

32 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.

Cat.
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PART II.

HARRISBURG:
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FRIDAY, JUNE 20, 1873.

Mr. Joseph Baily asked and obtained leave of absence for Mr. Collins for a few days from Monday.

A motion was made by Mr. Bigler,

That the orders of the day be postponed, and that the Convention proceed to the second reading and consideration of the article (No. 2) reported from the Committee on Legislature.

Which was not agreed to.

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

Resolved, That when this Convention adjourns on Tuesday next, it will adjourn to meet at twelve o'clock M., on Tuesday, September the 16th, 1873.

On the question,

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

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

YEAS.

Messrs. Ainey, Andrews, Armstrong, Baker, Barclay, Bartholomew, Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Cochran, Collins, Fell, Green, Harvey, Hemphill, Howard, Kaine, Knight, MacConnell, MacVeagh, M'CLean, Mantor, Minor, Newlin, Parsons, Patton, Purman, Reynolds, Runk, Russell, Smith, H. G., Smith, Henry W., Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward and Wright—42.

NAYS.

Messrs. Alricks, Baily, of Perry, Beebe, Bigler, Black, Chares A., Brodhead, Church, Clark, Corbett, Corson, Cronmiller, Curtin, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Hay, Horton, Hunsicker, Lamberton, Lawrence, Lilly, M'Culloch, Mann, Niles, Palmer, H. W. Patterson, D. W., Porter, Purviance, John N., Purviance Samuel A., Reed, Andrew, Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Walker, Wetherill, Jno. Price, and White, Harry—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Buckalew, Bullitt, Carey, Carter, Cassidy, Craig, Curry, Cuyler, Davis, Dunning, Finney, Hanna, Hazzard, Heverin, Landis, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Mott, Palmer, G. W., Patterson, T. H. B., Pughe, Read, John R., Ross, Smith, Wm. H., Stanton, White, J. W. F., Worrell and Meredith, *President*.

Mr. J. N. Purviance offered the following resolution, which was read, viz:

Resolved, That hereafter, and until otherwise ordered, sessions of the Convention shall be held on Saturdays from 9½ o'clock A. M., to 1 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. John N. Purviance and Mr. Turrell, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Andrews, Baer, Baily, of Perry, Beebe, Bigler, Boyd, Brown, Campbell, Church, Collins, Corbett, Corson, Dallas, Darlington,

De France, Dodd, Edwards, Elliott, Fulton, Gilpin, Guthrie, Harvey, Hay, Lawrence, MacConnell, M'Clellan, M'Culloch, Mantor, Minor, Mott, Niles, Palmer, H. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Smith, H. G., Stewart, Struthers, Turrell, Van Reed, Walker and White, David N.—49.

N A Y S.

Messrs. Alricks, Armstrong, Baker, Barclay, Biddle, Black, Charles A., Bowman, Brodhead, Broomall, Buckalew, Calvin, Clark, Cochran, Cronmiller, Curtin, Ellis, Ewing, Fell, Funck, Gibson, Green, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Lilly, MacVeagh, M'Camant, Mann, Newlin, Palmer, G. W., Parsons, Patterson, D. W., Ross, Runk, Sharpe, Simpson, Smith, Henry W., Stanton, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Woodward, and Wright—49

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, J. S., Bullitt, Carey, Carter, Cassidy, Craig, Curry Cuyler, Davis, Dunning, Finney, Hall, Hanna, Hazzard, Heverin, Landis, Lear, Littleton, Long, M'Murray, Metzger, Mitchell, Patterson, T. H. B., Pughe, Read, John R., Rooke, Smith, Wm. H., White, J. W. F., Worrell and Meredith, *President*.

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

Resolved, That when this Convention adjourns on Thursday, the 3d of July, it will be to meet at Harrisburg the — day of September next.

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 read, viz:

Resolved, That when the Convention adjourns on Friday next, it be to meet on the 3d Tuesday of October.

On the question,

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

It was determined in the negative.

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

Resolved, That when the Convention adjourns to-day, it will meet on Monday, 30th inst., at Harrisburg.

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, Ainey, Alricks, Andrews, Armstrong, Baer, Bartholomew, Bowman, Church, Cochran, Cronmiller, Ellis, Funck, Gibson, Guthrie, Hall, Harvey, Kaine, Lamberton, Lawrence, MacVeagh, M'Clellan, M'Culloch, Mantor, Newlin, Parsons, Purman, Reed, Andrew, Russell, Struthers, Van Reed, Walker, Wetherill, J. M., White, David N., White, Harry, Woodward and Worrell—37.

N A Y S.

Messrs. Baily, of Perry, Baker, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Calvin, Campbell, Carey, Carter, Clark,

Corbett, Corson, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Gilpin, Green, Hanna, Hay, Hemphill, Horton, Howard, Hunsicker, Knight, Landis, Lilly, Littleton, MacConnell, M'Camant, Mann, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Simpson, Smith, H. G., Smith, Henry W., Stanton, Temple, Turrell, Wetherill, John Price, and Wright—64.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bannan, Bardsley, Black, J. S., Buckalew, Bullitt, Cassidy, Collins, Craig, Curry, Curtin, Cuyler, Davis, Dunning, Hazzard, Heverin, Lear, Long, M'Murray, Metzger, Mitchell, Patterson, T. H. B., Pughe, Read, John R., Ross, Sharpe, Smith, Wm. H., Stewart, Wherry, White, J. W. F., and Meredith, *President*.

Mr. Kaine offered the following resolution, which was referred to the Committee on Legislature, viz:

Resolved, That the Committee on Legislature are requested to report a provision to be incorporated in the Constitution fixing the Capitol of this State permanently at Harrisburg.

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

Resolved, That when the Convention adjourns to-day, it shall be to meet on the third Tuesday of October next; at twelve 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. Woodward and Mr. Newlin, and were as follow, viz:

Y E A S.

Messrs. Ainey, Andrews, Armstrong, Baker, Barclay, Bartholomew, Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Church, Cochran, Craig, Cuyler, Fell, Finney, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Howard, Hunsicker, Kaine, Long, MacConnell, MacVeagh, M'Clean, Mantor, Minor, Mott, Newlin, Palmer, G. W., Parsons, Patton, Porter, Purman, Purviance, John N., Reynolds, Runk, Russell, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., White, David N., Woodward and Wright—51.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Biddle, Bigler, Black, Charles A., Brodhead, Bullitt, Campbell, Carey, Carter, Clark, Collins, Corbett, Corson, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Horton, Knight, Lamberton, Landis, Lawrence, Lilly, Littleton, M'Camant, M'Culloch, Mann, Niles, Palmer, H. W., Patterson, D. W., Pughe, Purviance, Sam'l A., Reed, Andrew, Rooke, Simpson, Smith, H. G., Struthers, Temple, Turrell, Walker, Wetherill, John Price, White, Harry, and Worrell—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bannan, Bardsley, Beebe, Black, J. S., Cassidy, Cronmiller, Curry, Curtin, Davis, Dunning, Heverin, Lear, M'Murray, Metzger, Mitchell, Patterson, T. H. B., Read, John R., Ross, Sharpe, Smith, Wm. H., Stewart, Wherry, White, J. W. F., and Meredith, *President*.

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

Resolved, That when this Convention adjourns on the 27th inst., it will be to meet in this House on the second Tuesday of September next.

On the question,

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

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

Y E A S.

Messrs. Ainey, Andrews, Armstrong, Baker, Barclay, Bartholomew, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin Carey, Carter, Church, Cochran, Collins, Corson, Craig, Cuyler, Fell, Green, Hall, Hanna, Harvey, Hemphill, Kaine, Knight, Lamberton, Littleton, Long, MacConnell, MacVeagh, M'Camant, Mantor, Metzger, Minor, Newlin, Palmer, G. W., Parsons, Patton, Pughe, Purman, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., Wherry, Woodward and Wright—56.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Biddle, Bigler, Black, Charles A., Campbell, Corbett, Cronmiller, Curtin, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Hazzard, Horton Howard, Hunsicker, Landis, Lawrence, Lilly, M'Clean, M'Culloch, Mann, Mott, Niles, Palmer, H. W., Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Walker, Wetherill, John Price, White, David N., White, Harry, and Worrell—55.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Beebe, Black, J. S., Cassidy, Clark, Curry, Davis, Dunning, Heverin, Lear, M' Murray, Mitchell, Patterson, T. H. B., Read, John R., Ross, Smith, Wm. H., White, J. W. F., and Meredith, *President*.

Whereupon,

The resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lamberton,

To amend the same, by striking out the words, "this House," and inserting in lieu thereof "Harrisburg."

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 indefinitely.

On the question,

Will the Convention agree to the motion?

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, Baily, of Perry, Biddle, Bigler, Campbell, Carey, Carter, Clark, Corbett, Corson, Cronmiller, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Lawrence, Lilly, M'Culloch, Mann, Niles, Patterson, D. W., Porter, Purviance, Sam'l A., Reed, Andrew, Rooke, Simpson, Stewart, Struthers, Temple, Walker, Wetherill, John Price, White, David N., White, Harry, and Worrell—44.

N A Y S.

Messrs. Ainey, Andrews, Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Cassidy, Church, Cochran, Craig, Curtin, Dunning, Ellis,

Fell, Finney, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Littleton, Long, MacConnell, MacVeagh, M'Clean, M'Murray, Mantor, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patton, Pughe, Purman, Purviance, John N., Reynolds, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., Wherry and Wright—69.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Bardsley, Black, J. S., Collins, Curry, Cuyler, Davis, Landis, Lear, M'Camant, Mitchell, Patterson, T. H. B., Read, John R., Ross, Smith, Wm. H., White, J. W. F., Woodward and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bartholomew, Beebe, Bigler, Black, Charles A., Cochran, Collins, Corbett, Cronmiller, De France, Dodd, Edwards, Ewing, Fulton, Funck, Gibson, Hazzard, Howard, Lamberton, Lawrence, MacVeagh, Mann, Mantor, Metzger, Minor, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Stewart, Struthers, Van Reed, Walker, Wherry, White, David N., and White, Harry—89.

N A Y S.

Messrs. Ainey, Andrews, Armstrong, Baker, Bannan, Barclay, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Cassidy, Church, Clark, Corson, Craig, Dallas, Darling-ton, Dunning, Elliott, Ellis, Fell, Finney, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Kaine, Knight, Lilly, Littleton, Long, MacConnell, M'CLean, M'Murray, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purman, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Turrell, Wetherill, J. M., Wetherill, John Price, Woodward, Worrell and Wright—74.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Bailey, of Huntingdon, Bardsley, Curry, Curtin, Cuyler, Davis, Landis, Lear, M'Camant, M'Culloch, Mitchell, Patterson, T. H. B., Read, John R., Ross, Smith, Wm. H., Temple, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. H. W. Palmer,

To amend the same, by striking out all after the word "meet," and inserting in lieu thereof as follows, viz: "At Bedford, on Tuesday, the 8th day of July next."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Beebe, Biddle, Bigler, Black, J. S., Bowman, Calvin, Campbell, Carey, Church, Cochran, Collins, Corbett, Cronmiller, Curtin, Dallas, De France, Dodd, Dunning, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Hazzard, Horton, Howard, Lamberton, Lawrence, MacConnell, MacVeagh, M'CLean, M'Culloch, M'Murray, Mann, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Porter, Purviance, John N., Pur-

viance, Sam'l A., Reed, Andrew, Rooke, Russell, Sharpe, Simpson, Stewart, Struthers, Temple, Walker, Wherry, White, David N., White, Harry, and Worrell—60.

N A Y S.

Messrs. Achenbach, Ainey, Andrews, Armstrong, Baker, Bannan, Barclay, Bartholomew, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carter, Cassidy, Clark, Corson, Craig, Cuyler, Darlington, Edwards, Ellis, Fell, Fulton, Green, Hall, Hanna, Harvey, Hay, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lilly, Littleton, Long, M'Camant, Mantor, Metzger, Newlin, Parsons, Patterson, D. W., Patton, Pughe, Purman, Reynolds, Runk, Smith, H. G., Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., Woodward and Wright—58.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bardsley, Curry, Davis, Landis, Lear, Mitchell, Patterson, T. H. B., Read, John R., Ross, Smith, Wm. H., Wetherill, John Price, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof, a proviso, as follows, viz:

“*Provided*, That all the articles reported have been passed through second reading by that time.”

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. M'Camant,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. M'Camant and Mr. Heverin, and were as follows, viz:

Y E A S.

Messrs. Bartholomew, Black, J. S., Boyd, Corson, Curtin, Gilpin, Hemphill, Heverin, M'Camant, Patterson, D. W., Smith, Henry W., and White, Harry—12.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Baker, Bannan, Barclay, Beebe, Biddle, Bigler, Black, Chares A., Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Cuyler, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Guthrie, Hall, Hanna, Harvey, Hay, Hazard, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Niles, Parsons, Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., Woodward and Worrell—100.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bailey, of Huntingdon, Bardsley, Curry, Davis, Dunning, Green, Landis, Lear, Littleton, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Read, John R., Ross, Smith, Wm. H., White, J. W. F., Wright and Meredith, *President*.

And the question recurring,
Will the Convention agree so to amend?

A motion was made by Mr. Ainey,
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. D. W. Patterson and Mr. Harry White, and were as follow, viz:

Y E A S ?

Messrs. Achenbach, Addicks, Ainey, Bailly, of Perry, Baker, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Broomall, Bullitt, Calvin, Carey, Carter, Clark Corson, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Fulton, Funk, Gilpin, Guthrie, Hay, Heverin, Hunsicker, Knight, Lambertson, Lawrence, Lilly, M'Camant, M'Culloch, Niles, Pughe, Purviance, John N., Reed, Andrew, Rooke, Simpson, Smith, Henry W., Stanton, Stewart, Temple, Wetherill, John Price, Wherry, White, Harry, and Werrell—50.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Baer, Bannan, Beebe, Black, J. S., Bowman, Boyd, Brodhead, Brown, Buckalew, Campbell, Church, Cochran, Collins, Corbett, Craig, Curtin, Cuyler, Dunning, Ellis, Ewing, Fell, Finney, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Horton, Howard, Kaine, Long, MacConnell, MacVeagh, M'Clean, M'Murray, Mann, Mantor, Metzger, Minor, Mott, Palmer, G. W., Parsons, Patterson, D. W., Patton, Purman, Purviance, Samuel A., Reynolds, Runk, Russell, Sharpe, Smith, H. G., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., White, David N., and Woodward—62.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Bardsley, Cassidy, Cronmiller, Curry, Davis, Gibson, Landis, Lear, Littleton, Mitchell, Newlin, Palmer, H. W., Patterson, T. H. B., Porter, Read, John R., Ross, Smith, Wm. H., White, J. W. F., Wright and Meredith, *President*.

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 all after the word "Resolved," and inserting in lieu thereof as follows, viz:

"That when the Convention adjourns on June 27th, it will adjourn to meet on the third Tuesday in October next."

On the question,
Will the Convention agree so to amend?

The previous question was moved by Messrs. Broomall, Cuyler, MacVeagh, Knight, Fell, Bigler, Corson, Green, Kaine, Hunsicker, Edwards, Hanna, Bowman, Ainey, Bannan, H. W. Smith, Curtin and Patton.

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:

Y E A S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Baker, Bannan, Barclay, Beebe, Biddle, Bigler, Bowman, Boyd, Brodhead, Broom

all, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Church, Collins, Corbett, Corson, Craig, Cronmiller, Curtin, Cuyler, De France, Edwards, Ewing, Finney, Funck, Gibson, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Knight, Lamberton, Littleton, Long, MacConnell, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Minor, Mott, Newlin, Parsons, Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Woodward and Worrell—84.

N A Y S .

Messrs. Baily, of Perry, Black, Charles A., Black, J. S., Buckalew, Campbell, Clark, Cochran, Dallas, Darlington, Dodd, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Guthrie, Hay, Horton, Lawrence, Lilly, Mann, Niles, Palmer, G. W., Patterson, D. W., Purviance, Samuel A., Sharpe, Struthers, Temple, Wherry, and White, Harry—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bailey, of Huntingdon, Bardsley, Bartholomew, Curry, Davis, Landis, Lear, Mitchell, Palmer, H. W., Patterson, T. H. B., Pughe, Read, John R., Ross, Smith, Wm. H., White, David N., White, J. W. F., Wright and Meredith, *President*.

And the question recurring,

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

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

Y E A S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baer, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Carter, Cassidy, Church, Corson, Craig, Curtin, Cuyler, Darlington, Dunning, Ellis, Fell, Finney, Green, Hall, Harvey, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lilly, Littleton, Long, MacConnell, MacVeagh, M'Camant, Newlin, Parsons, Patton, Purman, Reynolds, Runk, Smith, H. G., Stanton, Turrell, Van Reed, Walker Wetherill, J. M.—58.

N A Y S .

Messrs. Achenbach, Alricks, Baily, of Perry, Bigler, Black, Charles A., Campbell, Carey, Clark, Cochran, Collins, Corbett, Cronmiller, Dallas, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Hay, Hazzard, Horton, Howard, Lamberton, Lawrence, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Patterson, D. W., Porter, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Russell, Sharpe, Simpson, Smith, Henry W., Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, David N., White, Harry, and Worrell—57.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bailey, of Huntingdon, Bardsley, Curry, Davis, Landis, Lear, Metzger, Mitchell, Palmer, H. W., Patterson, T. H. B., Pughe, Read, John R., Ross, Smith, Wm. H., White, J. W. F., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the resolution as amended?

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

Y E A S .

Messrs. Addicks, Ainey, Andrews, Armstrong, Baer, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Black, Charles A., Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Carey, Carter, Cassidy,

Church, Corson, Craig, Curtin, Cuyler, Dunning, Ellis, Fell, Finney, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lilly, Littleton, Long, MacConnell, MacVeagh, M'Camant, M'Clean, Minor, Newlin, Parsons, Patton, Purman, Reynolds, Runk, Russell, Smith, H. G., Stanton, Turrell, Van Reed and Wetherill, J. M.—63.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bigler, Campbell, Clark, Cochran, Collins, Corbett, Cronmiller, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Horton, Howard, Lamberton, Lawrence, M'Culloch, M'Murray, Mann, Mantor, Mott, Niles, Palmer, G. W., Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Sharpe, Simpson, Smith, Henry W., Stewart, Struthers, Temple, Walker, Wetherill, Jno. Price, Wherry, White, David N., White, Harry, and Worrell—52.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bailey, of Huntingdon, Bardsley, Curry, Davis, Landis, Lear, Metzger, Mitchell, Palmer, H. W., Patterson, T. H. B., Pughe, Read, John R., Ross, Smith, Wm. H., White, J. W. F., Woodward, Wright and Meredith, *President*.

Mr. Buckalew offered the following resolution, viz:

Resolved, That when the Convention adjourns to-day, it will adjourn to meet on the third Tuesday of October next, at ten o'clock A. M.

On the question,

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

The yeas and nays were required by Mr. Campbell and Mr. Wherry, and were as follow, viz:

Y E A S.

Messrs. Ainey, Andrews, Armstrong, Baer, Baker, Barclay, Bartholomew, Black, J. S., Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carter, Cochran, Craig, Dallas, Dunning, Ellis, Green, Hall, Harvey, Hazzard, Hemphill, Howard, Hunsicker, Kaine, Long, M'Clean, M'Murray, Minor, Mott, Newlin, Palmer, G. W., Porter, Reynolds, Rooke, Runk, Smith, H. G., Van Reed, Wetherill, J. M., and Wherry—48.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Baily, of Perry, Bannan, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Calvin, Campbell, Carey, Cassidy, Church, Clark, Corbett, Corson, Cronmiller, Curtin, Cuyler, Darlington, De France, Dodd, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Hay, Heverin, Horton, Knight, Lamberton, Lawrence, Lilly, Littleton, MacConnell, MacVeagh, M'Camant, M'Culloch, Mann, Mantor, Niles, Parsons, Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Russell, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, Woodward and Worrell—71.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Bardsley, Collins, Curry, Davis, Landis, Lear, Metzger, Mitchell, Palmer, H. W., Patterson, T. H. B., Pughe, Read, John R., Ross, Smith, Wm. H., Stewart, White, J. W. F., Wright and Meredith, *President*.

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. Dunning and Mr. Bartholomew, and were as follow, viz :

Y E A S .

Messrs. Addicks, Armstrong, Baker, Bigler, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Clark, Corbett, Corson, Cronmiller, Curtin, Cuyler, Dodd, Ewing, Fell, Fulton, Funck, Gilpin, Green, Harvey, Hay, Hemphill, Kaine, Lamberton, Lawrence, Littleton, MacConnell, MacVeagh, M'Clean, Parsons, Patterson, D. W., Patton, Purviance, Sam'l A., Simpson, Stanton, Stewart, Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, Harry, and Worrell—52.

N A Y S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Baily, of Perry, Bannan, Bartholomew, Beebe, Biddle, Black, Charles A., Buckalew, Campbell, Church, Cochran, Dallas, Darlington, De France, Dunning, Edwards, Elliott, Ellis, Finney, Gibson, Guthrie, Hall, Hazzard, Heverin, Howard, Hunsicker, Knight, Lilly, Long, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Niles, Porter, Purman, Purviance, John N., Reed, Andrew, Reynolds, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Turrell, Van Reed, Wetherill, J. M., White, David N., and Woodward—56.

So the question was determined in the negative.

ABSENT.—Messrs. Bailey, of Huntingdon, Barclay, Bardsley, Collins, Craig, Curry, Davis, Hanna, Horton, Landis, Lear, Metzger, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Pughe, Read, John R., Rooke, Ross, Smith, Wm. H., White, J. W. F., Wright and Meredith, *President*.

On leave given,

The President *pro tem.*, laid before the Convention the following communication, viz :

POLYTECHNIC COLLEGE OF THE STATE OF PA., }
FACULTY'S OFFICE, Philadelphia, June 20, 1873. }

To the President and Members of the Constitutional Convention of Pennsylvania :

GENTS :—In behalf of the officers and students of the Polytechnic College of the State of Pennsylvania, I have the honor to invite you to attend the twentieth annual commencement of the college, to be held at the Academy of Music, on Monday evening next, twenty-third inst. Complimentary tickets, admitting to the exercises, are sent by the bearer of this invitation.

Very respectfully, your obedient servant,

ALFRED L. KENNEDY,
President of Faculty.

On motion of Mr. Stanton,

The invitation was accepted, with the thanks of the Convention.

Mr. Woodward offered the following resolution, viz :

Resolved, That as soon after the adjournment of the Convention as may be convenient, the Secretaries shall prepare and publish in at least one newspaper in each county, the several amendments that have been agreed to in committee of the whole and in convention upon second reading.

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. Buckalew,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

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, JUNE 23, 1873.

Mr. Darlington, asked and obtained leave of absence for Mr. Broomall for to-day.

Mr. M'Murray asked and obtained leave of absence for Mr. Andrews for to-day.

Mr. Lawrence asked and obtained leave of absence for Mr. Landis for a few days from to-day.

Mr. Brodhead asked and obtained leave of absence for himself for to-morrow.

Mr. Patton asked and obtained leave of absence for Mr. Horton for to-day.

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

Resolved, That the Committee on Corporations are instructed to report a provision requiring all corporations to divide their net earnings at least once in each year, and that when profits have been earned but expended, such corporations shall, at least once in each year, issue certificates of indebtedness or stock to the stockholders for the amount thereof.

Laid on the table.

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

Resolved, That the resolution passed June 20th, providing for an adjournment from June 27th to the third Tuesday of October next, be and the same is hereby rescinded.

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. Temple, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Campbell, Carey, Carter, Cochran, Corbett, Cronmiller, Dallas, Darlington, De France, Edwards, Ewing, Fulton, Gilpin, Guthrie, Hall, Hay, Howard, Hunsicker, Lawrence, Lear, Lilly, M'CLean, M'Culloch, Mann, Mantor, Minor, Niles, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Russell, Simpson, Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, and Worrell—48.

NAYS.

Messrs. Baker, Bardsley, Biddle, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Church, Curry, Elliott, Fell, Hanna, Hemphill, Kaine, Knight, MacConnell, Mott, Newlin, Palmer, G. W., Patton, Ross, Runk, Smith, H. G., Smith, Henry W., Stanton and Turrell—28.

So the question was determined in the affirmative.

ALLEGHENY COUNTY,
Law Library,
PITTSBURGH, PA.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dodd, Dunning, Ellis, Finney, Funk, Gibson, Green, Harvey, Hazzard, Heverin, Horton Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Reynolds, Rooke, Sharpe, Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., White, J. W. F., Woodward, Wright and Meredith, *President*.

Whereupon,

The resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Baer,

To amend the same, by adding to the end thereof as follows, viz :

“And hereafter this Convention will hold two sessions daily, except Sundays, from nine A. M. to one P. M., and from half-past two P. M. to seven P. M.”

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Cochran,

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. W. H. Smith and Mr. Campbell, and were as follow, viz :

Y E A S .

Messrs. Addicks, Baer, Baker, Bardsley, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Clark, Cochran, Corson, Curry, Elliott, Ellis, Fell, Finney, Hanna, Hemphill, Hunsicker, Kaine, Knight, MacConnell, M'Culloch, Mott, Newlin, Palmer, G. W., Patton, Purman, Read, John R., Ross, Runk, Smith, H. G., Smith, Henry W., Stanton and Turrell—39.

N A Y S .

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Campbell, Carey, Carter, Church, Corbett, Cronmiller, Dallas, Darlington, De France, Dodd, Edwards, Ewing, Fulton, Gilpin, Guthrie, Hall, Hay, Howard, Lawrence, Lear, Lilly, M'Clean, Mann, Mantor, Minor, Niles, Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Russell, Simpson, Struthers, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, Woodward and Worrell—46.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Craig, Curtin, Cuyler, Davis, Dunning, Funk, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Reynolds, Rooke, Sharpe, Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., White, J. W. F., Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Baer and Mr. Campbell, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Bear, Bailey, of Huntingdon, Biddle, Bowman, Boyd, Brown, Buckalew, Calvin, Campbell, Carter, Church, Corson, Cronmiller, Curry, Dallas, De France, Dodd, Edwards, Elliott, Fulton, Guthrie, Hall, Hay, Hemphill, Kaine, Lawrence, Lear, Littleton, MacConnell, M'Culloch, Mantor, Mott, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Russell, Smith, H. G., Stanton, Struthers, Turrell, Wherry, White, Harry, and Worrell—52.

N A Y S .

Messrs. Addicks, Alricks, Baily, of Perry, Baker, Bardsley, Bigler, Black, Charles A., Brodhead, Carey, Clark, Cochran, Corbett, Darlington, Ellis, Ewing, Fell, Finney, Gilpin, Hanna, Howard, Hunsicker, Knight, Lilly, M'CLean, Mann, Read, John R., Ross, Runk, Simpson, Smith, Henry W., Walker, Wetherill, John Price, White, David N., and Woodward—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Craig, Curtin, Cuyler, Davis, Dunning, Funck, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Lamberton, Landis, Long, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Rooke, Sharpe, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., White, J. W. F., Wright and Meredith, *President*.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Henry W. Smith,

To amend the same, by inserting after the word "except" the word "Saturdays."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. H. G. Smith,

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. G. Smith and Mr. Bardsley, and were as follow, viz :

Y E A S .

Messrs. Addicks, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Clark, Corson, Curry, Dodd, Elliott, Ellis, Fell, Finney, Hanna, Hemphill, Hunsicker, Kaine, Knight, Littleton, MacConnell, MacVeagh, M'Culloch, Minor, Newlin, Patton, Read, John R., Reynolds, Ross, Runk, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Wetherill, J. M., and Woodward—41.

N A Y S .

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Black, Charles A., Campbell, Carey, Carter, Church, Cochran, Corbett, Cronmiller, Dallas, Darlington, De France, Edwards, Ewing, Fulton, Gilpin, Guthrie, Hall, Hay, Howard, Lawrence, Lear, Lilly, M'CLean, Mann, Mantor, Mott, Niles, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Russell, Simpson, Temple, Walker, Wetherill, John Price, Wherry, White, David N., White, Harry, and Worrell—49.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Bannan, Barclay, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Craig, Curtin, Cuyler, Davis, Dunning, Funck, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Lamberton, Landis, Long, M'Camant, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Rooke, Sharpe, Smith, Wm. H., Stewart, White, J. W. F., Wright 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 as amended?

Mr. Harry White called for a division of the question; the first division to end with the word "rescinded," and the remainder of the resolution to constitute the second division.

On the question,

Will the Convention agree to the first division?

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

YEAS.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Campbell, Carey, Carter, Clark, Cochran, Corbett, Corson, Cronmiller, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Gilpin, Guthrie, Hall, Hay, Howard, Hunsicker, Lamberton, Lawrence, Lear, Lilly, M'CLean, Mann, Mantor, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Simpson, Struthers, Temple, Walker, Wetherill, John Price, Wherry White, David N., White, Harry, and Worrell—52.

NAYS.

Messrs. Addicks, Baer, Baker, Barclay, Biddle, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Church, Craig, Curry, Cuyler, Ellis, Fell, Finney, Harna, Hemphill, Kaine, Knight, Littleton, MacConnell, MacVeagh, M'Cullough, Minor, Mott, Newlin, Palmer, G. W., Patton, Purman, Reynolds, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., and Woodward—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Curtin, Davis, Dunning, Funck, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Landis, Long, McCamant, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Rooke, Sharpe, Smith Wm. H., Stewart, White, J. W. F., Wright and Meredith, *President*.

On the question,

Will the Convention agree to the second division?

The yeas and nays were required by Mr. Turrell and Mr. Niles, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bardsley, Biddle, Bowman, Boyd, Brown, Calvin, Campbell, Carey, Carter, Church, Corbett, Corson, Curry, Davis, De France, Dodd, Edwards, Elliott, Fell, Finney, Fulton, Hall, Hay, Hemphill, Kaine, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'CLean, M'Culloch, M'Murray, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Smith, H. G., Stanton, Struthers, Turrell, Wetherill, John Price, Wherry, White, Harry, Worrell—62.

N A Y S.

Messrs. Addicks, Alricks, Baker, Bigler, Black, Charles A., Brodhead, Buckalew, Clark, Cochran, Craig, Cuyler, Dallas, Darlington, Ellis, Ewing, Gilpin, Guthrie, Hanna, Howard, Hunsicker, Knight, Lamberton, Lilly, Mann, Read, John R., Ross, Runk, Simpson, Smith, Henry W., Van Reed, Walker, Wetherill, J. M., White, David N., and Woodward—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Bannan, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Cronmiller, Curtin, Dunning, Funck, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Landis, Long, M-Camant, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Rooke, Sharpe, Smith, Wm. H., Stewart, Temple, White, J. W. F., Wright and Meredith, *President*.

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

Resolved, That a committee of five be appointed by the President to visit Bethlehem, and examine into the accommodations which can be given this Convention at that place in the event of an adjournment from Philadelphia.

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article reported from the Committee on the Legislature.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill to the nineteenth section, to strike out all after the word "section," and insert in lieu thereof 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."

A motion was made by Mr. Bigler,

To amend the amendment, by striking out all after the word "the," in the first line, and inserting in lieu thereof as follows, viz :

[The amendment not furnished Printer.]

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hall,

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

Which was agreed to.

On motion of Mr. Ewing,

The Convention proceeded to the second reading and consideration of the article (No. 21) reported from the Committee on Private Corporations.

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. Andrew Reed,

To amend the same, by striking out all after the word "shares," in the third line.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Darlington and Mr. Hunsicker, and were as follow, viz :

YEAS.

Messrs. Addicks, Barclay, Bowman, Boyd, Craig, Cuyler, Darlington, Edwards, Ewing, Fell, Finney, Knight, Lamberton, Lawrence, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Palmer, H. W., Patterson, D. W., Porter, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Runk, Stanton, Struthers, Turrell, Walker, Wetherill, John Price, and White, David N.—34.

NAYS.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Biddle, Bigler, Black, Charles A., Brown, Buckalew, Calvin, Campbell, Carey, Carter, Cassidy, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Curry, Davis, De France, Dodd, Elliott, Ellis, Fulton, Gilpin, Guthrie, Hall, Hanna, Hay, Hemphill, Howard, Hunsicker, Kaine, Lilly, Littleton, M'CLean, Mott, Palmer, G. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Temple, Van Reed, Wherry, White, Harry, Woodward, Worrell and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Baker, Bannan, Bartholomew, Beebe, Black, J. S., Brodhead, Broomall, Bullitt, Collins, Curtin, Dallas, Dunning, Funk, Gibson, Green, Harvey, Hazzard, Heverin, Horton, Landis, Lear, Long, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Niles, Parsons, Pughe, Rooke, Sharpe, Smith, Wm. H., Stewart, Wetherill, J. M., White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Lear,

To amend the same, by striking out of the second and third lines the words, "shall have as many votes as he has shares multiplied by the number of officers to be elected and he."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Cuyler and Mr. Knight, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Bear, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Corbett, Corson, Cronmiller, Dallas, Dodd, Elliott, Fulton, Guthrie, Hall, Hay, Hemphill, Howard, Hunsicker, Kaine, Lear, Lilly, M'CLean, Mann, Mott, Palmer, G. W., Patterson, T. H. B., Patton, Purman, Read, John R., Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Temple, Van Reed, Wetherill, John Price, Wherry, White, Harry, Woodward, Worrell and Wright—53.

N A Y S.

Messrs. Addicks, Barclay, Bowman, Boyd, Carey, Craig, Cuyler, Darlington, Davis, Ellis, Ewing, Fell, Gilpin, Knight, Lamberton, Lawrence, Littleton, MacConnell, MacVeagh, M'Culloch, Mantor, Minor, Niles, Palmer, H. W., Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Runk, Stanton, Struthers, Turrell and Walker—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Baker, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Clark, Curry, Curtin, De France, Dunning, Edwards, Finney, Funck, Gibson, Green, Hanna, Harvey, Hazzard, Heverin, Horton, Landis, Long, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Parsons, Pughe, Rooke, Sharpe, Smith, Wm. H., Stewart, Wetherill, J. M., White, David N., White, J. W. F. and Meredith, *President*.

On the question,

Will the Convention agree to the fifth section ?

A motion was made by Mr. Woodward,

To amend the same, by adding to the end of the section the words, "and the majority of the directors of all corporations organized under the laws of this State shall be citizens of this State."

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 third line, by striking out the words, "city or county," and inserting in lieu thereof the word "State."

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, so as to make it read as follows, viz: "No foreign corporation shall do any business in this State, without having one or more known places of business, and an authorized agent or agents in the same, upon whom process may be served."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Corbett and Mr. Runk, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Addicks, Alricks, Bannan, Biddle, Bowman, Brodhead, Brown, Calvin, Carey, Carter, Church, Clark, Corbett, Cuyler, Dallas, Darlington, Elliott, Fell, Finney, Fulton, Hall, Hemphill, Heverin, Hunsicker, Knight, Lamberton, Lawrence, Lear, Littleton, MacVeagh, Mann, Mantor, Minor, Niles, Reed, Andrew, Runk, Stanton, Stewart, Struthers, Temple, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., White, Harry, and Worrell—47.

N A Y S.

Messrs. Baer, Baily of Perry, Bigler, Black, Charles A., Boyd, Buckalew, Campbell, Cochran, Corson, Cronmiller, Davis, De France, Edwards, Ewing, Gibson, Guthrie, Hay, Kaine, Lilly, MacConnell, M'Clean, M'Culloch, M'Murray, Mott,

Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Turrell, Walker, Woodward and Wright—41.

So the question was determined in the affirmative.

ABSENT—Messrs. Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholemew, Beebe, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Funck, Gilpin, Green, Hanna, Harvey, Hazzard, Horton, Howard, Landis, Long, M'Camant, Metzger, Mitchell, Newlin, Parsons, Patterson, D. W., Porter, Pughe, Read, John R., Rooke, Sharpe, Smith, Wm. H., Van Reed, White, J. W. F., and Meredith, *President*.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the sixth section?

Mr. Darlington called for a division of the question—the first division to end with the word “business,” in the first line,

On the question,

Will the Convention agree to the first division? viz:

“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.”

It was determined in the affirmative.

On the question,

Will the convention agree to the second division, 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.”

It was determined in the affirmative.

On the question,

Will the Convention agree to the seventh section?

A motion was made by Mr. Dallas,

To amend the first line, by making it read as follows, viz: “No general banking law shall be passed which shall not.”

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

It was determined in the affirmative.

On the question,

Will the Convention agree to the eighth section?

A motion was made by Mr. Brodhead,

To insert a new section, to be numbered eight, as follows, viz:

“All corporations except banking companies, shall divide their net earnings at least once in each year, and when such earnings shall have been invested in improvements, the stock of the corporation, or certificates of indebtedness shall be issued to stockholders for the amount thereof.”

Which was not agreed to.

And the question recurring,

Will the Convention agree to the eighth section?

A motion was made by Mr. Darlington,

To amend the same, in the first line, by striking out the words, "or pay."

Which was not agreed to.

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 first line, by inserting after the word "corporation," the words, "hereafter incorporated."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Hunsicker,

To amend the same, in the first line, by inserting after the word "other," the word "private."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Ewing,

To amend the same, by striking out all after the word "other," in the first line, and inserting in lieu thereof as follows, viz :

"Private corporation shall be authorized by any act of the Legislature to charge or receive a greater rate of interest than may be authorized by law to be charged or received by individuals."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cochran and Mr. Ewing, and were as follow, viz :

Y E A S .

Messrs. Alricks, Bailey, of Huntingdon, Bannan, Bowman, Brown, Buckalew, Calvin, Campbell, Carter, Clark, Cochran, Corbett, Corson, Darlington, De France, Edwards, Elliott, Ewing, Finney, Gibson, Heverin, Hunsicker, Kaine, M'Murray, Niles, Read, John R., Reynolds, Wetherill, J. M., White, David N., and White, Harry—30.

N A Y S .

Messrs. Baer, Baily, of Perry, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Church, Craig, Cuyler, Dallas, Dodd, Fell, Fulton, Guthrie, Hall, Hay, Howard, Knight, Lamberton, Lawrence, Lear, Lilly, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, John Price, Wherry, Woodward, Worrell and Wright—55.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Broomall, Bullitt, Carey, Cassidy, Collins, Cronmiller, Curry, Curtin, Davis, Dunning, Ellis, Funck, Gilpin, Green, Hanna, Harvey, Hazzard, Hemphill, Horton, Landis, Littleton, Long, MacVeagh, M'Camant, Metzger, Mitchell, Newlin, Parsons, Porter, Pughe, Rooke, Sharpe, Smith, Wm. H., Temple, Van Reed, 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. J. N. Purviance,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

TUESDAY, JUNE 24, 1873.

Mr. Mantor asked and obtained leave of absence for Mr. Craig for a few days from to-day, on account of sickness.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 21) reported from the Committee on Private Corporations.

And the question again recurring,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Funck,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "The legal rate of interest shall be six per cent. per annum, and banks of issue shall not be allowed to pay interest on deposits."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Ainey,

To amend the same, in the first line, by inserting after the word "no," the words, "individual or firm."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Dallas,

To amend the same, in the second line, by inserting after the word "by" the word "general."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

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

YEAS.

Messrs. Ainey, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Boyd, Brodhead, Broomall, Cochran, Cuyler, Davis, De France, Ellis, Fell, Gibson, Gilpin, Harvey, Hemphill, Kaine, Knight, Lamberton, Lear, Lilly, M'CLean, M'Culloch, M'Murray, Mann, Patton, Purman, Read, John R., Reed, Andrew, Runk, Russell, Smith, Henry W., Wherry, White, Harry, and Wright—37.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Bardsley, Black, Charles A., Bowman, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Church, Clark, Corbett, Corson, Cronmiller, Curry, Dallas, Darlington, Dodd, Dunning, Edwards, Elliott, Ewing, Finney, Fulton, Funck, Guthrie, Hall, Hanna, Horton, Howard, Hunsicker, Lawrence, Littleton, Long, MacConnell, MacVeagh, Mantor, Metzger, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purviance, John N., Purviance, Samuel A., Simpson, Smith, H. G., Stanton, Stewart, Struthers, Temple, Turrell, Walker, Wetherill, John Price, White, David N., Woodward and Worrell—67.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Barclay, Bartholomew, Beebe, Bigler, Black, J. S., Cassidy, Collins, Craig, Curtin, Green, Hay, Hazzard, Heverin, Landis, M'Camant, Minor, Mitchell, Newlin, Reynolds, Rooke, Ross, Sharpe, Smith, Wm. H., Van Reed, Wetherill, J. M., 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. Hunsicker and Mr. Dallas, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Baily, of Perry, Bannan, Biddle, Brodhead, Broomall, Bullitt, Campbell, Curry, Cuyler, Dallas, Davis, De France, Dodd, Fell, Finney, Gibson, Gilpin, Guthrie, Harvey, Hay, Hemphill, Horton, Howard, Knight, Lear, Lilly, Long, MacConnell, M'CLean, M'Culloch, M'Murray, Mann, Mott, Patton, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Walker, Wetherill, Jno. Price, and Wright—48.

NAYS.

Messrs. Armstrong, Bailey, of Huntingdon, Bardsley, Bigler, Black, Charles A., Bowman, Boyd, Brown, Buckalew, Calvin, Carey, Carter, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Darlington, Edwards, Elliott, Ellis, Ewing, Fulton, Funck, Hall, Hanna, Hunsicker, Kaine, Lamberton, Lawrence, Littleton, MacVeagh, Mantor, Metzger, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Stewart, Turrell, Wherry, White, David N., White, Harry, Woodward and Worrell—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Barclay, Bartholomew, Beebe, Black, J. S., Cassidy, Collins, Craig, Curtin, Dunning, Green, Hazzard, Heverin, Landis, M'Camant, Mitchell, Minor, Newlin, Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Van Reed, Wetherill, J. M. White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the ninth and last section?

It was determined in the negative.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Woodward,

To amend the same, by adding a new section, viz :

"It shall be the duty of the Legislature to provide by general enactment that any five or more persons, citizens of this Commonwealth, associated for the prosecution of any lawful business, may, by subscribing to articles of association and complying with all requirements of law, form themselves into an incorporated company, with or without limited liability, as may be expressed in the articles of association, and such publicity shall be provided for as shall enable all who trade with such corporations as adopt the limited liability, to know that no liability exists beyond that of the joint capital which may have been subscribed."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Ainey,

To amend the same, by striking out the words, "five or more," in the second line, and inserting in lieu thereof the word "number," and by inserting after the word "persons," in the second line, the words, "a majority of whom are."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

A motion was made by Mr. Stewart,

To amend the same, by striking out the first line, and by striking out the word "five," in the second line, and inserting the word "two," and by inserting after the word "been," in the last line, the words, "invested or."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Dallas,

To amend the same, by inserting after the word "know," in the seventh line, the words, "the amount of capital subscribed and," and by striking out all after the word "that," in the same line, and inserting in lieu thereof the word "amount."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cuyler,

To amend the same. in the third and fourth lines, by striking out the words, "of association and complying with all requirements of law," and inserting in lieu thereof the words, "expressing the conditions and purposes of their association."

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. Armstrong,

To amend the same so as to make it read as follows, viz :

"The Legislature shall provide by general law that any five or more persons, a majority of whom shall be citizens of this Commonwealth, may form themselves into an incorporated company, with or without limited liability, as may be authorized by law and expressed in the articles of association, and such publicity shall be required as shall enable all who trade with such corporations, as adopt the limited liability, to know that no liability exists beyond that of the joint capital which may have been subscribed."

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. J. P. Wetherill and Mr. Carey, and were as follow, viz:

Y E A S.

Messrs. Armstrong, Baer, Baily, of Perry, Barclay, Biddle, Bigler, Bowman, Boyd, Brodhead, Broomall, Bullitt, Calvin, Carey, Carter, Cochran, Corbett, Corson, Cronmiller, Curry, Curtin, Darlington, Dunning, Edwards, Ellis, Ewing, Fell, Finney, Fulton, Guthrie, Hemphill, Horton, Howard, Hunsicker, Knight, Lear, Lilly, MacVeagh, M'CLean, M'Culloch, Mann, Mantor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Read, John R., Reed, Andrew, Runk, Russell, Smith, Henry W., Stanton, Stewart, Struthers, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., White, Harry, Woodward and Wright—66.

N A Y S.

Messrs. Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Black, Charles A., Brown, Buckalew, Church, Clark, Davis, De France, Dodd, Elliott, Funck, Gibson, Gilpin, Hall, Harvey, Hay, Kaine, Lamberton, Lawrence, Long, MacConnell, M'Murray, Metzger, Minor, Mott, Niles, Parsons, Patton, Purman, Purviance, John N., Smith, H. G., and Worrell—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Campbell, Cassidy, Collins, Craig, Cuyler, Dallas, Green, Hanna, Hazzard, Heverin, Landis, Littlelor, M'Camant, Mitchell, Purviance, Samuel A., Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Van Reed, White, J. W. F., and Meredith, *President*.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Funck,

To add a new section, to be numbered nine, as follows, viz:

“The Legislature shall take immediate steps to annul all charters heretofore granted to individuals and corporate bodies with banking and discounting privileges, (other than banks of issue;) but this power shall be so exercised as to do no injury to corporators; and hereafter the Legislature shall confer such privileges only upon banks of issue.”

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Harry White,

To add a new section, to be numbered nine, as follows, viz:

“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.”

Which was agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Woodward,

To add a new section, to be numbered ten, as follows, viz: “No suspension of specie payments shall be permitted or sanctioned by law.”

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Woodward and Mr. Temple, and were as follow, viz :

Y E A S .

Messrs. Baer, Bannan, Church, De France, Ellis, Gilpin, Guthrie, Harvey, Hemphill, Kaine, Long, M'CLean, M'Murray, Metzger, Smith, Henry W., Wherry, Woodward, Worrell and Wright—19.

N A Y S .

Messrs. Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Cochran, Corbett, Corson, Cronmiller, Curry, Curtin, Darlington, Davis, Dodd, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Funck, Gibson, Hall, Horton, Howard, Hunsicker, Knight, Lamberton, Lawrence, Lear, Lilly, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Russell, Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, John Price, White, David N., and White, Harry—77.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Boyd, Cassidy, Collins, Craig, Cuyler, Dallas, Dunning, Green, Hanna, Hay, Hazzard, Heverin, Landis, Littleton, M'Camant, Mitchell, Pughe, Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Temple, Van Reed, Wetherill, J. M., White, J. W. F., and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

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

To add a new section, to be numbered ten, as follows, viz : " 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."

Which was agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Woodward,

To add a new section, to be numbered eleven, as follows, viz : " 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."

Which was agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Mott,

To add a new section, to be numbered twelve, as follows, viz : " 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 at any one time, exclusive of lands held for right of way for railroad purposes by due appropriation of law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Mott and Mr. Corson, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Bailey, of Huntingdon, Bigler, Black, Charles A., Buckalew, Campbell, Cochran, Dodd, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Howard, Kaine, Long, M'Culloch, M'Murray, Metzger, Mott, Palmer, G. W., Patterson, D. W., Porter, Purman, Russell, Simpson, Smith, H. G., Smith, Henry W., Stewart, Temple and Turrell—33.

N A Y S .

Messrs. Ainey, Baer, Bally, of Perry, Bannan, Barclay, Biddle, Bowman, Boyd, Brodhead, Broomall, Brown, Bullitt, Carey, Carter, Church, Corbett, Cronmiller, Curry, Curtin, Darlington, Davis, De France, Edwards, Elliott, Ellis, Fell, Fulton, Hall, Harvey, Hay, Hemphill, Horton, Hunsicker, Lamberton, Lawrence, Lilly, MacConnell, MacVeagh, Mann, Mantor, Minor, Niles, Parsons, Patterson, T. H. B., Patton, Pughe, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Woodward and Worrell—61.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Calvin, Cassidy, Clark, Collins, Corson, Craig, Cuyler, Dallas, Dunning, Green, Hanna, Hazzard, Heverin, Knight, Landis, Lear, Littleton, M'Camant, M'Clean, Mitchell, Newlin, Palmer, H. W., Reynolds, Rooke, Ross, Sharpe, Smith, Wm. H., Van Reed, White, David N., White, J. W. F., Wright and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Biddle.

