129.
 to require all legal voters to participate in the selection of candidates for office, 161.
 to provide for determining the ratio for senatorial and representative apportionment, 372.
- RUSSELL, SAMUEL L.**, delegate XXIst district :
 leaves of absence granted to, 215, 327, 784, 1050.
 resolutions submitted by—
 requesting Auditor General to furnish copies of his annual report for 1871 and 1872, 47.
 to require Legislature to make annual appropriations for support of Common Schools, 83.
 of thanks to councils of Philadelphia, 128.

S.

- SALARIES, FEES AND COMPENSATION OF OFFICERS**, resolution to appoint committee on, 279.
- Salary of members and officers of Convention, as reported by Committee on Accounts and Expenditures, 655.**
- Schedule**, article reported by committee, 1161.
 re-committed to committee, 1165.
 report of committee on, 1187.
 consideration of article, 1187.
 passed second reading, 1224.
 article transcribed for a third reading, 1224.
 consideration of, on third reading, 1249.
 article passed, 1252.
 referred to the Committee on Revision and Adjustment, 1265.
 report of Committee on Revision and Adjustment, 1268.
- Schedules**, committee on, appointment of, 90.
- Secretary of the Commonwealth.**—See also *Jordan*.
 report of, with statement of expenses of Executive and Legislative Departments, 66.

- Selfridge, Gen. James L., resolution of Mr. Bowman tendering thanks of Convention to, 112.
- SHARPE, J. M'DOWELL, delegate XIXth district :
leaves of absence granted to, 167, 385, 1004.
- SIMPSON, J. ALEXANDER, delegate IVth district :
leaves of absence granted to, 311, 517.
resolutions submitted by—
to proceed to nomination and election of officers of Convention, 41.
proposing an article on Education, 75.
proposing a Preamble to the Constitution, 195.
- Singerly, Benjamin, Printer to the State—
report of majority of Committee on Printing, relative to publication of Debates by, 116.
report of minority, declaratory of right of, to print, 117.
printing and binding of Debates and Journal given to, 155.
resolution of Mr. Church to compel compliance of contract, 215.
report of Committee on Printing and Binding, relative to, 223.
contract of, with the Convention, 223.
statement showing difference between claims of, and allowance by Committee on Accounts, 342.
report of Committee on Accounts and Expenditures, showing claims of, 878.
memorial from, relative to settlement of his accounts, 925.
communication from, relative to his accounts with Convention, 1128.
communication from, with statement of burning of State Printing office, 1274.
resolution of Mr. Armstrong, directing to re-print the Debates and Journal destroyed by fire, 1282.
- SMITH, HENRY G., delegate IXth district :
leaves of absence granted to, 123, 775, 974, 1081.
resolutions submitted by—
relative to general appropriations by the General Assembly, 123.
tendering thanks of Convention to the newspaper reporters, 1272.
- SMITH, HENRY W., delegate VIIIth district :
leaves of absence granted to, 266, 385, 477, 607, 735, 789, 940, 1050, 1129, 1171.
resolutions submitted by—
to print copies of the Constitution of 1776, 1790 and 1833, with the several amendments in pamphlet form, 47.
relative to judges of the several courts, 103.
to call the names of delegates every morning, 351.
- SMITH, WILLIAM H., delegate at large :
leaves of absence granted to, 123, 443, 683, 764, 932.
resolutions submitted by—
to adjourn the Convention to January 14, 1873, 79.
relative to priority of liens, 80.
relative to prosecutions for libel, 121.
to provide for Congressional apportionment, 247.
- Smull, John A., resolution of Mr. Bartholomew, tendering thanks of Convention to, 111.
- STANTON, M. HALL, delegate IIIrd district :
resolutions submitted by—
to allow Governor to fill vacancies in the Legislature, 77.
to provide for the election of a Lieutenant Governor, 77.
to refer all resolutions to committees without debate, 77.

STANTON, M. HALL—*Continued.*

resolutions submitted by—

- to allow Governor to fill all vacancies in State offices, 78.
- to adjourn the Convention to December 3, 1872, 78.
- to increase Committee on State Institutions to eleven members, 120.
- relative to verdict in murder cases, 120.
- to hold the general elections in November, 120.
- to extend an invitation to the Clergy of Philadelphia, to open sessions with prayer, 129.
- to adjourn to attend funeral of Mr. James Gowan, at Mt. Airy, 167.
- to prohibit the limitation of apprentices, 170.
- to employ Powell De France, 175.
- to appoint an additional page, 196.
- requesting Mr. Curry to act as Chaplain to the Convention, 203.
- relative to irredeemable ground rents, 208.
- to provide for exemption of household goods from levy and sale, 275.
- to grant use of the Hall to the Board of Public Education, 285.
- to call the yeas and nays only at the request of twenty members, 571.
- to require previous notice for all resolutions changing hours of sessions, 631.
- returning thanks to faculty of Polytechnic college for invitation to annual commencement, 702.
- returning thanks of Convention to councils of Williamsport for invitation to meet in that city, 784.
- directing Committee on Accounts and Expenditures to draw warrants in favor of the officers of the Convention, 1068.
- to provide for payment of gas, &c., 1272.
- to print Constitution, for free distribution, on cheap paper, 1273.
- to instruct Auditor General and Attorney General to contract for re-printing Debates and Journal, 1278.
- thanking the Executive Committee, 1289.