That the Convention take a recess until half-past three o'clock P. M.

Which was agreed to.

Whereupon,

The President *pro tem.* announced a recess until this afternoon at half-past three o'clock.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 21) reported from the Committee on Private Corporations.

And the question again recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Hall and Lilly,

To re-consider the vote by which the sixth section was adopted.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Church, Clark, Corson, Curry, Curtin, Darlington, Elliott, Ewing, Fulton, Gib-

son, Gilpin, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Kaine, Knight, Lamberton, Lilly, M'CLean, Mantor, Palmer, G. W., Palmer, H. W., Pughe, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Temple, Turrell, Walker, Wherry, White, David N., Woodward and Worrell—59.

N A Y S.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Campbell, Carter, Cochran, Cronmiller, Dallas, De France, Edwards, Ellis, Funck, Guthrie, Horton, Howard, Lawrence, Long, MacConnell, M'Murray, Mann, Metzger, Mott, Niles, Patterson, D., W., Patterson, T. H. B., Purviance, John N., Van Reed, Wetherill, J. M., and Wright—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Bullitt, Calvin, Carey, Cassidy, Collins, Corbett, Craig, Cuyler, Davis, Dodd, Dunning, Fell, Finney, Green, Heverin, Landis, Lear, Littleton, MacVeagh, M'Camant, M'Culloch, Minor, Mitchell, Newlin, Parsons, Patton, Porter, Read, John R., Rooke, Ross, Sharpe, Smith, Wm. H., 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. Hall,

To amend the same, in the seventh line, by striking out the word "shall," and inserting after the word "appeal," in the same line, the words, "shall on the demand of either party."

Which was 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 fifth line, by inserting after the word "damages," the words, "against a corporation."

Which was 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 sixth line, by striking out the words, "the final determination of."

Which was agreed to.

The section as amended was then agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Boyd and Mr. H. W. Palmer,

To re-consider the vote by which section three was adopted.

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Boyd,

To amend the same, by inserting after the word "companies," in the fourth line, the words, "not in actual use."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

It was determined in the affirmative.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Wherry and Mr. Church,

To re-consider the vote by which the fourth section was adopted.

Which was not agreed to.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Wright,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Wherry,

That the Convention proceed to the second reading and consideration of the article (No. 8) reported from the Committee on Education.

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. Alricks,

To amend the same, in the first line, by striking out the words, "appropriate at least one million dollars," and inserting in lieu thereof the words, "make sufficient appropriation."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

The yeas and nays were required by Mr. Ewing and Mr. Niles, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Bear, Baily, of Perry, Bannan, Barclay, Biddle, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Calvin, Carter, Cassidy, Church, Clark, Cochran, Curry, Curtin, Cuyler, Dallas, Davis, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hazzard, Horton, Hunsicker, Knight, Lamberton, Lawrence, Lilly, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Minor, Newlin, Niles, Parsons, Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, Worrell and Wright—81.

N A Y S .

Messrs. Ainey, Bailey, of Huntingdon, Black, J. S., Bowman, Buckalew, Bullitt, Campbell, Corbett, Corson, Cronmiller, Darlington, De France, Ewing, Gibson, Hanna, Harvey, Hay, Kaine, Mott, Palmer, H. W., Patterson, T. H. B., Reed, Andrew, Wetherill, John Price and Woodward—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Bartholomew, Beebe, Bigler, Carey, Collins, Craig, Green, Hemphill, Heverin, Howard, Landis, Lear, Littleton, MacVeagh, M'Camant, Mitchell, Palmer, G. W., Rooke, Ross, Sharpe, Smith, Wm. H., White, David N., White, Harry, White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the third section ?

A motion was made by Mr. Corson,

To amend the same, in the first line, by striking out the words, "in any way whatever."

Which was agreed to.

The section as amended, fourth, fifth and last sections were agreed to.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Hay,

To add a new section, to be numbered six, as follows, viz: "No board of school directors shall have power to issue bonds of any township, ward or school district."

Which was not agreed to.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Darlington,

To add a new section, to be numbered six, as follows, viz: "The arts and sciences may be encouraged and promoted in colleges and other institutions of learning, under the exclusive control of the State."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Darlington,

To add a new section, to be numbered six, as follows, viz: "The Legislature may establish industrial schools and require the attendance of vagrant, neglected and abandoned children."

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Wherry,

To amend the same, by striking out all after the word "the," in the first line, and inserting in lieu thereof the words, "Legislature shall establish industrial schools for the education and training of delinquent and neglected children."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion ?

A motion was made by Mr. Knight,

To amend the same, in the first line, by striking out the word "may," and inserting in lieu thereof the word "shall."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Gibson,

To amend the same, by striking out all after the word "schools," and inserting in lieu thereof as follows, viz: "For the children of the Commonwealth, and shall provide by law for the selection of proper skilled mechanics, and the establishment of proper places and buildings at the public cost, in which said children may be instructed in the arts and mystery of useful trades."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. C. A. Black,

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 25, 1873.

Mr. Darlington asked and obtained leave of absence for Mr. D. N. White for a few days from to-day.

Mr. Wherry asked and obtained leave of absence for himself for a few days from to-morrow.

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

Resolved, That a committee of five be appointed by the President to inquire what facilities are offered by different places for the sitting of this Convention during the summer months, and report at their earliest convenience.

On the question,

Will the Convention agree to the resolution?

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

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

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Knight,

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. Boyd and Mr. Edwards, and were as follow, viz:

YEAS.

Messrs. Achenbach, Andrews, Baily, of Perry, Bannan, Bardsley, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Bullitt, Calvin, Carter, Darlington, Edwards, Fulton, Guthrie, Hall, Hay, Hemphill, Kaine, Knight, Lawrence, Lilly, Littleton, M'Camant, M'Culloch, Mann, Mantor, Mott, Palmer, G. W., Palmer, H. W., Patton, Porter, Pughe, Purman, Purviance, Sam'l A., Rooke, Smith, Henry W., Stanton, Turrell, Wetherill, John Price, Wherry and Wright—44.

NAYS.

Messrs. Ainey, Alricks, Baer, Bailey, of Huntingdon, Beebe, Black, J. S., Bowman, Brodhead, Brown, Church, Cochran, Corbett, Cronmiller, Curry, Curtin, Davis, Dunning, Elliott, Ellis, Ewing, Funck, Gibson, Gilpin, Green, Hazzard, Horton, Hunsicker, Lamberton, Long, MacConnell, M'Clean, M'Murray, Minor, Niles, Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Runk, Russell, Struthers, Van Reed, Walker, Wetherill, J. M., White, J. W. F., and Woodward—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Armstrong, Baker, Barclay, Bartholomew, Buckalew, Campbell, Carey, Cassidy, Clark, Collins, Corson, Craig, Cuyler, Dallas, De France, Dodd, Fell, Finney, Hanna, Harvey, Heverin, Howard, Landis, Lear, MacVeagh, Metzger, Mitchell, Newlin, Patterson, D. W., Read, John R., Reynolds, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, White, David N., White, Harry, Worrell and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. John Price Wetherill and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Beebe, Black, J. S., Bowman, Brodhead, Brown, Buckalew, Calvin, Cochran, Corbett, Cronmiller, Curtin, Davis, De France, Dunning, Ellis, Ewing, Funck, Gibson, Green, Hazzard, Hunsicker, Lamberton, Long, MacConnell, M'Clean, M'Culloch, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Runk, Russell, Smith, Henry W., Struthers, Temple, Van Reed, Walker, Wetherill, J. M., Wherry, White, J. W. F., and Woodward—50.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Bardsley, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Bullitt, Campbell, Carey, Carter, Church, Clark, Curry, Dallas, Darlington, Edwards, Fulton, Gilpin, Guthrie, Hall, Hay, Hemphill, Horton, Kaine, Knight, Lawrence, Lilly, Littleton, M'Camant, M'Murray, Mann, Mantor, Mott, Patton, Porter, Pughe, Purman, Stanton, Turrell, Wetherill, John Price, and Wright—47.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baker, Barclay, Bartholomew, Cassidy, Collins, Corson, Craig, Cuyler, Dodd, Elliott, Fell, Finney, Hanna, Harvey, Heverin, Howard, Landis, Lear, MacVeagh, Metzger, Mitchell, Newlin, Patterson, D. W., Read, John R., Reynolds, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, White, David N., White, Harry, Worrell and Meredith, *President*.

Ordered, That Messrs. Brodhead, H. W. Palmer, M'Clean, Russell and Howard be said committee.

On leave given.

Mr. H. W. Palmer presented the following telegram, which was read, viz :

WILKESBARRE, PA., June 24, 1873.

To H. W. PALMER,

Constitutional Convention, Philadelphia :

The city of Wilkesbarre invites the Convention to hold its sessions here. Every provision will be made for the convenience and comfort of its members in and out of session.

H. M. HOYT,
G. M. HARDING,
STANLEY WOODWARD,
CHAS. PARRISH,
W. LEE, Jr.

A motion was made by Mr. Ewing,

- That the same be referred to the aforesaid committee.

Which was agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 8) reported from the Committee on Education.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Gibson, to the section offered by Mr. Darlington, to strike out all after the word "schools," and insert in lieu thereof as follows, viz: "For the children of the Commonwealth, and shall provide by law for the selection of proper skilled mechanics and the establishment of proper places and buildings, at the public cost, in which said children may be instructed in the arts and mysteries of useful trades."

It was not agreed to.

And the question again recurring,

Will the Convention agree to the section offered by Mr. Darlington, viz: "The Legislature shall establish industrial schools, and require the attendance of vagrant, neglected and abandoned children."

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

To re-consider the vote by which the word "may" was stricken out and the word "shall" was inserted in lieu thereof.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Baer and Mr. Campbell, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bardsley, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Cochran, Corbett, Cronmiller, Dallas, De France, Dunning, Ellis, Ewing, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Hay, Heverin, Kaine, Lawrence, Lilly, M'Camant, M'Clean, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Smith, H. G., Smith, Henry W., Struthers, Turrell, Walker, White, J. W. F., and Worrell—63.

N A Y S.

Messrs. Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Black, J. S., Bowman, Church, Corson, Curtin, Cuyler, Darlington, Davis, Edwards, Elliott,

Fell, Finney, Funck, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Littleton, Long, MacConnell, M'Murray, Mann, Runk, Russell, Stanton, Wetherill, J. M., Wetherill, John Price, Wherry and Wright—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Bartholomew, Brown, Cassidy, Collins, Craig, Curry, Dodd, Fulton, Harvey, Hazzard, Landis, Lear, MacVeagh, M'Culloch, Mantor, Metzger, Mitchell, Newlin, Porter, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, White, David N., White, Harry, Woodward, and Meredith, *President*.

And the question 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. J. M. Wetherill,

To amend the same, by striking out all after the word "may," in the first line, and inserting in lieu thereof as follows, viz: "Provide for the establishment and support of schools for free instruction in agriculture, mining and the mechanic arts and sciences."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Broomall,

That the article be re-committed to the Committee on Education, with instructions to report the same back forthwith, amended by striking out all the sections but the first and fourth.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Wherry and Mr. Russell, and were as follow, viz:

Y E A S .

Messrs. Alricks, Andrews, Baer, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carey, Cassidy, Clark, Corbett, Corson, Cronmiller, Curry, DeFrance, Dodd, Dunning, Ellis, Ewing, Funck, Gibson, Gilpin, Green, Guthrie, Hay, Hazzard, Heverin, Horton, Hunsicker, Kaine, Lamberton, Lawrence, Lilly, M'Camant, M'Clean, M'Culloch, Mott, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Smith, H. G., Walker, Wetherill, Jno. Price, White, J. W. F., and Wright—58.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Beebe, Bowman, Calvin, Carter, Church, Cochran, Curtin, Dallas, Darlington, Davis, Edwards, Elliott, Fell, Finney, Hall, Hanna, Littleton, Long, MacConnell, M'Murray, Mann, Mantor, Minor, Palmer, H. W., Parsons, Patterson, D. W., Read, John R., Reynolds, Runk, Russell, Smith, Henry W., Turrell, Wetherill, J. M., Wherry and Worrell—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bartholomew, Brown, Collins, Craig, Cuyler, Fulton, Harvey, Hemphill, Howard, Knight, Landis, Lear, MacVeagh, Metzger, Mitchell, Newlin, Porter, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Van Reed, White, David N., White, Harry, Woodward and Meredith, *President*.

Mr. Darlington, from the Committee on Education, made a report, which was read as follows, viz:

That in obedience to the instructions of the Convention, the Committee on Education report back to the Convention the following sections, viz:

"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.

"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."

On the question,

Will the Convention agree to the report of the committee?

It was determined in the affirmative.

On motion of Mr. Darlington,

The Convention resumed the second reading and consideration of the article (No. 8) reported from the Committee on Education.

On the question,

Will the Convention agree to the first section?

A motion was made by Mr. Mann,

To amend the same, by adding to the end of the section the words, "and the Legislature shall appropriate at least one million dollars each year for this purpose."

On the question,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Alricks, Andrews, Armstrong, Baily, of Perry, Bannan, Bardsley, Beebe, Brown, Carey, Carter, Cassidy, Church, Clark, Cochran, Curry, Curtin, Davis, Dodd, Dunning, Edwards, Elliott, Fell, Finney, Funck, Hall, Hazzard, Heverin, Horton, Hunsicker, Lamberton, Lilly, Littleton, Long, M'Culloch, M'Murray, Mann, Mantor, Niles, Parsons, Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Russell, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Wherry, Worrell and Wright—55.

N A Y S .

Messrs. Achenbach, Baer, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Buckalew, Bullitt, Campbell, Calvin, Corbett, Corson, Cronmiller, Dallas, Darlington, De France, Ewing, Gibson, Green, Guthrie, Hanna, Hay, Howard, Kaine, Lawrence, MacConnell, M'Camant, M'Clean, Mott, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Read, John R., Reed, Andrew, Runk, Walker, Wetherill, J. M., Wetherill, Jno. Price, and White, J. W. F.—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bartholomew, Brodhead, Collins, Craig, Cuyler, Ellis, Fulton, Gilpin, Harvey, Hemphill, Knight, Landis, Lear, MacVeagh, Metzger, Minor, Mitchell, Newlin, Palmer, G. W., Porter, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, White, David N., White, Harry, Woodward and Meredith, *President*.

The section as amended was not agreed to.

On the question,

Will the Convention agree to the second section?

A motion was made by Mr. Wherry.

To amend the article by inserting a new section, to be numbered two, as follows, viz:

"The Legislature shall establish industrial schools and require the attendance therein of vagrant, neglected and abandoned children."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Andrews, Bailey, of Huntingdon, Beebe, Bowman, Carter, Church, Cochran, Corson, Curry, Darlington, Davis, Elliott, Fell, Finney, Funck, Hazzard, Hunsicker, Lamberton, Long, M'Culloch, M'Murray, Mantor, Minor, Palmer, H. W., Parsons, Reynolds, Russell, Stanton, Van Reed, Wetherill, John Price, and Wherry—31.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bally, of Perry, Bannan, Bardsley, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Clark, Corbett, Cronmiller, Dallas, De France, Edwards, Ewing, Gibson, Green, Guthrie, Hall, Hanna, Hay, Hemphill, Horton, Howard, Kaine, Lawrence, Lilly, MacConnell, M'Camant, M'Clean, Mann, Mott, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W., Struthers, Turrell, Walker, Wetherill, J. M., White, J. W. F., and Worrell—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bartholomew, Brodhead, Cassidy, Collins, Craig, Curtin, Cuyler, Dodd, Dunning, Ellis, Fulton, Gilpin, Harvey, Heverin, Knight, Landis, Lear, Littleton, MacVeagh, Metzger, Mitchell, Newlin, Palmer, G. W., Porter, Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, White, David N., White, Harry, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the second section?

A motion was made by Mr. Darlington,

To insert a new section, to be numbered two, as follows, viz:

"The Legislature may by law require that every child of sufficient mental and physical ability shall attend the public schools, unless educated by other means."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington and Mr. Stanton, and were as follow, viz:

Y E A S.

Messrs. Andrews, Baily, of Perry, Beebe, Cassidy, Church, Curry, Curtin, Cuyler, Darlington, Davis, Edwards, Elliott, Fell, Finney, Hazzard, Littleton, M'Murray, Mantor, Palmer, H. W., Patterson, T. H. B., Pughe, Reynolds, Runk, Russell, Stanton, Turrell, Van Reed, Wetherill, John Price, and Wright—29.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bannan, Bardsley, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Brown, Buckalew,

Bullitt, Calvin, Campbell, Carter, Cochran, Corbett, Corson, Cronmiller, Dallas, Dodd, Dunning, Ellis, Ewing, Funck, Gibson, Green, Guthrie, Hall, Hanna, Hay, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Lawrence, Lilly, Long, MacConnell, McCamant, M'CLean, Mann, Minor, Mott, Niles, Parsons, Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W., Struthers, Temple, Walker, Wetherill, J. M., White, J. W. F., and Worrell—69.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Brodhead, Carey, Clark, Collins, Craig, De France, Fulton, Gilpin, Harvey, Knight, Landis, Lear, MacVeagh, M'Culloch, Metzger, Mitchell, Newlin, Palmer, G. W., Porter, Ross, Sharpe, Simpson, Smith Wm. H., Stewart, Wherry White, David N., White, Harry, Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the second section?

A motion was made by Mr. H. W. Palmer,

To insert a new section, to be numbered two, as follows, viz:

"No money raised for the support of the public schools of the Commonwealth, shall be appropriated to or used for the support of any sectarian schools."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. H. W. Palmer and Mr. Worrell, and were as follows, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Bardsley, Bigler, Black, Chares A., Black, J. S., Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Church, Cochran, Corbett, Cronmiller, Curry, Cuyler, Dallas, Darlington, Davis, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Finney, Fulton, Guthrie, Hall, Hanna, Hay, Hazard, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Lawrence, Lilly, Long, MacConnell, M'Camant, M'CLean, M'Culloch, M'Murray, Mantor, Minor, Mott, Niles, Palmer, H. W. Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Stanton, Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Worrell and Wright—85.

N A Y S.

Messrs. Baer, Bailly, of Perry, Biddle, Broomall, Bullitt, Corson, Funck, Mann, Smith, H. G., and Smith, Henry W.—10.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bartholomew, Beebe, Carey, Clark, Collins, Craig, Curtin, Ewing, Gibson, Gilpin, Green, Harvey, Knight, Landis, Lear, Littleton, MacVeagh, Metzger, Mitchell, Newlin, Palmer, G. W., Patton, Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Wherry, White, David N., White, Harry, Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the third section?

The hour of one having arrived, the President *pro tem.* announced a recess until half-past three o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 8) reported from the Committee on Education.

And the question recurring,

Will the Convention agree to the third 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. Cochran,

To add a new section to be numbered four, as follows, viz : " There shall be no distinction made in regard to sex in the compensation of teachers in the public schools."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Cochran and Mr. Russell, and were as follow, viz :

Y E A S .

Messrs. Ainey, Andrews, Black, Charles A., Boyd, Broomall, Campbell, Cochran, Corson, Darlington, De France, Fell, Fulton, Gibson, Guthrie, Horton, Knight, MacConnell, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Sam'l A., Russell, Smith, Henry W., Temple, Turrell, Wetherill, J. M., and Wright—30.

N A Y S .

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Beebe, Biddle, Bigler, Bowman, Buckalew, Church, Cronmiller, Dallas, Dodd, Elliott, Ewing, Gilpin, Hall, Hanna, Harvey, Hay, Hemphill, Hunsicker, Kaine, Lamberton, Lilly, M'Camant, M'Clean, M'Culloch, Mann, Mantor, Minor, Niles, Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Runk, Smith, H. G., Struthers, Walker, Wetherill, John Price, Wherry and Worrell—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bardsley, Bartholomew, Black, J. S., Brodhead, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Clark, Collins, Corbett, Craig, Curry, Curtin, Cuyler, Davis, Dunning, Edwards, Ellis, Finney, Funck, Green, Hazzard, Heverin, Howard, Landis, Lawrence, Lear, Littleton, Long, MacVeagh, Metzger, Mitchell, Newlin, Pughe, Read, John R., Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Van Reed, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

And the question recurring,

Shall the article be transcribed for a third reading ?

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

To add a new section, to be numbered four, as follows, viz :

" The Legislature shall provide for the establishment and support of schools for free instruction in agriculture, mining and the mechanic arts and sciences."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Andrews, Corson, Fell, Gibson, Knight, M'Camant, M'Murray, Parsons, Van Reed, Wetherill, J. M., and Wright—11.

N A Y S.

Messrs. Ainey, Alricks, Armstrong, Bear, Bally, of Perry, Bailey, of Huntington, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Cronmiller, Darlington, Dallas, De France, Dodd, Elliott, Ewing, Fulton, Funck, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hemphill, Horton, Hunsicker, Kaine, Lambertson, Lawrence, Lilly, MacConnell, M'CLean, M'Culloch, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Runk, Russell, Smith, H. G., Smith, Henry W., Struthers, Temple, Turrell, Walker, Wherry, White, Harry, White, J. W. F., and Worrell.—74.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Brown, Bullitt, Carey, Cassidy, Clark, Collins, Corbett, Craig, Curry, Curtin, Cuyler, Davis, Dunning, Edwards, Ellis, Finney, Hanna, Hazzard, Heverin, Howard, Landis, Lear, Littleton, Long, MacVeagh, Metzger, Mitchell, Newlin, Pughe, Read, John R., Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Wetherill, John Price, White, David N., Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. C. A. Black,

To add a new section, to be numbered four, as follows, viz: "No teacher, State, county, township or district school officer shall be interested in the sale, proceeds or profits of any book, apparatus or furniture used or to be used in any school in this State, with which such teacher or officer may be connected, under penalties to be prescribed by the Legislature."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Russell,

To add a new section, to be numbered four, as follows, viz: "The arts and sciences shall be promoted in one or more seminaries of learning."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Mann,

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 the article (No. 20) reported from the Committee on Oaths and Oaths of Office.

Which was agreed to.

On the question,

Will the Convention agree to the first and only section ?

A motion was made by Mr. Kaine,

To amend the same, by striking out all after the word "fidelity," in the sixth line, and inserting in lieu thereof as follows, viz: "That I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money

or other valuable thing to procure my nomination, election or appointment, except for actual and proper expenses expressly authorized by law; nor have I knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; 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."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Harry White,

To amend the amendment, by striking out the words, "members of the General Assembly and," in the first line.

Which was agreed to.

On the question,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Ewing,

To amend the same, by making it read as follows, viz: "And I do furthermore swear that I believe myself to be lawfully elected to this office without any false return, bribery, corruption or fraud committed by me or others with my consent."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment as amended?

The yeas and nays were required by Mr. Mann and Mr. Bailly, of Perry, and were as follow, viz:

Y E A S.

Messrs. Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Beebe, Bigler, Black, Charles A., Black, J. S., Boyd, Brown, Buckalew, Calvin, Carter, Clark, Corbett, Cronmiller, Cuyler, Dallas, De France, Dodd, Dunning, Elliott, Ellis, Fulton, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Hunsicker, Kalne, Lawrence, Long, MacConnell, M'Camant, M'Murray, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Russell, Smith, H. G., Struthers, Temple, Turrell, Wherry, White, Harry, White, J. W. F., Worrell and Wright—66.

N A Y S.

Messrs. Achenbach, Ainey, Barclay, Biddle, Bowman, Broomall, Campbell, Church, Corson, Curtin, Davis, Edwards, Ewing, Fell, Green, Hall, Knight, Lilly, M'Clean, M'Culloch, Mann, Mantor, Minor, Patterson, D. W., Porter, Pughe, Reynolds, Smith, Henry W., Walker, Wetherill, J. M., and Wetherill, John Price—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Bartholomew, Brodhead, Bullitt, Carey, Cassidy, Cochran, Collins, Craig, Curry, Darlington, Finney, Hanna,

Howard, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Newlin, Parsons, Rooke, Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Van Reed, White, David N., Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Hunsicker and Mr. Knight, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Beebe, Bigler, Black, Charles A., Brown, Buckalew, Corbett, Cuyler, Dallas, Elliott, Fulton, Hall, Hay, Hazzard, Horton, Kaine, Lawrence, MacConnell, M'Culloch, M'Murray, Mitchell, Palmer, G. W., Palmer, H. W., Patton, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Russell, Smith, H. G., Turrell, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., and Worrell—39.

N A Y S .

Messrs. Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Black, J. S., Bowman, Boyd, Broomall, Calvin, Campbell, Church, Clark, Cochran, Corson, Cronmiller, Curtin, Davis, De France, Dodd, Edwards, Ellis, Ewing, Fell, Gibson, Gilpin, Green, Guthrie, Harvey, Hemphill, Heverin, Hunsicker, Knight, Lilly, Long, M'Camant, M'Clean, Mann, Mantor, Minor, Niles, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purviance, John N., Reynolds, Rooke, Smith, Henry W., Struthers, Walker and Wetherill, J. M.—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Alney, Baker, Bardsley, Bartholomew, Brodhead, Bullitt, Carey, Carter, Cassidy, Collins, Craig, Curry, Darlington, Dunning, Finney, Funck, Hanna, Howard, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Mott, Newlin, Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, White, David N., Woodward, Wright and Meredith, *President*.

On motion of Mr. Broomall,

The Convention proceeded to the second reading and consideration of the article reported from the Committee on Revenue, Taxation and Finance.

On the question,

Will the Convention agree to the first section ?

A motion was made by Mr. Campbell,

To amend the same, in the fifth and sixth lines, by striking out the words, "actual places of religious worship."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Campbell and Mr. Fell, and were as follow, viz :

Y E A S .

Messrs. Boyd, Campbell, Ewing, Fell, Gilpin, Guthrie, Hemphill, Knight, MacConnell, M'Culloch, M'Murray, Patterson, T. H. B., Reynolds, and Smith, H. G.—14.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Broomall, Brown, Buckalew, Calvin, Carey, Carter, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Curtin, Dallas, Davis, De

France, Dodd, Edwards, Elliott, Ellis, Fulton, Funck, Gibson, Green, Hall, Harvey, Hay, Hazzard, Heverin, Horton, Hunsicker, Kaine, Lawrence, Lilly, Long, M'Camant, M'CLean, Mann, Mantor, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Russell, Smith, Henry W., Struthers, Turrell, Walker, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., Worrell and Wright—81.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bardsley, Bartholomew, Brodhead, Bullitt, Cassidy, Collins, Craig, Curry, Cuyler, Darlington, Dunning, Finney, Hanna, Howard, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Mott, Newlin, Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., Woodward and Meredith, *President*.

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 sixth line, by inserting after the word "worship," the words, "also parsonages owned by any church or religious society, with the lands attached, not exceeding five acres."

Which was not agreed to.

The section was then agreed to.

On the question,
Will the Convention agree to the second section?

A motion was made by Mr. Broomall,

To amend the same, in the first line, by striking out the words, "or hereafter to be passed."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended?

A motion was made by Mr. Hay,

To amend the same, by adding to the end of the section the words: "And the value of all property exempted from taxation in each county shall, from time to time, be ascertained and published, as may be provided by 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. Armstrong,

To amend the same, in the first line, by striking out the words, "heretofore passed."

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. Ewing,

To amend the same, in the third line, by inserting after the word "cities," the word "and," and by striking out the words, "and townships," and inserting in lieu thereof the words, "either separately or where contiguous jointly."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Cuyler,

To amend the same, in the first line, by striking out the word "may," and inserting in lieu thereof the word "shall."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cuyler and Mr. Wherry, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baer, Bailey, of Huntingdon, Boyd, Broomall, Calvin, Carey, Carter, Church, Corson, Cronmiller, Curtin, Cuyler, Fell, Guthrie, Harvey, Hazzard, Kaine, Knight, Littleton, MacConnell, M'Culloch, Mott, Porter, Reynolds, Russell, Stanton, Struthers, Wetherill, John Price, and Wherry—30.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bannan, Biddle, Bigler, Black, Charles A., Bowman, Brown, Buckalew, Campbell, Clark, Cochran, Davis, De France, Dodd, Edwards, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Green, Hall, Hanna, Heverin, Horton, Howard, Hunsicker, Lawrence, Lilly, Long, M'Camant, M'Clean, M'Murray, Mann, Mantor, Minor, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W. Turrell, Walker, Wetherill, J. M., White, Harry, White, J. W. F., and Worrell—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Brodhead, Bullitt, Cassidy, Collins, Corbett, Craig, Curry, Dallas, Darlington, Dunning, Ellis, Fulton, Hay, Hemphill, Lamberton, Landis, Lear, MacVeagh, Metzger, Newlin, Palmer, G. W., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, White, David N., Woodward, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section ?

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

Y E A S .

Messrs. Andrews, Baer, Broomall, Carey, Carter, Cochran, Corson, Cuyler, Ewing, Fell, Hazzard, Horton, Knight, Littleton, MacConnell, M'Cullough, Porter, Read, John R., Stanton, Wetherill, J. M., Wetherill, Jno. Price, and Wherry—22.

N A Y S .

Messrs. Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brown, Buckalew, Calvin, Campbell, Clark, Cronmiller, Curtin, Davis, De France, Dodd, Edwards, Elliott, Ellis, Finney, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Harvey, Howard, Hunsicker, Kaine, Lawrence, Lilly, Long, M'Camant, M'Clean, M'Murray, Mann, Mantor, Minor, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Walker, White, Harry, White, J. W. F., and Worrell—68.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Baker, Barclay, Bardsley, Bartholomew, Black, J. S., Brodhead, Bullitt, Cassidy, Church, Collins, Corbett,

Craig, Curry, Dallas, Darlington, Dunning, Hanna, Hay, Hemphill, Heverin, Lamberton, Landis, Lear, MacVeagh, Metzger, Mott, Newlin, Palmer, G. W., Ross, Runk, Sharpe, Simpson, Smith Wm. H., Stewart, Temple, Van Reed, White, David N., Woodward Wright and Meredith, *President*.

On the question,

Will the Convention agree to the fourth section?

A motion was made by Mr. Dodd,

To amend the same, in the first line, by inserting after the word "manufacturing," the words, "or mining."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Baer, Bannan, Boyd, Calvin, Campbell, Carey, Carter, Church, Cochran, Corson, Curtin, Davis, De France, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Green, Guthrie, Hall, Harvey, Hazzard, Knight, Lawrence, Lilly, M'Camant, M'Clean, M'Culloch, Mantor, Niles, Palmer, H. W., Parsons, Patterson, D. W., Purviance, Sam'l A., Russell, Smith, H. G., Struthers, Walker, Wetherill, J. M., and Wetherill, John Price—43.

NAYS.

Messrs. Alricks, Andrews, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Chares A., Bowman, Broomall, Brown, Buckalew, Cronmiller, Finney, Funck, Gilpin, Horton, Hunsicker, Kaine, Littleton, Long, MacConnell, M'Murray, Mann, Mitchell, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Smith, Henry W., Stanton, Turrell, Wherry, White, Harry White, J. W. F., and Worrell—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Baker, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Brodhead, Bullitt, Cassidy, Clark, Collins, Corbett, Craig, Curry, Cuyler, Dallas, Darlington, Dodd, Dunning, Hanna, Hay, Hemphill, Heverin, Howard, Lamberton, Landis, Lear, MacVeagh, Metzger, Minor, Mott, Newlin, Palmer, G. W., Pughe, Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, White, David N., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended?

The hour of seven o'clock having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

THURSDAY, JUNE 26, 1873.

Mr. Green asked and obtained leave of absence for Mr. Brodhead for to-day and to-morrow.

Mr. H. W. Smith asked and obtained leave of absence for himself for Saturday and Monday.

Mr. Parsons asked and obtained leave of absence for Mr. Metzger for a few days from to-day on account of sickness.

Mr. Funck asked and obtained leave of absence for himself for Saturday.

Mr. Mann asked and obtained leave of absence for Mr. Worrell for this afternoon.

Mr. Kaine asked and obtained leave of absence for Mr. Hanna for this afternoon.

Agreeably to order;

The Convention resumed the second reading and consideration of the article (No. 19) reported from the Committee on Revenue, Taxation and Finance.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. MacConnell,

To amend the same, by adding to the end of the section the words : "And all the property of the stockholders of such corporations shall be liable for the debts of such corporations in the same manner as all the property of the members of common partnerships is liable for the debts of such partnerships."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. MacConnell and Mr. Porter, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Church, Corson, Cronmiller, De France, Dodd, Finney, Gibson, Gilpin, Harvey, Hazzard, Hemphill, Horton, Lawrence, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Mantor, Mitchell, Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Henry W., Turrell, White, Harry, White, J. W. F., Worrell and Wright—46.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baer, Bardsley, Broomall, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Clark, Cochran, Corbett, Curry, Curtin, Dallas, Darlington, Davis, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Guthrie, Hall, Hanna, Hay, Heverin, Howard, Hunsicker, Kaine, Knight, Lear, Lilly, Long, M'Culloch, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Pughe, Read, John R., Reed, Andrew, Runk, Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, John Price, Wherry and Woodward—59.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Baker, Barclay, Bartholomew, Beebe, Brodhead, Bullitt, Cassidy, Collins, Craig, Cuyler, Green, Lamberton, Landis, Littleton, MacVeagh, Metzger, Mott, Newlin, Parsons, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, White, David N., and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section as amended?

The yeas and nays were required by Mr. Edwards and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Addicks, Ainey, Armstrong, Baer, Bardsley, Boyd, Broomall, Calvin, Carey, Carter, Cochran, Corson, Curry, Curtin, Cuyler, Darlington, Davis, Dodd, Edwards, Elliott, Ellis, Ewing, Fell, Finney, Green, Guthrie, Hanna, Hazzard, Howard, Knight, Niles, Purviance, John N., Stanton, Struthers, Walker, Wetherill, J. M., Wetherill, Jno. Price, and Wright—38.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Brown, Buckalew, Campbell, Church, Clark, Corbett, Cronmiller, Dallas, De France, Dunning, Fulton, Funck, Gibson, Gilpin, Harvey, Hay, Hemphill, Heverin, Horton, Hunsicker, Kaine, Lawrence, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stewart, Temple, Turrell, Wherry, White, Harry, White, J. W. F., Woodward and Worrell—71.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Barclay, Bartholomew, Beebe, Brodhead, Bullitt, Cassidy, Collins, Craig, Hall, Lamberton, Landis, Lear, MacVeagh, Metzger, Minor, Newlin, Parsons, Sharpe, Simpson, Smith, Wm. H., Van Reed, White, David N., and Meredith, *President*.

The fifth and sixth section were agreed to.

On the question,

Will the Convention agree to the seventh section?

A motion was made by Mr. Knight,

To insert a new section to be number seven, as follows, viz:

“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 rates, not exceeding ten per centum per annum, shall be lawful.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Baer,

To amend the same, by adding to the end thereof the words, “and all contracts hereafter made for a greater rate than ten per cent. are hereby declared usurious, and no action shall be maintained on such contract.”

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Baer and Mr. Addicks, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Andrews, Baer, Curry, Davis, Fulton, Guthrie, Heverin, Howard, Knight, Lear, Lilly, M'Culloch, M'Murray, Mantor, Mitchell, Parsons, Patton, Ross, Runk, Smith, Henry W., Struthers, Walker and Wetherill, John Price—25.

N A Y S .

Messrs. Achenbach, Addicks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Church, Cochran, Corbett, Corson, Cuyler, Dallas, Darlington, DeFrance, Edwards, Elliott, Ellis, Ewing, Fell, Finney, Funck, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Hunsicker, Kaine, Long, MacConnell, M'Clean, Mann, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Stanton, Stewart, Turrell, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., and Woodward—76.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Barclay, Bartholomew, Beebe, Boyd, Brodhead, Carter, Cassidy, Clark, Collins, Craig, Cronmiller, Curtin, Dodd, Dunning, Lamberton, Landis, Lawrence, Littleton, MacVeagh, M'Camant, Metzger, Pughe, Sharpe, Simpson, Smith, Wm. H., Temple, Van Reed, White, David N., Worrell, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the motion?

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

To amend the same, by striking out the word "seven," and inserting in lieu thereof the word "six," and by striking out all after the word "annum," where it first occurs.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Knight, and Mr. Cuyler, and were as follow, viz:

Y E A S .

Messrs. Addicks, Ainey, Baer, Boyd, Brown, Bullitt, Curry, Cuyler, Davis, Dunning, Edwards, Fell, Finney, Gilpin, Green, Guthrie, Hazzard, Heverin, Hunsicker, Knight, Lear, Lilly, M'Culloch, M'Murray, Mantor, Mott, Palmer, G. W., Parsons, Patton, Pughe, Purviance, Sam'l A., Reed, Andrew, Stanton, Walker and Wetherill, Jno. Price—35.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Buckalew, Calvin, Campbell, Carey, Church, Cochran, Corbett, Corson, Dallas, Darlington, De France, Dodd, Elliott, Ewing, Fulton, Funck, Gibson, Hall, Hanna, Harvey, Hay, Hemphill, Horton, Howard, Kaine, Long, MacConnell, M'Clean, Mann, Minor, Mitchell, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Read, John R., Reynolds, Rooke, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stewart, Struthers, Turrell, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., and Woodward—66.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Barclay, Bardsley, Bartholomew, Beebe, Brodhead, Broomall, Carter, Cassidy, Clark, Collins, Craig, Cronmiller, Curtin, Ellis, Lamberton, Landis, Lawrence, Littleton, MacVeagh, M'Camant, Metzger, Sharpe, Simpson, Smith, Wm. H., Temple, Van Reed, White, David N., Worrell, Wright and Meredith, *President*.

And the question again recurring,
Will the Convention agree to the seventh section ?

The hour of one having arrived,
The President *pro tem.* announced a recess until 3:30 o'clock this afternoon.

On leave given,
Mr. M'Cleane presented the following telegram, which was read, viz :
GETTYSBURG, PA., June 26, 1873.

TO HON. WM. M'CLEANE,

Constitutional Convention, Philadelphia :

The town council of the borough of Gettysburg cordially invite the Constitutional Convention to adjourn to Gettysburg, and we tender to them the free use of Agricultural Hall and four large committee rooms here. While the members are engaged in revising the Constitution of the State they can restore their own exhausted constitutions by drinking katalysine water free of charge.

DAVID WILLS,
President of Town Council of Borough of Gettysburg.

On motion of Mr. Darlington,
The thanks of the Convention were tendered to the authorities of Gettysburg for said invitation, and the same referred to the committee of five upon the subject.

On leave given,
Mr. Buckalew offered the following section, which was referred to the Committee on Schedule, viz :

SECTION —. The provisions of the sixth and ninth sections of the article on Legislation shall not apply to general statutes passed within three years for enforcing this amended Constitution, nor to revised statutes hereafter proposed by any commission for the general revision of the civil or penal laws of the State.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 19) reported from the Committee on Revenue, Taxation and Finance.

And the question again recurring,
Will the Convention agree to the seventh section ?

It was determined in the affirmative.

On the question,
Will the Convention agree to the eighth section ?

A motion was made by Mr. Broomall,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

"The debt of any county, city, borough, township, school district, or other municipality or incorporated district, except as herein provided, shall never exceed five per centum upon the assessed value of the taxable property therein ; nor shall any such municipality or district incur any taxes, debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof at the public election, in such manner as shall be provided by law : *Provided*, That any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to make loans not exceeding three per centum in the aggregate, in existence at any one time, upon such valuation, in increase of its indebtedness, until its debt shall be reduced below seven per cent. upon such assessed valuation."

On the question,
Will the Convention agree so to amend ?

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

Y E A S.

Messrs. Achenbach, Armstrong, Baer, Bailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Broomall, Brown, Buckalew, Calvin, Church, Corson, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Dunning, Elliott, Fulton, Guthrie, Hall, Hay, Hazzard, Heverin, Lilly, M'Culloch, M'Murray, Mantor, Minor, Mott, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Runk, Russell, Smith, H. G., Stanton, Struthers, Temple, Turrell, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., and Wright—57.

N A Y S.

Messrs. Alricks, Andrews, Baily, of Perry, Bannan, Barclay, Boyd, Campbell, Carter, Cochran, De France, Edwards, Ellis, Ewing, Funck, Gibson, Gilpin, Harvey, Hemphill, Horton, Howard, Hunsicker, Kaine, Lawrence, Long, MacConnell, M'Camant, M'Clean, Mann, Mitchell, Patterson, D. W., Purviance, John N., Purviance, Samuel A., Smith, Henry W., Van Reed, Walker, and Wetherill, J. M.—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bardsley, Bartholomew, Black, J. S., Brodhead, Bullitt, Carey, Cassidy, Clark, Collins, Corbett, Craig, Dallas, Dodd, Fell, Finney, Green, Hanna, Knight, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Newlin, Palmer, G. W., Porter, Read, John R., Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, White, David N., Woodward, Worrell and Meredith, *President*.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the ninth section?

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

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Bear, Bannan, Barclay, Biddle, Bowman, Broomall, Brown, Buckalew, Campbell, Carter, Church, Corson, Cronmiller, Curry, Curtin, Darlington, Davis, De France, Dunning, Edwards, Elliott, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Harvey, Hazzard, Heverin, Horton, Howard, Lawrence, Lilly, MacConnell, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, Jno. N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Russell, Smith, H. G., Stanton, Stewart, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., and Wright—65.

N A Y S.

Messrs. Andrews, Baily, of Perry, Bailey, of Huntingdon, Beebe, Bigler, Black, Charles A., Boyd, Calvin, Ellis, Hall, Hunsicker, Kaine, Knight, Long, M'Clean, Mann, Minor, Mitchell, Patterson, D. W., Reed, Andrew, Reynolds, Smith, Henry W., Struthers and Wherry—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bardsley, Bartholomew, Black, J. S., Brodhead, Bullitt, Carey, Cassidy, Clark, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Dodd, Ewing, Fell, Finney, Hanna, Hay, Hemphill, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Mott, Niles, Palmer, G. W., Porter, Ross, Sharpe, Simpson, Smith, Wm. H., Temple, Turrell, White, David N., Woodward, Worrell and Meredith, *President*.

On the question,

Will the Convention agree to the tenth section?

A motion was made by Mr. Harry White,

To amend the same, in the sixth line, by striking out the word "may," and inserting in lieu thereof the words, "shall consist of the proceeds of the sale of the public works, or any part thereof, and of the income or proceeds of the sale of any stocks owned by the Commonwealth, together with such other funds and resources that may be designated by law, and shall."

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, by striking out all after the word "debt," in the tenth line.

Which was 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. Darlington,

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. Kaine,

To amend the same, by striking out the words, "which shall be as small as possible, consistent with the public demands."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. H. W. Smith,

To amend the same, in the sixth line, by striking out the words, "or of this State."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Alricks, Andrews, Bannan, Barclay, Bigler, Black, Charles A., Boyd, Campbell, Carter, Clark, Curtin, Darlington, De France, Finney, Fulton, Gibson, Hall, Horton, Hunsicker, Long, M'CLean, Smith, Henry W., Van Reed, and White, Harry—24.

N A Y S.

Messrs. Achenbach, Addicks, Armstrong, Baer, Baily, of Perry, Biddle, Bowman, Broomall, Brown, Buckalew, Calvin, Cassidy, Church, Corbett, Cronmiller, Curry, Cuyler, Davis, Edwards, Elliott, Ellis, Ewing, Funck, Green, Guthrie, Harvey, Hazzard, Howard, Kaine, Knight, Lawrence, Lilly, MacConnell, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry White, J. W. F., Woodward and Wright—64.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bailey, of Huntingdon, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Brodhead, Bullitt, Carey, Cochran, Collins, Corson, Craig, Dallas, Dodd, Dunning, Fell, Gilpin, Hanna, Hay, Hemphill, Heverin, Lamberton, Landis, Lear, Littleton, MacVeagh, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Patton, Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Temple, White, David N., Worrell and Meredith, *President*.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twelfth and last section ?

A motion was made by Mr. Alricks,

To amend the same, by striking out the words, "or in loans upon the security of," and inserting in lieu thereof the words, "by investment in."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,

To amend the amendment, by striking out the words, "by investment in," and inserting in lieu thereof the words, "secured by."

Which was not agreed to.

The amendment was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Broomall,

To amend the same, in the second line, by inserting after the word "the," the word "sole," and in the third line, by inserting after the word "State," the words, "in such manner as shall be provided by law."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. M'Murray,

To amend the same, in the sixth line, by inserting after the word "loaned," the words, "at what rate of interest."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Darlington and Mr. Broomall, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Cochran, Corbett, Corson, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Edwards, Elliott, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Harvey, Hazzard, Horton, Howard, Hunsicker, Kaine, Lawrence, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Mantor, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Stanton, Stewart, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, J. W. F., Woodward and Wright—83.

N A Y S.

Messrs. Addicks, Andrews, Bannan, Clark, Curtin, Darlington, De France, Ellis, Hall, Porter, Struthers and White, Harry—12.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Brodhead, Carey, Cassidy, Collins, Craig, Dallas, Hanna, Hay, Hemphill, Heverin, Knight, Lamberton, Landis, Lear, Littleton, MacVeagh, M'Culloch, Metzger, Minor, Mott, Newlin, Palmer, G. W., Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Temple, White, David N., Worrell and Meredith, *President*.

On the question,

Shall the article be transcribed for a third reading ?

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

To add a new section, as follows, viz: "The Commonwealth shall not assume the debt, or any part thereof, of any county, city, borough or township, unless said debt shall have been contracted to enable the State to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the State in the discharge of any portion of its present indebtedness."

And the question recurring,

Shall the article be transcribed for a third reading ?

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

To add a new section, as follows, viz: "The Legislature shall not pass any law authorizing the levy of a special tax upon one class of taxable property for the special purpose of benefiting another class."

Which was agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Broomall,

That the same 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. 16) reported from the Committee on Future Amendments.

On the question,

Will the Convention agree to the first and only section ?

A motion was made by Mr. Funk,

To amend the same, by striking out all after the word "Constitution," in the seventeenth line, to and including the word "years," in the nineteenth line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Buckalew,

To amend the same, in the seventh line, by inserting after the word "next," the word "general."

Which was agreed to.

And on the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Guthrie,

To amend the same, in the seventh line, by inserting after the word "newspapers," the words, "of different political parties;" and in the eighth line, by striking out the word "two," and inserting in lieu thereof the word "such."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Corson,

To amend the amendment, by striking out from the word "two," in the seventh line, to and including the word "published," in the eighth line, and inserting in lieu thereof as follows, viz: "Such newspapers in any county as will best inform the political divisions of the people."

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. Edwards and Mr. Mann, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Boyd, Brown, Buckalew, Bullitt, Clark, Cochran, Corson, Cronmiller, Curry, Davis, De France, Dodd, Dunning, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gilpin, Green, Guthrie, Hall, Hazzard, Horton, Lilly, Long, M'Camant, M'Murray, Mitchell, Niles, Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Smith, H. G., Stanton, Stewart, Wetherill, John Price, and Woodward—53.

NAYS.

Messrs. Addicks, Baily, of Perry, Bannan, Bowman, Calvin, Church, Curtin, Darlington, Edwards, Finney, Funk, Howard, Lawrence, MacConnell, M'CLean, Mann, Mantor, Palmer, H. W., Pughe, Reynolds, Rooke, Russell, Smith, Henry W., Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, White, Harry, and White, J. W. F.—30.

So the question was determined in the affirmative.

ABSENT—Messrs. Ainey, Andrews, Baker, Barclay, Bardsley, Bartholemew, Beebe, Black, J. S., Brodhead, Broomall, Campbell, Carey, Carter, Cassidy, Collins, Corbett, Craig, Cuyler, Dallas, Hanna, Harvey, Hay, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lambertson, Landis, Lear, Littleton, MacVeagh, M'Culloch, Metzger, Minor, Mott, Newlin, Palmer, G. W., Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Struthers, Temple, White, David N., Worrell, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Stewart,

To amend the same, by striking out all after the word "the," in the thirteenth line, to the end of the section, and inserting in lieu thereof as follows, viz: "Qualified electors of the State, in such time, at least three months after being so agreed to by the two Houses, as the Legislature shall prescribe, and if such amendment or amendments shall be approved by a majority of the se voting thereon, such amendment or amendments shall become a part of the Constitution, but no amendment or amendments shall be submitted oftener than once in five years: *Provided*, That when two or more amendments shall be submitted they shall be voted upon separately."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

It was determined in the affirmative.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Funck,

To amend the same, by adding a new section, to be numbered two, as follows, viz:

"At the general election, to be held in the year one thousand eight hundred and ninety-four, 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."

On the question,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Achenbach, Buckalew, Calvin, Church, Cochran, Ewing, Fulton, Funck, Gibson, Horton, Howard, Lilly, M'Camant, M'Murray, Mann, Mitchell, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Reed, Andrew, Russell, Struthers, Van Reed and Walker—26.

N A Y S .

Messrs. Addicks, Alricks, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bigler, Black, Charles A., Bowman, Boyd, Bullitt, Carter, Clark, Corson, Curtin, Darlington, De France, Dodd, Edwards, Elliott, Ellis, Finney, Gilpin, Green, Guthrie, Hall, Harvey, Hazzard, Lawrence, Long, MacConnell, M'Clean, Mantor, Niles, Parsons, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Smith, H. G., Smith, Henry W., Stanton, Stewart, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, and White, J. W. F.—52.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Baker, Barclay, Bardsley, Bartholomew, Beebe, Biddle, Black, J. S., Brodhead, Broomall, Brown, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, Dunning, Fell, Hanna, Hay, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lamberton, Landis, Lear, Littleton, MacVeagh, M'Culloch, Metzger, Minor, Mott, Newlin, Palmer, G. W., Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Temple, White, David N., Woodward, Worrell, Wright and Meredith, *President*.

And the question recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Stanton,

That the article referred to the Committee on Revision and Adjustment.

On the question,

Will the Convention agree to the motion?

The hour of seven having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. I. IMBRIE,
Clerk.

Attest:

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

FRIDAY, JUNE 27, 1873.

Mr. John M. Bailey asked and obtained leave of absence for Mr. M'Culloch for a few days from to-day.

Mr. Edwards asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Stanton asked and obtained leave of absence for Mr. Mantor for a few days from to-day.

Mr. Niles asked and obtained leave of absence for Mr. Parsons for a few days from to-day.

Mr. Curry asked and obtained leave of absence for Mr. Pughe for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for himself for this afternoon, to-morrow and Monday.

Mr. Broomall asked and obtained leave of absence for himself for to-morrow.

Mr. Bigler asked and obtained leave of absence for himself from to-morrow until Tuesday.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Davis for a few days from to day, on account of sickness.

Mr. John N. Purviance asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Ellis asked and obtained leave of absence for Mr. Hunsicker for to-morrow.

Mr. MacConnell asked and obtained leave of absence for Mr. Porter for a few days from to-morrow.

Mr. Stewart asked and obtained leave of absence for himself until Tuesday.

Mr. Van Reed asked and obtained leave of absence for Mr. Mann for to-morrow.

Mr. Dodd asked and obtained leave of absence for Mr. Corbett for part of to-day and to-morrow.

Mr. Dunning asked and obtained leave of absence for Mr. Mott for a few days from to-day.

Mr. Buckalew asked and obtained leave of absence for himself for to-morrow and Monday.

Mr. J. W. F. White asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Harry White asked and obtained leave of absence for himself from to-morrow until Tuesday.

Mr. Alricks asked and obtained leave of absence for Mr. J. M. Wetherill for a few days from to-day, on account of sickness.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Dunning for a few days from to-day.

Mr. Corson asked and obtained leave of absence for himself for to-morrow.

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

48 CON. JOUR.

Resolved, That when this Convention adjourns to-day it be to meet on Tuesday, September 16, at 11 o'clock 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. Lilly offered the following resolution, which was read, viz:

Resolved, That when this Convention adjourns to-day it be to meet on Monday next, 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. Baer and Mr. Lilly, and were as follow, viz:

YEAS.

Messrs. Armstrong, Bannan, Bigler, Black, Charles A., Brodhead, Broomall, Buckalew, Calvin, Cassidy, Curry, Davis, Dunsming, Edwards, Ellis, Ewing, Funck, Gilpin, Green, Guthrie, Hall, Harvey, Howard, Hunsicker, Kaine, Lamberton, Lilly, Long, M'Camant, Mott, Parsons, Patterson, T. H. B., Read, John R., Runk, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., White, Harry, and White, J. W. F.—39.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Beebe, Biddle, Bowman, Boyd, Brown, Bullitt, Carey, Carter, Church, Cochran, Corbett, Corson, Cronmiller, Curtin, Dallas, Darlington, De France, Elliott, Fulton, Hay, Hazzard, Hemphill, Heverin, Horton, Knight, Lawrence, Littleton, MacConnell, M'Clean, M'Murray, Mann, Mitchell, Niles, Palmer, H. W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell Simpson, Smith, H. G., Stewart, Struthers, Temple, Turrell, Walker, Wetherill, John Price, Wherry, Woodward and Wright—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bartholomew, Black, J. S., Campbell, Clark, Collins, Craig, Cuyler, Dodd, Fell, Finney, Gibson, Hanna, Landis, Lear, MacVeagh, M'Culloch, Mantor, Metzger, Minor, Newlin, Palmer, G. W., Pughe, Ross, Sharpe, Smith, Wm. H., White, David N., Worrell and Meredith, *President*.

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

Resolved, That when this Convention adjourns to-day it will be to meet at Harrisburg, on Tuesday next, at two 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. Edwards and Mr. Hanna and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Bannan, Beebe, Bigler, Bowman, Brodhead, Buckalew, Church, Cochran, Corbett, Cronmiller, Curtin, Davis, De France, Elliott, Ellis, Ewing, Fulton, Funck, Gibson, Green, Hall, Harvey, Hazzard, Howard, Hunsicker, Lamberton, Long, M'Clean, M'Murray, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Reed, Andrew, Runk, Russell, Stewart, Struthers, Van Reed, Walker, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., and Woodward—52.

N A Y S.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Bardsley, Biddle, Black, Charles A., Black, J. S., Boyd, Broomall, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Clark, Corson, Curry, Cuyler, Dallas, Darlington, Dunning, Edwards, Fell, Gilpin, Guthrie, Hanna, Hay, Hemphill, Heverin, Horton, Kaine, Knight, Landis, Lawrence, Lilly, Littleton, MacConnell, M'Camant, Mann, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Simpson, Smith, H. G., Smith, Henry W., Stanton, Temple, Turrell, Wetherill, John Price, and Wright—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Aincy, Baker, Barclay, Bartholomew, Campbell, Collins, Craig, Dodd, Finney, Lear, MacVeagh, M'Culloch, Mantor, Mefzger, Minor, Ross, Sharpe, Smith, Wm. H., White, David N., Worrell and Meredith, *President*.

Mr. Brodhead, from the special committee of five upon the subject, made a report, which was read as follows, viz:

The undersigned committee appointed to select a suitable place for the future sittings of the Convention, respectfully report that invitations have been received from the borough of Gettysburg, from the borough of Bedford, from the borough of Bethlehem, from the borough of Shippensburg, from the city of Allentown, from the city of Wilkesbarre; and that we have no doubt the Convention would be abundantly accommodated and entertained at either place. Admonished by the approach of the heated term and by the failing health of some of the members, the committee are of opinion that removal to another locality is an absolute necessity, if the labors of the Convention are to be completed during the present year, and we therefore recommend that one of the foregoing places be selected in manner following: Let a vote be had upon the question: "To what place shall the Convention adjourn?" when each member may vote for one of the places above named; and after each vote, the name of the place receiving the lowest number shall be dropped. The name of the place finally receiving a majority of the votes, to be inserted in the following resolution:

Resolved, That when the Convention decide to leave Philadelphia, it will meet at ———, and in order that the whole subject may be finally disposed of without further loss of time, we recommend that the Convention act upon the following resolution:

Resolved, That when the Convention adjourn on Wednesday, July 2, it will be to meet at the place heretofore selected, on Tuesday, the 8th of July, at 10 A. M.

CHARLES BRODHEAD,
WM. M'CLEAN,
H. W. PALMER,
S. L. RUSSELL.

A motion was made by Mr. Brodhead,

That the Convention proceed to the second reading and consideration of the resolution.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington and Mr. Temple, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Beebe, Bowman, Brodhead, Buckalew, Cochran, Corbett, Cronmiller, Curtin, Davis, De France, Dunning, Elliott, Ellis, Ewing, Funck, Gibson, Hall, Harvey, Hay, Hazzard, Lamberton, MacConnell, M'Clean, M'Murray, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Pughe, Reed, Andrew, Runk, Russell, Smith, Henry W., Struthers, VanReed, Wetherill, J. M., White, J. W. F., Woodward, Worrell and Wright—48.

N A Y S.

Messrs. Baily, of Perry, Bannan, Bigler, Black, Charles A., Boyd, Broomall, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Church, Corson, Curry, Dallas, Darlington, Edwards, Fulton, Gilpin, Green, Guthrie, Hemphill, Heverin, Horton, Hunsicker, Kaine, Knight, Lawrence, Lilly, Littleton, Long, Mann, Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Simpson, Stanton, Stewart, Temple, Turrell, Walker, Wetherill, John Price, Wherry and White, Harry—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Campbell, Clark, Collins, Craig, Cuyler, Dodd, Fell, Finney, Hanna, Howard, Landis, Lear, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Minor, Newlin, Palmer, G. W., Ross, Sharpe, Smith, H. G., Smith, Wm. H., White, David N., and Meredith, *President*.

A motion was made by Mr. Hunsicker and Mr. Heverin,

To re-consider the vote by which the first and only section of the article reported from the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office was negatived.

Which was 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, in the first line, by inserting before the word "all," the words, "Senators and Representatives and."

Which was 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 adding to the end thereof the words: "The oath to members of the Senate and House of Representatives 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."

Which was 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. Knight, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Beebe, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Carey, Carter, Clark, Corbett, Cronmiller, Cuyler, Dallas, De France, Elliott, Ewing, Finney, Fulton, Funck, Gibson, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Long, MacConnell, M'Camant, M'Clean, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Runk, Russell, Smith, H. G., Smith, Henry W., Stewart, Struthers, Temple, Van Reed, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., Woodward, Worrell and Wright—77.

N A Y S.

Messrs. Biddle, Bowman, Broomall, Cochran, Corson, Darlington, Fell, Gilpin, Hanna, Knight, Lilly, Mann, Patterson, D. W., Porter, Reynolds, Simpson, Turrell and Walker—18.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baer, Baker, Barclay, Bartholomew, Black, J. S., Campbell, Cassidy, Church, Collins, Craig, Curry, Curtin, Davis, Dodd, Dunning, Edwards, Ellis, Howard, Lear, Littleton, MacVeagh, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Parsons, Pughe, Ross, Sharpe, Smith, Wm. H., Stanton, Wetherill, J. M., White, David N., and Meredith, *President*.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. John M. Bailey,

To add a new section as follows, viz :

"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 listened to corrupt private solicitation from interested parties or their agents, nor have I received any gift or promise from any such parties or from any candidate ; I have not voted or spoken on any matter in which I had, 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 knowingly swore or affirmed falsely, he shall be deemed guilty of perjury, and also be disqualified as aforesaid."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Cochran,

To amend the amendment, by striking out all between the word "ability," in the eighth line, and the word "I," in the eleventh line.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

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

To amend the same, by striking out from the word "ability," in the eighth line, to and including the word "agents," in the tenth line.

On the question,

Will the Convention agree so to amend ?

The previous question was moved by Messrs. Littleton, Biddle, John Price Wetherill, Edwards, Corbett, Heverin, Reynolds, Funck, Van Reed, Cronmiller, Church, Broomall, Lilly, Barclay, MacConnell, Russell, Newlin and Stanton.

On the question,

Shall the main question be now put ?

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

Y E A S .

Messrs. Achenbach, Baer, Baily, of Perry, Bannan, Barclay, Beebe, Biddle, Black, J. S., Bowman, Boyd, Brodhead, Broomall, Brown, Calvin, Church, Corbett, Cronmiller, Dodd, Dunning, Edwards, Funck, Gilpin, Hanna, Harvey, Hazzard, Heverin, Horton, Howard, Hunsicker, Kaine, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Murray, Mitchell, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Reynolds, Rooke, Russell, Simpson, Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Woodward and Wright—54.

N A Y S .

Messrs. Alricks, Andrews, Bailey, of Huntingdon, Bigler, Buckalew, Bullitt, Campbell, Cassidy, Cochran, Corson, Curry, Curtin, Cuyler, Dallas, Darlington, De France, Elliott, Ellis, Ewing, Finney, Fulton, Gibson, Guthrie, Hall, Hay, Hemphill, Knight, Lamberton, Landis, Lawrence, Mann, Minor, Mott, Newlin, Niles, Patterson, D. W., Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Smith, H. G., Struthers, Temple, Turrell, Walker, Wherry, White, Harry, White, J. W. F., and Worrell—51.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baker, Bardsley, Bartholomew, Black, Charles A., Carey, Carter, Clark, Collins, Craig, Davis, Fell, Green, Lear, MacVeagh, M'Culloch, Mantor, Metzger, Palmer, G. W., Parsons, Ross, Sharpe, Smith, Wm. H., Stewart, White, David N., and Meredith, *President*.

And the question recurring,

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

It was determined in the negative.

And the question recurring,

Will the Convention agree to the motion made by Mr. J. M. Bailey, to add a new section?

The yeas and nays were required by Mr. J. S. Black and Mr. Knight, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Beebe, Black, J. S., Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Cochran, Curry, Cuyler, Dallas, Dunning, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Long, M'Camant, M'Clean, M'Murray, Mitchell, Mott, Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Russell, Smith, H. G., Smith, Henry W., Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., Woodward, Worrell and Wright—66.

N A Y S .

Messrs. Baily, of Perry, Biddle, Bigler, Black, Charles A., Bowman, Broomall, Church, Corbett, Corson, Cronmiller, Darlington, De France, Edwards, Horton, Knight, Lilly, Littleton, MacConnell, Mann, Minor, Newlin, Niles, Patterson, D. W., Porter, Pughe, Purviance, John N., Reynolds, Rooke, Runk, Simpson, Stanton, Struthers, Turrell, Walker and White, Harry—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baker, Bardsley, Bartholomew, Bullitt, Carey, Carter, Cassidy, Clark, Collins, Craig, Curtin, Davis, Dodd,

Fell, Green, Hanna, Lear, MacVeagh, M'Culloch, Mantor, Metzger, Palmer, G. W., Parsons, Ross, Sharpe, Smith, Wm. H., Stewart, White, David N., and Meredith, *President*.

On the question,

Shall the article be transcribed for a third reading ?

The hour of one having arrived,

The President *pro tem.* announced a recess until half-past three o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 20) reported from the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Kaine,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. C. A. Black and Mr. Corson,

To re-consider the vote by which the first and only section of the article reported by the Committee on Future Amendments was adopted.

Which was agreed to.

And the question recurring,

Will the Convention agree to the first and only section ?

A motion was made by Mr. C. A. Black and Mr. Corson,

To re-consider the vote by which the section was amended in the seventh line, by inserting after the word "newspapers," the words, "of different political parties."

Which was agreed to.

And the question recurring,

Will the Convention agree so to amend ?

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

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Barclay, Beebe, Boyd, Buckalew, Campbell, Carter, Cassidy, Clark, Curry, Dallas, Elliott, Ellis, Ewing, Fulton, Guthrie, Hall, Hemphill, Landis, Lilly, M'Murray, Mitchell, Niles, Patterson, T. H. B., Patton, Porter, Purman, Purviance, Sam'l A., Read, John R., Smith, H. G., and Woodward—34.

N A Y S .

Messrs. Andrews, Armstrong, Baily, of Perry, Bigler, Black, Charles A., Bowman, Broomall, Bullitt, Calvin, Corson, Cronmiller, Curtin, Darlington, De France, Edwards, Hanna, Horton, Hunsicker, Kaine, Knight, Lamberton, Lawrence, Long, MacConnell, M'CLean, Mann, Minor, Patterson, D. W., Purviance, John N., Reed, Andrew, Rooke, Russell, Simpson, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Walker, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., and Wright—44.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Brodhead, Brown, Carey, Church, Cochran, Collins, Corbett, Craig, Cuyler, Davis, Dodd, Dunning, Fell, Finney, Funck, Gibson, Gilpin, Green, Harvey, Hay, Hazzard, Heverin, Howard, Lear, Littleton, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Reynolds, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., White, David N., Worrell and Meredith, *President*.

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. S. A. Purviance,

That the Convention proceed to the second reading and consideration of the article (No. 14) reported from the Committee on County, Township and Borough Officers.

On the question,

Will the Convention agree to the first section?

A motion was made by Mr. Darlington,

To amend the same, by striking out the word "county," where it occurs in the second and third lines.

Which was agreed to.

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 the words, "*Provided*, The Legislature may declare what offices shall be incompatible."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Beebe,

To amend the same in the sixth line, by striking out the words, "sheriff or."

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 amend the same, in the fifth and sixth lines, by striking out the words, "what offices shall be incompatible and," and inserting in lieu thereof the words, "which of said offices may be held by the same person, but."

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. Wright,

To amend the same, in the sixth line, by inserting after the word "sheriff," the words, "district attorney."

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. Darlington,

To amend the same in the fifth line, by striking out the word " provided."

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, by striking out the words, "may declare what offices shall be incompatible," and inserting in lieu thereof the words, "shall provide by law the number of persons in each county who shall hold said offices, and how many and which of said officers shall be held by one person."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Darlington and Mr. Bigler, and were as follow, viz :

Y E A S.

Messrs. Bigler, Black, Charles A., Curtin, Dallas, Darlington, Fell, Hanna, Hemphill, Howard, Hunsicker, Kaine, M'CLean, Mann, Patterson, D. W., Reynolds, Russell, Simpson, Smith, H. G., and Smith, Henry W.—20.

N A Y S.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Biddle, Bowman, Buckalew, Calvin, Campbell, Carter, Cassidy, Clark, Corson, Cronmiller, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Guthrie, Hall, Hazzard, Horton, Knight, Lamberton, Landis, Lawrence, Lilly, Long, MacConnell, M'Murray, Minor, Mitchell, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Stanton, Stewart, Struthers, Turrell, Walker, Wetherill, John Price, Wherry, White, Harry, White, J. W. F., and Wright—60.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Bardsley, Bartholomew, Black, J. S., Boyd, Brodhead, Broomall, Brown, Bullitt, Carey, Church, Cochran, Collins, Corbett, Craig, Curry, Cuyler, Davis, Dunning, Ellis, Finney, Funck, Gibson, Gilpin, Green, Harvey, Hay, Heverin, Lear, Littleton, MacVeagh, M'Camant, M'Cutloch, Mantor, Metzger, Mott, Newlin, Palmer, H. W., Parsons, Pughe, Ross, Runk, Sharpe, Smith, Wm. H., Temple, Van Reed, Wetherill, J. M., White, David N., Woodward, Worrell and Meredith, *President*.

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 fifth line, by striking out the word " may," and inserting in lieu thereof the word " shall."

Which was 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, in the fifth line, by striking out the words, "sh inserting in lieu thereof the word "are."

Which was 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, in the third line, by inserting after the word "auditors," the words, "or controllers."

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, by adding to the end of the section, the words, "all of said officers shall keep their offices in the county towns of the county in which they respectively shall be officers."

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. T. H. B. Patterson,
To amend the same, by inserting in the fifth line, after the word "law," the following, viz:

"Shall be elected at the general elections, and shall hold their offices for the term of three years, beginning on the first Monday of December next after their election, or until their successors shall be duly qualified."

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. Ewing,
To amend the same, by adding to the end thereof the words, "or appointed."

Which was not agreed to.

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. Darlington,
To amend the same, by striking out all after the word "filled," in the fourth line, and inserting in lieu thereof as follows, viz: "By appointment to be made by the Governor, to continue until the next general election and until successors shall be chosen and qualified as aforesaid."

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, by striking out all after the word "qualified," in the fourth line, and inserting in lieu thereof as follows, viz: "Vacancies in any of the said offices shall be filled by appointment to be made by the Governor, to continue until the next general election and until successors shall be elected and qualified as aforesaid."

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 fourth line, by inserting after the word "vacancies," the words, "not otherwise provided for."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Andrew Reed,

To amend the same, in the second line, by inserting after the word "years," the words, "except county treasurers, who shall hold their offices for a term of two years."

Which was not 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. Lamberton,

To amend the same, in the fourth and fifth lines, by striking out the words, "*Provided however, That.*"

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 all after the word "officers," in the first line, to and including the word "services," in the second line.

Which was agreed to.

And the question 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 fifth line, by inserting after the word "officer." the words, "and his clerks."

Which was 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 fifth line, by striking out the words, "annual" and "any," and in the sixth line, by striking out the words, "aggregate yearly," and inserting after the word "fees" the word "annually."

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 "law," in the fourth line, to the end of the section.

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. Kaine and Mr. J. P. Wetherill, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Bear, Baily, of Perry, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Bowman, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Clark, Corson, Cronmiller, Curry, Darlington, De France, Dodd, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Guthrie, Hall, Hanna, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lilly, MacConnell, M'Clean, M'Murray, Mann, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Purviance, Jno. N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Wetherill, John Price, Wherry, Woodward and Worrell—69.

N A Y S.

Messrs. Black, Charles A., Kaine, Minor, Mott, Porter, Purman, Simpson, Walker, White, Harry, White, J. W. F., and Wright—11.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Boyd, Brodhead, Broomall, Carey, Cassidy, Cochran, Collins, Corbett, Craig, Curtin, Cuyler, Dallas, Davis, Dunning, Edwards, Funck, Gibson, Gilpin, Green, Harvey, Hay, Heverin, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Mitchell, Parsons, Pughe, Ross, Runk, Sharpe, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., and Meredith, *President*.

The fourth section was agreed to.

The fifth section was not agreed to.

On the question,

Will the Convention agree to the sixth section?

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

To amend the same, by striking out all after the word "years," in the second line, to the end of the section, and inserting in lieu thereof the words, "one of whom shall be elected each year."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Andrews, Baily, of Perry, Bowman, Calvin, Darlington, Ewing, Fell, Hanna, Hazzard, Horton, Knight, Lawrence, MacConnell, M'Clean, Minor, Newlin, Niles, Patterson, D. W., Porter, Purviance, John N., Purviance, Samuel A., Reynolds, Russell, Simpson, Smith, Henry W., Stanton, Struthers, Turrell, Walker, Wetherill, John Price, White, Harry, and White, J. W. F.—32.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Charles A., Brown, Buckalew, Bullitt, Campbell, Carter, Church, Clark, Corson, Cronmiller, Curry, Curtin, De France, Dodd, Elliott, Ellis, Finney, Fulton, Guthrie, Hall, Hemphill, Howard, Hunsicker, Kaine, Lamberton, Landis, Lilly, M'Murray, Mann, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Read, John R., Reed, Andrew, Smith, H. G., Wherry, Woodward, Worrell and Wright—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Boyd, Brodhead, Broomall, Carey, Cassidy, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Davis, Dunning, Edwards, Funck, Gibson, Gilpin, Green, Harvey, Hay, Heverin, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Parsons, Pughe, Rooke, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the sixth section ?

A motion was made by Mr. Buckalew,

To amend the same, in the second line, by inserting after the word "county," the words, "where such officers are chosen in the year 1875, and every third year thereafter," and by striking out, in the same line, the words, "shall serve for three years," and in the third line, by striking out the word "only," and inserting in lieu thereof the words, "no more than," and in the fifth line, by inserting the word "elected," the word "any," and making "vacancies" and "offices" read "vacancy" and "office," and by striking out the word "and," and inserting in lieu thereof the word "or," and in the sixth line by making the words "auditors" and "courts" read "auditor" and court," and by striking out the word "respective," and in the seventh line, by making "counties" read "county."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. John M. Bailey,

To amend the same, by inserting after the word "auditor," where it occurs in the first and sixth lines, the words, "and directors of the poor."

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. Niles and Mr. Buckalew, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Bear, Bailey, of Huntingdon, Barclay, Biddle, Black, Charles A., Brown, Buckalew, Bullitt, Campbell, Carey, Carter, Church, Clark, Corson, Cronmiller, Curtin, De France, Dodd, Elliott Ellis, Finney, Fulton, Guthrie, Hall, Hemphill, Hunsicker, Kaine, Lamberton, Landis, Lilly, Mann, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patton, Purman, Read, John R., Reed, Andrew, Smith, H. G., Turrell, Wherry, Woodward, Worrell and Wright—48.

NAYS.

Messrs. Bailly, of Perry, Bowman, Calvin, Curry, Darlington, Fell, Hanna, Hazzard, Horton, Knight, Lawrence, MacConnell, M'Clean, Minor, Niles, Paterson, D. W., Porter, Purviance, Sam'l A., Reynolds, Rooke, Russell, Simpson, Smith, Henry W., Stanton, Struthers, Walker, Wetherill, John Price, and White, Harry—28.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Cassidy, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Davis, Dunning, Edwards, Ewing, Funck, Gibson, Gilpin, Green, Harvey, Hay, Heverin, Howard, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Par-

sons, Patterson, T. H. B., Pughe, Purviance, John N., Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., and Meredith, *President*.

On the question,

Will the Convention agree to the eighth and last section ?

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

To amend the same, in the second line, by striking out the word "December," and inserting in lieu thereof the word "January."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

It was determined in the affirmative.

On the question,

Shall the article be transcribed for a third reading ?

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

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Hunsicker,

That when the Convention adjourns to-day, it adjourn to meet on Monday morning at ten o'clock.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Russell and Mr. Hunsicker, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Black, Charles A., Buckalew, Bullitt, Calvin, Clark, Corson, Curry, Curtin, Ellis, Ewing, Guthrie, Hanna, Howard, Hunsicker, Kaine, Lambertson, Landis, Lilly, Mann, Read, John R., Simpson, Smith, Henry W., Stanton, Walker, White, Harry, and Worrell—27.

N A Y S .

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bowman, Brown, Campbell, Carey, Carter, Church, Cronmiller, De France, Dodd, Elliott, Fell, Finney, Fulton, Hall, Hazzard, Horton, Knight, Lawrence, MacConnell, M'CLean, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Struthers, Turrell, Wetherill, John Price, Wherry and Wright—44.

So the question was determined in the negative.

ABSENT. — Messrs. Achenbach, Addicks, Ainey, Andrews, Baker, Bannar, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Cassidy, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Darlington, Davis, Dunning, Edwards, Funk, Gibson, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Parsons, Patterson, T. H. B., Patton, Pughe, Purviance, John N., Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., Woodward and Meredith, *President*.

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

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

SATURDAY, JUNE 28, 1873.

Mr. Andrews asked and obtained leave of absence for Mr. M'Murray for a few days from to-day.

Mr. Kaine asked and obtained leave of absence for Mr. Clark for a few days from to-day.

Mr. John Price Wetherill asked and obtained leave of absence for Mr. Cuyler for a few days from to-day.

Mr. John M. Bailey asked and obtained leave of absence for Mr. Gilpin for a few days from to-day.

Mr. Ellis asked and obtained leave of absence for himself for Monday.

Mr. Simpson asked and obtained leave of absence for Mr. Baker for a few days from Tuesday last, on account of severe sickness.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for a few days from to-day.

Mr. Baer asked and obtained leave of absence for himself for a few days from Monday.

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

Resolved, That at the hour of one o'clock P. M., this Convention adjourn 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. Newlin,

To amend the same, by striking out all after the word "resolved," and inserting in lieu thereof as follows, viz: "That when the Convention adjourns to-day it be to meet at twelve M. on the third Tuesday of October."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Bai'y, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Black, J. S., Bowman, Boyd, Brown, Bullitt, Cassidy, Church, Curry, Curtin, Darlington, Dodd, Elliott, Ellis, Ewing, Fell, Hanna, Heverin, Kaine, Knight, Lilly, Littleton, M'Clean, Minor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Read, John R., Rooke, Simpson, Stanton, Struthers, Temple, Turrell, Walker, Wetherill, John Price, Woodward and Wright—47.

NAYS.

Messrs. Ainey, Andrews, Baer, Calvin, Campbell, Carey, Carter, Cronmiller, Dallas, De France, Fulton, Guthrie, Hall, Hazzard, Hemphill, Horton, Lawrence, MacConnell, Newlin, Purnan, Purviance, Sam'l A., Reynolds, Russell and Wherry—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Brodhead, Broomall, Buckalew, Clark, Cochran, Collins, Corbett, Corson, Craig, Cuyler, Davis, Dunning, Edwards, Finney, Funck, Gibson, Gilpin, Green, Harvey, Hay, Howard, Hunsicker, Lamberton, Landis, Lear, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Metzger, Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, John N., Reed, Andrew, Ross, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Worrell and Meredith, *President*.

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

To re-consider the vote by which the article reported from the Committee on Revenue, Taxation and Finance was referred to the Committee on Revision and Adjustment.

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?

A motion was made by Mr. Bullitt and Darlington,

To re-consider the vote by which the twelfth section of said article was adopted.

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 article, for the present.

Which was agreed to.

On motion of Mr. Hanna,

The Convention proceeded to the second reading and consideration of the article (No. 6) reported from the Committee on Cities and City Charters.

On the question,

Will the Convention agree to the first section?

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

To amend the same, in the third line, by inserting after the word "borough," the words, "having a population of at least ten thousand."

Which was agreed to.

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. Alricks,

To amend the same, in the second line, by striking out the words, "a select and common," and inserting in lieu thereof the words, "council or," and in the third line, by inserting the word "municipal" before the word "legislative."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Ainey,

To amend the amendment, by making the section read as follows, viz:

"All cities shall be governed by a mayor and council or councils, who shall have power to enact municipal legislation by ordinance or resolution."

Which was not agreed to.

The amendment offered by Mr. Alricks was then agreed to.

On the question,

Will the Convention agree to the section as amended?

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

YEAS.

Messrs. Achenbach, Ainey, Alricks, Baer, Black, J. S., Bowman, Brown, Campbell, Curry, De France, Fell, Finney, Fulton, Guthrie, Hemphill, Heverin, Horton, Knight, Landis, Lilly, Littleton, M'Clean, Mitchell, Newlin, Patton, Read, John R., Reynolds, Smith, H. G., Stanton, Temple, Walker, Wherry and Worrell—33.

NAYS.

Messrs. Andrews, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Bardsley, Beebe, Biddle, Black, Charles A., Bullitt, Calvin, Carey, Carter, Church, Cronmiller, Curtin, Dallas, Darlington, Dodd, Elliott, Ewing, Hall, Hanna, Hazard, Lawrence, MacConnell, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Simpson, Struthers, Turrell and Wright—38.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bannan, Barclay, Bartholomew, Bigler, Boyd, Brodhead, Broomall, Buckalew, Cassidy, Clark, Cochran, Collins, Corbett, Corson, Craig, Cuyler, Davis, Dunning, Edwards, Ellis, Funck, Gibson, Gilpin, Green, Harvey, Hay, Howard, Hunsicker, Kaine, Lamberton, Lear, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Metzger, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Ross, Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

The third section was not agreed to.

On the question,

Will the Convention agree to the fourth section?

A motion was made by Mr. Dallas,

To amend the same, by striking out all to the word "every," in the eight line.

Which was agreed to.

49 CON. JOUR.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Dallas,

To amend the same, in the ninth line, by inserting after the word "have," the words, "the exclusive ;" and in the tenth line, by striking out the words, "of the United States," and inserting after the word "or," the word "laws."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Littleton,

To amend the amendment, by striking out all after the word "regulation," and inserting as follows, viz: "Including the assessment, general or special of the cost of such municipal improvements as it may from time to time direct to be made or renewed: *Provided*, That such laws shall not be repugnant to the Constitution of the United States or of this Commonwealth."

Which was not agreed to.

The amendment was not agreed to.

The section as amended was not agreed to.

On the question,

Will the Convention agree to the fifth section ?

A motion was made by Mr. Newlin,

To insert a new section, as follows, viz: "No debt shall be contracted or liability incurred by any municipal commission, except in pursuance of an appropriation therefor having first been made by the municipal government."

Which was agreed to.

On the question,

The fifth section was not agreed to.

Will the Convention agree to the sixth section ?

A motion was made by Mr. Struthers,

To amend the same, in the second line, by striking out the word "permanent," and inserting in lieu thereof the word "funded."

Which was agreed to.

The section as amended was agreed to.

The seventh section was not agreed to.

On the question,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Guthrie,

To insert a new section, as follows, viz: "No territory shall be annexed to or consolidated with any city or borough except at the request expressed by a vote, at a regular election, of a majority of the qualified electors residing in the territory proposed to be annexed."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Bardsley,

To amend the same, in the second line, by inserting after the word "hands," the words, "within the time provided by law."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Armstrong,

To amend the same, in the second line, by striking out the words, "money officially," and inserting in lieu thereof the words, "all public moneys."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Heverin,

To amend the same, by making it read as follows, viz: "No delinquent municipal officer shall be eligible to any municipal office."

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. Dallas,

To amend the same, in the second line, by striking out the word "municipal."

Which was not agreed to.

The section as amended was not agreed to.

The ninth section was not agreed to. •

On the question,

Will the Convention agree to the tenth and last section ?

A motion was made by Mr. Heverin,

To amend the same, by striking out all after the word "appearance," in the eighth line.

Which was not agreed to. •

The section was not agreed to.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. H. W. Palmer and Mr. Temple,

To re-consider the vote by which the first section was adopted.

Which was not agreed to.

And the question recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Stanton,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

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 Monday morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

L. ROGERS,

A. D. HARLAN,

Assistant Clerks.

MONDAY, JUNE 30, 1873.

Mr. Hay asked and obtained leave of absence for Mr. Wm. H. Smith for a few days from to-day.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Turrell for a few days from to-day.

Mr. Landis asked and obtained leave of absence for Mr. Baer for a few days from to-day.

Mr. Brodhead presented the following communication, which was read, viz :

BETHLEHEM, PA., June 26, 1873.

To the Hon. JOHN H. WALKER,

President Pennsylvania Constitutional Convention :

DEAR SIR :—By a unanimous vote of the board of trustees of Lehigh University, the free use of Packer Hall was this day tendered for the use of the Pennsylvania Constitutional Convention, should they adjourn to meet at Bethlehem.

Packer Hall has three rooms, each 80 feet by 40 feet, any one of which would accommodate the Convention, besides a large number of smaller rooms which could be used for committee rooms, &c. By order of the board of trustees.

E. P. WILBUR, *Secretary.*

A motion was made by Mr. Alricks,

That the thanks of the Convention be tendered the trustees for their invitation, and that the communication be laid on the table.

Which was agreed to

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

Resolved, That when the Convention adjourns on Thursday next, it will be to meet in the Hall of the House of Representatives, at Harrisburg, on the 8th of July next, at 11 o'clock A. M.

Laid on the table.

On motion of Mr. Armstrong,

The Convention proceeded to the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

On the question,

Will the Convention agree to the first section ?

A motion was made by Mr. Temple,

To amend the same, by striking out all after the word "peace," in the fourth line.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the first section ?

A motion was made by Mr. Woodward,

To amend the same, by adding to the end of the section the words, "and all the judges of said courts shall be appointed by the Governor by and with the advice and consent of two-thirds of the Senate."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Woodward and Mr. Temple, and were as follow, viz:

Y E A S .

Messrs. Bailey, of Huntingdon, Barclay, Biddle, Bullitt, Church, Curtin, Finney, Guthrie, Hall, Hemphill, Hunsticker, Lilly, Mann, Palmer, G. W., Russell, Temple, Wetherill, Jno. Price, and Woodward—18.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Beebe, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Calvin, Campbell, Carey, Cassidy, Corbett, Corson, Cronmiller, Curry, Dallas, Darlington, De France, Dodd, Edwards, Elliott, Fulton, Hay, Hazzard, Horton, Kaine, Knight, Landis, Lawrence, Littleton, MacConnell, M'Clean, Minor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Sharpe, Simpson, Struthers, Walker, Wherry, Worrell and Wright—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bannan, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Buckalew, Carter, Clark, Cochran, Collins, Craig, Cuyler, Davis, Dunning, Ellis, Ewing, Fell, Funck, Gibson, Gilpin, Green, Hanna, Harvey, Heverin, Howard, Lamberton, Lear, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Ross, Runk, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., White, David N., 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. Russell.

To amend the same, so as to make it read as follows, viz: "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, 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."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

It was determined in the affirmative.

On the question,

Will the Convention agree to the second section?

A motion was made by Mr. Armstrong,

To amend the same, in the first and second lines, by striking out the words, "who shall be elected by the qualified voters at large," and by adding to the end of the section, as follows, viz:

"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."

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 first line, by inserting after the word "the," the words, "judges of the," and in the same line, by striking out the words, "shall consist of seven judges who."

Which was not agreed to.

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 second line, by striking out the words, "elected by the qualified voters of the State at large," and inserting in lieu thereof the words, "appointed by the Governor by and with the advice and consent of two-thirds of the Senate."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Kaine,

To amend the same, in the third line, by striking out the word "twenty-one," and inserting in lieu thereof the word "fifteen."

On the question,

Will the Convention agree so to amend ?

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

Y E A S .

Messrs. Achenbach, Beebe, Black, Charles A., Bowman, Bullitt, Campbell, Corbett, Corson, Cronmiller, Curtin, Darlington, Edwards, Elliott, Fulton, Hall, Hanna, Hunsicker, Kaine, Knight, Lawrence, Lear, Littleton, MacConnell, M'Clean, Niles, Palmer, G. W., Palmer, H. W., Patton, Purman, Purviance, Sam'l A., Rooke, Smith, H. G., Wherry, Woodward and Worrell—35.

N A Y S .

Messrs. Alricks, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Biddle, Brodhead, Broomall, Brown, Calvin, Carey, Cassidy, Church, Curry, Dallas, De France, Ewing, Fell, Finney, Guthrie, Hay, Hemphill, Horton, Landis, Lilly, MacVeagh, Mann, Minor, Mitchell, Mott, Patterson, T. H. B., Read, John B., Reed, Andrew, Reynolds, Russell, Sharpe, Simpson, Stanton, Struthers, Temple, Walker, Wetherill, John Price, and Wright—42.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bannan, Barclay, Bardsley, Bartholemew, Bigler, Black, J. S., Boyd, Buckalew, Carter, Clark, Cochran, Collins, Craig, Cuyler, Davis, Dodd, Dunning, Ellis, Funck, Gibson, Gilpin, Green, Harvey, Hazard, Heveria, Howard, Lamberton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., White, David N., 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, in the fourth line, by striking out the words, "but shall not be eligible to re-election," and inserting in lieu thereof the words, "and shall be ineligible for any other office of trust, honor or profit during said term."

Which was agreed to.

And the question again recurring,
Will the Convention agree to the section?

A motion was made by Mr. Struthers,
To amend the same, in the fourth line, by inserting after the word "re-election," the words, "after having arrived at the age of sixty-five years."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the section?

A motion was made by Mr. S. A. Purviance,
To amend the same, in the first line, by striking out the word "seven," and inserting in lieu thereof the word "five."

Which was not agreed to.

The section was then agreed to.

On the question,
Will the Convention agree to the third section?

A motion was made by Mr. Kaine,
To amend the same, in the third line, by inserting before the word "habeas," the words, "injunction where a corporation is a party of."

On the question,
Will the Convention agree so to amend?

A motion was made by Mr. Corson,
To amend the amendment, by striking out the words, "where a corporation is a party."

Which was not agreed to.

And the question recurring,
Will the Convention agree so to amend?

A motion was made by Mr. Broomall,
To amend the amendment, by inserting after the word "party" the word "defendant."

Which was agreed to.

On the question,
Will the Convention agree to the amendment as amended?

The yeas and nays were required by Mr. Corbett and Mr. Hunsicker, and were as follow, viz:

Y E A S .

Messrs. Alricks, Armstrong, Baily, of Perry, Beebe, Biddle, Bowman, Brodhead, Broomall, Bullitt, Calvin, Campbell, Carey, Church, Corson, Curry, Dallas, Darlington, Edwards, Elliott, Finney, Fulton, Guthrie, Hanna, Hazzard, Hemp-hill, Kaine, Knight, Lilly, MacConnell, MacVeagh, Mitchell, Mott, Niles, Patton, Read, John R., Reed, Andrew, Reynolds, Russell, Sharpe, Smith, H. G., Wetherill, Jno. Price, Wherry and Woodward—48.

N A Y S .

Messrs. Bailey, of Huntingdon, Black, Charles A., Brown, Cassidy, Corbett, Cronmiller, De France, Ewing, Hay, Heverin, Horton, Hunsicker, Landis, Law-

rence, Littleton, M'Clean, Mann, Minor, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Simpson, Struthers, Temple, Walker, Worrell and Wright—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baer, Baker, Ban-
nan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Buckalew,
Carter, Clark, Cochran, Collins, Craig, Curtin, Cuyler, Davis, Dodd, Dunning,
Ellis, Fell, Funck, Gibson, Gilpin, Green, Hall, Harvey, Howard, Lamberton,
Lear, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Par-
sons, Patterson, D. W., Porter, Pughe, Purviance, John N., Rooke, Ross, Runk,
Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Weth-
erill, J. M., White, David N., White, Harry, White, J. W. F., and Meredith,
President.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fourth section ?

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 :

"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 district over which they are to
preside for the term of ten years, if they so long behave themselves well. The
General Assembly shall, at its first session after the adoption of the amendments
to the Constitution, divide the State into suitable judicial districts, and provide
for the election of three judges in each district, except when a single county
shall require a greater number; but no county shall be divided in forming a dis-
trict. The aforesaid judges, during their continuance in office, shall reside with-
in 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 im-
practicable. Courts in banc shall be held by the judges of every district, or a
majority of them, 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."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Fulton,

To amend the amendment, by striking out all after the word "elected," in the
ninth line, to and including the word "impracticable," in the thirteenth line.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Kaine and Mr. John R. Read, and
were as follow, viz :

Y E A S .

Messrs. Bailey, of Huntingdon, Beebe, Black, Charles A., Brodhead, Brown,
Bullitt, Corson, Curtin, Elliott, Fulton, Guthrie, Hanna, Hemphill, Kaine, Mitch-
ell, Read, John R., Sharpe, Smith, H. G., and Woodward—19.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Biddle, Bowman,
Broomall, Calvin, Campbell, Carey, Cassidy, Church, Corbett, Cronmiller, Curry,
Dallas, Darlington, De France, Edwards, Ewing, Fell, Finney, Hall, Hay, Haz

zard, Heverin, Horton, Hunsicker, Knight, Landis, Lawrence, Lear, Lilly, MacConnell, M'CLean, Mann, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Simpson, Struthers, Temple, Walker, Wherry, Worrell and Wright—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Buckalew, Carter, Clark, Cochran, Collins, Craig, Cuyler, Davis, Dodd, Dunning, Ellis, Funck, Gibson, Gilpin, Green, Harvey, Howard, Lamberton, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Meredith, *President*.

The section was then agreed to.

On the question,

Will the Convention agree to the fifth section ?

A motion was made by Mr. Dallas,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz :

"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 effect any proceeding which may be actually pending, when this Constitution shall go into effect.

"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.

"The Legislature shall provide for the employment of phonographic reporters in the said courts."

On the question,

Will the Convention agree so to amend ?

The hour of one having arrived,

The President *pro tem.* announced a recess until three and a-half o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary:

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Dallas to the fifth section ?

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 all after the word "section," and inserting in lieu thereof as follows, viz :

"In the city of Philadelphia all the jurisdiction and powers now vested in the district court and in the court of common pleas, in said city, shall hereafter be vested in one court of common pleas composed of twelve judges, and divided into four divisions of three judges each, which said divisions shall, so far as is consistent with the following provisions, be each a distinct and separate court for all purposes, other than those for which it is hereinafter provided that the said court shall act collectively. The said several divisions shall have equal and coordinate jurisdiction, and shall be respectively distinguished as court of common pleas number one, number two, number three and number four; the number of said divisions may be from time to time increased, and the election of judges for such additional divisions be provided for by law, and such new divisions shall be part of the same court, and be distinguished by successive numbers.

"Each of said divisions shall have exclusive jurisdiction of all proceedings at law and in equity, to which the jurisdiction of such division shall have once attached, subject to removal from any one to any other of said divisions for such causes and in such manner as may be prescribed by law, but all proceedings at law and in equity shall be commenced in said court of common pleas as one court, and without regard to the divisions thereof, and the assignment and distribution of the proceedings so commenced to and amongst the said several divisions shall be made in accordance with such general rules upon the subject as the said court may from time to time adopt, and upon assignment of any proceeding at law or in equity to any of said divisions, in accordance with such general rules the jurisdiction of such division shall immediately attach thereto.

"Said court sitting collectively shall, from time to time, make such rules and orders for regulating its practice and business, and that of its several divisions as to said court may seem proper, said rules and orders to have the same force as rules of court in other cases, and the said court sitting collectively shall, from time to time, detail one or more of its judges in turn to hold the criminal courts of said district, and shall also from time to time detail one judge from each division of said court to sit in banc, who, while so sitting, shall exclusively exercise all the powers and jurisdiction of said court for the further examination or review of all proceedings, civil and criminal, which shall have been previously before said court or any division thereof, and shall perform such other duties and exercise such other powers and jurisdiction of said court, not including trial by jury, as said court may by general rules prescribe. The judgments of said judges, or a majority of them, when so sitting in banc, shall have the force and effect of judgments of the entire court, but no judge shall have a voice in determining any judgment in review of his own decision.

"There shall be but one prothonotary's office, and one prothonotary for the said court, who, with such assistants as the court may deem necessary, shall be appointed by the judges thereof and be subject to removal by them."

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. Hanna and Mr. Worrell, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Bailly, of Perry, Barclay, Beebe, Bidle, Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Corbett, Corson, Cronmiller, Curry, De France, Elliott, Fulton, Guthrie, Hall, Hay, Hazzard, Hemp-hill, Landis, Lilly, MacConnell, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purman, Purvance, Sam'l A., Reed, Andrew, Reynolds, Russell, Sharpe, Struthers, Temple and Wright—44.

N A Y S.

Messrs. Bailey, of Huntingdon, Bardsley, Black, Charles A., Black, J. S., Bullitt, Cassidy, Church, Curtin, Dallas, Darlington, Edwards, Gibson, Hanna, Heverin, Horton, Hunsicker, Kaine, Knight, Lawrence, Lear, Littleton, M'Clean, Mann, Newlin, Niles, Patterson, T. H. B., Read, John B., Rooke, Ross, Stanton, Walker, Wetherill, John Price, Wherry and Worrell—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bannan, Bartholomew, Bigler, Brodhead, Buckalew, Carey, Carter, Clark, Cochran, Collins, Craig, Cuyler, Davis, Dodd, Dunning, Ellis, Ewing, Fell, Finney, Funck, Gilpin, Green, Harvey, Howard, Lamberton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Parsons, Porter, Pughe, Purviance, John N., Runk, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the sixth section?

A motion was made by Mr. Armstrong,

To amend the same, in the third line, by striking out the words, "hereinafter provided," and inserting in lieu thereof the words, "may be provided by law."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the seventh section?

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

To amend the same, in the second and third lines, by striking out the words, "to be appointed by the judges of said courts, and to," and inserting in lieu thereof the words, "who shall."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. S. A. Purviance and Mr. Mann, and were as follow, viz:

YEAS.

Messrs. Alricks, Beebe, Campbell, Corson, Edwards, Ewing, Fulton, Guthrie, Hay, Knight, Lawrence, Lear, MacConnell, Mann, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Ross, Stanton, Struthers and Walker—22.

NAYS.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bardsley, Biddle, Black, Charles A., Black, J. S., Bowman, Boyd, Broomall, Brown, Bullitt, Calvin, Cassidy, Church, Cronmiller, Curry, Curtin, Darlington, De France, Elliott, Gibson, Hall, Hanna, Hazzard, Hemphill, Heverin, Horton, Hunsicker, Kaine, Landis, Lilly, Littleton, M'Clean, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Patton, Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Temple, Wetherill, Jno. Price, Wherry, Worrell and Wright—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bannan, Bartholomew, Bigler, Brodhead, Buckalew, Carey, Carter, Clark, Cochran, Collins, Corbett, Craig, Cuyler, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Funck, Gilpin, Green, Harvey, Howard, Lamberton, Long, MacVeagh, M'Camant, M'Cullough, M'Murray, Mantor, Metzger, Mott, Newlin, Parsons, Porter, Pughe, Purviance, John N., Runk, Simpson, Smith, H. G., Smith, Henry W., Smith Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

The section was then agreed to.