State, committee on, resolutions to appoint, 173.

State Institutions and Buildings, committee on, appointment of, 89.

resolution to increase to eleven members, 120; rejected, 166.

STEWART, JOHN, delegate XIth district :

leaves of absence granted to, 128, 167, 307, 333, 561, 745, 835, 952, 1005.

resolutions submitted by—

- to establish a court of pardons, 74.
- to adjourn Convention to January 1, 1873, 93.
- to provide that in all cases of acquittal the defendant shall not be proceeded against for the same offence, 281.

Strong, Rev. Dr. A. K., prayer of, at the opening of Convention, 25.

STRUTHERS, THOMAS, delegate XXXth district :

leaves of absence granted to, 208, 907, 1129.

report made by—

from minority of select committee on fixing compensation of members of Convention, 536.

resolutions submitted by—

- relative to rights of employer and employee, 121.
- to provide for cheap transportation of persons and property, 196.
- to secure the purity of elections, 264.
- to amend Rule XVIII, 364.
- to rescind resolution prohibiting debate on time of meeting and adjournment, 368.
- relative to repetition of the Journal matter in the Debates, 407.

- Submission Ordinance*, proposed by Mr. Buckalew, 1192.
 referred to Committee on Suffrage, Election and Representation, 1194.
 reported by committee, 1206.
 ordinance on second reading, 1126.
 passed second reading, 1243.
 transcribed for a third reading, 1243.
 consideration of on *third reading*, 1263.
 ordinance passed, 1265.
 referred to the Committee on Revision and Adjustment, 1265.
 report of Committee on Revision and Adjustment, 1271.
 resolution of Mr. Buckalew providing for proper attestation of, 1273.
 resolution of Mr. Purman to add an attesting clause to, 1273.
- Suffrage and Election*, article on, reported by committee, 268.
 read the first time, 268.
 consideration of, on second reading, 309.
 referred to Committee on Revision and Adjustment, 330.
 report of Committee on Revision and Adjustment, 998.
 to be numbered Article VIII, 998.
 ordered to be printed, 995.
 report of Committee on Revision and Adjustment considered, 1058; adopted, 1058.
 article transcribed for third reading, 1058.
 article considered on third reading, 1058.
 article passed, 1065.
- Suffrage, Election and Representation, committee on, appointment of, 89.
 reports of, 156, 268.
 minority reports, 169, 270.

T.

- Taxation and Finance*, article on, reported by committee, 430.
 read the first time, 431.
 consideration of, on second reading, 731.
 referred to Committee on Revision and Adjustment, 742.
 re-consideration of vote to refer, 760; agreed to, 760.
 consideration resumed, 760.
 report of Committee on Revision and Adjustment, 1006.
 to be numbered Article IX, 1006.
 consideration of report of Committee, 1066; adopted, 1066.
 article transcribed for third reading, 1066.
 consideration of, on third reading, 1066.
 article passed, 1075.
- TEMPLE, BENJAMIN L., delegate III^d district:
 leaves of absence granted to, 187, 524, 918, 932.
 report made from committee relative to seat of, in Convention, 37.
 resolutions submitted by—
 requesting Auditor General to furnish information relative to amount of money
 paid into State Treasury by certain officers of Philadelphia, 74.
 to adjourn Convention to December 3, 1872, 83.
 to guarantee men and women equal rights of suffrage, 104.
 to abolish the grand jury system, 122.
 to abolish the office of register of wills, 135.
 to authorize the courts to appoint prothonotaries and clerks, 160.
- 6* CON. JOUR.

TEMPLE, BENJAMIN L.—*Continued.*

resolutions submitted by—

to enter absentees and non-voters on call of yeas and nays, 178.

to print a directory of the Convention, 180.

to procure *fac simile* copies of Constitution, 1282.

Thirty-three, resolution of Mr. Howard to appoint Executive Committee of, 1229.

appointment of, 1244.

report of, 1283.

address of, 1285.

resolution of Mr. Stanton tendering thanks to, 1289.