The eighth and ninth sections were agreed to.

On the question,

Will the Convention agree to the tenth section?

A motion was made by Mr. Armstrong,

To amend the same, in the first line, by striking out the word "criminal," and inserting in lieu thereof the word "capital," and by inserting after the word "case," the words, "and in such other criminal cases as may be authorized by law."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Kaine,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

TUESDAY, JULY 1, 1873.

Mr. Edwards asked and obtained leave of absence for Mr. Andrews for a few days from to-day, on account of sickness in his family.

Mr. Fulton asked and obtained leave of absence for Mr. Hall for a few days from to-day.

Mr. Hanna asked and obtained leave of absence for Mr. Wherry for a few days from to-day.

Mr. Stanton asked and obtained leave of absence for Mr. Addicks for a few days from to-day, on account of sickness.

Mr. Reynolds asked and obtained leave of absence for Mr. H. G. Smith for to-day.

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

Resolved, That hereafter the Convention will meet at 9½ o'clock A. M., adjourn at 1 o'clock, meet at 3 o'clock and adjourn at 6 o'clock P. M.

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, dated June 25, 1873, for three hundred reams of paper furnished to the Printer, under his contract with the Convention, amounting to \$2,250; that said account is certified by the Committee on Printing and Binding, and that the Printer acknowledges the receipt of the paper therein mentioned, and that it is in accordance with the quality required by contract. Also, the account of the Philadelphia gas works for gas supplied from May 22 to June 24, amounting to \$30 59.

These accounts are reported to be correct and proper to be paid.

The Committee further reports that on the 16th of December, 1872, a warrant was drawn in favor of Edward C. Knight, a member of this Convention, for

\$71 40, for his allowance for postage, stationery and contingencies, and mileage to and from the session of the Convention at Harrisburg, which warrant Mr. Knight states that he has not received. The warrants of the Convention are payable only to the person in whose favor they are drawn, and not to bearer, so that no loss can occur to the State from this fact; and for the payment to Mr. Knight of the amount due him as above mentioned, it is necessary that a duplicate warrant therefor should be drawn by order of the Convention.

The following resolutions are accordingly submitted:

Resolved, That the accounts mentioned in the foregoing report are hereby approved; that a warrant be drawn in favor of William W. Harding for the sum of \$2,250, in payment of his said account, and that the account of the Philadelphia gas works be paid by the Chief Clerk.

Resolved, That in lieu of warrant No. 65, dated December 16, 1872, for the sum of \$71 40, issued to Edward C. Knight for his allowance for postage, stationery and contingencies, and mileage, which has not been received by him, a warrant be drawn in his favor for the same sum and marked *duplicate*; and that a copy of this resolution be furnished to the State Treasurer, by the Chief Clerk, with notice not to pay the original warrant No. 65.

On motion of Mr. Hay,

The resolutions accompanying the report were twice read, considered and agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Armstrong to the tenth section, to strike out the word "criminal," in the first line, and insert in lieu thereof the word "capital," and to insert after the word "case," in the same line, the words, "and in such other criminal cases as may be authorized by law."

A motion was made by Mr. Armstrong,

To amend the same, by striking out the words, "capital case," and inserting in lieu thereof the words, "indictment for homicide."

Which was agreed to.

On the question,

Will the Convention agree to the amendment as amended?

The yeas and nays were required by Mr. Ellis and Mr. Ross, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Black, Charles A., Black, J. S., Brown, Buckalew, Calvin, Carey, Carter, Church, Corbett, Cronmiller, Darlington, De France, Dodd, Finney, Fulton, Gibson, Guthrie, Hanna, Hay, Hazzard, Horton, Kaine, Landis, Lawrence, Lilly, MacConnell, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Struthers, Wetherill, J. M., Woodward and Wright—48.

N A Y S.

Messrs. Ainey, Alricks, Baker, Beebe, Biddle, Bowman, Boyd, Broomall, Bullitt, Campbell, Cassidy, Cochran, Corson, Dallas, Edwards, Elliott, Ellis, Ewing, Fell, Funck, Gilpin, Harvey, Hemphill, Heverin, Hunsicker, Knight, Lear, Littleton, MacVeagh, M'CLean, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Porter, Read, John R., Ross, Simpson, Smith, Henry W., Stanton, Temple, Walker, Wetherill, John Price, Wherry and Worrell—46.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bigler, Brodhead, Clark, Collins, Craig, Curry, Curtin, Cuyler, Davis, Dunning, Green, Hall, Howard, Lamberton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Parsons, Pughe, Purviance, John N., Runk, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed, White, David N., 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. Hunsicker,

To amend the same, by striking out the words, "every case of homicide," and inserting in lieu thereof the words, "all cases of felony."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Hunsicker and Mr. Worrell, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baker, Beebe, Biddle, Bowman, Boyd, Broomall, Bullett, Campbell, Cassidy, Cochran, Corson, Dallas, Dodd, Edwards, Elliott, Ellis, Ewing, Fell, Funck, Gilpin, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Knight, Lear, Littleton, MacVeagh, M'Clean, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Porter, Read, John R., Rooke, Ross, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Walker, Wetherill, John Price, Woodward, Worrell and Wright—51.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Black, Charles A., Black, J. S., Brown, Buckalew, Calvin, Carey, Carter, Church, Corbett, Cronmiller, Darlington, De France, Finney, Fulton, Gibson, Guthrie, Hay, Hazzard, Horton, Kaine, Landis, Lawrence, Lilly, MacConnell, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Sharpe and Wetherill, J. M.—42.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bear, Bannan, Barclay, Bardsley, Bigler, Brodhead, Clark, Collins, Craig, Curry, Curtin, Cuyler, Davis, Dunning, Green, Hall, Howard, Lamberton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Parsons, Pughe, Purviance, Jno. N., Runk, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Alricks,

To amend the same, by inserting after the word "felony," the words, "and prosecutions for libel."

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, by striking out all after the word "section," and inserting in lieu thereof as follows, viz : "In criminal cases 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."

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, in first and second lines, by striking out the words, "as well as the Commonwealth," and in inserting in lieu thereof the words, "after conviction and sentence."

Which was 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 "felony," the words, "forgery, perjury, embezzlement, false pretence, conspiracy and libel."

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. Cochran and Mr. Hunsicker, and were as follow, viz :

Y E A S.

Messrs. Ainey, Alricks, Baker, Beebe, Biddle, Bowman, Boyd, Broomall, Bullitt, Campbell, Carter, Cassidy, Cochran, Corson, Dallas, Edwards, Elliott, Ellis, Ewing, Fell, Funck, Gilpin, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Knight, Littleton, MacVeagh, M'CLean, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Porter, Purman, Read, John R., Ross, Smith, Henry W., Temple, Walker, Wetherill, John Price, and Worrell—45.

N A Y S.

Messrs. Achenbach, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Bartholomew, Black, Charles A., Black, J. S., Brown, Buckalew, Calvin, Carey, Church, Corbett, Cronmiller, Curry, Darlington, De France, Dodd, Finney, Fulton, Gibson, Guthrie, Hay, Hazzard, Horton, Kaine, Landis, Lawrence, Lilly, MacConnell, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Struthers, Wetherill, J. M., Woodward and Wright—47.

So the question was determined in the negative.

ABSENT. — Messrs. Addicks, Andrews, Baer, Bannan, Bardsley, Bigler, Brodhead, Clark, Collins, Craig, Curtin, Cuyler, Davis, Dunning, Green, Hall, Howard, Lamberton, Lear, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Parsons, Pughe, Purviance, John N., Runk, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., and Meredith, *President*.

On the question,
Will the Convention agree to the eleventh section ?

A motion was made by Mr. Kaine,
To amend the same, in the first line, by striking out the words, "of the Supreme Court and the judges."

Which was agreed to.

The section as amended was agreed to.

On the question,
Will the Convention agree to the twelfth section ?

A motion was made by Mr. Broomall,
To amend the same, by striking out all after the word "election," in the tenth line.

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

Mr. MacVeagh called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "yeas," in the fifth line?

It was agreed to,

On the question,

Will the Convention agree to the second division, to end with the word "election," in the tenth line?

A motion was made by Mr. Darlington,

To amend the same, in the fifth line, by striking out the word "but."

Which was agreed to.

On the question,

Will the Convention agree to the second division as amended?

A motion was made by Mr. D. W. Patterson,

To amend the same, in the sixth line, by striking out the word "one," and inserting in lieu thereof the word "two."

Which was agreed to.

The division was then agreed to.

On the question,

Will the Convention agree to the third and last division?

A motion was made by Mr. Dallas,

To amend the same, by striking out from the word "judges," in the seventeenth line, to the word "term," in the nineteenth line, and inserting in lieu thereof the word "whose."

On the question,

Will the Convention agree so to amend?

The hour of one having arrived,

The President *pro tem.* announced a recess until half-past three o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Dallas to the third division of the twelfth section? viz: By striking out all between the word "judges," in the seventeenth line, to the word "term," in the nineteenth line.

It was determined in the affirmative.

On the question,

Will the Convention agree to the division as amended?

A motion was made by Mr. Temple,

To amend the same, in the seventeenth and twenty-first lines, by striking out the word "judges," and inserting in lieu thereof the word "magistrates."

Which was agreed to.

And the question recurring,

Will the Convention agree to the division as amended?

A motion was made by Mr. Hanna,

To amend the same, in the nineteenth line, by striking out the word "seven," and inserting in lieu thereof the word "five."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the division as amended?

A motion was made by Mr. Darlington,

To amend the same, by striking out from the word "city," in the twenty-first line, to the word "they," in the twenty-second line.

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Darlington and Mr. Niles, and were as follow, viz:

Y E A S.

Messrs. Bowman, Broomall, Calvin, Curry, Darlington, Edwards, Ewing, Gilpin, Hanna, Hay, Knight, Lawrence, MacConnell, MacVeagh; Minor, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Reynolds, Rooke, Ross, Smith, Henry W., Stanton, Struthers, Walker and Wetherill, J. M.—28.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntington, Baker, Biddle, Black, Charles A., Black, J. S., Boyd, Brodhead, Brown, Buckalew, Bullitt, Campbell, Carter, Church, Cochran, Corbett, Cronmiller, DeFrance, Elliott, Fulton, Funck, Gibson, Green, Guthrie, Hunsicker, Kaine, Landis, Lilly, Littleton, M'CLean, Mann, Mitchell, Mott, Palmer, G. W., Patton Purman, Read, John R., Reed, Andrew Sharpe, Simpson, Temple, Van Reed, Wetherill, John Price, Worrell and Wright—49.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Carey, Cassidy, Clark, Collins, Corson, Craig, Curtin, Cuyler, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Hall, Harvey, Hazard, Hemphill, Heverin, Horton, Howard, Lamberton, Lear, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Palmer, H. W., Parsons, Pughe, Purviance, John N., Runk, Russell, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the division as amended?

A motion was made by Mr. Hanna,

To amend the same, in the twenty-sixth line, by striking out the words, "costs in criminal cases and taxes," and insert in lieu thereof the word "fees," and by striking out in the twenty-seventh line the words, "discharged only by a direct payment," and insert in lieu thereof the word "paid."

Which was agreed to.

And the question again recurring,
Will the Convention agree to the division as amended?

A motion was made by Mr. Armstrong,
To amend the same, in the twenty-fifth line, by inserting after the word
"peace," the words, "subject to such changes as may be made by law."

Which was agreed to.

And the question again recurring,
Will the Convention agree to the division as amended?

A motion was made by Mr. Buckalew,
To amend the same, by inserting after the word "changes," in the twenty-fifth
line, the words, "not involving an increase of civil jurisdiction."

On the question,
Will the Convention agree so to amend?

A motion was made by Mr. Sharpe,
To amend the amendment, by inserting after the word "jurisdiction," the
words, "or conferring political duties."

Which was agreed to.

The amendment as amended was agreed to.

And the question again recurring,
Will the Convention agree to the division as amended?

A motion was made by Mr. Darlington,
To amend the same, in the twenty-third line, by inserting after the word "sala-
ries," the words, "not exceeding the fees received by them."

Which was not agreed to.

And the question again recurring,
Will the Convention agree to the division as amended?

Mr. Mann called for a further division, each paragraph to constitute a divi-
sion.

On the question,
Will the Convention agree to the first paragraph?

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

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Bailly, of Perry, Baker, Beebe, Biddle,
Black, Charles A., Black, J. S., Bowman, Boyd, Brown, Buckalew, Bullitt, Cal-
vin, Campbell, Carter, Church, Cochran, Corbett, Corson, Cronmiller, Curry,
Cuyler, De France, Elliott, Fulton, Funck, Gibsen, Gilpin, Green, Guthrie,
Heverin, Kaine, Knight, Landis, Lilly, Littleton, M'Clean, Mann, Mitchell,
Mott, Palmer, G. W., Patton, Purman, Read, John R., Reed, Andrew, Rooke,
Ross, Russell, Sharpe, Simpson, Temple, Van Reed, Wetherill, J. M., Wetherill,
John Price, Worrell and Wright—58.

NAYS.

Messrs. Broomall, Darlington, Edwards, Ewing, Hanna, Lawrence, MacCon-
nell, MacVeagh, Patterson, D. W., Patterson, T. H. B., Porter, Purviance,
Sam'l A., Reynolds, Smith, Henry W., Stanton, Struthers and Walker—17.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Brodhead, Carey, Cassidy, Clark, Collins, Craig, Curtin, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Lear, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Niles, Palmer, H. W., Parsons, Pughe, Purviance, John N., Runk, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the second and last paragraph?

It was determined in the affirmative.

The section as amended was then agreed to.

The thirteenth section was then agreed to.

On the question,

Will the Convention agree to the fourteenth section?

A motion was made by Mr. Kaine,

To amend the same, in the first line, by striking out the word "all," and inserting in lieu thereof the word "the," and by inserting after the word "judges," in the same line, the words, "of the courts of common pleas," and by striking out all after the word "law," in the first line, to and including the word "court," in the second line.

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the fifteenth section?

The yeas and nays were required by Mr. Broomall and Mr. Buckalew, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Black, J. S., Boyd, Brown, Buckalew, Campbell, Carter, Church, Cochran, Corbett, Corson, Cronmiller, Curry, Cuyler, De France, Elliott, Fulton, Gibson, Gilpin, Green, Guthrie, Heverin, Kaine, Landis, Lilly, M'Clean, Mann, Mitchell, Patton, Purman, Read, John R., Sharpe, Van Reed, Wetherill, John Price, and Worrell—40.

NAYS.

Messrs. Baker, Beebe, Biddle, Bowman, Broomall, Calvin, Darlington, Edwards, Ewing, Fell, Funck, Hanna, Lear, Littleton, MacConnell, MacVeagh, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Simpson, Smith, Henry W., Stanton, Struthers, Walker, Wetherill, J. M., and Wright—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Brodhead, Bullitt, Carey, Cassidy, Clark, Collins, Craig, Curtin, Dallas, Davis, Dodd, Dunning, Ellis, Finney, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Lawrence, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, John N., Runk, Smith, H. G., Smith, Wm. H., Stewart, Temple, Turrell, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

The sixteenth section was agreed to.

On the question,

Will the Convention agree to the seventeenth section?

A motion was made by Mr. Armstrong,

To amend the same, by striking out the word "to," in the fourth line, and inserting in lieu thereof the words, "which shall," and by striking out in the same line the word "wholly," and by striking out all after the word "State," in the same line, to and including the word "record," in the fifth line, and by striking out in the sixth line, the word "but," and by inserting after the word "shall," in the same line, the word "not," and by striking out in the same line the word "no," and by inserting in lieu thereof the word "any," and in the seventh line by striking out the word "other."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Baker,

To amend the same, in the fourth line, by striking out the words, "and paid by the State," and in the seventh line by striking out the words, "from any source."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Henry W. Smith,

To amend the same, in the third line, by striking out the words, "at stated times," and in the fifth line, by striking out the words, "not be," and by inserting in lieu thereof the words, "neither be increased nor."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Baker, Black, Charles A., Boyd, Buckalew, Bullitt, Darlington, Fulton, Gilpin, Kaine, Lawrence, MacConnell, Mitchell, Purman, Rooke, Russell, Smith, Henry W., Struthers, Van Reed and Walker—21.

NAYS.

Messrs. Armstrong, Beebe, Biddle, Bowman, Broomall, Brown, Calvin, Campbell, Carter, Church, Corbett, Corson, Cronmiller, Curry, Cuyler, De France, Edwards, Elliott, Fell, Funck, Gibson, Green, Guthrie, Hanna, Landis, Lear, Lilly, Littleton, MacVeagh, M'Clean, Mann, Minor, Mott, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Ross, Sharpe, Simpson, Stanton, Wetherill, J. M., Wetherill, John Price, Worrell and Wright—51.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Brodhead, Carey, Cassidy, Clark, Cochran, Collins, Craig, Curtin, Dallas, Davis, Dodd, Dunning, Ellis, Ewing, Finney, Hall, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Hunsicker, Knight, Lamberton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Palmer, H. W., Parsons, Pughe, Purviance, John N., Runk, Smith, H. G., Smith, Wm. H., Stewart, Temple, Turrell, Wherry, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Ewing,

To amend the same, in the fifth and sixth lines, by striking out the following words: "Which shall not be diminished during their continuance in office."

Which was not agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the eighteenth section?

Mr. Kaine called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "elected," in the fourth line?

It was determined in the affirmative.

On the question,

Will the Convention agree to the second division? viz: "The remainder of the section."

A motion was made by Mr. Gibson,

To amend the same, by inserting the word "one," after the word "fifty," where it occurs in the sixth line, and after the word "thirty," where it occurs in the seventh line, and by striking out the word "five," in the eleventh line and inserting in lieu thereof the word "twenty."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the second division?

A motion was made by Mr. Corson,

To amend the same, by striking out all after the word "judge," in the fifth line, to and including the words, "common pleas," in the seventh line, and by striking out all after the word "age," in the eighth line, to and including the word "the," in the ninth line, and inserting in lieu thereof the word "and."

Which was not agreed to.

On the question,

Will the Convention agree to the second division?

It was determined in the negative.

The nineteenth section was agreed to.

On the question,

Will the Convention agree to the twentieth section?

Mr. Armstrong offered a new section, to be numbered twenty, as follows, viz:

"Whenever, within one year after the official publication of any act of Assembly in the pamphlet laws, and not thereafter, it shall be alleged before the Attorney General by affidavit, showing probable cause to believe that any fraud, bribery or undue means were employed to procure the passage or approval of such law, it shall be the duty of the Attorney General forthwith to apply to the Supreme Court, or one of the judges thereof, for process in an appropriate proceeding which shall be ordered of course, and in which the Commonwealth upon relation of the Attorney General, shall be plaintiff, and such party as the Supreme Court or the judge who shall grant such issue shall direct shall be defendant, to try the validity of such act of Assembly, whereupon the court shall direct publications of the same, and any party in interest may appear, and upon petition be made a party plaintiff or defendant thereto.

"The said issue shall be tried upon proper pleadings by one of the judges of the Supreme Court in whatever county the Supreme Court may direct, and if it shall

appear to the court and jury upon such trial that bribery, fraud or false pretenses have been used to procure the passage or approval of the same, such act of Assembly shall be adjudged null and void, and such judgment shall be conclusive. And the Governor shall thereupon issue his proclamation declaring such judgment. Either party shall be entitled within six months, and not thereafter, to a writ of error as in other cases.

"No officer of the Commonwealth, nor any officer or member of the Legislature shall be exempt from testifying when required in such case, but the testimony of any such witness shall not be used against him in any criminal prosecution."

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 *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

WEDNESDAY, JULY 2, 1873.

The President *pro tem.* laid before the Convention the following communication, viz:

PHILADELPHIA, July 2, 1873.

Hon. JOHN H. WALKER,

President Constitutional Convention:

DEAR SIR:—In pursuance of a purpose announced some ten days since in the Convention, I hereby respectfully resign my seat as a Delegate-at-Large in that body.

I am, with great respect,

Your obedient servant,

GEO. W. WOODWARD.

Laid on the table.

A motion was made by Mr. Alricks,

That the resignation be not accepted, but that leave of absence be granted, hoping that Judge Woodward would return to his seat before final adjournment and again take part in the deliberations of the Convention.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Cochran,

To amend the same, by making it read as follows, viz: "That the resignation be referred to the fourteen Delegates-at-Large last named in the proclamation of the Governor.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Hemphill,

To postpone the question, together with the further consideration of the motion, 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. Lilly,

To amend the amendment, so as to make it read as follows, viz: "No resignation will hereafter be accepted."

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. Corbett and Mr. Temple, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Beebe, Bullitt, Carter, Cochran, Corbett, Cuyler, Dallas, De France, Ellis, Gilpin, Hazzard, Knight, MacConnell, M'CLean, Mann, Porter, Purman, Rooke and Walker—20.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Brown, Calvin, Church, Curry, Darlington, Edwards, Ewing, Fulton, Funck, Gibson, Green, Guthrie, Harvey, Hemphill, Hunsicker, Kaine, Landis, Lawrence, Lilly, Littleton, Metzger, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Russell, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, White, Harry, and Wright—60.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Bartholomew, Black, J. S., Brodhead, Buckalew, Campbell, Carey, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curtin, Davis, Dodd, Dunning, Elliott, Fell, Finney, Hall, Hanna, Hay, Heverin, Horton, Howard, Lamberton, Lear, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Mott, Newlin, Pughe, Purviance, John N., Read, John R., Runk, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Worrell and Meredith, *President*.

The motion was then agreed to.

Mr. Parsons presented the following communication, which was read, viz :

MAYOR'S OFFICE, WILLIAMSPORT, PA, July 1, 1873.

HON. JOHN H. WALKER :

President pro tem. of the Constitutional Convention :

SIR :—At a meeting of the council of the city of Williamsport, the following resolutions were unanimously adopted :

Resolved, That the council of the city of Williamsport do hereby cordially invite the Constitutional Convention of Pennsylvania to hold its summer session in the city of Williamsport.

Resolved, That the Mayor of the city be requested to transmit this invitation to the Convention, and tender therewith the hospitalities of our citizens.

I cheerfully comply with the request contained in the second resolution, and in common with all of our citizens, I trust that the invitation will be accepted.

Our large and commodious court house will be placed at the disposal of the Convention, and every endeavor will be made by the citizens of Williamsport to render the stay of the delegates agreeable and pleasant.

Respectfully yours,

S. W. STARKWEATHER,

Mayor of Williamsport.

Laid on the table.

On motion of Mr. Stanton,

The thanks of the Convention were tendered the mayor and councils of Williamsport for their invitation.

Mr. Beebe asked and obtained leave of absence for Mr. Horton for a few days from to-day, on account of sickness.

Mr. S. A. Purviance asked and obtained leave of absence for himself from to-morrow until Wednesday next.

Mr. Wright 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. Russell for a few days from to-morrow.

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

Resolved, That this Convention adjourn to-morrow at one P. M., to meet on Monday, the 7th inst., at 3 o'clock P. M.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Beebe,

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. Beebe and Mr. Temple, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Armstrong, Bailey, of Huntingdon, Barclay, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Campbell, Carter, Church, Cochran, Corbett, Corson, Cuyler, Dallas, Darlington, De France, Dodd, Edwards, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hay, Hazzard, Hemphill, Howard, Knight, Lawrence, Lear, Lilly, Littleton, MacConnell, MacVeagh, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Reed, Andrew, Rooke, Russell, Sharpe, Simpson, Smith, H. G., Struthers, Temple, Van Reed, Walker, Wetherill, J. M., and Wetherill, John Price—66.

NAYS.

Messrs. Aticks, Baily, of Perry, Baker, Brown, Buckalew, Calvin, Ellis, Ewing, Hanna, Harvey, Hunsiocker, Kaine, Landis, Patton, Purviance, Sam'l A., Read, John R., Reynolds, Ross, Smith, Henry W., Stanton, White, Harry, and Wright—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Bardsley, Black, J. S., Brodhead, Bullitt, Carey, Cassidy, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Dunning, Elliott, Fell, Finney, Hall, Heverin, Horton, Lamberton, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Newlin, Palmer, G. W., Pughe, Purviance, John N., Runk, Smith, Wm. H., Stewart, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Worrell and Meredith, *President*.

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

Resolved, That when this Convention adjourns to-day, it will be to meet on the second Tuesday of September in the city of Philadelphia.

On the question,

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

The yeas and nays were required by Mr. Sharpe and Mr. Carter, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Bartholomew, Bowman, Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Curry, Cuyler, Ellis, Green, Hanna, Harvey, Hazzard, Hemphill, Hunsicker, Knight, Lear, MacVeagh, Metzger, Mitchell, Mott, Parsons, Patton, Read, John R., Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Van Reed, Wetherill, J. M., and Wright—40.

NAYS.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Charles A., Campbell, Carey, Carter, Church, Cochran, Corbett, Corson, Dallas, Darlington, De France, Dodd, Edwards, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Howard, Kaine, Landis, Lawrence, Lilly, Littleton, MacConnell, M'Clean, Mann, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Simpson, Struthers, Temple, Walker, Wetherill, Jno. Price, White, Harry, and Worrell—55.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Brodhead, Cassidy, Clark, Collins, Craig, Cronmiller, Curtin, Davis, Dunning, Elliott, Fell, Hall, Heverin, Horton, Lamberton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Newlin, Pughe, Purviance, John N., Runk, Smith, Wm. H., Stewart, Turrell, Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

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

Resolved, That after this week the sessions of this Convention will be held in some other place than Philadelphia.

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 the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the motion made by Mr. Armstrong, to insert a new section, to be numbered twenty?

A motion was made by Mr. Sharpe,

To amend the same, in the sixteenth line, by inserting after the word "conclusive," the words, "*Provided*, That rights, *bona fide*, vested before investigation is applied for, shall not be effected by said judgment."

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 section ?

A motion was made by Mr. Bullitt,

To amend the same, by striking out all after the word "that," in third line, to and including the word "procure," in the fourth line, and by inserting after the word "law," the words, "was procured by bribery, fraud or other corrupt means," and in the sixth line, by striking out the words, "of course," and inserting in lieu thereof the words, "if there appear to the said court or to such judges to be such probable cause."

On the question,
Will the Convention agree so to amend ?

The hour of one having arrived,
The President *pro tem.* announced a recess until three o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,
Will the Convention agree to the amendment offered by Mr. Bullitt ?

It was determined in the negative.

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 :

"Whenever, within six months after the official publication of any act of Assembly in the pamphlet laws, and not thereafter, it shall be alleged before the Attorney General by affidavit, showing probable cause to believe that the passage or approval of such law was procured by bribery, fraud, or other corrupt means, it shall be the duty of the Attorney General forthwith to apply to the Supreme Court, or one of the judges thereof for process in an appropriate proceeding which shall be ordered, if there appear to the said court or to such judge to be such probable cause, and in which the Commonwealth upon relation of the Attorney General, shall be plaintiff, and such party as the Supreme Court or the judge, who shall grant such issue shall direct, shall be defendant, to try the validity of such act of Assembly, whereupon the court shall direct publications of the same, and any party in interest may appear, and upon petition be made a party plaintiff or defendant thereto.

"The said issue shall be framed and tried before a jury by one of the judges of the Supreme Court, in whatever form and in such county as the Supreme Court may direct, and if it shall appear to the court and jury upon such trial that the passage or approval of the same was procured by bribery, fraud, or other corrupt means, such act of Assembly shall be adjudged null and void, and such judgment shall be conclusive. And the Governor shall thereupon issue his proclamation declaring such judgment. Either party shall be entitled within three months, and not thereafter, to a writ of error as in other cases.

"No officer of the Commonwealth, nor any officer or member of the Legislature, shall be exempt from testifying when required in such case, but the testimony of any such witness shall not be used against him in any criminal prosecution, except for perjury therein."

On the question,
Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Darlington and Mr. Temple, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Beebe, Bigler, Black, Charles A., Brodhead, Buckalew, Bullitt, Calvin, Campbell, Church, Corson, Cuyler, Dallas, Ellis, Ewing, Fulton, Gibson, Gilpin, Green, Guthrie, Hay, Hazzard, Kaine, MacConnell, MacVeagh, Metzger, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Reed, Andrew, Russell, Sharpe, Smith, Henry W., Stewart, Struthers, Temple, Wetherill, J. M., Wetherill, John Price, Worrell and Wright—52.

N A Y S .

Messrs. Ainey, Baily, of Perry, Bannan, Biddle, Bowman, Boyd, Broomall, Brown, Carter, Cochran, Corbett, Darlington, De France, Edwards, Fell, Funck, Hanna, Harvey, Hemphill, Heverin, Hunsicker, Landis, Lawrence, Lear, Lilly, Mann, Minor, Niles, Patterson, D. W., Purviance, Samuel A., Reynolds, Rooke, Simpson, Stanton, Van Reed, Walker and White, Harry—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Carey, Cassidy, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Dodd, Dunning, Elliott, Finney, Hall, Horton, Howard, Knight, Lamberton, Littleton, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purviance, John N., Read, John R., Ross, Runk, Smith, H. G., Smith, Wm. H., Turrell, Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended ?

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

That the vote be reconsidered by which the proviso offered by Mr. Sharpe was negatived.

Which was agreed to.

And the question again recurring,

Will the Convention agree to the proviso ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Stanton and Mr. Hunsicker, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Bailey, of Huntingdon, Barclay, Bigler, Black, Charles A., Brodhead, Buckalew, Bullitt, Calvin, Campbell, Church, Corson, Curry, Fulton, Gibson, Gilpin, Guthrie, Hay, Hazzard, Kaine, MacConnell, M'Clean, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Reed, Andrew, Russell, Smith, Henry W., Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Worrell and Wright—43.

N A Y S .

Messrs. Baily, of Perry, Baker, Bannan, Bartholomew, Beebe, Biddle, Bowman, Boyd, Broomall, Carter, Cochran, Corbett, Darlington, De France, Edwards, Fell, Finney, Funck, Green, Hanna, Harvey, Hunsicker, Lamberton, Landis, Lawrence, Lear, Lilly, Mann, Minor, Niles, Patterson, D. W., Reynolds, Rooke, Sharpe, Simpson, Stanton, Van Reed, Walker and White, Harry—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bardsley, Black, J. S., Brown, Carey, Cassidy, Clark, Collins, Craig, Cronmiller, Curtin, Cuyler, Dallas, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Hall, Hemphill, Heverin, Horton, Howard, Knight, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Pughe, Purviance, John N., Purviance, Sam'l A., Ross, Runk, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

The twentieth section was agreed to.

On the question,

Will the Convention agree to the twenty-first section ?

A motion was made by Mr. Armstrong,

To amend the same, by inserting after the word "a," in the thirteenth line, the word "fixed," and by striking out the word "fixed," in the same line, and by striking out the word "and," in the same line, and inserting in lieu thereof the word "he," and by striking out the word "such," in same line, and inserting in lieu thereof the word "the," and by inserting after the word, "be," in the same line, the words, "ascertained and paid as may be provided," and in the fourteenth line, by striking out the word "separate," and in the seventeenth line, by striking out the words, "such separate," and by inserting in lieu thereof the words, "in the."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Alricks,

To amend the same, in the sixteenth line, by striking out the words, "but only with the consent and approval of the court."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. H. W. Palmer,

To amend the same, in the fifth line, by striking out the words, "two hundred," and inserting in lieu thereof the words, "one hundred and fifty."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Bannan,

To amend the same, in the sixth line, by striking out the words, "and in any other city and county may."

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. John M. Bailey,

To amend the same, by striking out all after the word "shall," in the twelfth line, to and including the word "shall," in the thirteenth 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. Hanna,

To amend the same, by striking out from the word "court," in the fourth line to and including the word "determine," in the twelfth line.

On the question,
Will the Convention agree so to amend ?

The hour of six o'clock having arrived,
The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest :

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

THURSDAY, JULY 3, 1873.

Mr. Wright asked and obtained leave of absence for himself for a few days from to-day.

Mr. Hay asked and obtained leave of absence for Mr. Ewing for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for himself for a few days from next Tuesday.

Mr. Curry asked and obtained leave of absence for himself for a few days from to-day.

Mr. Bartholomew asked and obtained leave of absence for himself for a few days from to-day.

Mr. Bowman asked and obtained leave of absence for Mr. Brown for a few days from to-day.

Mr. H. W. Smith asked and obtained leave of absence for himself for a few days from Monday next.

Mr. Carter asked and obtained leave of absence for Mr. MacVeagh for the month of July, on account of ill health.

The President *pro tem.* laid before the Convention a communication from the Seventh Day Baptist Association, praying that the Constitution be so framed that persons observing the Seventh day of the week as the Sabbath, shall not be compelled by law to serve on that day as jurors in the courts or as witnesses, nor be served with civil process, nor required to answer on said day, nor to cease from pursuing their own business on the first day of the week.

Laid on the table.

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

Resolved, That when this Convention adjourn to-day, it be to meet on Monday next at 10 o'clock.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Stewart,

To amend the same, by striking out the word "Monday," and inserting in lieu thereof the words, "the second Tuesday of September."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Broomall,

To amend the amendment, by striking out all after the word "that," and inserting in lieu thereof as follows, viz: "The Convention shall finish the article on the judiciary to-day, and that the session be prolonged, if necessary, for that purpose."

2 That all the articles, in their condition at the close of this day, be published in pamphlet form, and fifty copies thereof be furnished to each delegate for distribution.

3. That when the Convention adjourns to-day, it will be to meet on the third Tuesday of October next.

On the question,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Lawrence,

To lay the motion, together with the resolution, on the table.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Bowman, Campbell, Carey, Carter, Clark, Cochran, Corbett, Dallas, Darlington, De France, Dodd, Edwards, Fulton, Gilpin, Guthrie, Hay, Heverin, Lawrence, Lilly, Long, MacConnell, M'CLean, Mann, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Reed, Andrew, Rooke, Simpson, Struthers, Temple, Walker, White, Harry, Worrell and Wright—43.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Curry, Curtin, Elliott, Ellis, Fell, Funck, Gibson, Green, Hanna, Harvey, Hazzard, Hemphill, Howard, Hunsicker, Kaine, Knight, Lamberton, Lear, MacVeagh, Metzger, Minor, Mitchell, Parsons, Patton, Porter, Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart and Van Reed—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bear, Bardsley, Black, J. S., Cassidy, Church, Collins, Corson, Craig, Cronmiller, Cuyler, Davis, Dunning, Ewing, Finney, Hall, Horton, Landis, Littleton, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, Jno. N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward, and Meredith, *President*.

And the question recurring,

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. Campbell and Mr. Boyd, and were as follow, viz:

Y E A S .

Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Curry, Curtin, Elliott, Ellis, Fell, Green, Hanna, Harvey, Hazzard, Hemphill, Hunsicker,

Knight, Lamberton, Lear, Long, MacVeagh, Metzger, Minor, Mitchell, Mott, Parsons, Patton, Reynolds, Ross, Sharpe, Smith, H. G., Stanton, Stewart, Struthers and Van Reed—45.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Campbell, Carey, Carter, Clark, Cochran, Corbett, Dallas, Darlington, De France, Dodd, Edwards, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Howard, Kaine, Landis, Lawrence, Lilly, MacConnell, M'CLean, Mann, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Rooke, Simpson, Smith, Henry W., Temple, Walker, White, Harry, and Wright—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Cassidy, Church, Collins, Corson, Craig, Cronmiller, Cuyler, Davis, Dunning, Ewing, Finney, Hall, Heverin, Horton, Littleton, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wetherill, John Price, Wherry White, David N., White, J. W. F., Woodward, Worrell and Meredith, *President*.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Howard,

To amend the same, by striking out the words, "on Monday," and inserting in lieu thereof the words, "in Harrisburg, the second Tuesday of September."

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. Ainey, Alricks, Baker, Bannan, Barclay, Beebe, Bigler, Bowman, Boyd, Brodhead, Broomall, Calvin, Cassidy, Curry, Elliott, Ellis, Funck, Gilpin, Green, Harvey, Hazzard, Hemphill, Howard, Hunsicker, Lamberton, Long, MacVeagh, Minor, Mitchell, Parsons, Patton, Reynolds, Ross, Sharpe, Stewart, Struthers, Van Reed and Walker—38.

N A Y S.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bartholomew, Biddle, Black, Charles A., Brown, Buckalew, Bullitt, Campbell, Carey, Carter, Clark, Cochran, Corbett, Cuyler, Dallas, Darlington, De France, Dodd, Edwards, Fell, Finney, Fulton, Guthrie, Hanna, Hay, Kaine, Knight, Landis, Lawrence, Lear, Lilly, Littleton, MacConnell, M'CLean, Mann, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Rooke, Simpson, Smith, H. G., Smith, Henry W., Stanton, Temple, Wetherill, John Price, White, Harry, Worrell and Wright—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Church, Collins, Corson, Craig, Cronmiller, Curtin, Davis, Dunning, Ewing, Gibson, Hall, Heverin, Horton, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Niles, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Stewart,

To amend the same, by striking out the word "Monday," and inserting in lieu thereof the words, "first Tuesday of September."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Bartholemew, Beebe, Bowman, Boyd, Brodhead, Broomall, Bullitt, Calvin, Cassidy, Corson, Curry, Curtin, Cuyler, Elliott, Ellis, Fell, Green, Hanna, Harvey, Hazzard, Hemphill, Hunsicker, Knight, Lamberton, Littleton, Long, MacVeagh, Minor, Mitchell, Parsons, Patton, Reynolds, Ross, Sharpe, Smith, H. G., Stanton, Stewart and Van Reed—43.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Brown, Buckalew, Campbell, Carey, Carter, Clark, Cochran, Corbett, Dallas, Darlington, De France, Dodd, Edwards, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Howard, Kaine, Landis, Lawrence, Lear, Lilly, MacConnell, M'Clean, Mann, Metzger, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Rooke, Simpson, Smith, Henry W., Struthers, Temple, Walker, Wetherill, John Price, White, Harry, Worrell and Wright—55.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Church, Collins, Craig, Cronmiller, Davis, Dunning, Ewing, Hall, Heverin, Horton, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Furman, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Brodhead,

To amend the same, by striking out the word "Monday," and inserting in lieu thereof the words, "the 8th day of July," and by inserting after the word "next," the words, "in Bethlehem."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Ainey, Alricks, Bannan, Brodhead, Buckalew, Curtin, De France, Dodd, Ellis, Gibson, Green, Harvey, Hemphill, Howard, Hunsicker, Lamberton, Lear, MacConnell, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Reed, Andrew, Ross, Stanton, Stewart, Struthers, Van Reed and Walker—29.

N A Y S.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bartholemew, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Carey, Carter, Clark, Corbett, Corson, Curry, Cuyler, Dallas, Darlington, Edwards, Elliott, Fell, Finney, Fulton, Funck, Gilpin, Guthrie, Hanna, Hay, Hazzard, Kaine, Knight, Landis, Lawrence, Lilly, Littleton, Long, M'Clean, Mann, Metzger, Minor, Mott, Niles,

Parsons, Patterson, D. W., Patton, Porter, Reynolds, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Temple, Wetherill, John Price, White, Harry, Worrell and Wright—64.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Black, J. S., Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Davis, Dunning, Ewing, Hall, Heverin, Horton, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Howard,

To amend the same, by striking out the words, "Monday next," and by inserting in lieu thereof the words, "the 11th of this month, in the borough of Bedford."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Broomall,

To amend the amendment, by striking out the words, "in the borough of Bedford."

On the question,

Will the Convention agree so to amend the amendment?

The previous question was moved by Messrs. Lilly, Brown, Clark, Porter, Knight, Patton, MacConnell, John Price Wetherill, Hanna, Corbett, Bowman, Joseph Bailly, Biddle, Mott, Broomall, Guthrie, Kaine and Corson.

On the question,

Shall the main question be now put?

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

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Bailly, of Perry, Bannan, Bartholomew, Biddle, Black, Charles A., Bowman, Broomall, Brown, Carter, Clark, Cochran, Corbett, Curtin, Cuyler, Darlington, Dodd, Edwards, Fell, Finney, Funck, Gibson, Guthrie, Hanna, Harvey, Hemphill, Howard, Knight, Lamberton, Landis, Lawrence, Lear, Lilly, Long, MacVeagh, M'Clean, Mann, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Reed, Andrew, Reynolds, Rooke, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Van Reed, Walker, Wetherill, Jno. Price, and Worrell—62.

N A Y S.

Messrs. Armstrong, Bailey, of Huntingdon, Baker, Boyd, Brodhead, Buckalew, Bullitt, Calvin, Campbell, Carey, Cassidy, Corson, Dallas, De France, Elliott, Ellis, Fulton, Gilpin, Green, Hay, Hunsicker, Littleton, MacConnell, Metzger, Niles, Patterson, D. W., Ross, Temple and White, Harry—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Barclay, Bardsley, Beebe, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Davis, Dunning, Ewing, Hall, Hazzard, Heverin, Horton, Kaine, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention so agree to amend the amendment?

The yeas and nays were required by Mr. Howard and Mr. Ainey, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Armstrong, Baily, of Perry, Bannan, Barclay, Bartholomew, Biddle, Black, Charles A., Boyd, Broomall, Brown, Buckalew, Bullitt, Calvin, Cassidy, Clark, Corbett, Corson, Cuyler, Dallas, Edwards, Elliott, Fell, Hanna, Harvey, Hay, Hunsicker, Kaine, Knight, Lamberton, Lear, Lilly, Littleton, Long, Mann, Metzger, Mott, Niles, Parsons, Patterson, D. W., Patton, Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Temple, Van Reed, Walker, Wetherill, Jno. Price, White, Harry, Worrell and Wright—59.

NAYS.

Messrs. Alricks, Bailey, of Huntingdon, Baker, Beebe, Bowman, Brodhead, Campbell, Carey, Cochran, Curtin, Darlington, De France, Dodd, Ellis, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hazzard, Howard, Landis, Lawrence, MacConnell, MacVeagh, Minor, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Porter and Reed, Andrew—33.

So the question was determined in the affirmative.

ABSENT. — Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Carter, Church, Collins, Craig, Cronmiller, Curry, Davis, Dunning, Ewing, Finney, Hall, Hemphill, Heverin, Horton, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Howard and Mr. Porter, and were as follow, viz:

YEAS.

Messrs. Ainey, Black, Charles A., Broomall, Cassidy, Curtin, Cuyler, Dodd, Fell, Finney, Fulton, Hanna, Long, Mitchell, Niles, Parsons, Porter, Sharpe, Smith, Henry W., Stanton, White, Harry, and Worrell—21.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Clark, Cochran, Corbett, Corson, Dallas, Darlington, De France, Edwards, Elliott, Ellis, Funck, Gibson, Gilpin, Green, Guthrie, Harvey, Hay, Hazzard, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lawrence, Lear, MacConnell, M'Clean, Mann, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Smith, H. G., Stewart, Struthers, Temple, Van Reed, Walker and Wetherill, Jno. Price—68.

So the question was determined in the negative.

ABSENT. — Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Bowman, Carter, Church, Collins, Craig, Cronmiller, Curry, Davis, Dunning, Ewing, Hall, Hemphill, Heverin, Horton, Lilly, Littleton, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Alricks, Armstrong, Baily, of Perry, Black, Charles A., Broomall, Brown, Buckalew, Calvin, Carey, Carter, Cassidy, Clark, Cochran, Cuyler, Finney, Funck, Gibson, Gilpin, Guthrie, Hanna, Kaine, Knight, Lamberton, Landis, Lilly, Long, M'Clean, Mann, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Walker, White, Harry, Worrell and Wright—45.

NAYS.

Messrs. Achenbach, Ainey, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bowman, Boyd, Brodhead, Bullitt, Campbell, Corbett, Corson, Curtin, Dallas, Darlington, De France, Edwards, Elliott, Ellis, Fulton, Green, Harvey, Hay, Hazzard, Howard, Hunsicker, Lawrence, Lear, Littleton, MacConnell, Minor, Mitchell, Mott, Niles, Patterson, T. H. B., Patton, Reed, Andrew, Reynolds, Ross, Smith, H. G., Stewart, Van Reed, and Wetherill, John Price—47.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ewing, Fell, Hall, Hemphill, Heverin, Horton, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

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

Resolved, That when this Convention adjourns, it be until Saturday morning at ten 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. Ainey offered the following resolution, which was read, viz:

Resolved, That this Convention will take a recess until the second Wednesday of September next, as soon as the article on judiciary shall have passed second reading.

On the question,

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

The yeas and nays were required by Mr. Ainey and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Bartholomew, Beebe, Bowman, Boyd, Brodhead, Broomall, Buckalew, Bullitt, Calvin, Cassidy, Corson, Curtin, Cuyler, Elliott, Green, Harvey, Hazzard, Hunsicker, Knight, Lamberton, Littleton, Minor, Mitchell, Mott, Parsons, Patton, Reynolds, Sharpe, Smith, H. G., Stanton, Van Reed and Walker—37.

NAYS.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Brown, Campbell, Carey, Carter, Clark, Cochran, Corbett, Dallas, Darlington, De France, Dodd, Edwards, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Hay, Howard, Kaine, Landis, Lawrence, Lear, Lilly,

Long, MacConnell, M'Cleane, Mann, Metzger, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Rooke, Simpson, Smith, Henry W., Struthers, Temple, Wetherill, Jno. Price, White, Harry, and Wright—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Davis, Dunning, Ellis, Ewing, Fell, Hall, Hemphill, Heverin, Horton, MacVeagh, M'Camant, M'Cullough, M'Murray, Mantor, Newlin, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Ross, Runk, Russell, Smith Wm. H., Stewart, Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Worrell and Meredith, *President*.

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

Resolved, That when the Convention adjourns to-day, it will be to meet on Tuesday next at ten 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. H. G. Smith and Mr. Calvin, and were as follow, viz:

Y E A S.

Messrs. Alricks, Armstrong, Black, Charles A., Broomall, Brown, Buckalew, Campbell, Carey, Carter, Cassidy, Clark, Cochran, Corson, Cuyler, Darlington, Dodd, Finney, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hanna, Howard, Kaine, Lamberton, Landis, Lilly, Long, M'Cleane, Metzger, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Walker, White, Harry, Worrell and Wright—48.

N A Y S.

Messrs. Achenbach, Ainey, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bowman, Boyd, Brodhead, Bullitt, Calvin, Corbett, Dallas, De France, Edwards, Elliott, Ellis, Harvey, Hay, Hazard, Heverin, Hunsicker, Knight, Lawrence, Lear, Littleton, MacConnell, Mann, Minor, Mitchell, Mott, Patterson, T. H. B., Patton, Reed, Andrew, Reynolds, Ross, Smith, H. G., Stewart, Van Reed, and Wetherill, John Price—44.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardley, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Dunning, Ewing, Fell, Hall, Hemphill, Horton, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Parsons, Pughe, Purman, Purviance, John N., Purvance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward 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. Howard,

To amend the same, by adding to the end thereof the words, "in the city of Harrisburg."

On the question,

Will the Convention agree so to amend?

The previous question was moved by Messrs. Harry White, Carey, Joseph Baily, Porter, Struthers, Broomall, Guthrie, Patton, Temple, Alricks, C. A. Black, Landis, Lawrence, Boyd, Cuyler, Edwards, Corson and Reynolds.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Hunsicker and Mr. Howard, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baily, of Perry, Bartholomew, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Bullitt, Carey, Clark, Cochran, Corson, Edwards, Finney, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Harvey, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lilly, Littleton, Long, M'Clean, Mann, Metzger, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Porter, Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Walker, Wetherill, John Price, and White, Harry—52.

N A Y S .