TURRELL, WILLIAM J., delegate XIVth district :

leaves of absence granted to, 387, 524.

resolutions submitted by—

to authorize juries to render a verdict by a two-thirds majority, 75.

directing Committee on Accounts to draw warrants in favor of officers of the Convention, 203.

to provide for compulsory education between the ages of five and fifteen, 232.

to forward copy of Debates and Journal to New England Historical and Genealogical society, 257.

to prevent combinations between railroad companies, 294.

VAN REED, HENRY, delegate VIIIth district :

Vote of the people on the adoption of the Constitution, 1873, 1275.

WALKER, JOHN H., delegate at large :

appointed President *pro tem.*, by Mr. Meredith, 302.

announces death of President of Convention, Mr. Meredith, 868.

elected President of Convention, 868.

resolution of Mr. Kaine, tendering thanks of Convention to, 1267.

resolution of Mr. Hazzard, tendering thanks of Convention to, 1296.

report made by—

from Committee on Cities and City Charters, 317.

resolution submitted by—

relative to discrimination in freight or passage by railroad companies, 187.

WETHERILE, JOHN M., delegate Xth district :

leaves of absence granted to, 745, 1069.

resolutions submitted by—

to prevent the creating of any corporations for agricultural purposes, 123.

to authorize the printing of a directory of the Convention, 163.

to provide for each county a separate judicial and representative district, 389.

WETHERILL, JOHN PRICE, delegate at large from Philadelphia :

report made by—

from minority Committee on the Legislature, 412.

resolutions submitted by—

requiring all standing committees to meet once a week, 61.

requesting Auditor General to furnish information in regard to Public Printing, 72.

to limit the pardoning power of the Governor, 73.

to pay all officers fixed salaries, 73.

relative to legislation for municipalities, 78.

to request Secretary of the Commonwealth to furnish the number of persons killed and injured in the mines since 1869, 79.

to enter the names of absentees, or non-voters, on the Journal, 87.

WETHERILL, JOHN PRICE—Continued.

resolutions submitted by—

- to provide for free vote in stockholders' elections, 107.
- relative to taxation for school purposes, 130.
- to abolish all offices for weighing and inspecting, 130.
- to prohibit increase of Governor's salary while in office, 163.
- relative to the investigation and correction of municipal abuses, 176.
- to grant use of Hall to hold a meeting in reference to the Centennial Exposition, 309.
- to provide for submission of the Constitution, 362.
- relative to the election on the adoption or rejection of the Constitution, 370.
- to thank the mayor and councils of Allentown for invitation to meet in that city, 512.

proposing an article of submission, 528.

WHERRY, SAMUEL M., delegate XIXth district :

leaves of absence granted to, 263, 338, 721, 772, 1129.

resolutions submitted by—

- requesting the State Librarian to furnish books to members of the Convention, 46.
- to refer certain portions of present Constitution to appropriate standing committees, 72.
- to define the term of members of the Legislature, 73.
- providing for all amendments to be reported to a committee of the whole, 76.
- to fix the compensation of State officers, 93.
- to proceed to the election of Official Reporter *viva voce*, 100.
- to print the returns of election for calling Convention, &c., in the Journal, 102.
- requesting the Secretary of the Commonwealth to furnish the Convention the returns of election, &c., 102.
- to provide for a State Commissioner of Agriculture, 122.
- relative to the protection of the rights of the accused, 159.
- to provide for appointment of State Board of Prison Managers, 168.
- to separate the office of sheriff from prison keeper, 183.
- to provide for election of Governor in case of vacancy, 201.
- relative to the franchise, 208.
- relative to the rights of accused persons and criminals, 247.
- to fix the hours for opening postoffice in Hall on Sundays, 294.
- to provide for the establishment of industrial schools, 369.

WHITE, DAVID N., delegate at large :

leaves of absence granted to, 215, 337, 561, 721, 1129.

communication presented by—

from the councils of Pittsburg, inviting Convention to meet in that city, 38.

resolutions submitted by—

- to provide for prohibitory license, 92.
- to prohibit appropriations to sectarian institutions, 92.
- relative to the administration of oaths at elections, 257.
- to prohibit the manufacture and sale of liquors, 285.
- to number and take up in order the articles of the amended Constitution, 542.
- to hold an evening session, 1068.
- to close debate on the Judiciary article, 1114.

WHITE, HARRY, delegate at large :

leaves of absence granted to, 530, 537, 607, 745, 952.