Messrs. Achenbach, Ainey, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Barclay, Brodhead, Buckalew, Calvin, Campbell, Carter, Cassidy, Corbett, Cuyler, Dallas, Darlington, De France, Elliott, Ellis, Hanna, Hay, Hunsicker, Lawrence, MacConnell, MacVeagh, Mitchell, Patton, Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Stanton, Van Reed and Worrell—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bear, Bardsley, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Dodd, Dunning, Ewing, Fell, Hall, Hemphill, Horton, Lear, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Newlin, Parsons, Patterson, D. W., Pughe, Purman, Purviance, Jno. N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Ainey, Alricks, Beebe, Boyd, Brodhead, Calvin, De France, Ellis, Funck, Green, Harvey, Hazzard, Heverin, Howard, Hunsicker, Lamberton, MacConnell, MacVeagh, M'Clean, Mitchell, Palmer, H. W., Patterson, T. H. B., Ross, Stewart, Van Reed and Walker—26.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Biddle, Black, Charles A., Bowman, Broomall, Brown, Buckalew, Bullitt, Campbell, Carey, Cassidy, Clark, Cochran, Corbett, Corson, Cuyler, Dallas, Darlington, Dodd, Edwards, Elliott, Finney, Fulton, Gilpin, Guthrie, Hanna, Hay, Kaine, Knight, Landis, Lawrence, Lear, Lilly, Littleton, Long, Mann, Minor, Mott, Niles, Palmer, G. W., Patterson, D. W., Patton, Porter, Reed, Andrew, Reynolds, Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Wetherill, John Price, White, Harry, Worrell and Wright—64.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Carter, Church, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Dunning, Ewing, Fell, Gibson, Hall, Hemphill, Horton, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, H. G., Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward and Meredith, *President*.

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

The yeas and nays were required by Mr. Corbett and Mr. Carter, and were as follow, viz :

Y E A S .

Messrs. Alricks, Armstrong, Baily, of Perry, Black, Charles A., Broomall, Brown, Buckalew, Carey, Carter, Cassidy, Clark, Cochran, Corson, Darlington, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Kaine, Lamberton, Landis, Lilly, Littleton, Long, M'Cleane, Mann, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Walker, White, Harry, and Worrell—45.

N A Y S .

Messrs. Achenbach, Ainey, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Biddle, Bowman, Boyd, Brodhead, Bullitt, Calvin, Campbell, Corbett, Curtin, Dallas, De France, Dodd, Edwards, Elliott, Ellis, Green, Harvey, Hay, Hazzard, Heverin, Howard, Hunsicker, Knight, Lawrence, MacConnell, Minor, Mitchell, Mott, Patterson, T. H. B., Reed, Andrew, Reynolds, Ross, Smith, H. G., Stewart, Van Reed and Wetherill, John Price—44.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, J. S., Church, Collins, Craig, Cronmiller, Curry, Cuyler, Davis, Dunning, Ewing, Fell, Hall, Hemphill, Horton, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Parsons, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

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

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

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

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Baker, Bannan, Bartholomew, Broomall, Brown, Buckalew, Bullitt, Cochran, Corbett, Corson, Fulton, Gilpin, Hanna, Harvey, Kaine, Lamberton, Littleton, Long, M'Cleane, Palmer, G. W., Palmer, H. W., Porter, Sharpe, Smith, Henry W., Stewart, Temple and Worrell—30.

N A Y S .

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Barclay, Beebe Biddle, Bowman, Boyd, Brodhead, Calvin, Campbell, Darlington, De France, Dodd, Edwards, Elliott, Finney, Funck, Green, Guthrie, Hay, Hazzard, Howard, Hunsicker, Landis, Lilly, MacConnell, Mann, Metzger, Minor, Mitchell, Mott, Niles, Patterson, D. W., Patterson, T. H. B., Patton Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Smith, H. G., Stanton, Struthers, Van Reed, Walker, Wetherill, John Price, and White, Harry—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bardsley, Bigler, Black, Charles A., Black, J. S., Carey, Carter, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Dunning, Ellis, Ewing, Fell, Gibson, Hall, Hemphill, Heverin, Horton, Knight, Lawrence, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Russell, Smith, Wm. H., Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

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

Resolved, That the printing of the Debates of this Convention be discontinued from this date.

On the question,

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

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

YEAS.

Messrs. Ainey, Brodhead, Broomall, Corson, De France, Funck, Green, Howard, Lear, Littleton, Long, MacConnell, M'CLean, Mitchell, Palmer, G. W., Patterson, T. H. B., Porter, Reynolds, Ross, Simpson, Smith, H. G., and Van Reed—22.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Biddle, Bowman, Boyd, Brown, Buckalew, Calvin, Campbell, Carter, Clark, Cochran, Corbett, Dallas, Darlington, Dodd, Edwards, Elliott, Finney, Fulton, Gilpin, Guthrie, Harvey, Hazzard, Hunsicker, Kaine, Knight, Lambertson, Landis, Lilly, Mann, Metzger, Minor, Mott, Niles, Palmer, H. W., Patterson, D. W., Patton, Rooke, Sharpe, Smith, Henry W., Stanton, Stewart, Struthers, Walker, Wetherill, John Price, White, Harry, and Worrell—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Bullitt, Carey, Cassidy, Church, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Davis, Dunning, Ellis, Ewing, Fell, Gibson, Hall, Hanna, Hay, Hemphill, Heverin, Horton, Lawrence, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Russell, Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

The hour of one having arrived,

The President *pro tem.* announced a recess until three o'clock this afternoon.

The hour of three having arrived,

And there not being a quorum present,

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. Harry White and Mr. Temple and were as follow, viz :

YEAS.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Brown, Campbell, Carter, Clark, De France, Edwards, Fulton, Gibson, Gilpin, Guthrie, Kaine, Lilly, MacConnell, Mann, Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Simpson, Smith, Henry W., Temple, Wetherill, Jno. Price, White, Harry, and Worrell—27.

NAYS.

Messrs. Achenbach, Ainey, Armstrong, Baker, Beebe, Bigler, Boyd, Brodhead, Broomall, Buckalew, Calvin, Corson, Dallas, Darlington, Elliott, Green, Hanna, Harvey, Hay, Hazzard, Hunsicker, Knight, Lawrence, Long, M'CLean, Minor,

ALLEGHENY COUNTY,

Law Library,

PITTSBURGH, PA.

Mitchell, Mott, Niles, Patton, Reynolds, Ross, Sharpe, Stewart, Struthers, Van Reed, Walker and Wetherill, J. M.—38.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Bowman, Bullitt, Carey, Cassidy, Church, Cochran, Collins, Corbett, Craig, Cronmiller, Curry, Curtin, Cuyler, Davis, Dodd, Dunning, Ellis, Ewing, Fell, Finney, Funck, Hall, Hemphill, Heverin, Horton, Howard, Lamberton, Landis, Lear, Littleton, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Runk, Russell, Smith, H. G., Smith, Wm. H., Stanton, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

After some time, a quorum having appeared,

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

Resolved, That when the Convention adjourns to-day, it will adjourn to meet on the third Tuesday of September next, at 10 o'clock A. M.

On the question,

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

A motion was made by Mr. Bigler,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Bigler and Mr. Hunsicker, and were as follow, viz :

YEAS.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Brown, Campbell, Clark, De France, Fulton, Gibson, Guthrie, Kaine, Lilly, MacConnell, Mann, Metzger, Patterson, D. W., Porter, Reed, Andrew, Rooke, Simpson, Wetherill, Jno. Price, White, Harry, and Worrell—24.

NAYS.

Messrs. Ainey, Armstrong, Baker, Beebe, Biddle, Boyd, Brodhead, Broomall, Buckalew, Calvin, Corson, Curtin, Dallas, Darlington, Elliott, Finney, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Howard, Hunsicker, Knight, Lawrence, Littleton, Long, M'Clean, Mitchell, Mott, Niles, Patton, Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Struthers, Van Reed, Walker and Wetherill, J. M.—42.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Bullitt, Carey, Carter, Cassidy, Church, Cochran, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Edwards, Ellis, Ewing, Fell, Funck, Hall, Hemphill, Heverin, Horton, Lamberton, Landis, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Ross, Runk, Russell, Smith, Wm. H., Stanton, Temple, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question recurring,

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. D. W. Patterson, and were as follow, viz :

Y E A S.

Messrs. Ainey, Armstrong, Baker, Beebe, Bigler, Boyd, Brodhead, Broomall, Buckalew, Calvin, Corson, Curtin, Cuyler, Darlington, Elliott, Green, Hanna, Harvey, Hazzard, Hunsicker, Knight, Mitchell, Mott, Patton, Reynolds, Sharpe, Stewart, Struthers, Van Reed, Walker and Wetherill, J. M.—31.

N A Y S.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Brown, Campbell, Clark, Corbett, Dallas, De France, Edwards, Finney, Fulton, Gibson, Gilpin, Guthrie, Hay, Howard, Lawrence, Lilly, Littleton, Long, MacConnell, M'CLean, Mann, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Reed, Andrew, Rooke, Simpson, Smith, H. G., Smith, Henry W., Temple, Wetherill, John Price, White, Harry, and Worrell—39.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Bullitt, Carey, Carter, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Ewing, Fell, Funck, Hall, Hemphill, Heverin, Horton, Kaine, Lamberton, Landis, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Ross, Runk, Russell, Smith, Wm. H., Stanton, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

A motion was made by Mr. Corbett,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Armstrong, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Brodhead, Broomall, Brown, Buckalew, Campbell, Clark, Corbett, Cuyler, Dallas, Darlington, De France, Edwards, Elliott, Finney, Fulton, Gibson, Gilpin, Green, Guthrie, Harvey, Hay, Howard, Lilly, Long, MacConnell, Mann, Mitchell, Mott, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Reed, Andrew, Sharpe, Simpson, Smith, Henry W., Stewart, Temple, Wetherill, John Price, White, Harry, and Worrell—48.

N A Y S.

Messrs. Achenbach, Ainey, Baker, Beebe, Boyd, Calvin, Corson, Curtin, Hanna, Hunsicker, Knight, Lawrence, Littleton, M'CLean, Reynolds, Smith, H. G., Struthers, Van Reed, Walker and Wetherill, J. M.—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Alricks, Andrews, Bear, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Bullitt, Carey, Carter, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Ewing, Fell, Funck, Hall, Hazzard, Hemphill, Heverin, Horton, Kaine, Lamberton, Landis, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Mantor, Metzger, Minor, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Ross, Runk, Russell, Smith, Wm. H., Stanton, Turrell, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

Whereupon,

The President *pro tem.* adjourned the Convention until Tuesday morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

TUESDAY, JULY 8, 1873.

Mr. Biddle asked and obtained leave of absence for Mr. Mitchell for a few days from to-day.

Mr. De France asked and obtained leave of absence for Mr. Dodd for a few days from to-day.

Mr. Armstrong asked and obtained leave of absence for Mr. Campbell for to-morrow.

Mr. Lawrence asked and obtained leave of absence for Mr. Joseph Baily for a few days from to-day.

Also, for Mr. Hazzard for a few days from to-day, on account of sickness in his family.

Mr. Beebe asked and obtained leave of absence for Mr. Minor for a few days from to-day.

Also for Mr. Bowman for a few days from to-day.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Hanna to the twenty-first section, to strike out from the word "court," in the fourth line, to and including the word "determine," in the twelfth line?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Hanna,

To amend the same, in the fifth line, by striking out the words, "wherein the population shall exceed one hundred and fifty thousand," and in the sixth line, by striking out the words, "and in any other city or county may."

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 thirteenth line, by striking out the words, ascertained and.

Which was agreed to.

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, by striking out from the word "determine," in the twelfth line, to and including the word "court," in the sixteenth 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. Landis,
To amend the same, in the thirteenth line, by striking out the word "*ex-officio*."

Which was agreed to

And the question again recurring,
Will the Convention agree to the section as amended ?

A motion was made by Mr. J. M. Bailey,
To amend the same, in the seventeenth line, by inserting after the word "office," the words, "in such counties where the Legislature shall establish such separate court."

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. Littleton,
To amend the same, in the eighteenth line, by striking out the words, "without expense to parties."

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. Darlington,
To amend the same, in the seventeenth line, by inserting after the word "court," the words, "to which exceptions shall be filed."

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. Kaine,
To amend the same, by striking out all after the word "county," in the third line.

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. Hanna and Mr. H. W. Smith, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baker, Barclay, Beebe, Biddle, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carey, Cochran, Corbett, Corson, Curry, Cuyler, Dallas, Darlington, Davis, De France, Edwards, Elliott, Fell, Finney, Fulton, Funck, Guthrie, Hay,

Hemphill, Horton, Howard, Lamberton, Lear, Littleton, Long, MacConnell, M'Culloch, Mann, Mantor, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, Sam'l A., Read, John R., Runk, Sharpe, Simpson, Smith, Wm. H., Temple, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., Worrell and Wright—69.

N A Y S.

Messrs. Addicks, Bailey, of Huntingdon, Clark, Gibson, Gilpin, Green, Hanna, Harvey, Hunsicker, Kaine, Landis, Lawrence, Lilly, M'Clean, Patterson, D. W., Reynolds, Ross, Smith, H. G., Smith, Henry W., and White, Harry—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Baily, of Perry, Bannan, Bardsley, Bartholomew, Bigler, Bowman, Brown, Calvin, Carter, Cassidy, Church, Collins, Craig, Cronmiller, Curtin, Dodd, Dunning, Ellis, Ewing, Hall, Hazzard, Heverin, Knight, MacVeagh, M'Camant, M'Murray, Minor, Mitchell, Mott, Niles, Porter, Purviance, John N., Reed, Andrew, Rooke, Russell, Stanton, Stewart, Struthers, Van Reed, White, J. W. F., Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the twenty-second section?

A motion was made by Mr. Patton,

To insert a new section, to be numbered twenty-two, as follows, viz: "All legal advertisements and legal 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 printed in not less than two newspapers (if so many be issued) in the county where such courts or public offices are situated, one of which said newspapers shall be of the minority political party in said county having the largest circulation, the rates for such publication or advertising to be fixed by law."

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. H. W. Smith,

To amend the same, by inserting after the word "circulation," the words, "and also in one newspaper independent of all political parties, if such there be in the county."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Achenbach, Baer, Bailey, of Huntingdon, Baker, Biddle, Black, J. S., Buckalew, Campbell, Cochran, Curry, Dallas, Davis, Elliott, Fulton, Gibson, Gilpin, Guthrie, Hay, Hemphill, Horton, Howard, Kaine, Landis, Lawrence, Long, Palmer, G. W., Patton, Pughe, Purman, Ross, Simpson, Smith, H. G., Smith, Wm. H., and Turrell—34.

N A Y S.

Messrs. Addicks, Alricks, Armstrong, Beebe, Black, Charles A., Boyd, Brodhead, Broomall, Carey, Corbett, Corson, Cuyler, Darlington, De France, Edwards, Ewing, Fell, Finney, Funck, Green, Hanna, Harvey, Hunsicker, Lear, Lilly, Littleton, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Samuel A., Reynolds, Runk,

Sharpe, Smith, Henry W., Stewart, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, White, J. W. F., and Wright—49.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Baily, of Perry, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Bowman, Brown, Bullitt, Calvin, Carter, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curtin, Dodd, Dunning, Ellis, Hall, Hazzard, Heverin, Knight, Lamberton, MacVeagh, M'Camant, M'Murray, Minor, Mitchell, Mott, Newlin, Niles, Patterson, D. W., Porter, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Russell, Stanton, Struthers, Temple, Van Reed, Woodward, Worrell and Meredith, *President*.

And the question recurring,

Will the Convention agree to the twenty-second section?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end of the section the words, "and all criminal prosecutions shall be conducted by the Attorney General, or deputies by him appointed, and removable at his pleasure."

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the twenty-third section?

A motion was made by Mr. Broomall,

To insert a new section to be numbered twenty-three, as follows, viz:

"In all cases of unlawful homicide, and in such other criminal cases as may be authorized by law, the accused, after conviction and sentence, may remove the indictment, record and all proceedings to the Supreme Court for review, in the same manner as in civil cases."

Which was agreed to.

On the question,

Will the Convention agree to the twenty-fourth section?

A motion was made by Mr. Armstrong,

To amend the same, in the third line, by striking out the word "December," and inserting in lieu thereof the words, "January next," and by striking out the word "next," at the end of the line, and inserting in lieu thereof the word "first," and by adding to the end of the section the words, "which shall occur two months after the happening of such vacancy."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twenty-fifth section?

A motion was made by Mr. Hay,

To insert a new section, to be numbered twenty-five, as follows, viz:

"In the cities of Pittsburg and Allegheny, there shall be but one alderman for every ten thousand inhabitants. Districts of as nearly equal population as may be and formed of compact and contiguous territory, shall be established in a manner to be prescribed by law, in each of which districts but one alderman shall be elected, reside and hold office. Their term of office shall be five years. They shall be compensated only by fixed salaries, to be determined and paid by the city in which they shall hold office."

"They shall exercise such jurisdiction and powers as are now exercised by aldermen in said cities, excepting as the same may be changed or modified by law: *Pro-*

vided, That their civil jurisdiction shall not be increased to amounts exceeding one hundred dollars.

"All fees and perquisites received by said aldermen, shall be paid by them into the treasury of the city in which they hold office, and be accounted for in such manner as may be provided by law."

On the question,

Will the Convention agree to the motion?

The hour of one having arrived,

The President *pro tem.* announced a recess until three o'clock this afternoon.

Agreeable to order,

The Convention resumed the second reading and consideration of article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the section offered by Mr. Hay?

The yeas and nays were required by Mr. Hay and Mr. S. A. Purviance, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Bailey, of Huntingdon, Black, Charles A., Boyd, Brodhead, Buckalew, Bullitt, Clark, Corbett, Curtin, Cuyler, Dallas, Darlington, Elliott, Ewing, Funck, Gibson, Guthrie, Harvey, Hay, Howard, Kaine, Lamberton, Landis, Lilly, Long, M'Clellan, M'Murray, Metzger, Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Price, Wherry White, David N., and Worrell—45.

NAYS.

Messrs. Armstrong, Biddle, Broomall, Carter, Cochran, Corson, Davis, De France, Edwards, Fulton, Gilpin, Green, Hanna, Hemphill, Horton, Lawrence, Littleton, MacConnell, Mann, Mantor, Newlin, Palmer, G. W., Patterson, D. W., Purviance, Sam'l A., Simpson, Turrell, Walker, White, Harry, White, J. W. F., and Wright—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baily, of Perry, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Bowman, Brown, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Cronmiller, Curry, Dodd, Dunning, Ellis, Fell, Finney, Hall, Hazzard, Heverin, Hunsicker, Knight, Lear, MacVeagh, M'Camant, M'Culloch, Minor, Mitchell, Mott, Niles, Palmer, H. W., Porter, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Smith, H. G., Stanton, Struthers, Van Reed, Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the twenty-sixth section?

A motion was made by Mr. Kaine,

To amend the same, by inserting after the word "provide," in the seventh line, the words, "courts in banc shall be held by three judges of said districts or a majority of them, 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."

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, by striking out the first, second and third lines, and to and including the word "districts," in the fourth line, and inserting in lieu thereof as follows, viz:

"Every county containing a population of not less than fifty-five thousand inhabitants shall constitute a separate judicial district, and shall elect one judge learned in the law; and every county containing a population of not less than one hundred thousand inhabitants shall constitute a separate judicial district, and shall elect two judges learned in the law; and every additional fifty thousand inhabitants in any county, shall entitle said county to an additional judge learned in the law."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Gibson,

To amend the amendment, by inserting after the word "inhabitants," in the first line, the words, "or where two or more adjoining counties contain said number of inhabitants, such county or counties," and by inserting after the word "inhabitants," in the third line, the words, "or where two or more adjoining counties contain said number of inhabitants, such county or counties."

On the question,

Will the Convention agree so to amend the amendment?

The hour of six having arrived,

The President *pro tem.* adjourned the Convention until nine o'clock to-morrow morning.

D. L. IMBRIE,
Clerk.

Attest:

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

WEDNESDAY, JULY 9, 1873.

The President *pro tem.* laid before the Convention the following communication, which was read, viz:

CITY OF ERIE, MAYOR'S OFFICE, }
July 7, 1873. }

HON. JOHN H. WALKER,

President of the Constitutional Convention of Pennsylvania:

SIR:—At a meeting of the city councils a resolution was unanimously adopted, instructing me to invite the Convention to hold an adjourned session in this city.

I take pleasure in communicating the resolution to the Convention. Our citizens would esteem it a high honor to have the Convention meet in our city, and I hope it may accord with the views of the members to accept the invitation.

Very truly, your obedient servant,

CHAS. M. REED, *Mayor.*

Laid on the table.

A motion was made by Mr. Darlington,

That the thanks of the Convention be tendered the authorities of the city of Erie for the invitation.

Which was agreed to.

Mr. Gilpin asked and obtained leave of absence for Mr. Mott for a few days from to-day, on account of sickness.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Gibson to the amendment offered by Mr. Alricks, to the twenty-sixth section?

The yeas and nays were required by Mr. Cochran and Mr. Gibson, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Alricks, Baer, Bailey, of Huntingdon, Biddle, Brodhead, Bullitt, Cochran, Cronmiller, Davis, Fulton, Gibson, Gilpin, Guthrie, Hall, Lamberton, Landis, M'Cleane, M'Murray, Palmer, H. W., Patterson, D. W., Reed, Andrew, Ross, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry and Wright—29.

NAYS.

Messrs. Armstrong, Beebe, Bigler, Black, Charles A., Boyd, Broomall, Brown, Buckalew, Carter, Clark, Corbett, Corson, Curry, Curtin, Cuyler, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Finney, Funck, Hanna, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lawrence, Lear, Lilly, MacConnell, M'Culloch, Mann, Mantor, Palmer, G. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Rooke, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Walker, White, Harry, and Worrell—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Dallas, Dodd, Ellis, Fell, Green, Harvey, Hazard, Heverin, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Niles, Parsons, Porter, Runk, Russell, Struthers, Temple, White, David N., White, J. W. F., Woodward and Meredith, *President*.

The amendment offered by Mr. Alricks was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Fulton,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz:

"Each common pleas district shall be entitled to at least one law judge for every seventy thousand inhabitants, and the Legislature shall, from time to time, provide for the election of additional judges to meet excess of population. When there is more than one judge in any district, no two judges shall reside in the same county, unless there be more judges than counties in such district. The judges shall have the right to select counties of residence in the order of seniority of commission."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. D. W. Patterson,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz:

"The Legislature shall, when necessary, create additional judicial districts, and when such districts consist of more than one county, to be formed of convenient contiguous counties, and shall provide for additional law judges as the business of such additional and the existing judicial districts may require, but no county shall be divided in forming a district. The office of associate judge not learned in the law is abolished, except in counties not forming separate districts, and in which neither a president nor additional law judge shall reside, but the several associate judges in office when this Constitution shall be adopted, shall serve for their unexpired terms.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Landas,

To amend the same, in the first line, by striking out the word "thirty," and inserting in lieu thereof the word "fifty."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Turrell,

To amend the amendment, by striking out the word "fifty," and inserting in lieu thereof the word "forty."

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Landis and Mr. Ewing, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Biddle, Bigler, Brodhead, Bullitt, Carter, Cochran, Curtin, Darlington, Davis, Ewing, Fulton, Gibson, Hall, Hunsicker, Lamberton, Landis, Lear, Palmer, G. W., Palmer, H. W., Patterson, D. W., Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Wm. H., Walker, Wetherill, J. M., Wetherill, Jno. Price, and Wright—31.

N A Y S .

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Beebe, Black, Charles A., Boyd, Broomall, Brown, Buckalew, Carey, Clark, Corbett, Corson, Cronmiller, Curry, Cuyler, De France, Edwards, Elliott, Ellis, Finney, Funck, Gilpin, Guthrie, Hanna, Hay, Hemphill, Howard, Kaine, Lawrence, Lilly, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Newlin, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Turrell, Van Reed, Wherry, White, Harry, and Worrell—56.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Calvin, Campbell, Cassidy, Church, Collins, Craig, Dallas, Dodd, Dunning, Fell, Green, Harvey, Hazzard, Heverin, Horton, Knight, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Niles, Parsons, Porter, Runk, Russell, Struthers, Temple, White, David N., White, J. W. F., Woodward and Meredith, *President*.

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 "abolish," 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. C. A. Black,
To amend the same, in the first line, by striking out the words, "each county containing 30,000 inhabitants," and inserting in lieu thereof the words, "when-ever a county shall contain 30,000 inhabitants."

Which was agreed to.

On the question,
Will the Convention agree to the section as amended ?

Mr. Andrew Reed called for a division of the question.

On the question,
Will the Convention agree to the first division ?

The yeas and nays were required by Mr. Andrew Reed and Mr. Sharpe, and were as follow, viz :

Y E A S.

Messrs. Ainey, Baer, Beebe, Brodhead, Brown, Bullitt, Carey, Clark, Corbett, Corson, Cuyler, Darlington, De France, Edwards, Elliott, Ellis, Finney, Guthrie, Hanna, Hay, Horton, Howard, Kaine, Knight, Lamberton, MacConnell, M'Clean, Mann, Mantor, Newlin, Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Read, John R., Simpson, Smith, Wm. H., Stanton, Turrell, Walker, White, Harry, Worrell and Wright—42.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Broomall, Buckalew, Carter, Cochran, Cronmiller, Curry, Curtin, Dallas, Davis, Dunning, Ewing, Fulton, Funck, Gibson, Gilpin, Hall, Hemphill, Hunsicker, Landis, Lawrence, Lear, Lilly, Littleton, M'Culloch, M'Murray, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, and Wherry—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bowman, Calvin, Campbell, Cassidy, Church, Collins, Craig, Dodd, Fell, Green, Harvey, Hazzard, Heverin, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Niles, Parsons, Porter, Runk, Russell, Struthers, Temple, White, David N., White, J. W. F., Woodward and Meredith, *President*.

The second and last division was not agreed to.

On the question,
Will the Convention agree to the twenty-seventh section ?

A motion was made by Mr. Kaine,
To amend the same, in the fourth line, by inserting after the word "process" the word "and," and by striking out, in the same line, the words, "and decisions "

Which was agreed to.

On the question,
Will the Convention agree to the section as amended?

The hour of one having arrived,
The President *pro tem.* announced a recess until this afternoon at three o'clock.

Agreeably to order,
The Convention resumed the second reading and consideration of the article (No. 15) reported from the Committee on the Judiciary.

And the question recurring,
Will the Convention agree to the twenty-seventh and last section as amended?

A motion was made by Mr. D. W. Patterson,
To amend the same, in the second line, by inserting after the word "jurisdiction," the word "and," and by striking out of the second and third lines the words, "proceedings and practice."

Which was agreed to.

And the question again recurring,
Will the Convention agree to the section as amended?

The yeas and nays were required by Mr. Armstrong and Mr. Stewart, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Cochran, Corson, Cronmiller, Cuyler, Dunning, Elliott, Ellis, Ewing, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Horton, Kaine, Lawrence, Lilly, MacConnell, M'CLean, M'Culloch, M'Murray, Mann, Mantor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry and Wright—62.

N A Y S .

Messrs. Ainey, Baker, Corbett, Dallas, Darlington, Davis, Edwards, Gibson, Hanna, Hemphill, Heverin, Hunsicker, Landis, Ross, Smith, Henry W., Temple and Worrell—17.

So the question was determined in the affirmative.

ABSENT. — Messrs. Addicks, Andrews, Baily, of Perry, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Brown, Bullitt, Calvin, Campbell, Carey, Carter, Cassidy, Church, Clark, Collins, Craig, Curry, Curtin, De France, Dodd, Fell, Green, Harvey, Hazzard, Howard, Knight, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Niles, Porter, Read, John R., Reynolds, Rooke, Runk, Russell, Smith, H. G., Struthers, White, David N., White, Harry, White, J. W. F., Woodward and Meredith, President.

On the question,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Armstrong,
To add a new section, as follows, viz: "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 and counties 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."

Which was agreed to.

And the question recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Patton,

To add a new section, as follows, viz: "All advertisements and legal notices emanating from any court or public officer, required by law to be published in any newspaper of any county of this Commonwealth, shall hereafter be published by the proper officers in the two newspapers (if so many be issued) of such county having the largest circulation. The rates for such publication or advertisements to be fixed by law."

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Baer,

To amend the same, by adding a proviso, as follows, viz: "*Provided*, Said papers are not published in the interest of the same political party."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the motion?

A motion was made by Mr. H. W. Palmer,

To amend the same, by striking out the words, "emanating from any court or public officer."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Patton and Mr. Cochran, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Bailey, of Huntingdon, Brodhead, Buckalew,, Clark, Cochran, Cronmiller, De France, Dunning, Elliott, Ellis, Finney, Fulton, Funck, Gilpin, Guthrie, Hemphill, Kaine, Lamberton, Landis, Lilly, MacConnell, M'Murray, Palmer, G. W., Palmer, H. W., Patton, Purviance, Sam'l A., Simpson, Smith, Wm. H., Stanton, Temple, Turrell and Wherry—33.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Baer, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Bullitt, Corbett, Corson, Curtin, Cuyler, Dallas, Darlington, Davis, Edwards, Ewing, Gibson, Hall, Hanna, Hay, Heverin, Howard, Hunsicker, Knight, Lear, Littleton, M'Clean, M'Culloch, Mann, Mantor, Newlin, Patterson, T. H. B., Purviance, John N., Read, John E., Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, J. W. F., Worrell and Wright—55.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Brown, Calvin, Campbell, Carey, Carter, Cassidy Church, Collins, Craig, Curry, Dodd, Fell, Green, Harvey, Hazzard, Horton, Lawrence, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Niles, Parsons, Patterson, D. W., Porter, Pughe, Purman, Runk, Russell, Struthers, White, Harry, Woodward and Meredith, *President*.

And the question again recurring,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Sharpe,

To add a new section as follows, viz: "The office of associate judge, not learned in the law, is abolished but the several associate judges in office when this Constitution shall be adopted, shall serve for their unexpired terms."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Sharpe and Mr. Cochran, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baker, Barclay, Boyd, Clark, Corbett, Corson, Darlington, De France, Edwards, Ellis, Finney, Gilpin, Hanna, M'Murray, Palmer, H. W., Patton, Reynolds, Sharpe, Simpson, Van Reed and Worrell—23.

N A Y S.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Broomall, Buckalew, Bullitt, Carter, Cochran, Cronmiller, Curry, Curtin, Davis, Elliott, Ewing, Fell, Fulton, Funck, Gibson, Guthrie, Hall, Hay, Horton, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, M'Culloch, Mann, Mantor, Metzger, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Ross, Smith, H. G., Smith, Henry W., Stewart, Temple, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., White, Harry, White, J. W. F., and Wright—63.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Bannan, Bardsley, Bartholomew, Bowman, Brown, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Cuyler, Dallas, Dodd, Dunning, Green, Harvey, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Knight, Long, MacConnell, MacVeagh, M'Camant, M'Clean, Minor, Mitchell, Mott, Newlin, Niles, Porter, Pughe, Runk, Russell, Smith, Wm. H., Stanton, Struthers, Woodward, and Meredith, *President*.

And the question again recurring,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Broomall and Mr. Van Reed,

To re-consider the vote by which the twenty-fourth section was negatived.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. H. W. Palmer and Mr. Sharpe, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baer, Baker, Beebe, Biddle, Brodhead, Broomall, Clark, Corbett, Corson, Darlington, Davis, De France, Elliott, Fell, Gibson, Hanna, Hay, Horton, Howard, Kaine, Knight, Lamberton, MacConnell, Mann, Mantor, Parsons, Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Simpson, Smith, H. G., Temple, Turrell, Van Reed., Walker, White, Harry, White, J. W. F., and Wright—39.

N A Y S.

Messrs. Alricks, Armstrong, Bailey, of Huntingdon, Barclay, Bigler, Black, Charles A., Black, J. S., Boyd, Buckalew, Carter, Cochran, Cronmiller, Curry, Curtin, Edwards, Ellis, Ewing, Fulton, Funck, Gilpin, Guthrie, Hall, Landis,

Lawrence, Lear, Lilly, Littleton, M'Murray, Metzger, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Wetherill, J. M., Wetherill, John Price Wherry, White, David N., and Worrell—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Bannan, Bardsley, Bartholomew, Bowman, Brown, Bullitt, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Cuyler, Dallas, Dodd, Dunning, Finney, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Long, MacVeagh, M'Camant, M'Clean, M'Culloch, Minor, Mitchell, Mott, Newlin, Niles, Porter, Pughe, Runk, Russell, Stanton, Struthers, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. H. W. Palmer,

To add a new section as follows, viz: "In counties where associate judges shall be authorized by law, such judges shall be chosen in the year 1877, and every fifth year thereafter, in the same manner as inspectors of election under this Constitution. Any casual vacancy in the said office shall be filled by the Governor, by the appointment for the unexpired term of an elector of the proper county, who shall have voted for the officer whose place is to be filled."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Andrew Reed and Mr. Stewart,

To re-consider the vote by which the twenty-third section was adopted.

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Hall,

To add a new section, as follows, viz: "The parties, by agreement filed, may in any civil case, dispense with the trial by jury, and submit the decision of such case to the court having jurisdiction thereof, and such court 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."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Achenbach, Armstrong, Baer, Barclay, Beebe, Boyd, Brodhead, Broomall, Buckalew, Bullitt, Carter, Cochran, Corbett, Corson, Cronmiller, Curry, Curtin, Davis, De France, Dunning, Edwards, Fell, Finney, Fulton, Gilpin, Guthrie, Hall, Howard, Landis, Lear, Lilly, MacConnell, M'Clean, M'Culloch, Mantor, Patterson, D. W., Patterson, T. H. B., Patton, Reynolds, Ross, Simpson, Smith, Wm. H., Turrell, White, J. W. F., and Wright—45.

N A Y S .

Messrs. Alricks, Bailey, of Huntingdon, Baker, Biddle, Black, J. S., Brown, Clark, Darlington, Elliott, Ellis, Ewing, Funck, Gibson, Hanna, Hay, Horton, Kaime, Lambertson, Lawrence, M'Murray, Mann, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Purman, Purviance, Jno. N., Read, John R., Reed, Andrew,

Rooke, Sharpe, Smith, Henry W., Stewart, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, Harry, and Worrell—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bailly, of Perry, Bannan, Bardsley, Bartholomew, Bigler, Black, Charles A., Bowman, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Cuyler, Dallas, Dodd, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Newlin, Niles, Porter, Pughe, Purviance, Sam'l A., Runk, Russell, Smith, H. G., Stanton, Struthers, Temple, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Funck,

To add a new section, as follows, viz : "The Legislature shall have authority to abolish the office of associate judge after the term of office of the present incumbents shall have expired."

Which was agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Cochran and Mr. Baer,

To re-consider the vote by which the twenty-third section was adopted.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Corbett and Mr. Broomall, and were as follow, viz :

YEAS.

Messrs. Baer, Bailey, of Huntingdon, Brown, Buckalew, Carter, Clark, Cochran, Corson, Cronmiller, Curry, Darlington, Davis, Dunaing, Ellis, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Howard, Kaine, Lamberton, Landis, Lawrence, M'Clean, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Ross, Smith, H. G., White, Harry, White, J. W. F., and Wright—44.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Barclay, Beebe, Bidtite, Black, J. S., Boyd, Brodhead, Broomall, Bullitt, Corbett, Curtin, De France, Edwards, Elliott, Hay, Horton, Lear, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Metzger, Parsons, Patterson, T. H. B., Purviance, John N., Rooke, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., and Worrell—42.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bailly, of Perry, Baker, Bannan, Bardsley, Bartholomew, Bigler, Black, Charles A., Bowman, Calvin, Campbell, Carey, Cassidy, Church, Collins, Craig, Cuyler, Dallas, Dodd, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Newlin, Niles, Porter, Purviance, Sam'l A., Runk, Russell, Stanton, Struthers, Temple, Van Reed, Woodward and Meredith, *President*.

And the section being again before the Convention,

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, in the seventeenth line, by inserting after the word "court," the words, "in those counties in which separate orphans' courts shall be established."

On the question,

Will the Convention agree so to amend?

The hour of six o'clock having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

THURSDAY, JULY 10, 1873.

Mr. Howard asked and obtained leave of absence for Mr. Beebe for a few days from to-day, on account of ill-health.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for the balance of the week.

Mr. Curtin presented the following telegram, which was read, viz:

GETTYSBURG, PA., July 9, 1873.

To Hon. J. S. BLACK and ANDREW G. CURTIN,

Constitutional Convention, Philadelphia:

Gettysburg offers a suitable hall, desks and chairs, and as good hotel accommodation as in Philadelphia. Our railroad tenders free transit. So please come.

E. HARMON.

Laid on the table.

On motion of Mr. Stanton,

The thanks of the Convention was tendered for said invitation.

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 committee has carefully examined the account of John Sartain, dated June 23, 1873, for engraving portrait and signature of Hugh N. M'Allister, \$77 50; the account of Henry Sartain, for printing five hundred copies of said portrait, \$7 50; and the account of William W. Harding, dated July 7, 1873, for printing five hundred copies of the Memorial volume to Mr. M'Allister, \$225.

That the said accounts are all certified by the Committee on Printing and Binding of the Convention, which committee was authorized to have said Memorial volume prepared and printed. The total cost of this volume, five hundred copies, three hundred and ten dollars, it is believed is very moderate, and even less than the Memorial volume to Col. William Hopkins, and its appearance, printing and binding are very creditable. The following resolution is accordingly reported:

Resolved, That the accounts above mentioned are hereby approved, and that warrants be issued to William W. Harding for \$225, to John Sartain for \$77 50, and to Henry Sartain for \$7 50, for payment thereof.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

He also made a report from the same committee, which was read as follows, viz :

The Committee on Accounts and Expenditures of the Convention respectfully report :—

That it has examined the account of William W. Harding, dated June 27, 1873, for two hundred reams of paper, amounting to fifteen hundred dollars.

That the contract of said Harding with the Convention, required him to furnish paper in such quantities as might be ordered by the Committee on Printing and Binding of the Convention; that the paper mentioned in said accounts was furnished under the order of the said committee, and the bill approved by them; that the paper has been actually received by the printer as appears by his receipt.

The following resolution is accordingly reported, viz :

Resolved, That the above mentioned account of William W. Harding, for two hundred reams of paper, amounting to \$1,500, is hereby approved; and that a warrant be drawn in his favor for the said sum in payment thereof.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

Mr. Niles, from the Committee on the Legislature, made a report, which was read as follows, viz :

The Committee on the Legislature, to which was referred the resolution of the delegate from Fayette, (Mr. Kaine,) instructing said committee to consider and report upon the expediency of incorporating a provision in the Constitution locating the Capital of the State permanently at Harrisburg, beg leave to report the following section, with a recommendation that it be adopted :

“No law changing the present location of the Capital of the State, at Harrisburg, shall be valid until the same shall have been submitted to the people at a general election, and ratified and approved by them.”

Laid on the table.

Mr. Dallas, from the same committee, submitted a minority report, which was read as follows, viz :

The undersigned, members of the Committee on the Legislature, respectfully dissent from the report of the majority of that committee upon the subject of the locality of the Capital of the State, and respectfully recommend that the word Philadelphia should be substituted for Harrisburg, where it occurs in the resolution which accompanies said report of the majority of said committee.

GEO. M. DALLAS,
JNO. PRICE WETHERILL.

JULY 3, 1873.

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article reported from the Committee on the Judiciary.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Cochran to the twenty-third section?—by inserting after the word “court,” in the seventeenth line, the words, “in those counties in which separate orphans’ courts shall be established.”

A motion was made by Mr. Cochran,

To amend the amendment, by striking out from the word “court,” in the sixteenth line, to and including the word “court,” in the eighteenth line, and inserting in lieu thereof as follows, viz: “When there is any dispute about any account filed, or about the distribution of the estate of any decedent, in any separate orphans’ court, such dispute shall be determined by such court without an auditor, and.”

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Cochran and Mr. Landis, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Black, Charles A., Buckalew, Carey, Carter, Cochran, Corson, Cronmiller, Curry, Curtin, Davis, De France, Ellis, Fulton, Funck, Gibson, Gilpin, Green, Hall, Horton, Lamberton, Landis, Lawrence, MacConnell, M'CLean, M'Culloch, Patterson, D. W., Patton, Purviance, John N., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Wetherill, John Price, and White, Harry—40.

NAYS.

Messrs. Alricks, Armstrong, Beebe, Biddle, Bigler, Boyd, Brodhead, Broomall, Brown, Bullitt, Clark, Corbett, Dallas, Darlington, Edwards, Elliott, Guthrie, Hanna, Howard, Kaine, Lear, Lilly, Long, M'Murray, Mann, Mantor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Pughe, Purman, Purviance, Sam'l A., Reed, Andrew, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry and White, David N.—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Calvin, Campbell, Cassidy, Church, Collins, Craig, Cuyler, Dodd, Dunning, Ewing, Fell, Finney, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Porter, Read, John R., Runk, Russell, Struthers, White, J. W. F., Woodward, Worrell, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Buckalew, Carey, Carter, Cochran, Corson, Cronmiller, Curry, Davis, Ellis, Fulton, Funck, Gilpin, Green, Hall, Horton, Kaine, Lamberton, Landis, Lilly, M'Culloch, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Pughe, Purviance, John N., Read, John R., Reynolds, Ross, Wetherill, John Price, and White, Harry—34.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baer, Barclay, Beebe, Biddle, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Brown, Bullitt, Campbell, Clark, Corbett, Dallas, Darlington, De France, Dunning, Edwards, Elliott, Guthrie, Hanna, Howard, Lawrence, Lear, Long, MacConnell, M'CLean, M'Murray, Mann, Mantor, Newlin, Niles, Parsons, Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Rooke, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, White, David N., and White, J. W. F.—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Bowman, Calvin, Cassidy, Church, Collins, Craig, Curtin, Cuyler, Dodd, Ewing, Fell, Finney, Gibson, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Porter, Runk, Russell, Smith, H. G., Struthers, Woodward, Worrell, Wright and Meredith, *President*.

And the question again 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 the first line, and to the word "and," in the second line.

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. Hanna and Mr. D. W. Patterson, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailly, of Perry, Barclay, Beebe, Biddle, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Campbell, Carey, Carter, Corbett, Curry, Dallas, De France, Dunning, Edwards, Elliott, Ellis, Finney, Guthrie, Horton, Howard, Lamberton, Lilly, Long, MacConnell, M'Murray, Mann, Mantor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purvance, Sam'l A., Read, John R., Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Wright—63.

N A Y S .

Messrs. Bailey, of Huntingdon, Black, J. S., Brown, Clark, Cochran, Corson, Cronmiller, Curtin, Darlington, Davis, Funck, Gilpin, Green, Hall, Hanna, Kaine, Landis, Lawrence, Lear, M'CLean, Patterson, D. W., Reed, Andrew, Reynolds, Ross, Smith, Henry W., and White, Harry—26.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardley, Bartholomew, Bigler, Bowman, Calvin, Cassidy, Church, Collins, Craig, Cuyler, Dodd, Ewing, Fell, Fulton, Gibson, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, MacVeagh, M'Camant, M'Culloch, Metzger, Minor, Mitchell, Mott, Porter, Rooke, Runk, Russell, Smith, H. G., Struthers, Woodward, Worrell and Meredith, *President*.

And the question again recurring,
Shall the article be transcribed for a third reading ?

A motion was made by Mr. Parsons,

To add a new section as follows, viz : "Whenever a county shall contain 40,500 inhabitants, it 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 the said districts 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."

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

The yeas and nays were required by Mr. Baer and Mr. Parsons, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Baer, Beebe, Biddle, Boyd, Brodhead, Brown, Bullitt, Campbell, Carey, Clark, Corbett, Corson, Dallas, Darlington,

Davis, De France, Dunning, Edwards, Elliott, Ellis, Finney, Green, Hanna, Hay, Horton, Howard, Kaine, Lamberton, Lear, Long, MacConnell, Mann, Mantor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Simpson, Smith, H. G., Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Walker, White, Harry, White, J. W. F., Worrell and Wright—58.

N A Y S.

Messrs. Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bigler, Black, Charles A., Black, J. S., Broomall, Buckalew, Carter, Cochran, Cronmiller, Curry, Curtin, Fulton, Funck, Gilpin, Guthrie, Hall, Landis, Lawrence, Lilly, M'Clean, M'Culloch, Patton, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Smith, Henry W., Stewart, Wetherill, J. M., Wetherill, Jno. Price, Wherry and White, David N.—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Bowman, Calvin, Cassidy, Church, Collins, Craig, Cuyler, Dodd, Ewing, Fell, Gibson, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Patterson, D. W., Porter, Runk, Russell, Struthers, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Stewart,

To add a new section as follows, viz: "No election to fill a vacancy in any court of common pleas shall be for a longer period than the unexpired term."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Ellis,

To add a new section as follows, viz: "The Legislature shall not create any court, other than those expressly authorized in the Constitution, with civil jurisdiction in cases exceeding three hundred dollars, or criminal jurisdiction and powers in crimes, the punishment of which exceeds a fine of one hundred dollars or imprisonment for thirty days."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ellis and Mr. Ross and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Bailey, of Huntingdon, Boyd, Brodhead, Brown, Buckalew, Campbell, Corbett, Curry, Dallas, Dunning, Elliott, Ellis, Gibson, Guthrie, Hall, Hay, Lamberton, Lear, M'Murray, Metzger, Niles, Palmer, H. W., Parsons, Patton, Purman, Reed, Andrew, Ross, Smith, H. G., Temple, Turrell, Wetherill, J. M., and Worrell—34.

N A Y S.

Messrs. Addicks, Armstrong, Baily, of Perry, Baker, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Broomall, Bullitt, Calvin, Carey, Carter, Cochran, Corson, Cronmiller, Cuyler, Darlington, Davis, De France, Edwards, Ewing, Finney, Fulton, Funck, Gilpin, Green, Hanna, Horton, Howard, Kaine, Knight, Landis, Lawrence, Lilly, Long, MacConnell, M'Clean, M'Culloch, Mann, Mantor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Pur-

viance, John N., Purviance, Sam'l A., Reynolds, Rooke, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Van Reed, Walker, Wetherill, Jno. Price, White, David N., White, J. W. F., and Wright—62.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Ainey, Andrews, Bannan, Bardsley, Bartholomew, Black, J. S., Bowman, Cassidy, Church, Clark, Collins, Craig, Curtin, Dodd, Fell, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Littleton, MacVeagh, M'Camant, Minor, Mitchell, Mott, Porter, Pughe, Read, John R., Runk, Russell, Struthers, Wherry, White, Harry, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Kaine and Mr. Edwards,

That the vote be reconsidered by which the thirty-first section was adopted.

On the question,

Will the Convention agree to the motion ?

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

YEAS.

Messrs. Addicks, Baily, of Perry, Bailey, of Huntingdon, Black, J. S., Brodhead, Broomall, Buckalew, Carey, Clark, Curry, Curtin, Darlington, Davis, De France, Edwards, Elliott, Ellis, Gibson, Green, Hanna, Horton, Kaine, Lamberton, Lilly, Long, Mann, Patterson, T. H. B., Read, John R., Ross, Sharpe, Smith, H. G., Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., and Wright—36.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baker, Barclay, Biddle, Bigler, Black, Charles A., Boyd, Brown, Bullitt, Calvin, Campbell, Carter, Corbett, Corson, Cronmiller, Cuyler, Dallas, Dunning, Ewing, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Knight, Landis, Lawrence, Lear, MacConnell, M'Clean, M'Culloch, M'Murray, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, and Worrell—60.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Bannan, Bardsley, Bartholomew, Beebe, Bowman, Cassidy, Church, Cochran, Collins, Craig, Dodd, Fell, Finney, Harvey, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Littleton, MacVeagh, M'Camant, Mantor, Metzger, Minor, Mitchell, Mott, Niles, Palmer, G. W., Porter, Runk, Russell, Struthers, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Buckalew,

To add a new section as follows, viz :

The commissions of all common pleas judges learned in the law, in judicial districts containing less than one hundred thousand inhabitants, shall expire with the year 1883, and every tenth year thereafter. Within ten days after the organization of the General Assembly at the session next prior to the expiration of the judicial terms aforesaid, the two Houses shall meet together in joint Convention, and by open vote appoint ten commissioners, who shall have power to divide the State into judicial districts, assigning to each one or more judges as may be required ; such apportionment to remain unchanged for a term of ten years. In choosing said commissioners each member of the joint Convention shall vote

for not more than five persons, and the ten highest in vote shall be elected. No city or county shall be divided in the formation of districts, and no district shall be formed to elect more than two law judges, unless in case of a county containing over one hundred thousand inhabitants. The said commissioners shall be duly sworn or affirmed, and shall be ineligible to election to the office of judge under an apportionment made by them, and any such apportionment shall be agreed to by at least seven commissioners.