WHITE, HARRY—*Continued.*

reports made by—

- from Committee on Legislation, reporting article, 343.
- from Committee on Legislature, 348.
- from committee to provide for distribution of the Constitution, 1253.
- from minority of committee of thirteen on the powers of the Convention, 1282.

resolutions submitted by—

- to prevent special legislation, 72.
- to print the list of standing committees, 90.
- to refer all propositions to respective committees, 90.
- relative to the compensation of Charles Cilley, 168.
- directing copy of Journal to be forwarded to Constitutional Commission of New York, 175.
- directing the manner of printing for committees, 178.
- to make seven constitute a quorum of standing committees of fifteen, 248.
- instructing Official Reporter to omit the prayers from reported Debates, 271.
- to allow the Official Reporter the matter of standing and select committees' reports, 364.
- to drape the Hall for thirty days in respect to Mr. Hopkins, 368.
- to increase the Committee on Revision and Adjustment to fifteen, 410.
- relative to call of the House and sending for absentees, 516.
- to instruct Sergeant-at-Arms to bring in absentees, 522.
- to instruct committee on salaries to report compensation of firemen, 653.
- to provide for appointment of committee on address to the people, 828.
- directing Committee on Accounts and Expenditures to examine accounts of the firemen, 1012.
- to appoint a committee on an address to the people of the State, 1133.
- to appoint a committee of one from each senatorial district to present an address to the people of the State, 1144.
- to prohibit passage of any law which discriminates in favor of race or color, 1218.
- to submit Legislation article separately, 1219.
- to provide for distribution of new Constitution, 1223.
- to print copies of the Constitution for distribution by the newspapers of the State, 1245.
- to submit separately such articles as one-third of the Convention shall designate, 1259.
- congratulating the people of the State on the adoption of the Constitution, 1282.

WHITE, JOHN W. F., delegate XXIII^d district :

- leaves of absence granted to, 603, 745.
- report made by—
 - from minority Committee on Suffrage, Election and Representation, 269.
- resolution submitted by—
 - not to grant leaves of absence, unless reason is fully stated, 350.

WOODWARD, GEORGE W., delegate at large :

- leaves of absence granted to, 222, 493.
- reports presented by—
 - from committee to inquire into election in III^d district, 37.
 - from committee of delegates at large, 46.
 - from minority of the Committee on the Judiciary, 447.
 - from delegates at large, appointing Wm. Bigler in place of Mr. Reynolds, 456.
 - from Committee on Private Corporations, 491.

WOODWARD, GEORGE W.—*Continued.*

reports presented by—

- from delegates at large appointing Edgar Cowan to fill vacancy caused by resignation of Mr. Gowen, 585.
- from delegates at large, appointing Mr. Bullitt to fill vacancy, 634.
- from select committee on article on Legislation, 924.
- from delegates at large recommending appointment of James P. Barr, in place of Mr. J. S. Black, 1104.
- from Committee on Private Corporations, 1175.
- communication from, tendering his resignation, 782.
- resolution of Mr. Alricks not to accept, 783.
- resignation of, withdrawn, 868.

resolutions submitted by—

- requesting Auditor General to give information relative to expenses of Convention of 1837-8, 46.
- requiring the Secretary to furnish each member with stationery, 70.
- to abolish the secret ballot, 81.
- to amend Rule XLIII, 102.
- requesting Auditor General to furnish a list of all private corporations in the State, 110.
- requesting Secretary of the Treasury of the United States to furnish list of all National banks in the State, 111.
- to request Auditor General to respond to resolution of 27th November last, 200.
- to terminate debate on woman suffrage, 288.
- to accept resignation of Mr. Gowen, 571.
- declaring seat of Mr. Gowen vacant on declination of Mr. Cowan, 632.
- to instruct the secretaries to publish a statement of the several amendments passed second reading, 702.
- requesting Secretary of the Commonwealth to furnish statement of votes cast for and against Constitution of 1837-8, 1051.
- to appoint five commissioners for Philadelphia to execute the ordinance of submission, 1226.
- to pay Rev. James W. Curry \$100 as a testimonial of respect for his services as Chaplain, 1227.
- to add four names to Executive Committee, 1260.

WORRELL, EDWARD R., delegate IVth district:

leave of absence granted to, 735.

resolutions submitted by—

- to direct all courts to publish rules for transaction of business, 102.
- relative to apportionment bills, 123.
- to empower the courts to try the validity of acts of Assembly, 135.
- to authorize the Attorney General to proceed, by *scire facias*, to try the validity of acts of Assembly, 135.
- to require all bills to be read in full on three different days, 161.
- relative to the election of judicial officers, 188.
- to fix the compensation of all judicial officers in the Constitution, 303.

WRIGHT, CALLEB E., delegate XIIIth district:

leaves of absence granted to, 530, 789, 828, 974.

report of delegates at large appointing member of Convention, 46.

resolutions submitted by—

- to restrict further grants to corporations, 79.
- to draw warrants for stationery for members, 87.
- to prevent operating street railways without municipal consent, 176.

WRIGHT, CALEB E.—*Continued.*

resolutions submitted by—

- to prevent burial places, &c., from being appropriated to other uses, 195.
- to restrict further grants to corporations, 227.
- relative to extension of time for debate, 332.
- to accept invitation of Mr. Knight to the launch of the steamship Indiana, 402.