On the question,

Will the Convention agree to the motion ?

Mr. Buckalew called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "thereafter," in the fifth line ?

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

Y E A S .

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Barclay, Boyd, Brodhead, Buckalew, Campbell, Cassidy, Curtin, Dallas, De France, Dunning, Ellis, Fulton, Gibson, Gilpin, Kaine, Lilly, Long, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patton, Read, John R., Sharpe, Smith, H. G., Stewart, Van Reed, Wherry and Wright—32.

N A Y S .

Messrs. Addicks, Alricks, Armstrong, Baer, Baker, Biddle, Bigler, Black, Charles A., Black, J. S., Broomall, Brown, Bullitt, Calvin, Carey, Carter, Clark, Corbett, Corson, Cronmiller, Curry, Cuyler, Darlington, Davis, Edwards, Elliott, Ewing, Fell, Finney, Funck, Green, Guthrie, Hanna, Hay, Horton, Howard, Knight, Landis, Lawrence, Littleton, MacConnell, M'CLean, M'Culloch, M'Murray, Mann, Mantor, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Walker, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Worrell—65.

So the question was determined in the negative.

ABSENT—Messrs. Ainey, Andrews, Bannan, Bardsley, Bartholemew, Beebe, Bowman, Church, Cochran, Collins, Craig, Dodd, Hall, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Lear, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Porter, Pughe, Runk, Russell, Struthers, Temple, Wetherill, J. M., Woodward and Meredith, *President*.

The second and last division was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Sharpe,

To add a new section as follows, viz: "The Supreme Court shall sit in banc for the hearing of causes that come up by writs of error or appeal in the city of Harrisburg, but may, for adequate reasons, adjourn its sessions for a single term, or less than a term, to any other suitable and convenient place."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Calvin, Cochran, Curry, Curtin, Dunning, Finney, Funck, Gibson, Gilpin, Kaine, Landis, Lilly, M'CLean, M'Culloch, M'Murray, Metzger, Palmer, G.

W., Palmer, H. W., Patterson, D. W., Reed, Andrew, Reynolds, Sharpe, Smith, Henry W., Stewart, Van Reed, Walker, Wetherill, J. M., Wherry, White, Harry, and Wright—36.

N A Y S .

Messrs. Addicks, Armstrong, Baker, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Campbell, Carter, Cassidy, Clark, Corbett, Corson, Cronmiller, Cuyler, Dallas, Darlington, Davis, De France, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Green, Guthrie, Hall, Hanna, Hay, Horton, Howard, Knight, Lawrence, Littleton, Long, MacConnell, Mann, Mantor, Niles, Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Ross, Simpson, Smith, Wm. H., Stanton, Turrell, Wetherill, John Price, White, David N., White, J. W. F., and Worrell—62.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Bannan, Bardsley, Bartholomew, Beebe, Bowman, Carey, Church, Collins, Craig, Dodd, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Lear, MacVeagh, M'Camant, Minor, Mitchell, Mott, Newlin, Parsons, Porter, Pughe, Runk, Russell, Smith, H. G., Struthers, Temple, Woodward and Meredith, *President*.

And the question again recurring,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Armstrong,

That the article be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Cochran,

That the Convention proceed to the second reading and consideration of the article (No. 17) reported from the Committee on Railroads and Canals.

Which was agreed to.

On the question,

Will the Convention agree to the first section ?

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

To amend the same, in the fourth line, by inserting after the word "railroad," the words, "and may pass its cars empty or loaded over such other railroad."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Brodhead,

To amend the same, in the second and third lines, by striking out the words, "between any two points."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Brodhead,

To amend the same, in the fourth and fifth lines, by striking out the words, "passengers and freight, tolls and tariffs on."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cochran,

To amend the same, in the first line, by striking out the word "company," and inserting in lieu thereof the word "partnership;" and in the second line, by inserting after the word "construct," the words, "and operate."

Which was agreed to.

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. John R. Read,

To amend the same, in the fourth and fifth lines, by striking out the words, "or any other person having any pecuniary interest in such corporation."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Brodhead,

To amend the same, in the first line, by striking out the word "or," where it occurs the second time, and inserting in lieu thereof the word "and."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section?

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

To amend the same, by adding to the end of the section as follows, viz: "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, as well as the receipts and expenditures, assets and liabilities, for or on account of any property leased or operated by it, and such other matters relating to its business as are now or hereafter may be prescribed by law."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Baker, Black, J. S., Brodhead, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Cochran, Curry, Dunning, Ewing, Finney, Funck, Gibson, Hay, Landis, Lear, MacConnell, Metzger, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Reynolds, Ross, Sharpe, Smith, Henry W., Van Reed, Wetherill, J. M., White, David N., and White, Harry—29.

N A Y S.

Messrs. Baer, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Brown, Cassidy, Corbett, Corson, Cronmiller, Darlington, Davis, De France, Edwards, Elliott, Fulton, Gilpin, Green, Guthrie, Hall, Horton, Howard, Kaine, Lamberton, Lawrence, Lilly, Littleton, Long, M'CLean, M'Culloch, Mann, Mantor, Niles, Pughe, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Simpson, Stanton, Turrell, Walker, Wherry, White, J. W. F., and Worrell—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Church, Clark, Collins, Craig, Curtin, Cuyler, Dallas, Dodd, Ellis, Fell, Hanna, Harvey, Hazzard, Hemphill,

Heverin, Hunsicker, Knight, MacVeagh, M'Camant, M'Murray, Minor, Mitchell, Mott, Newlin, Palmer, H. W., Parsons, Porter, Runk, Russell, Smith, H. G., Smith, Wm. H., Stewart, Struthers, Temple, Wetherill, John Price, Woodward, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section?

A motion was made by Mr. Cochran,

To amend the same, in the fourth line, by striking out the word "the."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Fell,

To amend the same, in the second and third lines, by striking out the words, "for the transaction of its business."

Which was not 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. Cochran,

To amend the same, in the first line, by inserting after the word "railroad," the word "and."

Which was agreed to.

The section as amended and fourth section were then agreed to.

On the question,

Will the Convention agree to the fifth section?

A motion was made by Mr. Joseph Baily,

To amend the same, by striking out all after the word "section." in the first line, and inserting in lieu thereof as follows, viz: "No railroad or canal corporation shall have the right to invest in, purchase or hold shares in the capital stock, bonds or other indebtedness, or purchase, hold or lease the franchise and property or other estate of any other railroad, canal or other corporation, either in its corporate name or by its officers, or through the intervention of trustees or other agents holding the same for its use."

On the question,

Will the Convention agree so to amend?

The hour of one having arrived,

The President *pro tem.* announced a recess until this afternoon at 3 o'clock.

Agreeably to order,

The convention resumed the second reading and consideration of the article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Jos. Baily to the fifth section?

The yeas and nays were required by Mr. Jos. Baily and Mr. Carter, and were as follow, viz:

53 CON. JOUR.

Y E A S .

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Broomall, Buckalew, Calvin, Campbell, Carter, Cochran, Funck, Guthrie, Landis, Lawrence, Lilly, MacConnell, M'Clellan, M'Culloch, Mantor, Newlin, Palmer, G. W., Patterson, T. H. B., Purviance, Samuel A., Reynolds, Sharpe, Smith, Henry W., Temple, Wherry, White, David N., White, Harry, White, J. W. F., and Wright—32.

N A Y S .

Messrs. Armstrong, Baer, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Cronmiller, Cuyler, Darlington, Davis, De France, Edwards, Elliott, Ellis, Fulton, Gilpin, Hall, Hay, Heverin, Horton, Howard, Kaine, Long, Mann, Metzger, Niles, Purman, Purviance, John N., Reed, Andrew, Rooke, Ross, Smith, Wm. H., Stewart, Turrell, Van Reed, Walker, Wetherill, J. M., and Wetherill, John Price—39.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Bullitt, Carey, Cassidy, Church, Clark, Collins, Corbett, Corson, Craig, Curry, Curtin, Dallas, Dodd, Dunning, Ewing, Fell, Finney, Gibson, Green, Hanna, Harvey, Hazzard, Hemphill, Hunsicker, Knight, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Read, John R., Runk, Russell, Simpson, Smith, H. G., Stanton, Struthers, Woodward, Worrell and Meredith, *President*.

And the question recurring,

Will the Convention agree to the fifth section?

A motion was made by Mr. Cochran,

To amend the same, in the fourth and fifth lines, by striking out the words, "except those doing business as common carriers."

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?

The yeas and nays were required by Mr. Cochran and Mr. Campbell, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baer, Biddle, Buckalew, Calvin, Campbell, Carter, Cochran, Cronmiller, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Horton, Landis, M'Culloch, Mantor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Reynolds, Rooke, Sharpe, Simpson, Stewart, Turrell, White, David N., White, Harry, Worrell and Wright—35.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Bullitt, Curtin, Cuyler, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ellis, Fell, Green, Hall, Hanna, Howard, Kaine, Lamberton, Lawrence, Lilly, Littleton, Long, MacConnell, M'Clellan, Mann, Niles, Patton, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Walker, Wetherill, J. M., Wetherill, John Price, Wherry and White, J. W. F.—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Cassidy, Church, Clark, Collins, Corbett, Corson, Craig, Curry, Dallas, Dodd, Finney, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lear, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Parsons, Porter, Purviance, Samuel A., Ross.

Runk, Russell, Smith, H. G., Stanton, Struthers, Temple Van Reed, Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the sixth section ?

A motion was made by Mr. Fulton,

To amend the same, in the second line, by striking out the words, "nor the officers or managers thereof."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Cochran and Mr. Campbell, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Armstrong, Bear, Barclay, Bigler, Black, Charles A., Boyd, Broomall, Brown, Bullitt, Corbett, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Dunning, Edwards, Elliott, Ellis, Fell, Fulton, Hall, Hanna, Kaine, Lamberton, Lawrence, Lilly, Littleton, MacConnell, M'Clean, Mann, Niles, Palmer, G. W., Palmer, H. W., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, White, J. W F., Worrell and Wright—54.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Buckalew, Calvin, Campbell, Carter, Cochran, De France, Ewing, Funck, Gibson, Gilpin, Guthrie, Horton, Howard, Landis, M'Culloch, Mantor, Metzger, Newlin, Patterson, D. W., Patterson, T. H. B., Reynolds, Rooke, Sharpe, Simpson and White, David N.—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Brodhead, Carey, Cassidy Church, Clark, Collins, Corson, Craig, Dallas, Dodd, Finney, Green, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lear, Long, MacVeagh, M'Camant, M'Murray, Minor, Mitchell, Mott, Parsons, Porter, Ross, Runk, Russell, Smith, H. G., Stanton, Stewart, Struthers, Temple, Van Reed, Woodward, and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cochran,

To amend the same, in the third and fourth lines, by striking out the words, "for other persons or corporations."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section as amended ?

Mr. S. A. Purviance called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "company," in the fourth line.

The hour of six having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIC,
Clerk.

Attest:

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

FRIDAY, JULY 11, 1873.

Mr. Fulton presented two petitions from citizens of Westmoreland county, praying that there be a clause inserted in the Constitution acknowledging Almighty God and the Christian religion.

Said petitions were laid on the table.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Davis and himself for a few days from Monday next.

Mr. Wright asked and obtained leave of absence for himself for a few days from to-day.

Mr. Broomall asked and obtained leave of absence for himself for a few days from to-day.

Mr. Corson asked and obtained leave of absence for Mr. Ross for to-morrow.

Mr. Parsons offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Accounts and Expenditures of the Convention be requested to report a resolution directing warrants to be drawn for the payment to the clerks, and other officers of the Convention, of one-fifth of their compensation.

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

Be it resolved, as follows:

1. That when the article on railroads shall have passed second reading, the Convention will adjourn to meet again on the fifteenth day of September, at ten o'clock A. M.

2. That articles passed on second reading (including the Legislative article) be re-printed as amended, and that three thousand copies thereof, in pamphlet form, be printed for general distribution.

3. That this Convention will submit the new or revised Constitution prepared by it to a popular vote, at such convenient time as will secure its taking effect, in case of adoption by the people, on or before the first day of January next.

Laid on the table.

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

Resolved, That a committee of one from each Senatorial district be appointed to present the result of the labors of this Convention to the people of the State, by issuing an address to accompany the new Constitution, and the use of such other means as may be necessary to secure a proper consideration of the same by all the voters of the Commonwealth; and that such committee shall so present any article when it shall have passed through third reading.

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:

The Committee on Accounts and Expenditures, in pursuance of the following resolution of the Convention, to wit: "*Resolved*, That the Committee on Accounts and Expenditures be requested to report a resolution directing warrants to be drawn for the payment of the Clerk, and other officers of the Convention, of one-fifth of their compensation," respectfully report the following resolution:

Resolved, That warrants be drawn in favor of the following named persons, the Clerk and other officers of the Convention, for the sums set opposite their respective names, being one-fifth of their compensation as fixed by the Convention:

D. L. Imbrie, Chief Clerk	\$550 00
Lucius Rogers, Assistant Clerk.....	550 00
A. D. Harlan.....do.....do.....	550 00
John L. Linton, Transcribing Clerk.....	400 00
A. T. Parker.....do.....do.....	400 00
James Onslow, Sergeant-at-Arms.....	400 00
C. M. Brown, Assistant Sergeant-at-Arms.....	360 00
Clement Evans, Doorkeeper.....	360 00
Frank Bentley, Assistant Doorkeeper.....	360 00
Henry B. Price, Postmaster.....	360 00
B. F. Major, Assistant Postmaster.....	360 00
	<hr/>
	4,650 00

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. 17) reported from the Committee on Railroads and Canals.

And the question recurring,
Will the Convention agree to the sixth section as amended ?

A motion was made by Mr. Baer,
To amend the same, by striking out all after the word "section," in the first line, and inserting in lieu thereof as follows, viz: "No company organized to do the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for transportation over the works of said company."

On the question,
Will the Convention agree so to amend ?

A motion was made by Mr. Cochran,
To amend the same, by adding to the end thereof the words:
"Nor shall the Legislature, at any time, authorize the incorporation of any transportation company with others powers than such as are necessary and proper to the business of a common carrier."

Which was agreed to.
On the question,
Will the Convention agree to the amendment as amended ?

A motion was made by Mr. Kaine,
To amend the same, by striking out the words, "articles for transportation over the works of said company."

Which was agreed to.
And the question recurring,
Will the Convention agree to the amendment as amended ?

The yeas and nays were required by Mr. Cochran and Mr. Temple, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Black, J. S., Church, Edwards, Fell, Gilpin, Guthrie, Kaine, Lilly, M'Murray, Mantor and White, J. W. F.—18.

NAYS.

Messrs. Achenbach, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Bidle, Bigler, Black, Charles A., Boyd, Brodhead, broomall, Brown, Buckalew, Bulitt, Calvin, Campbell, Carey, Carter, Cochran, Corbett, Corson, Cronmiller, Cur-

ry, Curtin, Cuyler, Dallas, Darlington, Davis, De France, Dunning, Elliott, Ellis, Ewing, Finney, Funck, Gibson, Hanna, Harvey, Hay, Horton, Howard, Knight, Lamberton, Landis, Lawrence, MacConnell, M'Clean, M'Cullough, Mann, Metzger, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Temple, Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., White, Harry, Worrell and Wright—83.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Cassidy, Clark, Collins, Craig, Dodd, Fulton, Green, Hall, Hazzard, Hemphill, Heverin, Hunsicker, Lear, Littleton, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Porter, Pughe, Runk, Russell, Stanton, Woodward and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Cuyler and Mr. Cochran, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntington, Biddle, Bigler, Black, Charles A., Black, J. S., Brown, Calvin, Campbell, Carey, Carter, Church, Cochran, Corson, Curtin, Dallas, De France, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Horton, Howard, Kaine, Landis, Lawrence, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Metzger, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Sharpe, Smith, H. G., Stewart, Temple, Van Reed, White, David N., White, Harry, Worrell and Wright—58.

N A Y S .

Messrs. Armstrong, Barclay, Boyd, Brodhead, Broomall, Buckalew, Bullitt, Corbett, Cronmiller, Curry, Cuyler, Darlington, Davis, Dunning, Edwards, Elliott, Ellis, Fell, Hanna, Knight, Lamberton, Lilly, MacConnell, Niles, Palmer, H. W., Parsons, Patton, Purman, Purviance, Sam'l A., Simpson, Smith, Henry W., Smith, Wm. H., Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry and White, J. W. F.—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bowman, Cassidy, Clark, Collins, Craig, Dodd, Fulton, Green, Hall, Hazzard, Hemphill, Heverin, Hunsicker, Lear, Littleton, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Porter, Pughe, Read, John R., Runk, Russell, Stanton, Struthers, Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the seventh section ?

Mr. Bullitt offered a new section, to be numbered seven, as follows, viz :

Presidents, directors, officers, agents and other employees of railroad and canal companies shall not engage or be interested, directly or indirectly, otherwise than as stockholders in such railroad or canal companies, in the transportation of freight or passengers as common carriers over the works of any company of which they are presidents, directors, officers, agents or employees; and they shall not so engage or be interested in the transportation of freight or passengers over the works of any other such company, except as stockholders in such company which may be leased, or the majority of the capital stock of which may be owned or controlled by the company of which they are presidents, directors, officers, agents or employees.

On the question,

Will the Convention agree to the section ?

A motion was made by Mr. Bigler,

To amend the same, by striking out all after the word "section," in the first line, and inserting in lieu thereof as follows, viz:

"Companies composed in part or in whole of officers and managers of a railroad corporation shall have no right to transport tonnage over the roads with which said officers and managers are connected, without the consent of the holders of a majority of the stock of such corporations; nor shall they be charged lower rates for transportation, or be furnished greater facilities than other persons or companies engaged in the same business."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

The yeas and nays were required by Mr. Cuyler and Mr. Howard, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, J. S., Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Corson, Cronmiller, Dallas, De France, Ewing, Fell, Finney, Funck, Gilpin, Guthrie, Hanna, Hay, Horton, Kaine, Lamberton, Landis, Lilly, MacConnell, M'CLean, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purviance, John N., Purvance, Sam'l A., Ross, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., Worrell and Wright—63.

N A Y S.

Messrs. Armstrong, Black, Charles A., Boyd, Cochran, Curry, Curtin, Cuyler, Darlington, Edwards, Elliott, Howard, Lawrence, Mann, Parsons, Patterson, D. W., Patton, Reed, Andrew, Reynolds, Rooke and Smith, Henry W.—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Barclay, Bardley, Bartholomew, Beebe, Bowman, Carey, Cassidy, Clark, Collins, Corbett, Craig, Davis, Dodd, Dunning, Ellis, Fulton, Gibson, Green, Hall, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lear, Littleton, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Niles, Porter, Pughe, Purman, Read, John R., Runk, Russell, Simpson, Stanton, Temple, Wetherill, John Price, Woodward and Meredith, *President*.

On the question,

Will the Convention agree to the eighth section?

Mr. Alricks offered a new section, to be numbered eight, as follows, viz:

"Any combination or agreement by and between railroad companies, or by and between any railroad and coal companies, unreasonably to increase their rates of transportation of freight, or to increase the price of coal or of manufactured products, shall work a forfeiture of the charters of such companies."

On the question,

Will the Convention agree to the section?

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

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, J. S., Brown, Calvin, Campbell, Carter, Church, Cochran, Corson, De France, Finney, Funck, Gilpin, Guthrie, Horton, Howard, Landis, M'CLean, M'Culloch, M'Murray, Mantor, Metzger, Newlin, Patterson, D. W., Patterson, T. H. B., Reynolds, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, White, Harry, and Worrell—41.

N A Y S .

Messrs. Ainey, Armstrong, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Carey, Cronmiller, Curry, Curtin, Cuyler, Darlington, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Hall, Hanna, Hay, Kaine, Lamberton, Lilly, Littleton, MacConnell, Mann, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patton, Pughe, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Struthers, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., and White, J. W. F.—46.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Cassidy, Clark, Collins, Corbett, Craig, Dallas, Davis, Dodd, Dunning, Gibson, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lawrence, Lear, Long, MacVeagh, M'Camant, Minor, Mitchell, Mott, Porter, Purman, Read, John R., Runk, Russell, Simpson, Stanton, Temple, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the eighth section ?

Mr. Howard offered a new section, to be numbered eight, as follows, viz :

"No railroad, canal or other corporation doing the business of a common carrier, shall, directly or indirectly, hold shares of the capital stock, or endorse or guarantee the bonds, notes or other indebtedness of any other corporation, partnership or individuals engaged in the business of mining or manufacturing."

On the question,

Will the Convention agree to the section ?

The yeas and nays were required by Mr. Howard and Mr. Sharpe, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Biddle, Black, J. S., Buckalew, Calvin, Campbell, Carter, Church, Cochran, Corson, De France, Ewing, Finney, Fulton, Funck, Guthrie, Hall, Horton, Howard, Landis, M'CLean, M'Murray, Mantor, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purviance, Samuel A., Reynolds, Rooke, Ross, Sharpe, Smith, H. G., Stewart, Van Reed, White, David N., and White, Harry—40.

N A Y S .

Messrs. Achenbach, Armstrong, Baer, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Bullitt, Carey, Cronmiller, Curry, Curtin, Cuyler, Darlington, Edwards, Elliott, Ellis, Fell, Hanna, Kaine, Lamberton, Lawrence, Lilly, Littleton, MacConnell, Mann, Niles, Parsons, Patterson, D. W., Patton, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, John Price, Wherry, White, J. W. F., and Worrell—47.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Cassidy, Clark, Collins, Corbett, Craig, Dallas, Davis, Dodd, Dunning, Gibson, Gilpin, Green, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lear, Long, MacVeagh, M'Camant, M'Culloch, Minor, Mitchell, Mott, Porter, Runk, Russell, Simpson, Stanton, Temple, Woodward, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the eighth section ?

A motion was made by Mr. John Price Wetherill,

To amend the same, by striking out all after the word "thereof," in the fourth line.

On the question,

Will the Convention agree so to amend ?

The hour of one having arrived,

The President *pro tem.* announced a recess until this afternoon at 3 o'clock.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Jno. Price Wetherill to the eighth section, by striking out all after the word "thereof," in the fourth line.

The yeas and nays were required by Mr. Campbell and Mr. Sharpe, and were as follow, viz :

Y E A S.

Messrs. Alricks, Armstrong, Barclay, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Bullitt, Clark, Corbett, Curry, Curtin, Cuyler, Darlington, Dunning, Edwards, Elliott, Ellis, Fell, Fulton, Hanna, Kaine, Knight, Lambertson, Lilly, Mann, Niles, Parsons, Purman, Read, John R., Rooke, Smith, Wm. H., Van Reed, Walker, Wetherill, John Price Wherry and Worrell—39.

N A Y S.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, J. S., Buckalew, Calvin, Campbell, Church, Cochran, Corson, Cronmiller, De France, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Hall, Hay, Horton, Howard, Landis, Lawrence, MacConnell, M'Clellan, M'Culloch, M'Murray, Mantor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Sharpe, Smith, H. W., Stewart, Struthers, Turrell, White, David N., White, Harry, and White, J.W. F.—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bowman, Carey, Carter, Cassidy, Collins, Craig, Dallas, Davis, Dodd, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Lear, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Porter, Pughe, Ross, Runk, Russell, Simpson, Smith, H. G., Stanton, Temple, Wetherill, J. M., Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Baer,

To amend the same, by striking out from the word "corporation," in the seventh line, to and including the word "same," in the eighth line, and inserting in lieu thereof the words, "taking into consideration the distance of transportation and the character of the road transported over."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Baer and Mr. Cuyler, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Barclay, Biddle, Boyd, Brodhead, Broomall, Brown, Bullitt, Carter, Clark, Corson, Curry, Curtin, Darlington, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Fulton, Funck, Gib-

son, Guthrie, Hall, Knight, Lamberton, Lawrence, Lilly, MacConnell, Mann, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purviance, Sam'l A., Read, John R., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Walker, Wetherill, John Price, Wherry and White, J. W. F.—50.

N A Y S.

Messrs. Armstrong, Baily, of Perry, Black, J. S., Buckalew, Calvin, Campbell, Church, Cochran, Corbett, Cronmiller, De France, Finney, Gilpin, Hanna, Hay, Horton, Howard, Landis, M'CLean, M'Culloch, M'Murray, Mantor, Patterson, D. W., Purman, Reynolds, Rooke, Sharpe, Stewart, Van Reed, White, David N., White, Harry, and Worrell—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Bowman, Carey, Cassidy, Collins, Craig, Cuyler, Dallas, Davis, Dodd, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Lear, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, H. W., Porter, Pughe, Purviance, John N., Ross, Runk, Russell, Simpson, Smith, H. G., Stanton, Temple, Wetherill, J. M., Woodward, Wright and Meredith, *President*.

On the question,

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 "over," 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. Ewing,

To amend the same, by inserting after the word "distance," in the tenth line, the words, "including such shorter distance."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Cuyler and Mr. Ewing, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baily, of Perry, Broomall, Clark, Corbett, Curry, Darlington, Edwards, Elliott, Ewing, Hall, Hay, Kaine, Knight, Lilly, Mann, Niles, Patterson, T. H. B., Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, White, David N., White, J. W. F., and Worrell—29.

N A Y S.

Messrs. Addicks, Armstrong, Baer, Barclay, Biddle, Black, J. S., Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Church, Cochran, Corson, Cronmiller, Curtin, Cuyler, De France, Dunning, Ellis, Feil, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Horton, Howard, Lamberton, MacConnell, M'CLean, Mantor, Palmer, G. W., Parsons, Patton, Read, John R., Rooke, Sharpe, Stewart, Van Reed, Walker, Wetherill, John Price, Wherry and White, Harry—48.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Ainey, Andrews, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Bowman, Carey, Carter, Cassidy, Collins, Craig, Dallas, Davis, Dodd, Green, Harvey, Haz-

zard, Hemphill, Heverin, Hunsicker, Landis, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, H. W., Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Russell, Simpson, Stanton, Struthers, Temple, Wetherill, J. M., Woodward, Wright and Meredith, *President*.

And the question again recurring,

Will the Convention agree to the section as amended ?

The hour of six having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

SATURDAY, JULY 12, 1873.

The President *pro tem.* laid before the Convention the following communication, viz:

UNIONTOWN, FAYETTE COUNTY, PA., }
July 9, 1873. }

Hon. WM. M. MEREDITH,

President of Pennsylvania Constitutional Convention:

SIR:—I hereby, through you, tender to the Convention my resignation as a member thereof.

Respectfully your obedient servant,
JNO. COLLINS.

A motion was made by Mr. Lawrence,

That the communication be laid on the table, and that Mr. Collins be requested to re-consider his resignation.

Which was agreed to.

Mr. Andrew Reed asked and obtained leave of absence for Mr. Ellis for next week.

Mr. Purviance asked and obtained leave of absence for Mr. J. N. Purviance for a few days from to-day, on account of sickness in his family.

Mr. Parsons asked and obtained leave of absence for Mr. Stewart for a few days from to-day.

Mr. Lilly offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That this Convention will adjourn to-day at twelve o'clock M., to meet on Monday next at ten o'clock A. M.

A motion was made by Mr. Buckalew,

That the Convention proceed to the second reading and consideration of the resolution laid on the table July 11, 1873, as follows, viz:

Be it resolved as follows :

1. That when the article on railroads shall have passed second reading, the Convention will adjourn to meet again on the fifteenth day of September, at ten o'clock A. M.
2. That articles passed on second reading, (including the Legislative article,) be re-printed as amended, and that three thousand copies thereof, in pamphlet form, be printed for general distribution.
3. That this Convention will submit the new or revised Constitution prepared by it to a popular vote at such convenient time as will secure its taking effect, in case of adoption by the people, on or before the first day of January next.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Temple and Mr. Baer, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Baer, Barclay, Bigler, Black, J. S., Boyd, Brodhead, Brown, Buckalew, Calvin, Curry, Curtin, Darlington, Dunning, Elliott, Ellis, Ewing, Fell, Howard, Knight, MacConnell, M'Murray, Parsons, Patton, Pughe, Reynolds, Rooke, Sharpe, Stewart, Struthers, Turrell, Wetherill, Jno. Price, White, J. W. F., and Worrell—36.

N A Y S .

Messrs. Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Campbell, Carter, Clark, Cochran, Corbett, Cronmiller, De France, Edwards, Fulton, Funck, Gilpin, Guthrie, Hay, Horton, Kaine, Landis, Lawrence, Lilly, M'Culloch, Mann, Mantor, Newlin, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Reed, Andrew, Simpson, Smith, Wm. H., Temple, Walker, Wherry, White, David N., and White, Harry—38.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Armstrong, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Bullitt, Carey, Cassidy, Church, Collins, Corson, Craig, Cuyler, Dallas, Davis, Dodd, Finney, Gibson, Green, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Porter, Purviance, John N., Read, John R., Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Van Reed Wetherill, J. A., Woodward, Wright and Meredith, *President*.

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

Resolved, That on and after Tuesday next the sessions of this Convention shall be from nine A. M. until three P. M.

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 the article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to the eighth section as amended ?

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

To amend the same, by striking out all after the word "section," in the first line, and inserting in lieu thereof as follows, viz :

"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 between or against the people thereof, nor make a higher charge for a shorter distance than for a longer distance, including such shorter distance, and no special rates or drawbacks shall, either directly or indirectly, be allowed, excepting excursion or commutation tickets."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Baer,

To amend the amendment, by inserting after the word "any," in the third line, the words, "unjust or unreasonable.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend?

A motion was made by Mr. Armstrong,

To amend the same, by striking out all after the word "thereof," and inserting in lieu thereof as follows, viz: "Persons and property transported by any such company shall be delivered at any station within the State at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station; 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."

On the question,

Will the Convention so agree to amend the amendment?

The yeas and nays were required by Mr. Campbell and Mr. Cochran, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Barclay, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Carter, Clark, Corbett, Cronmiller, Curry, Darlington, Edwards, Elliott, Fell, Fulton, Hall, Lilly, MacConnell, M'Culloch, Mann, Niles, Purman, Purviance, Sam'l A., Reed, Andrew, Simpson, Struthers, Walker, and White, J. W. F.—32.

NAYS.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bullitt, Calvin, Campbell, Carey, Church, Cochran, Curtin, Cuyler, De France, Ellis, Ewing, Finney, Funck, Gilpin, Guthrie, Horton, Howard, Kaine, Landis, Lawrence, M'Murray, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Reynolds, Rooke, Sharpe, Smith, H. G., Smith, Wm. H., Temple, Turrell, White, David N., and White, Harry—40.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Broomall, Cassidy, Collins, Corson, Craig, Dallas, Davis, Dodd, Dunning, Gibson, Green, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'CLean, Mantor, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Ross, Runk, Russell, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward Worrell, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree so to amend?

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

That the Convention re-consider the vote just taken.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Cochran,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President *pro tem.* adjourned the Convention until Monday morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

MONDAY, JULY 14, 1873.

Mr. S. A. Purviance asked and obtained leave of absence for Mr. Darlington for to day.

Mr. Clark asked and obtained leave of absence for Mr. Metzger for a few days from to-day.

Mr. D. N. White offered the following resolutions, which were read, viz :

Resolved, That when all the articles adopted in the committee of the whole shall have passed second reading, the Convention shall adjourn to meet again on Tuesday, the 16th of September, at ten o'clock A. M.

Resolved, That articles passed on second reading be arranged in their proper order by the Committee on Revision and Adjustment, and printed in pamphlet form, leaded pica type, with a broad margin and sized paper, and three copies sent to each member as soon as possible after the adjournment.

Laid on the table.

A motion was made by Mr. Newlin,

That the Convention proceed to the second reading and consideration of the resolution, laid on the table March 28, as follows, viz :

Resolved, That Rule XXIX be amended, by adding a standing committee of fourteen to be called the Executive Committee.

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

Mr. Curry presented the following communication, which was read, viz :

CITY OF ALTOONA. }
July 11, 1873. }

HON. J. W. CURRY,

Member of the Constitutional Convention, Philadelphia :

DEAR SIR:—At a regular meeting of the common council of this city, held July 7, the following resolution offered by Mr. Samuel Lloyd, was unanimously adopted, viz :

Resolved, That the Hon. J. W. Curry, our member of the Constitutional Convention, be instructed to request the members of that Convention to visit our mountain city, previous to their final adjournment.

Certified to be a correct copy of the resolution.

ATTEST—

T. B. PATTON,
Secretary.

Laid on the table.

On motion of Mr. Boyd,

The thanks of the Convention were tendered the councils of the city of Altoona for said invitation.

Mr. Hay, from the Committee of 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, in pursuance of an opinion that further warrants for payments of its printing should, under the provisions of the general appropriation act of 1873, be drawn by the Auditor General, on the 15th day of May, 1873, adopted the following resolution, viz : "*Resolved*, That no warrants be drawn for payments to the printer of the Convention, but that the Committee on Accounts shall continue to ascertain, and from time to time report to the 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," whereupon the committee addressed a communication to the Printer, directing his attention to the resolution, and requested him to "present to the committee a complete statement, in detail, of all the printing and binding done by him under his contract with the convention, and of books furnished, and of all other claims of any kind which he might have against the Convention up to the 15th day of May (then) instant, and to state in the account not only the total sum claimed by him up to that date, but also the particular prices charged in every case." An account up to the 15th day of May was furnished soon after a repetition of this request had been made. This account, when first presented, was not accompanied by any vouchers of any kind, and some have not yet been supplied. These facts serve to explain the delay in first reporting upon this subject.

In the examination of this account the committee has been governed by the same rules and principles which control the settlement of private accounts, and while endeavoring to be accurate and careful, has also endeavored to be strictly just to the accountant. Wherever the Convention has made any order in the matter, it has been rigidly observed, and the contract with the Printer, found on page 228 of the Journal, has been kept constantly in view, and its terms undeviatingly followed.

That contract provided, *inter alia*, as follows : "Now I, Benjamin Singlerly, the State Printer aforesaid, do by these presents covenant and agree to * * * do all the printing and binding of the said Convention; and * * * 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."

"This contract with the State is, to 'do all the State printing and binding in the manner and in all respects subject to the provisions of the act of 9th April, A. D. 1856, and the supplements thereto, approved February 25, A. D. 1862, and March 27, 1871, for the period of three years from the first day of July, 1871, at the rate of forty-one and one-fourth (41 $\frac{1}{4}$) per centum below the rates specified in the said acts, * * *."

"The act of March 27, 1871, entitled 'A further supplement to the act of 9th of April, A. D. 1856, regulating the public printing and binding,' provides that 'the standard rates of compensation or price for the public printing and binding, and for all objects of charge against the Commonwealth by the Public Printer, shall be according to the schedule appended to this act.'

"The rates mentioned in this schedule, so far as applicable to the accounts before the committee, are as follows :

"*Printing*.—For all composition in whatever type, except on legislative bills, per thousand ems, as follows:

"Plain composition, sixty cents.

"Rule and figure work composition, one dollar.

"For press-work, for each token of two hundred and fifty impressions, or less, fifty cents.

"For each page of legislative bills in pica type, including composition, press-work, folding and delivery, one dollar.

"Tabular work shall be executed in brier or smaller type, without additional charge.

"No composition, except of bills, shall be leaded or scabbarded, without the direction of the Superintendent, nor shall any composition, upon any pretence whatever, be fixed at other rates than those herein prescribed.

"*Folding et cetera*.—For folding, gathering, stitching and collating and delivering, per one hundred sheets of any size, twenty cents.

"*Binding*.—For half-binding, leather back, corner tips, paper sides and labels, per volume, fifty cents. For binding all books or documents in muslin covers, whether plain, gilded or embossed, with lettering on sides or back, or both, per volume, twenty cents.

"*Miscellaneous*.—Per hundred sheets, for cutting and dry pressing, two cents."

The committee has adopted in making this settlement, the invariable rule that, wherever applicable, the prices to be paid the Printer were those mentioned in the said schedule, less the discount of forty-one and one-fourth per centum from those prices, at which the public printing and binding was allotted to Benjamin Singery; and has, therefore, refused to allow any charge made for work coming within the enumeration of said schedule, which was in excess of the prices therein prescribed, less the discount. The committee understands its function in this matter to be simply to audit according to law, and not to decide as to the sufficiency of the prices fixed. Wherever the prices for work done were not fixed by law, the committee has allowed what, in its opinion, was a fair price therefor. There being very little of what may be fairly called *extra work*, not provided for in the schedule, done for the Convention, it may be that the Printer, under his contract with the Convention and the State, has a hard bargain, and that he would not be fully and fairly remunerated by strict adherence to the terms of his contract; but the committee, while expressing no opinion upon this subject, has had in the audit of this account, to look only to the law existing for its guidance and to report accordingly; leaving it to the Convention itself to take such other or further action in the matter as may be deemed necessary and proper.

For purposes of convenience, and to show in the clearest and readiest manner the differences between the claims of the Printer and the allowances of the committee, there has been prepared (and is herewith submitted, marked A,) a statement, on the one side of which is a substantial transcript of the Printer's account, and on the other side in corresponding columns, the same items as allowed, disallowed or suspended by the committee.

The Printer's account to May 15, as rendered, is for a total sum of \$24,970 66, of which he claims that only \$7,590 43 is subject to a discount of 41½ per cent., and that \$17,371 23 is not subject to any deduction, leaving the bill \$21,835 90.

The committee, in the appended statement, have re-stated this account:

1. Allowing, as charged, the sum of	\$3,179 75
2. Disallowing entirely, for reasons given in the statement, items amounting to the sum of	1,668 08
3. Omitting from present settlement for reasons given in the statement,	2,060 45
4. Reducing in different proportions sundry charges which amount in the account as rendered to	18,062 08
	<hr/> 24,970 36

The items omitted from the present settlement will be further examined and included in a subsequent report.

One of the chief results of the examination of this account has been to place the bulk of the items, the charges for which are claimed as not subject to any discount under the law, in the column of items which, in the opinion of the committee, are legally subject to the discount of forty-one and a quarter per centum from the rates fixed in the act of March 27, 1871. The greatest differences made have been caused by this change, by the reduction of charges made for work included in the schedule in excess of the prices therein mentioned, by the variations

in the calculation of the quantity of matter printed, between the Printer and the committee, and by the reduction of sundry charges for extra work not included in the schedule.

For printing wrappers for newspapers, members of the Legislature and heads of Departments, the sum of \$974 26 is charged as for regular composition and press work. The charge should have been made as for job work, and it is believed that the sum allowed by the committee—\$200—is amply sufficient to compensate the Printer, and that the same work could be done in the most responsible printing offices for that sum. For folding and mailing the Debates sent in these wrappers, the sum of \$591 is charged. This is nearly six dollars per day for work which would be fully paid for by one-third of that sum, and \$200 has accordingly been allowed. For 1,100 files for Debates, Journal, Suggestions and Reports on desks of members, there is charged \$275, or \$25 per hundred. These articles, it is believed, could be supplied at \$15 per hundred, and the charge has been accordingly reduced to \$165. For marbling the edges and lettering the backs of the volumes of the Debates, the additional charge of ten cents per volume is made. The committee has allowed five cents per volume, which is a very full price for marbling the edges, but has refused to allow any additional sum for the label on the back, for the reason that the cost of the label is included in the price for binding—fifty cents per volume—as will appear by reference to the schedule. The Printer claims that the label mentioned in the description of the style of binding for which fifty cents per volume is allowed, is not a gilt but a printed paper label. The committee do not concur in his opinion, but believes that the label contemplated is such a label as would suitably and properly be placed on a volume bound in the manner described in said schedule. Supposing that there would be seven volumes of Debates, of 4,500 copies to each volume, there would be altogether 31,500 volumes of Debates, and 1,500 volumes of the Journal, the difference upon which, on account of this charge, at five cents per volume, would be \$1,650.

Exclusive of the items omitted from the present settlement, together amounting to the sum of \$2,060 45, there is due to the Printer up to the 15th day of May, 1873, the following amount:

Not subject to any deduction, - - - - -	\$1,195 16
And the sum of - - - - -	\$18,858 87
Subject to a discount of 4½ per cent., - - - - -	5,716 78
	<u>8,142 09</u>
Total sum due, - - - - -	<u>9,338 27</u>

The sum of five thousand dollars has already been paid the Printer on account.

The following resolution is reported for the action of the Convention:

Resolved, That there is due to Benjamin Singlerly, Printer for the Convention, in full of all claims to the 15th day of May, 1873, (excepting items in the account above mentioned, yet to be fully audited, together amounting to the sum of \$2,060 45,) the sum of \$9,338 27, on account of which has been heretofore paid the sum of \$5,000; and that a copy of this report, and of the action of the Convention thereon, be forthwith transmitted by the Chief Clerk to the Auditor General of the Commonwealth.

[A.] STATEMENT showing the differences between the claims of Benjamin and the allowances of the Committee on

CLAIMS OF BENJAMIN SINGERLY.

	Column, No. 1.....		No. 2.....	No. 3.—Subject to discount of 4 1/4 per cent.....	No. 4.—No discount off.....
	250	Standing committees.....		\$3 64	
		Paper for same.....			
	250	Resolutions, offered by Harry White.....		4 06	
		Paper for same.....			
	500	Yeas and nays.....		3 00	
		Paper for same.....			\$5 88
	200	Yeas and nays.....		2 50	
		Paper for same.....			2 52
Debates, Vol. 1,	5,266	Copies.....			
	57	Forms, four having been cancelled by order of Com. on Printing.....			
	3,129,984	Ems, minion, at seventy-five cents per 1,000 ems.....			2,347 48
	219,648	Ems, cancelled forms, at seventy-five cents per 1,000 ems.....			164 73
	1,342	Tokens, at forty cents per token.....			536 80
		Folding, at twenty cts. per 100 sheets.....		646 60	
		Dry pressing, at two cents per 100 sheets.....		64 66	
	4,500	Copies, binding, at fifty cents per volume.....		2,250 00	
	450	Copies, marbling edges and extra lettering, at ten cts. per volume, Indexing Vol. 1.....			45 00
					200 00
Debates, Vol. 2,	5,266	Copies.....			
	53	Forms.....			
	2,910,336	Ems, minion, at seventy-five cents per 1,000 ems.....			2,182 75
	54,912	Ems, cancelled form, at.....		\$ 75	41 18
	1,188	Tokens, at.....		40	475 20
		Folding, at.....		20	572 40
		Dry pressing, at.....		2	57 24
		Indexing, Vol. 2.....			200 00
Debates, Vol. 3,	5,266	Copies.....			
	58	Forms.....			
	3,184,896	Ems, minion, at.....		75	2,388 67
	1,276	Tokens, at.....		40	510 40
		Folding.....		20	614 80
		Dry pressing.....		2	61 48
*Debates, Vol. 4,	5,266	Copies.....			
	22	Forms.....			
May 15, 1873....	1,208,064	Ems, minion, at.....		75	906 04
	484	Tokens, at.....		40	193 60
		Folding, at.....			233 20
		Dry pressing.....			23 82

* These items in Vol. 4 are allowed on account of the

Singerly, Printer for the Convention, in his first account, (May 15, 1873,) Accounts and Expenditures of the Convention.

ALLOWED BY THE COMMITTEE.

No. 1.....		No. 2.....	No. 3.—Subject to discount of 4 1/4 per ct..	No. 4.—No discount
			\$3. 64	
			4 06	\$3 85
			3 00	1 21
			2 50	5 88
				2 52
5,254 57	Copies. Forms.			
2,862,860	Ems, minion, at sixty cents per 1,000 ems.....	1,717 71		
216,832	Ems, minion, at sixty cents per 1,000 ems.....	130 10		
1,254	Tokens, at fifty cents per token.....	627 00		
	Folding, at twenty cents per 100 sheets.....	604 20		
	Dry pressing, at two cents per 100 sheets.....	60 42		
4,500	Copies, binding, at fifty cents per volume.....	2,250 00		
450	Copies, marbling, (no extra lettering,) at five cts. per volume.....			22 50
	Indexing volume 1, price fixed by Committee on Printing and Binding.....			200 00
5,254 52	Copies. Forms.			
2,815,428	Ems, at sixty cents per 1,000 ems.....	1,689 25		
1,144	Tokens, at fifty cents.....	572 00		
	Folding, at twenty cents.....	551 20		
	Dry pressing, at two cents.....	55 12		
	Indexing volume 2.....			200 00
5,254 52	Copies. Forms.			
2,757,831	Ems, at sixty cents.....	1,654 70		
1,144	Tokens, at fifty cents.....	572 00		
	Folding, at twenty cents.....	551 20		
	Dry pressing, at two cents.....	55 12		
5,254	Copies.			
1,208,064 484	Ems, at sixty cents.....	724 84		
	Tokens, at fifty cents.....	242 00		
	Folding.....	233 20		
	Dry pressing.....	3 32		

volume, and not particularly to the 15th day of May.

STATEMENT—Continued.

CLAIMS OF BENJAMIN SINGERLY.

	Column, No. 1.		No. 2.	No. 3.—Subject to discount of 4 1/4 per cent.	No. 4.—No discount of
Journal.....	1,500	Copies.			
	92	Forms.			
	4,121,600	Ems, brevier, at.....	\$ 75		\$3,091 20
	552	Tokens, at.....	40		220 80
		Folding.....		\$276 00	
		Dry pressing.....		27 60	
Suggest'ns and Amendments..	200	Copies.			
	35	Forms.			
	1,050,786	Ems, long primer, at.....	60	630 47	
	21,054	Ems, long primer figure work.....	1 00	21 05	
	35	Tokens, at.....	50	17 50	
		Folding.....		14 00	
		Dry pressing.....		1 40	
Wrappers for newspapers..	436				
	834,604	Ems, long primer plain, at.....	60	500 76	
	436	Tokens, at.....	50	218 00	
Wrappers for Legislature & Heads of Departments.	155				
	296,670	Ems, long primer plain, at.....	60	178 00	
	155	Tokens, at.....	50	77 50	
		Folding, packing and mailing 591 copies Debates, for 100 days.....			591 00
Popula'n maps.	500	Copies.	12 1/2		62 50
Small's Hd. Bk	140	Copies, at.....	1 25		175 00
	500	Yeas and nays.....		3 00	
		Paper for same.....			1 68
	1,000	Yeas and nays.....		3 98	
		Paper for same.....			3 36
Man'l of rules..	500	Copies.			
	3	Sheets.			
	67,200	Ems, minion plain, at.....	60	40 32	
	6	Tokens, at.....	50	3 00	
		Folding.....		3 00	
		Dry pressing.....		30	
	500	Copies binding, at.....	20	100 00	
	500	Yeas and nays.....		3 00	
		Paper for same.....			1 68
	3	Forms delayed three days, (sixty hours,) on account of delay in returning proof.....			417 00
	1	Form delayed three hours.....			6 96
	3	Forms Debates cancelled, signatures 41, 42, 43.....			
	176,640	Ems.....			162 48
	66	Tokens.....			33 00
	3	Forms, forty-eight hours waiting for proof.....			334 08
		Correcting members' first proof, 20 hours.....			46 40
		Correcting members' second proof, 15 hours.....			34 80
		Correcting members' first proof, 5 hours.....			11 60

STATEMENT—Continued.

ALLOWED BY THE COMMITTEE.

No. 1.....		No. 2.....	No. 3.—Subject to discount of 4 1/4 per cent.....	No. 4.—No discount off.....
1, 100	Copies. .			
1, 435, 200	Ems, brevier, at.....	\$ 60	\$861 12	
260	Tokens, at.....	50	180 00	
	Folding.....		117 20	
	Dry pressing.....		11 72	
200	Copies.			
26	Forms.			
350, 262	Ems, long primer, at.....	60	210 16	
21, 054	Ems, long primer, at.....	1 00	21 05	
26	Tokens, at.....	50	13 00	
	Folding.....		10 40	
	Dry pressing.....		1 04	
466	Wrappers.....			
				\$200 00
143	Wrappers.....			
500	Copies.....			200 00
140	Copies, at.....	90		62 50
			3 00	126 00
				1 68
			3 98	
				3 34
500	Copies.			
3	Sheets.			
67, 300	Ems, at.....	60	40 32	
6	Tokens, at.....	50	3 00	
	Folding.....		3 00	
	Dry pressing.....		30	
500	Copies binding, at.....	20	100 00	
500	Yeas and nays.....		3 00	
	Paper for same.....			1 68
	[This delay in waiting for proof, so far as made known to your committee, was not by authority of the Convention, or any of its committees, and was in direct contravention of the positive resolution of the Convention, that its Debates should be furnished the day after their delivery.]			
	[There was nothing before the committee to show that these forms were cancelled for the fault, or by the order, of any other person than the printer himself.]			
	[This is an expense for which the Convention cannot be justly held responsible; and can only be regarded as a matter of private arrangement and agreement between the printer and such delegates as he may have accommodated by this extra care.]			

STATEMENT—Continued.

CLAIMS OF BENJAMIN SINGERLY.

	Column, No. 1.....		No. 2.....	No. 3. Subject to discount of 4 1/4 per cent.	No. 4. No discount of.....
		Correcting members' second proof, 5 hours.....			\$11 60
		Correcting members' second proof, 5 hours.....			11 60
		Correcting members' second proof, 5 hours.....			11 60
		Correcting members' third proof, 10 hours.....			23 20
		Correcting members' third proof, 2 hours.....			4 64
		Correcting members' fourth proof, 2 hours.....			4 64
		Cover paper for Hopkins Memorial purchased prior to the order for print'g, it being countermanded (?)			15 75
		Services of an employee at Convention, preparing and laying printed matter upon members' desks.....			216 00
	1,100	Files for Debates, Journal and articles and suggestions.....	\$ 25		275 00
	100 qrs..	Lithographed letter heads.....		\$40 00	
	80 qrs..	do.....note heads.....		20 00	
	60 qrs..	do.....letter heads.....		24 00	
	200 qrs..	do.....note heads.....		50 00	
	80 qrs..	do.....letter heads.....		32 00	
	60 qrs..	do.....note heads.....		15 00	
	80 qrs..	do.....letter heads.....		32 00	
	660 qrs..				
	2,000	Envelopes, No. 6.....			9 30
		Lithographing same.....		5 00	
	1,000	Official envelopes, No. 10.....			10 25
		Lithographing same.....		2 50	
	3,000	Official envelopes, No. 6.....			13 95
		Lithographing same.....		7 50	
	3,000	Envelopes.....			13 95
		Lithographing same.....		7 50	
	9,000				
	200 qrs..	Bill paper.....			70 00
	200 qrs..	Journal paper.....			70 00
	1,000	Copies.			
	5	Forms.			
	241,020	Ems, brevier, at.....	60	145 15	
	20	Tokens, at.....	50	10 00	
		Folding.....		10 00	
		Dry-pressing.....		1 00	
	300	Copies on each bill, 450 pages.....		450 00	
	1,000	do.....do.....16 do.....		16 00	
	12	Tokens.....		6 00	
	433	Copies on each bill, 62 pages.....		62 00	
	16	Tokens.....		8 00	
	81	Reams double cap paper for same, 28 lbs.....			680 40
Majority and minority reports of committees.					
Rep'ts of committees in bill form.					

STATEMENT—Continued.

ALLOWED BY THE COMMITTEE.

No. 1.....		No. 2.....	No. 3.—Subject to discount of 4 1/4 per ct....	No. 4.—No discount off.....
.....	[So far as appears, there is no justification for this charge, and the printing and binding of the memorial was done by other persons.]			
.....	[There does not appear to be any ground for this charge, and the Convention has its own employees and officers to perform such duties.]			
	Files, at.....	\$ 15	\$165 00
.....	[These letter and note heads and envelopes, it appears from the statement of the Chief Clerk and the Printer, were not ordered by any officer of the Convention, but were voluntarily supplied, in the hope that they would be eventually paid for. In the opinion of the committee, this is not a "proper expense" of the Convention, so far as the supply to the members is concerned, the State having previously paid to each member the sum of fifty dollars as an allowance for stationery. The fact that this claim would not be reported upon favorable by this committee was made known to the Printer, upon his inquiry, at the time they were first seen here, and the reasons therefor fully explained to him.]			
.....	[Passed over for want of sufficient vouchers or evidence that the quantity charged for was actually furnished.]			
.....	[Passed over for want of sufficient vouchers, information and means for making estimates of correctness of charge.]			
.....	[Passed over for same reasons as last above mentioned.]			
.....	[Passed over for same reasons as last above mentioned.]			

STATEMENT—Continued.

CLAIMS OF BENJAMIN SINGERLY.

	Column, No. 1.....		No. 2.....	No. 3.—Subject to discount of 41¼ per cent..	No. 4.—No discount off.....
		Postage on Debates to 591 newspapers and Heads of Departments, three quarters.....			\$531 90
		Discount of 41¼ per cent. off.....		\$7,599 43 3,134 76	17,371 23
		Claim'd to be not subject to deduct'n.....		4,464 67 17,371 23	
				21,835 90	

STATEMENT—Continued.

ALLOWED BY THE COMMITTEE.

No. 1.....		No. 2.....	No. 3.—Subject to discount of 41¼ per cent....	No. 4.—No discount off.....
	[Passed over for same reasons as last above mentioned.]			
	Discount of 41¼ per cent. off.....		\$13,858 87 5,716 78	\$1,196 18
	Not subject to deduction.....		8,142 09 1,196 18	
			9,338 27	
	Not yet finally audited of this account, marked above as "passed over" for the present.....		\$2,060 45	

A motion was made by Mr. Hay,

That the foregoing report be laid on the table, and that two hundred and fifty copies thereof be printed for the use of the Convention.

Which was agreed to.

Agreeably to order,

The Convention resumed the second reading and consideration of article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to re-consider the vote by which the amendment offered by Mr. Armstrong to the amendment offered by Mr. T. H. B. Patterson, to the eighth section, was negatived.

It was determined in the affirmative.

And the question recurring,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Cochran and Mr. Newlin and were as follow, viz:

Y E A S.

Messrs. Addicks, Armstrong, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Carter, Clark, Corbett, Cronmiller, Dallas, Edwards, Elliott, Fell, Fulton, Hall, Harvey, Hunsicker, Knight, Lamberton, Lilly, Littleton, MacConnell, Mann, Niles, Patton, Purman, Reed, Andrew, Simpson, Struthers, Turrell, Walker, Wetherill, J. M., Wetherill, Jno. Price, Wherry, and White, J. W. F.—39.

N A Y S.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Biddle, Calvin, Campbell, Cochran, Curry, De France, Ewing, Funck, Gilpin, Guthrie, Hemphill, Horton, Howard, Kaine, Landis, Lawrence, Lear, M'Culloch, M'Murray, Mantor, Newlin, Patterson, D. W., Patterson, T. H. B., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Van Reed, White, David N., White, Harry, and Worrell—41.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Bullitt, Carey, Cassidy, Church, Collins, Corson, Craig, Curtin, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Finney, Gibson, Green, Hanna, Hay, Hazzard, Heverin, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Runk, Sharpe, Stanton, Stewart, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. T. H. B. Patterson, to the eighth section?

It was determined in the affirmative.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Lilly,

To amend the same, by adding to the end thereof the words: "That no discrimination shall be made in favor of any party in carrying freight of the same class the same distance and same direction, by drawbacks or otherwise."

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 adding to the end thereof the words: "Reasonable extra rates within the limits of the charter of a company, may be made in charges for any distance not exceeding fifty miles."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Cochran and Mr. Campbell, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Biddle, Bigler, Black, Charles A., Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Corson, Dallas, De France, Edwards, Elliott, Ewing, Fell, Fulton, Funck, Gilpin, Guthrie, Harvey, Hay, Hemphill, Horton, Howard, Hum-sicker, Kaine, Lambertson, Landis, Lawrence, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Russell, Smith, H. G., Smith, Wm. H., Struthers, Temple, Turrell, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., and Worrell—62.

N A Y S .

Messrs. Addicks, Barclay, Brodhead, Broomall, Corbett, Cronmiller, Curry, Knight, Lear, Lilly, Littleton, Patton, Rooke, Simpson, Smith, Henry W., Van Reed, Walker, and Wetherill, John Price—18.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Baer, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Boyd, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Curtin, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Finney, Gibson, Green, Hall, Hanna, Hazzard, Heverin, Long, MacVeagh, M'Camant, M'CLean, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, Jno. N., Read, John R., Runk, Sharpe, Stanton, Stewart, Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the ninth section ?

A motion was made by Mr. Fulton,

To amend the same, by striking out all after the word "thereon," in the third line, to and including the word "thereof," in the sixth line, and by inserting in lieu thereof the words, "except as above excepted."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Cochran,

To amend the same, in the first line, by inserting after the word "canals, the words, owned and operated by incorporated companies."

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. Campbell and Mr. Landis and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bidle, Bigler, Black, Charles A., Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Corbett, Corson, Cronmiller, Curry, Dallas, De France, Edwards, Elliott, Ewing, Fulton, Funck, Gilpin, Guthrie, Hall, Harvey, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, Lamberton, Lawrence, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Simpson, Smith, H. G., Smith, Wm. H., Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., White, Harry; White, J. W. F., and Worrell—66.

N A Y S.

Messrs. Barclay, Boyd, Brodhead, Broomall, Fell, Green, Knight, Landis, Lilly, Patton, Smith, Henry W., Struthers, Walker and Wetherill, Jno. Price—14.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Curtin, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Finney, Gibson, Hanna, Hazzard, Heverin, Lear, Littleton, Long, Mac Veagh, M'Camant, M'CLean, Metzger, Minor, Mitnell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Runk, Sharpe, Stanton, Stewart, Woodward Wright and Meredith, *President*.

On the question,

Will the Convention agree to the tenth section?

A motion was made by Mr. Corbett and Mr. Hall,

To re-consider the vote just taken.

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

A motion was made by Mr. Corbett,

To amend the same, in the first line, by inserting after the word "canals," the words, "doing the business of common carriers."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the section as amended?

It was determined in the affirmative.

And the question recurring,

Will the Convention agree to the tenth section?

Mr. S. A. Purviance offered a new section, to be numbered ten as follows, viz:

All discriminations made by railroad companies, being common carriers, in their rates of freights or passage over their roads in favor of transportation companies or others engaged in transportation, by abatement, drawback or otherwise, are hereby prohibited; and the company guilty of such unlawful discrimination shall be liable to forfeiture of charter. And all contracts made with any transportation company or others engaged in the business of transportation, for carrying freights or passengers over any railroad within the State at higher rates than those agreed upon by and between said railroad companies and transporters, are hereby declared void.

On the question,

Will the Convention agree to the section?

A motion was made by Mr. Buckalew,

To amend the same, by striking out all after the word "prohibited," in the seventh line, to and including the word "charter," in the tenth line.

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

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

YEAS.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Biddle, Black, Charles A., Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Cochran, Corbett, Corson, Cronmiller, De France, Elliott, Ewing, Fulton, Funck, Gilpin, Guthrie, Hall, Harvey, Hay, Horton, Lamberton, MacConnell, M'Culloch, M'Murray, Mantor, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Reynolds, Russell, Smith, H. G., Smith, Wm. H., Struthers, Turrell, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell—50.

NAYS.

Messrs. Barclay, Bigler, Boyd, Brodhead, Broomall, Edwards, Fell, Green, Howard, Kaine, Knight, Lear, Lilly, Mann, Niles, Patton, Reed, Andrew, Rooke, Simpson, Smith, Henry W., Walker, and Wetherill, John Price—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bannan, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Cassidy, Church, Clark, Collins, Craig, Curry, Curtin, Cuyler, Dallas, Darlington, Davis, Dodd, Dunsing, Ellis, Finney, Gibson, Hanna, Hazzard, Hemphill, Heverin, Hunsicker, Landis, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Temple, Wetherill, J. M., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the eleventh section?

Mr. Knight offered a new section, to be numbered eleven, as follows, viz:

"No railroad company shall grant free passes, or passes at a discount, to any person except officers or employees of the company."

On the question,

Will the Convention agree to the section?

A motion was made by Mr. Harry White,

To amend the same, by striking out the words, except officers or employees of the company."

On the question,

Will the Convention agree so to amend?

The hour of one having arrived,

The President *pro tem.* announced a recess until three o'clock this afternoon.

Agreeably to order,

The Convention resumed the second reading and consideration of the article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Harry White to the section offered by Mr. Knight, to strike out the words, "except officers or employees of the company."

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

Y E A S .

Messrs. Baer, Bailey, of Huntingdon, Boyd, Broomall, Brown, Campbell, Corbett, Corson, Edwards, Fulton, Gilpin, Green, Guthrie, Hanna, Hunsicker, Lear, Lilly, MacConnell, M'Murray, Mann, Patterson, T. H. B., Purman, Purviance, Samuel A., Russell, Simpson, White, Harry, and White, J. W. F.—27.

N A Y S .

Messrs. Alricks, Baily, of Perry, Bannan, Barclay, Biddle, Bigler, Black, Chas. A., Brodhead, Buckalew, Calvin, Carter, Cochran, Cronmiller, Curtin, Dallas, De France, Elliott, Ewing, Funck, Hall, Harvey, Hay, Horton, Howard, Kaine, Knight, Lamberton, Landis, M'Culloch, Mantor, Newlin, Niles, Patton, Read, John R., Reed, Andrew, Reynolds, Rooke, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Turrell, Van Reed, Walker, Wherry, White, David N., and Worrell—47.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Curry, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hazzard, Hemphill, Heverin, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section offered by Mr. Knight?

A motion was made by Mr. Harry White,

To amend the same, by adding to the end thereof the words, "traveling on the business of said company."

On the question,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Alricks, Baer, Baily, of Perry, Broomall, Campbell, Corbett, Corson, Cronmiller, Edwards, Fulton, Gilpin, Guthrie, Hanna, Howard, Hunsicker, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Patterson, T. H. B., Patton, Purviance, Samuel A., Read, John R., Russell, Simpson, Smith, Henry W., White, David N., White, Harry, and White, J. W. F.—31.

N A Y S .

Messrs. Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Carter, Cochran, Curtin, Dallas, De France, Elliott, Ewing, Funck, Green, Hall, Harvey, Hay, Horton, Kaine, Knight, Lamberton, Landis, Newlin, Niles, Purman, Reed, Andrew, Reynolds, Rooke, Smith, H. G., Smith, Wm. H., Temple, Turrell, Van Reed, Walker, Wherry and Worrell—43.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Cassidy, Church, Clark, Collins, Craig, Curry, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hazzard, Hemphill, Heverin, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the section?

The yeas and nays were required by Mr. Campbell and Mr. Simpson, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Cronmiller, Curtin, Dallas, De France, Edwards, Ewing, Fulton, Funck, Gilpin, Green, Guthrie, Hall, Heverin, Horton, Howard, Kaine, Knight, Lamberton, Landis, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Newlin, Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Walker, Wherry, White, David N., White, J. W. F., and Worrell—62.

N A Y S.

Messrs. Armstrong, Bannan, Bullitt, Corbett, Corson, Elliott, Hanna, Harvey Hay, Hunsicker, Lilly, Niles, Simpson, Temple and White, Harry—15.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Cassidy, Church, Clark, Collins, Craig, Curry, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hazzard, Hemphill, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the twelfth section?

A motion was made by Mr. Cochran,

To insert a new section, to be numbered twelve, as follows, viz:

"Every ticket, except excursion tickets, issued to any passenger by any railroad company shall entitle the holder of such ticket to transportation over the works of such company from his place of departure to his place of destination, either by continuous train or by any other train on which the same rate of fare is charged, without any additional charge, or subjecting him to any inconvenience because of his stopping off at intermediate points."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Baer, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Boyd, Calvin, Campbell, Carter, Cochran, Curtin, De France, Funck, Gilpin, Hanna, Howard, Landis, Lear, M'Culloch, Patterson, T. H. B., Reynolds, Russell and Turrell—21.

N A Y S.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Brodhead, Broomall, Brown, Buckalew, Bullitt, Corbett, Corson, Cronmiller, Curry, Dallas, Edwards, Elliott, Ewing, Fulton, Green, Guthrie, Hall, Harvey, Hay, Heverin, Horton, Hunsicker, Kaine, Lamberton, Lilly, MacConnell, Mann, Mantor, Newlin, Niles, Patton, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Van Reed, Walker, Wherry, White, David N., White, Harry, White, J. W. F., and Worrell—55.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Black, Charles A., Black, J. S., Bowman, Carey, Cassidy, Church, Clark, Collins, Craig, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hazzard, Hemphill, Knight, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Clean, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Wetherill, J. M. Wetherill, John Price, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the twelfth section?

A motion was made by Mr. Cochran,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz:

No corporation shall issue stock or bonds, except for money, labor or property actually received, and all stock dividends and fictitious increase of stock or indebtedness shall be void. The stock and indebtedness of corporations engaged in the business of common carriers or transporters shall not be increased, except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock first obtained at a meeting to be held after sixty days' notice given in pursuance of law. Laws heretofore enacted, by which an increase of stock or 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."

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, "stock dividends and."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Armstrong, Bear, Bailey, of Huntingdon, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carter, Corbett, Corson, Cronmiller, Curry, Curtin, Dallas, De France, Edwards, Elliott, Ewing, Green, Guthrie, Hall, Harvey, Heverin, Hunsicker, Kaine, Lamberton, Lilly, Mann, Mantor, Newlin, Niles, Patton, Purman, Read, John R., Reed, Andrew, Russell, Simpson, Smith, Henry W., Smith, Wm. H., Van Reed, Walker, White, David N., White, Harry, White, J. W. F., and Worrell—49.

N A Y S.

Messrs. Achenbach, Alricks, Bailly, of Perry, Bannan, Barclay, Biddle, Calvin, Campbell, Cochran, Funck, Gilpin, Hay, Howard, Landis, MacConnell, M'Culloch, Patterson, D. W., Patterson, T. H. B., Purviance, Samuel A., Reynolds, Rooke, Temple, Turrell and Wherry—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Cassidy Church, Clark, Collins, Craig, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gibson, Hanna, Hazzard, Hemphill, Horton, Knight, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, M'Clean, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Smith, H. G., Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the amendment as amended ?

A motion was made by Mr. Brodhead,

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

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. Brodhead and Mr. Edwards, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Bailly, of Perry, Bailey, of Huntingdon, Biddle, Black, J. S., Brown, Calvin, Campbell, Carter, Cochran, Dallas, DeFrance, Ewing, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Horton, Howard, Landis, M'Culloch, M'Murray, Mantor, Newlin, Patterson, D. W., Patterson, T. H. B., Purviance, Sam'l A., Reynolds, Rooke, Russell, Simpson, Smith, H. G., Smith, Wm. H., Turrell, White, David N., White, Harry, and White, J. W. F.—40.

N A Y S.

Messrs. Armstrong, Bannan, Barclay, Bigler, Black, Charles A., Brodhead, Broomall, Buckalew, Bullitt, Corbett, Corson, Cronmiller, Curry, Edwards, Elliott, Green, Harvey, Heverin, Hunsicker, Kaine, Knight, Lamberton, Lear, Lilly, MacConnell, Mann, Niles, Patton, Purman, Reed, Andrew, Smith, Henry W., Temple, Walker, Wetherill, J. M., Wherry, and Worrell—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baker, Bardsley, Bartholomew, Beebe, Bowman, Boyd, Carey, Cassidy, Church, Clark, Collins, Craig, Curtin, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hanna, Hazzard, Hemphill, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Van Reed, Wetherill, John Price, Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the section as amended ?

Mr. Harry White called for a division of the question, the first division to end with the word "law," where it occurs the second time.

On the question,

Will the Convention agree to the first division ?

Mr. Harry White proceeded to address the Convention, when Mr. Boyd submitted the following point of order :

That the gentleman from Indiana (Mr. White) was not in order in stating what the Legislature did in 1867, relative to the passage of an act authorizing the Pennsylvania railroad company to borrow money, and the course of the members of the Legislature in the passage of that bill.

The President *pro tem.* (Mr. Simpson in the chair) decided that the gentleman from Indiana (Mr. White) was in order.

From which decision Mr. James Boyd and Mr. J. H. Heverin respectfully appealed.

On the question,

Shall the decision of the chair stand as the judgment of the Convention?

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

YEAS.

Messrs. Achenbach, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Cochran, Corbett, Cronmiller, Curry, Dallas, De France, Edwards, Elliott, Ewing, Fulton, Funck, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Lilly, M'Clellan, M'Culloch, M'Murray, Mann, Mantor, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Russell, Smith, H. G., Smith, Wm. H., Van Reed, Walker, Wetherill, J. M., Wherry, White, David N., White, Harry, and White, J. W. F.—67.

NAYS.

Messrs. Boyd, Heverin, Reynolds and Smith, Henry W.—4.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baker, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hanna, Hazzard, Hemphill, Knight, Lawrence, Lear, Littleton, Long, MacConnell, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Temple, Turrell, Wetherill, John Price, Woodward, Worrell, Wright and Meredith, *President*.

And the question recurring,

Will the Convention agree to the first division?

The yeas and nays were required by Mr. Edwards and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Black, J. S., Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Cronmiller, Curtin, Dallas, De France, Ewing, Fulton, Funck, Gilpin, Guthrie, Harvey, Hay, Horton, Howard, Landis, MacConnell, M'Culloch, M'Murray, Ma n, Mantor, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Russell, Simpson, Smith, H. G., Smith, Wm. H., Turrell, Van Reed, Wetherill, J. M., White, David N., and White, Harry—50.

NAYS.

Messrs. Barclay, Boyd, Brodhead, Bullitt, Corbett, Corson, Curry, Edwards, Elliott, Green, Hunsicker, Kaine, Knight, Lamberton, Lear, Lilly, Niles, Patton, Reed, Andrew, Smith, Henry W., Walker, and Worrell—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Bowman, Broomall, Carey, Cassidy, Church, Clark, Collins, Craig, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hall, Hanna, Hazzard, Hemphill, Heverin, Lawrence, Littleton.

Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, J. W. F., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the second division, to end with the end of the section?

The yeas and nays were required by Mr. Cochran and Mr. Lilly, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Baily, of Perry, Campbell, Cochran, Ewing, Funck, Gilpin, Guthrie, Hall, Hay, Horton, Howard, M'Cullough, M'Murray and Patterson, T. H. B.—16.

NAYS.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Black, J. S., Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Carter, Corbett, Corson, Cronmiller, Curry, Curtin, De France, Edwards, Elliott, Fulton, Green, Hunsicker, Kaine, Knight, Lamberton, Landis, Lear, Lilly, MacConnell, Mann, Mantor, Niles, Patterson, D. W., Patton, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Walker, Wetherill, J. M., White, David N., White, Harry, and Worrell—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Bowman, Broomall, Carey, Cassidy, Church, Clark, Collins, Craig, Cuyler, Dallas, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hanna, Harvey, Hazzard, Hemphill, Heverin, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Clean, Metzger, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Ross, Runk, Sharpe, Stanton, Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, J. W. F., Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the thirteenth section?

A motion was made by Mr. Kaine,

To amend the same, in the fifth line, by striking out the words, "to be paid."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Funck,

To amend the same, by striking out all after the word "section," and inserting in lieu thereof as follows, viz: "No corporate or municipal body or individual shall take private property for public use, or injuriously affect it by change of character of highway or otherwise, without being required to make compensation to the owner thereof for all damages, direct or consequential, resulting from such taking or injury; and such compensation shall be taken or secured before such property shall be taken or injured."

On the question,

Will the Convention agree so to amend?

The hour of six having arrived,

The President *pro tem.* adjourned the Convention until to-morrow morning at nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

TUESDAY, JULY 15, 1873.

Mr. Kaine asked and obtained leave of absence for Mr. Hanna for a few days from to-day.

Mr. Brodhead asked and obtained leave of absence for himself for a few days from to-day.

Mr. Boyd asked and obtained leave of absence for himself for a few days from to-day.

Mr. Lawrence asked and obtained leave of absence for Mr. J. N. Purviance for a few days from to-day.

A motion was made by Mr. Buckalew,

That the Convention proceed to the second reading and consideration of the resolution laid on the table July 11, 1873, as follows, viz:

Be it resolved as follows:

1. That when the article on Railroads shall have passed second reading, the Convention will adjourn to meet again on the 16th day of September, at 10 o'clock A. M.

2. That articles passed on second reading, (including the Legislative article,) be re-printed as amended, and that 3,000 copies thereof, in pamphlet form, be printed for general distribution.

3. That this Convention will submit the new or revised Constitution, proposed by it to a popular vote, at such convenient time as will secure its taking effect, in case of adoption by the people, on or before the first day of January next.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Temple and Mr. Simpson, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Baer, Bannan, Black, J. S., Brodhead, Broomall, Brown, Buckalew, Calvin, Cronmiller, Curry, Curtin, Elliott, Ewing, Green, Hall, Hanna, Harvey, Hemphill, Kaine, Knight, Lambertson, Littleton, MacConnell, M'Murray, Mantor, Newlin, Palmer, G. W., Patton, Porter, Pughe, Read, John R., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., White, J. W. F., and Worrell—45.

N A Y S.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Boyd, Campbell, Carter, Clark, Cochran, Corbett, Dallas, De France, Edwards, Fulton, Funck, Gilpin, Guthrie, Hay, Horton, Howard, Lawrence, Lear, Lilly, Long, M'CLean, M'Culloch, Mann, Patterson, D. W., Patter-

son, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Russell, Simpson, Smith, Wm. H., Temple, Wetherill, John Price, White, David N., and White, Harry—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Bullitt, Carey, Cassidy, Church, Collins, Corson, Craig, Cuyler, Darlington, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Hazzard, Heverin, Hunsicker, Landis, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Purviance, John N., Runk, Sharpe, Stanton, Stewart, Wherry 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. S. A. Purviance, to amend the same by inserting after the word "railroads," the words, "and Legislature."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Alricks, Baily, of Perry, Biddle, Black, Charles A., Carey, Carter, Clark, Cochran, Cronmiller, De France, Edwards, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Howard, Landis, Lawrence, Lilly, MacConnell, M'Clean, Mann, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Rooke, Simpson, Smith, Wm. H., Temple, Wetherill, John Price, White, David N., and White, Harry—36.

NAYS.

Messrs. Addicks, Ainey, Baer, Bailey, of Huntingdon, Bannan, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Cassidy, Corbett, Corson, Curry, Curtin, Elliott, Ewing, Fell, Finney, Gibson, Green, Harvey, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lamberton, Littleton, Long, M'Culloch, Mantor, Newlin, Niles, Palmer, G. W., Patton, Pughe, Reed, Andrew, Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., White, J. W. F., and Worrell—55.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Church, Collins, Craig, Cuyler, Dallas, Darlington, Davis, Dodd, Dunning, Ellis, Hanna, Hazzard, Horton, Lear, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Purviance, John N., Read, John R., Runk, Sharpe, Stanton, Stewart, Wherry, Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. MacConnell,

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

Which was agreed to.

And the question recurring,

Will the Convention agree to the resolution as amended?

Mr. Hay called for a division of the question.

On the question,

Will the Convention agree to the first division of the question, to end with the words, "ten o'clock A. M.?"

The yeas and nays were required by Mr. Knight and Mr. Campbell, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Armstrong, Baer, Bannan, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Cassidy, Corson, Curry, Curtin, Cuyler, Elliott, Ewing, Fell, Green, Hall, Harvey, Hemphill, Heverin, Hunsicker, Kaine, Knight, Lamberton, Lear, Littleton, Long, MacConnell, Mantor, Newlin, Palmer, G. W., Patton, Pughe, Reynolds, Ross, Smith, H. G., Smith, Henry W., Struthers, Turrell, Van Reed, Walker, Wetherill, J. M., White, J. W. F., and Worrell—51.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Campbell, Carey, Carter, Clark, Cochran, Corbett, Cronmiller, De France, Edwards, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Howard, Landis, Lawrence, Lilly, M'CLean, M'Culloch, Mann, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Simpson, Smith, Wm. H., Temple, Wetherill, Jno. Price, White, David N., and White, Harry—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Church, Collins, Craig, Dallas, Darlington, Davis, Dodd, Dunning, Ellis, Hanna, Hazzard, Horton, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Purviance, John N., Read, John R., Runk, Sharpe, Stanton, Stewart, Wherry Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the second division, to end with the word "distribution?"

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

Y E A S.

Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Carey, Cassidy, Clark, Corson, Cronmiller, Curry, Curtin, Cuyler, Dallas, Edwards, Elliott, Ewing, Fell, Finney, Funck, Gibson, Green, Hall, Harvey, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Lilly, Littleton, Long, MacConnell, M'CLean, Mantor, Niles, Palmer, G. W., Patton, Pughe, Purman, Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, J. W. F., and Worrell—68.

N A Y S.

Messrs. Biddle, Cochran, Corbett, De France, Fulton, Gilpin, Guthrie, Hay, Landis, Lawrence, Lear, M'Culloch, Mann, Newlin, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Rooke, Russell, Simpson, Smith, Wm. H., Struthers, White, David N., and White, Harry—25.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Campbell, Carter, Church, Collins, Craig, Darlington, Davis, Dodd, Dunning, Ellis, Hanna, Hazzard, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Purviance, John N., Read, John R., Runk, Sharpe, Stanton, Stewart, Temple, Wherry, Woodward, Wright and Meredith, *President*.

On the question,

Will the Convention agree to the third and last division ?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. D. W. Patterson, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Cassidy, Clark, Corson, Cronmiller, Curry, Curtin, Dallas, De France, Elliott, Fell, Gibson, Green, Guthrie, Hall, Harvey, Hay, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Clean, Mann, Mantor, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Walker, Wetherill, J. M., Wetherill, John Price, White, J. W. F., and Worrell—73.

N A Y S .

Messrs. Black, J. S., Corbett, Cuyler, Edwards, Ewing, Finney, Fulton, Gilpin, Knight, M'Culloch, Newlin, Patterson, D. W., Porter, Simpson, Struthers and White, Harry—16.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Church, Cochran, Collins, Craig, Darlington, Davis, Dodd, Dunning, Ellis, Funck, Hanna, Hazzard, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Sharpe, Stanton, Stewart, Temple, Wherry, White, David N., Woodward, Wright and Meredith, *President*.

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

Resolved, That the Committee on Revision and Adjustment be directed to prepare the articles for publication, making such verbal changes as shall be necessary, and designating the modifications they propose to make in italics.

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. T. H. B. Patterson, and were as follow, viz :

Y E A S .

Messrs. Ainey, Armstrong, Baer, Bannan, Boyd, Brodhead, Broomall, Brown, Buckalew, Corbett, Corson, Curry, Curtin, Cuyler, Elliott, Green, Hunsicker, Lear, Lilly, Littleton, M'Clean, M'Culloch, Patton, Pughe, Purman and Walker—26.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Baily, of Perry, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Black, J. S., Calvin, Campbell, Carter, Cassidy, Cochran, Cronmiller, Dallas, De France, Edwards, Ewing, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, Long, MacConnell, Mann, Mantor, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Simpson, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, and White, J. W. F.—60.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Baker, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Bullitt, Carey, Church, Clark, Collins, Craig, Darlington, Davis, Dodd, Dunning, Ellis, Hall, Hanna, Harvey, Hazzard, Hemphill, Heverin, Knight, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Purviance, John N., Read, John R., Runk, Sharpe, Smith, H. G., Stanton, Stewart, Temple, Wherry, Woodward, Worrell, Wright and Meredith, *President*.

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

Resolved, That this morning's session be prolonged, without recess, until the article now pending shall have passed second reading.

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. De France, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Calvin, Cochran, Corbett, Corson, Curry, Curtin, Cuyler, Elliott, Finney, Funck, Hall, Harvey, Hemphill, Horton, Howard, Hunsicker, Knight, Lambertson, Littleton, Long, M'Culloch, Mantor, Newlin, Patton, Pughe, Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Struthers, Turrell, VanReed and Wetherill, J. M.—48.

NAYS.

Messrs. Achenbach, Baily, of Perry, Biddle, Bullitt, Campbell, Carey, Carter, Cassidy, Clark, Cronmiller, Dallas, De France, Edwards, Ewing, Fell, Fulton, Gibson, Gilpin, Green, Kaine, Landis, Lawrence, Lilly, MacConnell, M'Clean, Mann, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Rooke, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Walker, Wetherill, Jno. Price, White, David N., White, Harry, and White, J. W. F.—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Baker, Bardsley, Bartholomew, Beebe, Bowman, Brown, Church, Collins, Craig, Darlington, Davis, Dodd, Dunning, Ellis, Guthrie, Hanna, Hay, Hazzard, Heverin, Lear, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Porter, Purman, Purviance, John N., Read, John R., Runk, Russell, Sharpe, Stanton, Stewart, Temple, Wherry, Woodward, Worrell, Wright and Meredith, *President*.

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution?

It was determined in the affirmative.

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

Resolved, That the chairman of each of the committees be added to the Committee of Revision and Adjustment.

Laid on the table.

Mr. Addicks offered the following resolution, which was twice read, considered and agreed to, 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.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Accounts and Expenditures of the Convention have leave to sit during its recess; and that all persons having claims against the Convention be required promptly to furnish to said committee their accounts up to the time of the adjournment, in order that the same may be audited.

Mr. Addicks, from the Committee on House, made a report, which was read as follows, viz:

That inasmuch as the material used for draping the Hall was not further required, the committee ordered it to be disposed of, and now present to the Convention a check for the proceeds—\$75—and suggest that the annexed resolution be adopted.

Resolved, That the Chief Clerk be directed to remit to the State Treasurer the annexed check for \$75, to be placed in the Treasury of the State, as received from this Convention.

JOHN E. ADDICKS,
GEO. M. DALLAS.

On motion of Mr. Addicks,

Said resolution was twice read, considered and agreed to.

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 respectfully reports the following resolution:

Resolved, That a warrant be drawn in favor of D. F. Murphy, official reporter of the Convention, on account of his services as such reporter, for the sum of three 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 motion was made by Mr. H. G. Smith,

That the Convention proceed to the second reading and consideration of the resolution attached to the report of the Committee on Accounts and Expenditures of the Convention submitted yesterday, as follows, viz:

Resolved, That there is due to Benjamin Singerly, Printer for the Convention, in full of all claims to the 15th day of May, 1873, (excepting items in the account above mentioned yet to be fully audited, together amounting to the sum of \$2,060 45,) the sum of \$9,338 27, on account of which has been heretofore paid the sum of \$5,000; and that a copy of this report and of the action of the Convention thereon, be forthwith transmitted by the Chief Clerk to the Auditor General of the Commonwealth.

Which was agreed to.

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 resumed the second reading and consideration of the article (No. 17) reported from the Committee on Railroads and Canals.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Funck to the thirteenth section?

A motion was made by Mr. Lamberton,

To amend the amendment, by making it read as follows, viz:

"Municipal and other corporations and individuals invested with the privilege of taking private property for public use, shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction."

Which was agreed to.

The amendment as amended and section as amended, were then agreed to.

The fourteenth and fifteenth sections were agreed to.

On the question,

Will the Convention agree to the sixteenth section ?

A motion was made by Mr. John Price Wetherill,

To amend the same, by striking out all after the word "law," 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. Biddle,

To amend the same, in the third line, by inserting after the word "affairs," the words, "who shall have a general supervision over them."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Biddle,

To amend the same, by striking out all after the word "thereof," in the seventh line.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Howard and Mr. T. H. B. Patterson, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Baer, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Bullitt, Calvin, Carter, Corson, Cronmiller, Curry, Curtin, Edwards, Fell, Fulton, Gibson, Hall, Hay, Horton, Hunsicker, Lamberton, Lawrence, Lear, Lilly, Mann, Mantor, Niles, Patton, Porter, Pughe, Purman, Simpson, Smith, Wm. H., Turrell, Walker, Wetherill, J. M., Wetherill, John Price, White, Harry, and Worrell—46.

N A Y S .

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Brown, Campbell, Clark, Cochran, Dallas, De France, Funck, Gilpin, Guthrie, Howard, Landis, MacConnell, M'CLean, M'Culloch, Palmer, G. W., Patterson, T. H. B., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, Henry W., Struthers and Van Reed—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Bowman, Carey, Cassidy, Church, Collins, Corbett, Craig, Cuyler, Darlington, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Finney, Green, Hanna, Harvey, Hazzard, Hemphill, Heverin, Kaine, Knight, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Newlin,

Palmer, H. W., Parsons, Patterson, D. W., Purviance, Jno. N., Read, John R., Ross, Runk, Sharpe, Smith, H. G., Stanton, Stewart, Temple, Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

The section as amended was then agreed to.

The seventeenth and last section was not agreed to.

On the question,

Shall the article be transcribed for a third reading?

Mr. Cochran offered a new section, as follows, viz:—

“Every borough or city shall have power to regulate the grade of railroads, and the rate of speed of railroad trains, within its limits.”

On the question,

Will the Convention agree to the section?

A motion was made by Mr. Campbell,

To amend the same, by striking out the words, “borough or.”

Which was not agreed to.

And the question recurring,

Will the Convention agree to the section?

A motion was made by Mr. Niles,

To amend the same, by striking out the words, “the grade of railroads and.”

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. Campbell and Mr. Cochran, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Baily, of Perry, Campbell, Cochran, Curtin, Finney, Funck, Gibson, Gilpin, Guthrie, Howard, M’Clean, M’Culloch, Palmer, G. W., Patterson, T. H. B., Reynolds, Ross, Russell, Smith, Henry W., Smith, Wm. H., Turrell and White, Harry—23.

NAYS.

Messrs. Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Clark, Corson, Cronmiller, Cuyler, Dallas, Edwards, Fell, Fulton, Hall, Horton, Hunsicker, Lamberton, Landis, Lawrence, Lear, Lilly, MacConnell, Mann, Mantor, Newlin, Niles, Patton, Porter, Pughe, Purman, Purviance, Sam’l A., Reed, Andrew, Rooke, Simpson, Struthers, Van Reed, Walker, Wetherill, Jno. Price and Worrell—43.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Beebe, Black, J. S., Bowman, Carey, Carter, Cassidy, Church, Collins, Corbett, Craig, Curry, Darlington, Davis, De France, Dodd, Dunning, Elliott, Ellis, Ewing, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Kaine, Knight, Littleton, Long, MacVeagh, M’Camant, M’Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, D. W., Purviance, John N., Read, John R., Runk, Sharpe, Smith, H. G., Stanton, Stewart, Temple, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Wright and Meredith, *President*.

And the question recurring,

Shall the article be transcribed for a third reading?

Mr. Newlin offered a new section, as follows, viz:

"No transportation company, nor any officer or employee thereof, shall prohibit the sale or carriage of any newspaper or other publication upon the line of said company, unless the same be contrary to public morals."

Which was not agreed to.

And the question again recurring,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Cochran,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Broomall,

That the Convention do now adjourn.

Which was agreed to

Whereupon,

The President *pro tem.* adjourned the Convention until Tuesday, September 16, at ten o'clock A. M.

D. L. IMBRIE,
Clerk.

Attest:

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

TUESDAY, SEPTEMBER 16, 1873.

The hour of ten o'clock having arrived, at the suggestion of Mr. Kaine, the roll was called for the purpose of ascertaining if a quorum of members were present, when ninety-three members answered to their names.

On leave given,

Mr. Woodward asked and obtained unanimous consent to withdraw his resignation, tendered July 2, 1873.

The President *pro tem.* announced the death of the President of the Convention, Hon. William M. Meredith, which occurred in this city on the morning of the 17th of August last.

On motion of Mr. Woodward, seconded by Mr. John N. Purviance,

Hon. John H. Walker, of Erie county, was unanimously elected to fill the vacancy occasioned by the death of Mr. Meredith as President of the Convention.

A motion was made by Mr. Fell,

That the vacancy occasioned by the death of Mr. Meredith be referred to the Delegates-at-Large first named in the proclamation of the Governor.

Which was agreed to.

Mr. Carey offered the following resolutions which were twice read, viz:

Resolved, That the Convention has heard with profound regret, the formal announcement of the death of its president, the Hon. William M. Meredith, to whose eminent abilities and hearty devotion to the discharge of the duties of his office testimony is hereby borne.

Resolved, That this Convention, while expressing regret at the loss which it has itself incurred, feels it due to itself and to others, to offer the expression of its deep sympathy to the bereaved family of Mr. Meredith, and to the community of which he had so long been a valued and honored member.

Resolved, That the President be and he hereby is requested to communicate these resolutions, properly attested by the officers of the Convention, to the family of our deceased President.

Resolved, That a committee of —— be appointed to take order for the preparation of a memorial of the deceased.

Resolved. That this Convention, as a further token of respect for its late President, will refrain this day from any further labor, and will adjourn till to-morrow at — o'clock.

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. Stanton,

To amend the same, by filling the blank with the word "nine."

Which was agreed to.

The resolution as amended was then unanimously agreed to.

On the question,

Will the Convention agree to the fifth resolution ?

A motion was made by Mr. Lilly,

To amend the same, by filling the blank with the word "ten."

Which was agreed to.

The resolution as amended was then unanimously 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.

WEDNESDAY, SEPTEMBER 17, 1873.

The President announced the committee under the resolution offered by Mr. Carey yesterday, as follows, viz :

Messrs. Carey, Woodward, Darlington, Sharpe, John N. Purviance, Biddle, Guthrie, Stanton and Dallas.

He also laid before the Convention, a communication from the Montgomery County Agricultural Society, which was read as follows, viz :

MONTGOMERY COUNTY AGRICULTURAL SOCIETY. }
EXECUTIVE ROOMS, AMBLER PARK, September 13, 1873. }

To the President and Members of the Constitutional Convention of the State of Pennsylvania :

GENTLEMEN :—I have the honor to extend a cordial invitation to the distinguished gentlemen composing the Constitutional Convention, to attend the annual fair of the Montgomery County agricultural society, at Ambler park, on Thursday, September 18th instant.

Apart from the beauty of the scenery on the route from Philadelphia, and the attractions of the fair, the visit, doubtless, will prove interesting, as showing the material progress of agriculture, horticulture and the domestic arts, as developed by our county institution.

The society would be especially honored by the presence of the wives and families of the members of the Convention.

Awaiting a favorable response, I have the honor to be gentlemen,

Your obedient servant,

WM. G. AUDENREID, *President.*

A special train will leave North Pennsylvania railroad depot, at 1.45 P. M., arriving at the park at 2.15.

On motion of Mr. Darlington,

The thanks of the Convention were tendered the society for the invitation.

Mr. Hunsicker asked and obtained leave of absence for Mr. Mann until Thursday next.

Mr. Pughe asked and obtained leave of absence for Mr. H. W. Palmer 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. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

Mr. Collins asked and obtained unanimous consent to withdraw his resignation tendered by him on the 12th of July last.

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

Resolved. That there shall be no publication of the Debates in book form, on and after the first day of October.

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. N. Purviance and Mr. J. M. Bailey, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Black, J. S., Brodhead, Broomall, Brown, Cochran, Davis, De France, Funck, Hay, Long, MacConnell, M'Culloch, Palmer, G. W., Purviance, John N., Purviance, Samuel A., Struthers and Wetherill, John Price—24.

N A Y S.

Messrs. Ainey, Alricks, Armstrong, Bardsley, Bartholomew, Beebe, Biddle, Bowman, Boyd, Buckalew, Calvin, Carter, Corbett, Curry, Dallas, Darlington, Dodd, Dunning, Edwards, Ewing, Gibson, Guthrie, Hanna, Harvey, Howard, Hunsicker, Kaine, Knight, Lilly, MacVeagh, M'Canant, M'Clean, Minor, Parsons, Patton, Pughe, Reed, Andrew, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Woodward, Worrell, Wright and Walker—52.

So the question was determined in the negative.

ABSENT:—Messrs. Addicks, Baker, Bigler, Black, Charles A., Bullitt, Campbell, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Curtin, Cuyler, Elliott, Ellis, Fell, Finney, Fulton, Gilpin, Green, Hall, Hazzard, Hemphill, Heverin, Horton, Lamberton, Landis, Lawrence, Lear, Littleton, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Read, John R., Reynolds, Rooke, Ross, Simpson, Smith, Wm. H., Temple, Turrell, Van Reed and Wherry.

On leave given,

Mr. Fell, from the committee to whom the subject was referred, 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 Hon. Wm. M. Meredith, do hereby fill the vacancy occasioned by his death, by the appointment of the Hon. Morton M'Michael, a citizen of the city of Philadelphia, to be a member of this Convention.

JNO. H. WALKER,
J. G. FELL,
WM. LILLY,
HARRY WHITE,
G. V. LAWRENCE,
LIN BARTHOLOMEW,
SAMUEL CALVIN,
WM. DAVIS,
JAS. L. REYNOLDS,
WM. H. ARMSTRONG,
D. N. WHITE,
WM. H. AINEY.

Laid on the table.

Mr. M'Michael appeared and was duly qualified.

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

Resolved, That a committee of seven be appointed to report for the consideration of the Convention, a time and method for the submission of the Constitution when completed, to a vote of the people of the Commonwealth.

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. Bailly, of Perry, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Beebe, Black, J. S., Broomall, Buckalew, Calvin, Carey, Collins, Curry, Dallas, Davis, Dodd, Dunning, Edwards, Ewing, Fulton, Gibson, Hanna, Howard, Hunsicker, Kaine, Landis, Lawrence, Lilly, Littleton, Long, MacConnell, MacVeagh, Minor, Palmer, G. W., Purviance, John N., Runk, Sharpe, Smith, H. G., Stanton, Stewart, Turrell, Wetherill, J. M., White, David N., White, J. W. F., Woodward, Worrell and Walker, *President*—50.

N A Y S .

Messrs. Ainey, Baily, of Perry, Barclay, Bardsley, Bartholomew, Bowman, Boyd, Brodhead, Brown, Cochran, Corbett, Curtin, Darlington, De France, Fell, Guthrie, Harvey, Hay, McClean, Newlin, Patton, Pughe, Reed, Andrew, Rooke, Smith, Henry W., Struthers, Wetherill, John Price, White, Harry and Wright—30.

So the question was determined in the affirmative.

ABSENT. — Messrs. Bannan, Biddle, Bigler, Black, Charles A., Bullitt, Campbell, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Elliott, Ellis, Finney, Funck, Gilpin, Green, Hall, Hazzard, Hemphill, Heverin, Horton, Knight, Lamberton, Lear, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Read, John R., Reynolds, Ross, Russell, Simpson, Smith, Wm. H., Temple, Van Reed and Wherry.

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

Which was agreed to.

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

Resolved, That the Committee on Suffrage, Election and Representation be and are hereby instructed to prepare and report an ordinance for the submission of the new or amended Constitution to a vote of the people, on the — day of — next; which ordinance shall, with the other necessary provisions, contain a proviso, that but one ticket shall be voted, or so much of the Constitution as shall be submitted as a whole, which ticket shall be headed "New or amended Constitution," and under this shall be printed conspicuously the numerical designation of each section of each article, in such convenient form that voters may readily cross or strike out with pen or pencil any section; and each and every section so marked, shall be deemed, taken and held to be a vote against such section, and each remaining section not so marked out, shall be deemed, taken and held to be a vote in favor of the same.

Laid on the table.

Mr. Buckalew offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That four members be added, by appointment of the Chair, to the Committee on Revision and Adjustment.

Ordered, That Messrs. Buckalew, M'Michael, Cuyler and Stewart be said committee.

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

Resolved, That on and after to-morrow, the daily sessions of this Convention shall be from 10 A. M. to 3 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. John N. Purviance offered the following resolution, which was read, viz :

Resolved, That the sessions of the Convention hereafter, until otherwise ordered, shall be from half-past nine o'clock A. M., to one P. M., and from three to seven o'clock P. M., on all days of the week except Sunday.

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. N. Purviance and Mr. D. N. White, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Beebe, Bowman, Carey, Carter, Corson, Davis, De France, Edwards, Fulton, Hay, Lawrence, Long, M'Culloch, Metzger, Newlin, Palmer, G. W., Parsons, Pughe, Purviance, John N., Purviance, Samuel A., Smith, H. G., Smith, Wm. H., Struthers, Temple, White, David N., White, J. W. F. and Wright—32.

N A Y S .

Messrs. Achenbach, Ainey, Armstrong, Baker, Bannan, Barclay, Biddle, Boyd, Brodhead, Broomall, Brown, Buckalew, Cochran, Collins, Corbett, Curtin, Dallas, Darlington, Dunning, Ewing, Fell, Funck, Gibson, Guthrie, Hanna, Harvey, Howard, Hunsicker, Kaine, Knight, Landis, Lilly, Littleton, MacConnell, MacVeagh, M'Camant, M'Clean, M'Michael, Minor, Patton, Read, John R., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Henry W., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, White, Harry, Woodward and Walker, *President*—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bartholomew, Bigler, Black, Chas. A., Black, J. S., Bullitt, Calvin, Campbell, Cassidy, Church, Clark, Craig, Cronmiller, Curry, Cuyler, Dodd, Elliott, Ellis, Finney, Gilpin, Green, Hall, Hazzard, Hemphill, Heverin, Horton, Lamberton, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Reynolds, Ross, Simpson, Wherry and Worrell.

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

Resolved, That the action of the Convention on the 22d day of January last, ordering the article fixing the times for holding the elections of this Commonwealth to be transcribed for a third reading, and the passage of the same on the 23d day of January on third reading, be and the same is hereby rescinded, and the said article, as it passed second reading, be referred to the Committee on Revision and Adjustment.

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

Resolved, That on and after to-morrow, the daily sessions of this Convention shall be from half-past nine A. M. to three 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. Ainey and Mr. Darlington, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baer, Baker, Bartholomew, Biddle, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Bullitt, Calvin, Carey, Corbett, Corson, Curry, Curtin, Dallas, Darlington, Finney, Funck, Gibson, Guthrie, Harvey, Hunsicker, Knight, Lilly, M'Clean, M'Culloch, M'Michael, Minor, Newlin, Palmer, G. W., Pughe, Read, John R., Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wetherill, J. M., and Woodward—45.

N A Y S .

Messrs. Achenbach, Addicks, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Beebe, Bowman, Brown, Buckalew, Campbell, Carter, Cochran, Collins, De France, Dodd, Edwards, Ewing, Fell, Hanna, Hay, Howard, Kaine, 56 CON. JOUR

Landis, Lawrence, Littleton, Long, MacConnell, MacVeagh, Metzger, Parsons, Patterson, D. W., Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrews, Rooke, Russell, Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Wright and Walker, *President*—48.

So the question was determined in the negative.

ABSENT—Messrs. Andrews, Black, Charles A., Cassidy, Church, Clark, Craig, Cronmiller, Davis, Dunning, Elliott, Ellis, Fulton, Gilpin, Green, Hall, Hazzard, Hemphill, Heverin, Horton, Lamberton, Lear, M'Camant, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Reynolds, Ross, Simpson, Smith, H. G., Temple, Wherry and Worrell.

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

Resolved, That the forty-third rule of the Convention be rescinded.

Laid on the table.

Mr. S. A. Purviance offered the following resolution, which was twice read, viz :

Resolved, That the Convention will, when the orders of the day have been called, proceed to consider on third reading, the several articles which have already passed through second reading, in the order in which they appear in the pamphlet form now on the desks of the members.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. MacVeagh,

That the resolution be laid on the table.

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 :

The Committee on Accounts and Expenditures of the Convention respectfully report : That during the recess of the Convention it met at Harrisburg for the consideration of such accounts as had been submitted in accordance with the resolution of the Convention requiring them to be promptly rendered to the committee for all claims up to the time of the adjournment ; and that the second account of the printer to the Convention, covering the period from the 15th of May to the 1st of July, and the third account, covering the period from the 1st to the 15th of July, and also including some items charged subsequently thereto, have been carefully examined. In the second account the printer claims the sum of \$11,934 14, after the deduction of the discount of 41½ per cent. from the amount of such items as he admits to be subject to discount ; and in the third account he claims the sum of \$5,797 23, after making similar deductions, making a total claim of the next sum of \$17,731 37, for the period from May 15 (the date to which the first account was rendered) to the 15th day of July, (the date of the adjournment of the Convention.)

In the examination of these accounts the committee has strictly adhered to the principles of the report upon the first account, made to the Convention on the 14th of July last, and has, as in the settlement of that account, allowed only the prices mentioned in the schedule to the act of March 27, 1871, wherever, in the opinion of the committee, those prices were applicable. The printing acts clearly contemplate that the prices mentioned in this schedule are those which are to be, exclusively, allowed to the Public Printer wherever the price or value of work done by him is fixed by or otherwise ascertainable under them.

The Printer has continued to claim in these accounts, as in his first account, for plain composition, seventy-five cents per thousand ems, and for press-work, forty cents per token, without any deduction or discount in either case. These rates are considerably in excess of the prices to which he would be entitled under his contract with the Convention. The printing acts, as heretofore reported, fix the following rates : For plain composition, sixty cents per thousand ems, and for press-work, fifty cents per token, both subject, as are all other rates in the schedule, to the discount of forty-one and one-quarter per cent. at which the pub-

lic printing and binding was allotted to Benjamin SINGERLY, leaving the net rates, which the printer would be entitled to receive under his contract, for plain composition, thirty-five and one-quarter cents per thousand ems, and for press-work, twenty-nine and thirty-eight hundredths cents per token. The difference caused by this variance between the claims of the State Printer and the rates established by law and due him under his contract, amounts to many thousands of dollars.

The State Printer alleges that the work done by him, is work "the price or value of which is not fixed by or ascertainable under the printing acts," for the reason that, as he also alleges, the composition on the work he is doing for the Convention is much more solid than that on the work he usually does for the State; that it is of an unusual character, not so profitable as the ordinary State printing, and that some portion of the composition and press-work must be done at night, to enable him to comply with the requirement of the Convention; that the Journal for the files on the desks of the members should be furnished the day after its approval, and the Debates the day after their delivery; and that he is, therefore, entitled to be paid the special rates charged by him, regardless of the schedule of rates fixed by the act of March 27, 1871.

His claim is based upon the provisions of the sixth division of the first section of this act, which is in these words, "any work done by said Printer for the Commonwealth, and any supplies or publications furnished by him to any department or public officer, the price or value of which may not be fixed by or be otherwise ascertainable under the printing act of 1856, or this act, shall be paid for at rates of compensation to be fixed in the manner provided for in the fourth division of this section, subject however to the control and authority of the Auditor General over the accounts therefor." That part of the fourth division of the same section here referred to, is as follows: "And whenever it shall happen that the price or cost of the same shall not be fixed by or be ascertainable under the laws relating to the public printing and binding, then the price or cost of the same shall be fixed and determined between the said Superintendent (of Public Printing) and the Public Printer, before the same shall be furnished or supplied, and shall not exceed the lowest rate at which such articles or supplies of like quantity and quality can be obtained elsewhere."

There does not seem to be any force or merit in this claim. The price both of composition and press-work is "fixed by and clearly ascertainable under the printing acts," as was shown in the committee's first report upon this subject, on the 14th day of July last; and as to composition, the law further and most emphatically provides that upon no pretence whatever, should any composition be fixed at rates other than those therein prescribed. There can therefore be no doubt, it would seem, that the prices to be allowed to the State Printer, under his contract with the Convention, are those which are provided in the schedule, and no other. Indeed, in the printed memorial which was addressed by Mr. SINGERLY to the members of the Convention shortly after their assembling in Philadelphia, and just before the contract for the printing was made, he represented that during the session of the Legislature of 1871, while a revision of the printing laws of the State (which resulted in the passage of the act of March 27, 1871) was under consideration in that body, some of its members conversed with him about the Convention printing, leaving the idea on his mind that the printing of every description for the State was embraced in that act; that a majority of the printers who bid for the public printing on the 4th of April, 1871, would testify that they understood that the Convention printing was included in the public printing at that time; and that the public printing under the revised law, was awarded to him after the bill to call the Convention had passed both Houses; and therefore finally claimed that he had a right to do the printing of the Convention, and was prepared to do it, in whatever form the Convention might designate, according to the revised printing laws, passed March, 27, 1871. Apart, therefore, from the mere legal construction of the contract entered into by him with the Convention, this representation and claim of the Printer, made at the time and under the circumstances it was, shows what impression was conveyed to the minds of the members before the vote upon the printing contract was taken; as to the law (which was that embracing the schedule of rates) under which the prices for the printing and binding of the Convention were to be ascertained.

The committee has reported with such a degree of fullness upon this matter, not only because it was one of some importance to the Convention and the people of the Commonwealth generally, but also that the grounds of its action upon these accounts and of the State Printer's claims, might be thoroughly understood.

For the reasons given in the previous report, the charges made for "extra lettering" or labeling the backs of the remainder of volume 1 of the Debates, and of volumes 2, 3 and 4, together amounting to the sum of \$877 50, and the charge for correcting a member's speech, \$9 28, have not been allowed. For trimming and packing Debates and Journals for files, there is a charge made of \$280 00, which has not been allowed, for the reason that the "packing" is simply putting into a bundle the copies sent each day to the Convention, and is merely an incident in the convenient transmission by the Printer of that which it is necessary for him to deliver in good condition; and the "trimming" charged for, it is believed is fully covered by the allowances otherwise made, and for such no separate charge can justly and fairly be presented. Any claim based upon the allegation that the trimming of the Debates has to be specially done at night, in order that the matter might be placed on the files of the members the day after the occurrence of the debate, is shown to be not well founded by the fact, well known to every member, that the Debates have been from a week to a month behind hand from the commencement of the session, and were never at any time, delivered to the Convention within less than five or six days from their date.

The committee has held over for further examination, charges for the paper on which reports and articles in bill form were printed, amounting to \$241 50; for boxes for packing the Debates sent by express to the members and officers, amounting to \$401, and for folding fly-leaves for volumes 1, 2, 3 and 4 of the Debates, amounting to \$72, and will report hereafter upon these items in the accounts.

In addition to the reduction of the prices charged to the regular rates established by the printing acts, wherever those rates were applicable, the committee have also, as in the audit for the first account and for the reasons there mentioned, reduced the charge for "files for desks," from \$25 to \$15 per hundred, and the charge for wrapping and mailing the Debates to newspapers, &c., from \$5 91 per day to \$2 per day.

The charge made for packing, directing and cooperage of the boxes of Debates for members and officers, amounting to \$83 70 for the first four volumes, might, without explanation be considered a charge merely for delivery, for which the Convention would not be liable. It has been allowed by the committee because of the fact that instead of having all the Debates delivered in one mass as they were printed, at one place, the Convention directed them to be boxed up and a certain number of copies sent to the residence of each member, to carry out which direction for delivery in this particular manner involved some expenditure of time, care and labor, and the additional expense of a different address upon each package. The sum charged is certainly full compensation for the service rendered.

The committee has re-stated the second and third accounts in the same manner in which the first account was re-stated, showing on the one side Mr. Singler's claims, and on the other side the amounts to which he is considered to be entitled under his contract with the Convention. These are attached to and made a part of this report, and are marked respectively A and B.

The second account, from May 15 to July 1, as rendered, is for a total sum of \$14,331 54; of which amount it is claimed that only the sum of \$5,811 90 is subject to the discount of 4½ per cent., and that the sum of \$8,519 64 is not subject to any deduction, leaving the net amount claimed in this account, \$11,934 14.

The third account, from July 1 to July 15, as rendered, is for a total sum of \$7,001 04; of which amount it is claimed that only the sum of \$2,918 34 is subject to discount, and that the sum of \$4,082 70 is not subject to any deduction, leaving the net amount claimed in this account, \$5,797 23.

In both the second and third accounts together, therefore, the net amount claimed is \$17,731 37.

The second account has been reduced by the corrections of the committee, from \$11,934 14 to the sum of \$7,368 13, leaving still to be audited an item of \$241 50; and the third account has been reduced, by similar corrections, from \$5,797 13 to the sum of \$3,920 22, leaving yet to be audited two items, together amounting to \$473. Or, taking the two accounts together, they have been reduced by the corrections from \$17,731 37 to the sum of \$11,288 35, exclusive of the items above referred to, omitted from the present settlement, and together amounting to the sum of \$714 50, the whole or the greater portion of which may be eventually allowed upon further and fuller examination. The said sum of \$11,288 35, is accordingly found to be due the Printer, Benjamin Singlerly, and the following resolution reported for the action of the Convention:

Resolved. That there is due to Benjamin Singerly, Printer for the Convention, in full of all claims to the 15th of July, 1873, (exclusive of the items in the above mentioned accounts yet to be fully audited, together amounting to the sum of \$714 50, and also exclusive of the items excepted from the audit of the first account, together amounting to the sum of \$2,060 45,) the sum of \$11,288 35; and that a copy of the above report and of the action of the Convention thereon, be forthwith certified by the Chief Clerk to the Auditor General of the Commonwealth.

[A.] STATEMENT showing the differences between the claims of Benjamin 15, 1873, to July 1, 1873,) and the allowances of the Com

CLAIMS OF BENJAMIN SINGERLY.			
Debates, Vol. 4, from page 348, to conclusion.	Extra title and lettering on 4,050 copies Debates, Vol. 1.		\$202 50
	Marbling 4,050 copies Debates, Vol. 1.		202 50
	Binding 4,500 copies Debates, Vol. 2.	\$2,250 00	
	Extra title and lettering Debates, Vol. 2.		225 00
	Marbling 4,500 copies Debates, Vol. 2.		225 00
	Making out index Debates, Vol. 3, Binding 4,500 copies Debates, Vol. 3.	2,250 00	200 00
	Extra title and lettering on Vol. 3, Marbling 4,500 copies Debates, Vol. 3.		225 00
	5,266 copies—27 forms. 1,482,624 ems, minion, at seventy- five cents.	\$1,111 96 237 60	
	594 tokens, at forty cents.		1,349 56
	Folding \$286 20		
	Dry pressing. 28 62		
		314 82	
	Cancelling 1 form, sig. 40, by or- der of Committee on Printing, 54,912 ems, minion, at seventy- five cents	41 18 8 80	9 28
	Twenty-two tokens, at forty cts.		
Debates, Vol. 5.	Folding \$10 60		
	Dry pressing. 1 06		
		11 66	
	Making index for same.		200 00
	Four hours correcting member's speech.		49 98
Debates, Vol. 6.	5,266 copies—50 forms. 2,745,600 ems, minion, at seventy- five cents.	2,059 20 440 00	
	1,100 tokens, at forty cents.		2,499 20
	Folding \$530 00		
	Dry pressing. 53 00		
		583 00	
Journal from May 15 to June 30, both inclusive.	150 files with labels.		37 50
	5,266 copies—17 forms. 933,504 ems, minion, at seventy- five cents.	700 12 149 60	
	374 tokens, at forty cents.		849 72
	Folding \$180 20		
	Dry pressing. 18 02		
		198 22	
	150 files, with labels.		37 50
	1,500 copies—34 forms. 1,523,200 ems, brevier, at seventy- five cents.	1,142 40 81 60	
	204 tokens, at forty cents.		1,224 00
	Folding \$102 00		
	Dry pressing. 10 20		
		112 20	

Singerly, Printer for the Convention, (in his second account from May mittee on Accounts and Expenditures of the Convention..

	ALLOWANCES OF THE COMMITTEE.			
	Marbling 4,050 copies Debates, Vol. 1.....			\$202 50
	Binding 4,500 copies Debates, Vol. 2.....		\$2,250 00	
	Marbling 4,500 copies Debates, Vol. 2.....			225 00
	Making out index debates, Vol. 3, Binding 4,500 copies Debates, Vol. 3.....		2,250 00	200 00
	Marbling 4,500 copies Debates, Vol. 3.....			225 00
Debates, Vol. 4, in- cluding index....	5,254 copies—30 forms. 1,556,544 ems, minion, at sixty cts., 660 tokens, at fifty cents..... Folding..... Dry pressing and cutting.....		933 92 330 00 318 00 31 80	
	Cancelled form, by order of Com- mittee on Printing, 54,208 ems, minion, at sixty cents.....		32 52	
	Twenty-two tokens, at fifty cents,.....		11 00	
	Folding.....		10 60	
	Dry pressing and cutting.....		1 06	
	Making index for same.....			200 00
Debates, Vol. 5....	5,254 copies—49 forms, without index. 2,649,416 ems, minion, at sixty cts., 1,078 tokens, at fifty cents.....		1,589 65 539 00	
	Folding.....		519 40	
	Dry pressing and cutting.....		51 94	
	150 files with labels, at fifteen cts.,.....			22 50
Debates, Vol. 5....	5,254 copies—17 forms. 921,536 ems, minion, at sixty cts.,.....		552 92	
	374 tokens, at fifty cents.....		187 00	
	Folding.....		180 20	
	Dry pressing and cutting.....		18 02	
Journal.....	150 files, with labels.....			22 40
	1,500 copies—34 forms. 828,000 ems, brevier, at sixty cts.,.....		496 80	
	142 tokens, at fifty cents.....		71 00	
	Folding.....		64 00	
	Dry pressing and cutting.....		6 40	

[A.] STATEMENT—Continued.

	ALLOWANCES OF THE COMMITTEE.		
Reports of committees, and articles as passed second reading.	92 pages.....	\$92 00	
	[Passed over for the present for want of sufficient vouchers, information and means for estimating the quantity of paper actually used in printing these reports and articles.] Folding, packing and mailing Debates, 40 days.....		\$80 00
Discount of 41¼ per cent. off.....		10,537 23 4,346 60	1,177 50
Not subject to discount.....		6,190 63 1,177 50	
		7,368 13	
Not yet finally audited, marked passed over for the present.....			<u>\$241 50</u>

[A.] STATEMENT—*Continued.*

	CLAIMS OF BENJAMIN SINGERLY.			
Reports of committees and articles as passed second reading.....	92 pages, 300 copies each.....		\$92 00	
	28¾ reams double cap paper, 28 pounds.....			\$241 50
	Folding, packing and mailing 591 copies Debates, forty days.....			236 40
	Trimming and packing Debates and Journals for files, 140 days.....			280 00
Discount of 41¼ per cent. from first column			5,811 90	8,519 64
			2,397 40	
Claimed to be not subject to deduction			3,414 50	
			8,519 64	
			11,934 14	

[B.] STATEMENT showing the differences between the claims of Benjamin to July 15, 1873) and the allowances of the Committee

	CLAIMS OF BENJAMIN SINGERLY.			
Index, Vol. 4.....	5,266 copies—3 forms.			
	164,736 ems, minion, at 75 cents...	\$123 55		
	66 tokens, at 40 cents	26 40		
	Folding.....	31 80		\$149 95
	Dry pressing.....	3 18		
	Binding 4,500 copies Vol. 4.....		\$34 98	
	Marbling.....		2,250 00	
	Extra title and lettering.....			225 00
Index, Vol. 5.....	Making index to Vol. 5.....			200 00
	5,266 copies—3 forms.			
	164,736 ems, minion, at 75 cents....	123 55		
	66 tokens, at 40 cents	26 40		
	Folding.....	31 80		149 95
	Dry pressing.....	3 18		
			34 98	
Debat's, Vol. 6, July 1 to 15th.	5,266 copies—29 forms.			
	1,592,448 ems, minion, at 75 cents,	1,194 34		
	638 tokens, at 40 cents	255 20		
	Folding.....	307 40		1,449 54
	Dry pressing.....	30 74		
			338 14	
Journal, July 1 to July 14th, both inclusive.	1,500 copies—10 forms.			
	448,000 ems, brevier, at 75 cents...	336 00		
	60 tokens, at 40 cents.....	24 00		
	Folding.....	30 00		360 00
	Dry pressing.....	3 00		
			33 00	
Articles as they passed 2d reading.	Folding, packing and mailing 591 copies Debates, 10 days			59 10
	Report of committees, in bill form, 20 pages		20 00	
	3,000 copies—4 forms.			
	86,400 ems, small pica, at 60 cents,	51 84		
	48 tokens, at 50 cents.....	24 00		
	Folding.....	24 00		
	Dry pressing.....	2 40		
	Printed covers.....	30 00		
			132 24	
	31 quires cover paper for same....			10 86
	Folding, packing and delivering to post office 21 copies each for members and officers, 136 packages			
	Postage on 133 packages			4 08
	500 yeas and nays		3 00	46 55
	Paper for same.....			
	Packing, directing and cooerage of 133 boxes of Debates for members, Vol. 1.....	19 95		5 88
	Packing, directing and cooerage of 133 boxes of Debates for members, Vol. 2.....	19 95		
	Packing, directing and cooerage of 133 boxes of Debates for members, Vol. 3.....	19 95		
	Packing, directing and cooerage of 133 boxes of Debates for members, Vol. 4.....	19 95		

Singerly, Printer for the Convention, (in his third account from July 1, on Accounts and Expenditures of the Convention.

ALLOWANCES OF THE COMMITTEE.				
Index, Vol. 4.....	[This was included by the Committee in their estimate of Vol. 4, heretofore audited in the printer's second account.]			
	Binding 4,500 copies, Vol. 4.....	\$2,250 00		
	Marbling Vol. 4.....			\$225 00
Index, Vol. 5.....	Making index to Vol. 5.....			200 00
	5,254 copies—3 forms.			
	149,072 ems minion, at 60 cents.....	89 44		
	66 tokens, at 50 cents.....	33 00		
	Folding.....	31 80		
	Dry pressing and cutting.....	3 18		
Debates, Vol. 6....	5,254 copies—30 forms.			
	1,633,236 ems, at 60 cents.....	979 94		
	660 tokens, at 50 cents.....	330 00		
	Folding.....	318 00		
	Dry pressing and cutting.....	31 80		
Journal, July 4 to 14th, both inclusive.....	1,500 copies—10 forms.			
	259,440 ems, brevier, at 60 cents.....	155 66		
	70 tokens, at 50 cents.....	35 00		
	Folding.....	30 00		
	Dry pressing and cutting.....	3 00		
	Folding, packing and mailing Debates, 10 days.....			20 00
	Reports of committees, in bill form, 20 pages.....	20 00		
Articles as they passed 2d reading.....	3,000 copies—4 forms.			
	86,400 ems, small pica, at 60 cents.....	51 84		
	48 tokens, at 50 cents.....	24 00		
	Folding.....	24 00		
	Dry pressing and cutting.....	2 40		
	Printed covers.....	30 00		
	31 quires cover paper for same.....			10 85
	Folding, packing and delivering to post office, 21 copies each for members and officers, 136 packages.....			4 08
	Postage on 133 packages.....			46 55
	500 yeas and nays.....	3 00		
	Paper for same.....			5 88
	Packing, directing and cooperage of Debates for members, 133 boxes of Vol. 1.....	\$19 95		
	Packing, directing and cooperage of Debates for members, 133 boxes of Vol. 2.....	19 95		
	Packing, directing and cooperage of Debates for members, 133 boxes of Vol. 3.....	19 95		
	Packing, directing and cooperage of Debates for members, 133 boxes of Vol. 4.....	19 95		

[B.] STATEMENT—Continued.

ALLOWANCES OF THE COMMITTEE.			
Packing and directing 13 packages for officers, Vols. 1 and 2.	\$1 95		
Packing and directing 13 packages for officers, Vols 3 and 4.....	1 95		
			\$83 70
[Passed over until the correctness of the charge made could be more fully ascertained by inquiry and investigation.]			"
Express Co's charges, for Vol. 1.....			175 00
“ “ for Vol. 2.....			175 00
“ “ for Vol. 3.....			187 10
“ “ for Vol. 4.....			175 00
[Passed over for the present for further information and investigation.]			
		\$4,446 06	1,308 16
Discount of 41¼ per cent. off.....		1,834 00	
		2,612 06	
Not subject to deduction.....		1,308 16	
		3,920 22	
Not yet finally audited, (marked above as passed over for the present,) items to amount to.....			<u>\$473 00</u>

[B.] STATEMENT—Continued.

CLAIMS OF BENJAMIN SINGERLY.			
Packing and directing 13 packages for officers, Vols. 1 and 2.....	\$1 95		
Packing and directing 13 packages for officers, Vols. 3 and 4.....	1 95		
S. Boyd Martin's bill of boxes for packing Debates, to July 5th ...			\$83 70
P. & R. R. R. Express Co.'s bill of charges, Vol. 1, June 9th.....			401 00
P. & R. R. R. Express Co.'s bill of charges, Vol. 2, June 25th....			175 00
P. & R. R. R. Express Co.'s bill of charges, Vol. 3, July 10th....			175 00
P. & R. R. R. Express Co.'s bill of charges, Vol. 4, Aug. 26th....			187 10
Folding fly-leaves for Vols. 1, 2, 3, and 4 of the Debates, 4,500 copies each.....			175 00
		\$72 00	
41¼ per cent. discount from first column.....		2,918 34 1,203 81	4,082 70
Claimed to be not subject to deduction		1,714 53 4,082 70	
		5,797 23	

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. J. W. F. White,

To postpone the question, together with the further consideration of the resolution, for the present: and that one hundred and fifty copies of the report, with the resolution attached, be printed for the use of the Convention.

Which was agreed to.

On motion of Mr. Andrew Reed,

The Convention resumed the second reading and consideration of the article (No. 2) reported from the Committee on the Legislature.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Bigler, to the amendment offered by Mr. John Price Wetherill, as follows, viz: To strike out all after the word "the," in the first line, and insert in lieu thereof the words, "ratio for a member of the House of Representatives, shall be the one hundred and fiftieth part of the entire population of the State, according to the enumeration thereof by the latest Federal census. Counties containing each a population of five ratios or less, shall be districts and entitled to representation according to population, except that no district shall have less than one member. Any district having an excess of population exceeding one-half of a ratio over one or more ratios, shall be entitled to an additional member. Counties or cities having a population exceeding five ratios, shall be divided into compact districts, as near equal in population as practicable, and such districts be entitled to not more than three members each. Counties hereafter erected shall be entitled to one member each."

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

Y E A S.

Messrs. Achenbach, Baer, Bailey, of Huntingdon, Bigler, Bowman, Brodhead, Buckalew, Bullitt, Dunning, Fulton, Funck, Gibson, Guthrie, Harvey, Hay, Hunsicker, Kaine, Landis, Long, Metzger, Palmer, G. W., Parsons, Patton, Purviance, Sam'l A., Read, John R., Reed, Andrew, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Van Reed and Wright—32.

N A Y S.

Messrs. Ainey, Alricks, Baily, of Perry, Bannan, Bartholomew, Boyd, Broomall, Calvin, Campbell, Carey, Carter, Cochran, Collins, Corbett, Corson, Curry, Darlington, Davis, De France, Edwards, Ewing, Finney, Green, Hanna, Hazard, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, M'Clean, M'Culloch, Minor, Newlin, Patterson, D. W., Pughe, Rooke, Runk, Russell, Smith, Henry W., Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Woodward, Worrell and Walker, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baker, Barclay, Bardsley, Beebe, Biddle, Black, Charles A., Black, J. S., Brown, Cassidy, Church, Clark, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd Elliott, Ellis, Fell, Gilpin, Hall, Hemphill, Heverin, Horton, Howard, Knight, Lamberton, Lear, Littleton, M'Michael, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Reynolds, Ross, Simpson, Temple, and Wherry.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill? to add 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 census of the United States, 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 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, or where there is not sufficient population in counties having less than three-fifths of a ratio which are adjacent to each other, to form a single district, such counties shall be annexed to any one adjoining county, and the district so formed shall be entitled to the same number of members as if it consisted of a single county."

A motion was made by Mr. Harry White,

To amend the same, by striking out all after the word "The," in the first line, and inserting in lieu thereof as follow, viz: "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 no county shall be attached to another in the formation of a district; and the city of Philadelphia and 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 made up. The city of Philadelphia and counties entitled to more than three members, shall be divided into single districts of compact and contiguous territory, as nearly equal in population as possible; but no township or election precinct shall be divided in the formation of a district: *Provided*, That in making said apportionment 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."

On the question,

Will the Convention agree so to amend?

The hour of one having arrived,

The President announced a recess until three o'clock P. M.

Agreeably to order,

The Convention resumed the second reading and consideration of article (No. 2) reported from the Committee on the Legislature.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Harry White, to the amendment offered by Mr. John Price Wetherill?

Mr. Howard called for a division of the question, the first division to end with the words, "made up."

On the question,

Will the Convention agree to the first division?

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

Y E A S.

Messrs. Achenbach, Andrews, Baily, of Perry, Beebe, Bowman, Calvin, Curry, Darlington, Edwards, Ewing, Fulton, Funck, Green, Hanna, Hay, Howard, Knight, Lawrence, MacConnell, MacVeagh, M'Camant, M'Culloch, Minor, Par-

sons, Patterson, D. W., Patton, Purviance, John N., Rooke, Russell, Sharpe, Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, Van Reed, White, David N., White, Harry, and White, J. W. F.—39.

N A Y S.

Messrs. Alricks, Baer, Bailey, of Huntingdon, Bannan, Bartholomew, Boyd, Broomall, Brown, Buckalew, Cochran, Corbett, Corson, Curtin, Davis, De France, Dodd, Dunning, Ellis, Gibson, Guthrie, Harvey, Hunsicker, Kaine, Landis, Lilly, Littleton, Long, M'Clellan, M'Michael, Metzger, Palmer, G. W., Pughe, Purviance, Sam'l A., Read, John R., Reed, Andrew, Smith, H. G., Smith, Henry W., Wetherill, J. M., Wetherill, Jno. Price, Worrell, Wright and Walker, *President*—42.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baker, Barclay, Bardsley, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Bullitt, Campbell, Carey, Carter, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Dallas, Elliott, Fell, Finney, Gilpin, Hall, Hazzard, Hemphill, Heverin, Horton, Lamberton, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Reynolds, Ross, Runk, Simpson, Temple, Wherry and Woodward.

On the question,

Will the Convention agree to the second division, comprising the remainder of the amendment?

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

Y E A S.

Messrs. Andrews, Baily, of Perry, Bartholomew, Ewing, Funck, Lawrence, MacConnell, Minor, Patterson, D. W., Russell, Turrell, White, David N., and White, Harry—13.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Beebe, Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Cochran, Corbett, Corson, Darlington, Davis, Dodd, Dunning, Edwards, Ellis, Gibson, Green, Guthrie, Hanna, Hay, Howard, Hunsicker, Kaine, Landis, Lilly, Littleton, Long, MacVeagh, M'Clellan, M'Culloch, M'Michael, Metzger, Palmer, G. W., Parsons, Patton, Pughe, Purviance, John N., Purviance, Sam'l A., Read, John R., Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Van Reed, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Worrell, Wright and Walker *President*—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bardsley, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Bullitt, Carey, Carter, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, De France, Elliott, Fell, Finney, Fulton, Gilpin, Hall, Harvey, Hazzard, Hemphill, Heverin, Horton, Knight, Lamberton, Lear, M'Camant, M'Murray, Mann, Mantor, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Simpson, Temple, Wherry and Woodward.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill?

A motion was made by Mr. Broomall,

To amend the amendment, by striking out all after the word "The" in the first line, and inserting in lieu thereof as follows, viz:

"The number of representatives shall be one hundred and fifty. They shall be apportioned, after every United States census, among the several counties and

cities as nearly as possible, in proportion to the population. Counties and cities entitled to more than five representatives shall be divided into legislative districts of contiguous territory, by township and ward lines, each as large as possible, not to be entitled to more than five Representatives. Every county and city containing more than the two-hundredth part of the population of the State shall constitute a district, and every county and city of less population shall be attached to such contiguous district as will tend most to equal representation.

On the question,

Will the Convention agree so to amend?

Mr. John N. Purviance called for a division of the question, the first division to end with the words, "one hundred and fifty."

The first division was agreed to.

On the question,

Will the Convention agree to the second division, to end with the word "population," where it first occurs?

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

YEAS.

Messrs. Armstrong, Bailey, of Huntingdon, Bartholomew, Broomall, Buckalew, Carter, Corbett, Cuyler, Davis, Edwards, Funck, Hanna, Hay, Howard, Kaine, Knight, Lilly, M'Clean, M'Culloch, M'Michael, Parsons, Patton, Smith, Wm. H., Van Reed, Wetherill, J. M., White, J. W. F., and Worrell—27.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Baily, of Perry, Beebe, Bigler, Bowman, Brown, Calvin, Campbell, Cochran, Curry, De France, Dunning, Ellis, Ewing, Fulton, Gibson, Green, Guthrie, Harvey, Hunsicker, Landis, Lawrence, Long, MacConnell, MacVeagh, M'Camant, Metzger, Minor, Palmer, G. W., Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Stewart, Struthers, Turrell, Wetherill, John Price, White, David N., White, Harry, Wright and Walker, *President*—49.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bannan, Barclay, Bardsley, Biddle, Black, Charles A., Black, J. S., Boyd, Brodhead, Bullitt, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Curtin, Dallas, Darlington, Dodd, Elliott, Fell, Finney, Gilpin, Hall, Hazzard, Hemphill, Heverin, Horton, Lamberton, Lear, Littleton, M'Murray, Mann, Mantor, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Pughe, Purman, Read, John R., Reynolds, Ross, Runk, Simpson, Smith, H. G., Stanton, Temple, Wherry and Woodward.

The remainder of the amendment was not agreed to.

On motion of Mr. MacVeagh and Mr. Hunsicker,

The vote was re-considered by which the first division of the amendment offered by Mr. Broomall was adopted.

And the question recurring,

Will the Convention agree to the first division?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill?

A motion was made by Mr. Struthers,

To amend the same, by striking out all after the word "the," in the first line, and inserting in lieu thereof as follow, viz: "House of Representatives shall consist of one hundred and fifty members. Each county, as a community, shall be entitled to one member. The ratio shall be ascertained by dividing the inhabitants of the State, as ascertained by the last preceding National census, by eighty-four, and the district respectively shall be entitled to one member for each ratio of population they contain. Any deficiency in making up the number of one hundred and fifty, shall be made up by the largest fractions in the district."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Hunsicker,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Bailey, of Huntingdon, Beebe, Bigler, Bowman, Boyd, Broomall, Buckalew, Corbett, Corson, Cuyler, De France, Ellis, Gibson, Green, Hanna, Harvey, Howard, Hunsicker, Kaine, Landis, M'CLean, M'Michael, Minor, Patton, Rooke, Sharpe, Smith, H. G., Wetherill, J. M., Worrell and Walker, *President*—30.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Barclay, Bartholomew, Campbell, Carter, Cochran, Curry, Davis, Edwards, Ewing, Finney, Fulton, Guthrie, Hay, Knight, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Culloch, Palmer, G. W., Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Russell, Smith, Henry W., Smith, Wm. H., Turrell, Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., and Wright—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Biddle, Black, Charles A., Black, J. S., Brodhead, Brown, Bullitt, Calvin, Carey, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curtin, Dallas, Darlington, Dodd, Dunning, Elliott, Fell, Funck, Gilpin, Hall, Hazzard, Hemphill, Heverin, Horton, Lambertson, Lear, Littleton, M'Camant, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Reynolds, Ross, Runk, Simpson, Stanton, Stewart, Struthers, Temple, Van Reed, Wherry and Woodward.

And the question recurring.

Will the Convention agree so to amend the amendment?

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

To postpone the question, together with the further consideration of the section, for the present, and that the same be referred to a select committee of seven members, of which the chairman of the Committee on Legislature shall be one.

Which was not agreed to.

And the question again recurring.

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

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill?

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

To amend the amendment, so as to make it read as follow, viz: "In the year one thousand eight hundred and seventy-four, and in every seventh year thereafter, representatives to the number of one hundred and fifty-two 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 each county shall be entitled to at least one representative in the House of Representatives; and that counties shall not be joined in order to form districts, and no county shall be divided in the formation of a district. Any city or county having an excess of three-fifths of the ratio over one or more ratios, shall be entitled to an additional member. Any city containing a sufficient number of taxables to entitle it to at least four representatives, 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."

Which was not agreed to.

And the question again recurring,

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

A motion was made by Mr. Harry White,

To amend the amendment, by striking out all after the word "The," in the first line, and inserting in lieu thereof as follow, viz: "House of Representatives shall consist of not less than one hundred and fifty-three 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-three 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-three members is arrived at."

On the question,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Howard, that the Convention do now adjourn.

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend the amendment?

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

YEAS.

Messrs. Ainey, Andrews, Bailly, of Perry, Bailey, of Huntingdon, Beebe, Bigler, Bowman, Calvin, Carter, Edwards, Ewing, Finney, Fulton, Green, Hanna, Hay, Knight, Lawrence, Long, MacConnell, M'Culloch, Minor, Pughe, Purviance, John N., Rooke, Russell, Struthers, Turrell, White, David N., White, Harry, White, J. W. F., and Worrell—82.

NAYS.

Messrs. Alricks, Armstrong, Bear, Bannan, Barclay, Bartholomew, Boyd, Brown, Buckalew, Campbell, Cochran, Corbett, Cuyler, Davis, De France, Dunning, Ellis, Guthrie, Howard, Hunsicker, Kaine, Lilly, MacVeagh, M'Clean, M'Michael, Patterson, D. W., Read, John R., Reed, Andrew, Sharpe, Smith,

H. G., Smith, Henry W., Smith, Wm. H., Wetherill, J. M., Wetherill, John Price, and Walker, *President*—35.

So the question was determined in the negative.

ABSENT. — Messrs. Achenbach, Addicks, Baker, Bardsley, Biddle, Black, Charles A., Black, J. S., Brodhead, Broomall, Bullitt, Carey, Cassidy Church, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Dallas, Darlington, Dodd, Elliott, Fell, Funck, Gibson, Gilpin, Hall, Harvey, Hazzard, Hemphill, Heverin, Horton, Lamberton, Landis, Lear, Littleton, M'Camant, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, Sam'l A., Reynolds, Ross, Runk, Simpson, Stanton, Stewart, Temple, Van Reed, Wherry, Woodward and Wright.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill?

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 nine o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

THURSDAY, SEPTEMBER 18, 1873.

The President laid before the Convention the following communication, which was read, viz:

PENNSYLVANIA HORTICULTURAL SOCIETY, }
PHILADELPHIA, September 17, 1873. }

Hon. Judge WALKER, *President*, &c.:

DEAR SIR:—I have the honor to invite the Constitutional Convention to visit the exhibition of this society. We shall be pleased to see you, individually or in a body, at any time up to Friday evening next.

Very respectfully,
W. L. SCHAFFER,
President.

On motion of Mr. Lilly,

Said invitation was accepted with the thanks of the Convention.

Mr. Darlington presented the following memorial from the Board of Public Charities, which was read, viz:

On behalf of the Board of Public Charities, the undersigned begs to present to the Constitutional Convention some considerations bearing upon the 18th and 19th sections of the proposed article on "Legislation," containing certain restrictions upon legislative appropriations. These sections, it is understood, have already been passed to a third reading, but were so passed before the article on Education had been definitely acted upon.

The attention of the Convention is, in the first place, respectfully invited to

the present state of its constitutional provisions in reference to popular education. (1) The Constitution is to require in general the maintenance of a thorough and efficient system of public schools, offering the opportunity of an elementary education to all the children of the State. (2) A Constitutional provision for Compulsory Education has been rejected by the Convention. (3) A provision for the establishment by the Legislature of special schools for "neglected children" has also been rejected. (4) The municipalities as well as the Legislature are to be forbidden to aid such private institutions as now exist for that purpose, (section 5.) That is to say, with the exception of this last restrictive provision, the common school system of the State will be left substantially as it was before, the Legislature being required to continue without diminution its annual appropriations.

In the second place, the attention of the Convention is respectfully re-called to a few of the simple facts of the case:

(1) According to the returns of the census of 1870, there are within the Commonwealth of Pennsylvania more than 222,000 persons above ten years of age unable to read or write, and probably the true number of such is not less than 300,000 or 400,000, of which from 75,000 to 100,000 are under the age of twenty-one, and of these last 20,000 or more are congregated in the single city of Philadelphia.

(2) This large army of neglected children, growing up in idleness, ignorance, vice and crime, who are not only destined to increase our taxes, to endanger our property, and disturb our peace—to infest our highways and streets with mendicancy, pillage and violence—to crowd the docks of our court rooms and fill our almshouses, jails and penitentiaries, but who are soon to exercise with us, and over us, the sovereignty of the elective franchise, marching up to the polls with added thousands of new recruits every year—these are the cancerous source of what is probably the greatest peril to which our Commonwealth and free institutions are exposed.

(3) This evil, the common school system, as at present organized, can never reach and remedy. It is to be understood that under the description of "neglected children" are meant to be included not only those who lose the benefit of the free public schools from the carelessness or wilfulness of parents, but those also—and theirs is the greater number—who are deprived of those benefits in consequence of their destitution of any parental guardianship; their vagabond lives, their want of the very means of subsistence if they should go to school; their ragged and filthy condition, or their depraved and vicious habits, or their intractable characters, rendering them unfit to be received at school with the other children, or making it improper or impossible for them to be retained there. The re-claiming and education of these children could not be secured even by any law of compulsory attendance at school merely, but means must also be provided to supply them with food and clothing and proper domestic guardianship while they may be receiving their education at school. If compulsion is needed elsewhere, charity also is needed here. Our schools may be ever so open and free, and sufficient for all, but these children will still remain outside. This is the lesson not only of our own past experience, but wherever the system of free schools has been tried—whether in Europe or America, in Old England or New England, in New York or any other of our sister States. It has been found necessary to supplement the system either by private benefactions or public appropriations for the care and support of this class of destitute and neglected children. It is clear that they have not yet been reached by our system of public schools, admirable and thorough as has been its management for several years past. Nor are they likely to be reached by it, for it would seem by the superintendent's last report that the chronic evil of absenteeism from the schools has of late increased rather than diminished. Unless some modification or enlargement of the present instrumentalities is adopted, there is no reason to hope that the public schools will ever remedy the evil.

(4) But to reach and remedy this evil is precisely the chief end of the common school system. These children are precisely those whose education the State needs to care for. Most of the children of well-to-do parents, and who have good domestic care and training, will be tolerably well educated whether the State provide schools for them or not. It must not be supposed, therefore, that the public schools have very nearly accomplished their purpose, while only this residuum remains unaffected by them. Rather we must remember that while this remains, and remains in its present enormous proportions—they have entirely failed of attaining their principal object.

Now the Legislature *may* do either or both of those things which the Convention has refused to require or recommend. (1) It may adopt the principle of compulsory education for the whole Commonwealth, or may authorize its local adoption. (2) It may establish either directly or indirectly, through the local authorities, special schools for neglected children. *Otherwise*, under the proposed section 18, if adopted, such children must be left to be cared for, if cared for at all, exclusively by private agencies, without any aid, encouragement, or co-operation whatever from the State in any case, or from the local authorities, unless such agencies should be organized outside of the influence and control of all religious bodies. So that, in this case, the State would either have to do the whole work, at the public expense, or would have no guaranty that such children would be cared for at all; for the aid of religion is not invoked, and private benevolence, unprompted and unsustained by the religious sentiment, even though receiving a questionable and precarious support from municipal bounty, can hardly be sufficient for the whole reliance.

Under such circumstances what is the wisest course to take? Shall the Legislature, by the adoption of this section 18, be practically required to do the whole work or nothing? Or, by a modification of this section, shall it be left untrammelled to adopt the intermediate course of encouraging the partial efforts of private benevolence by its fostering aid? This is the question.

But is the Legislature, in any event, likely to undertake the whole work? Is there not reason to fear that should the Convention finally adopt this section 18, as it is proposed, they will, under all circumstances, practically give the full weight of their authority and influence in favor of leaving these neglected children absolutely to their fate, without the slightest effort to help or save them, and thus suffer this plague spot of the body politic to grow and fester, and spread its pestilential infection without restraint or remedy? Is it said the Legislature will still have the power to introduce the system of compulsory education either universally or partially, and thus to reach and remove the evil? But by this course, by this means alone, the whole evil cannot be reached and remedied, and besides, the Convention has solemnly refused to require or recommend such a course, stamping it with its implied disapproval. Is it said that the Legislature may establish or authorize the particular municipalities to establish special schools for the care and instruction of this class of children? But the Convention has positively frowned upon such a plan. Is it said that the local civil authorities may aid the efforts of private benevolence in supporting such schools? But the Convention has sternly forbidden them to aid any such institutions as now exist for that purpose, and has not proposed the establishment of any others. Is it said that at least the State itself may afford such aid by direct appropriations? The Convention will have forbidden it unless a full vote of two-thirds can be obtained for it.

That is to say, even though a large majority of the people, through their chosen representatives, may for years and years seek to do it, they shall not so long as one-third remain opposed; in other words, the antecedent probability that it is wrong or unwise to do it, is held to be as two to one; so that to effect it shall require that sort of earnest zeal and public agitation and that overwhelming majority which might be required to change the fundamental law or revolutionize the form of government. But it is said that, at all events, the Convention will not have forbidden private benevolence to exert itself to any extent, and under the impulse of any motives whatever, for the rescue and amendment of these poor neglected outcasts? This is true; but then the Convention had no power to make such a formal prohibition. And yet it may seriously be asked whether, if section 18 be adopted with the rest, it will not appear that the whole moral influence of the action of the Convention will tend to dampen any sympathy that might be felt for this class of children, and to paralyze any efforts that might be made in their behalf in any quarter or in any form? But be this as it may, there seems as a matter of fact, but little reason to suspect that for some time to come, and until a great pressure of public opinion can be concentrated on the subject, the Legislature will be induced to adopt a thorough system of compulsory education, or to establish special schools for this class of neglected children, to be exclusively supported at the public expense. The undersigned, as is well understood, is in favor of both of these plans, and for himself knows of no sufficient reason against them. But the reasons, whatever they may be, which have weighed with the Convention against them, and have led to a decision which precludes their further discussion here, will be likely, it is presumed, to weigh with a majority of the Legislature, backed up, as they may seem to be, by the authority of the Con-

vention itself. And may it not pertinently be asked, why is it that while both of these plans of doing the whole work by State authority and at the public expense—though liable to such objections that they are not likely soon to command a support of a majority of the Legislature—are nevertheless left untrammelled to the discretion of that body; yet this other plan of encouraging and supplementing private efforts by State aid, not being liable to the same objections, and being at any time likely, it may be presumed, to have a majority of the Legislature in its favor, should be absolutely forbidden or compelled to secure the support of full two-thirds of all the members of both Houses? Why not trust a majority of the people and their representatives in one of these cases as well as the other? Why not allow them, if they will, in order to abate an enormous and crying evil, and to accomplish a great public good, to adopt a course which is felt to be less liable to popular objection as well as another which is felt to be more so?

Is it said that special restriction is required in this case, because such legislative action is liable to abuse? But all legislative power is liable to be abused or exercised unwisely, and we must take this risk or abolish government altogether. The true questions are: (1) Is the proposed action, in matter and form, a proper subject of State legislation? and (2) Is it demanded for the public welfare? As to the former question, that this is a proper subject of legislation is indirectly admitted by its being allowed on a two-thirds vote; and as to the latter question, it is admitted on all sides that the rescue and education of these neglected children would be a great public benefit; many of us think it essential to the very existence and permanence of our free institutions. Shall we then commit political suicide lest the Legislature should make a political blunder? Shall we abdicate the very power of promoting the public weal, because it may be abused? Shall the public good be neglected, or even put under the ban, because the Legislature cannot always be trusted to do what is best? Shall the people not be allowed to manage their own affairs according to their own discretion, because, though their representatives, they may not always manage them wisely? Shall we once for all acknowledge the experiment of representative self-government a failure?

But perhaps this particular form of legislative action is thought to be specially liable to abuse. Is it so? Has such a disposition been shown by the Legislature of Pennsylvania or of other States to squander the public money in educating or aiding to educate destitute children, that it should need to be specially guarded against in the very Constitution? Even if religious or ecclesiastical bodies should come forward and offer to establish schools for the education of such children, adding moral and religious instruction to their other training, it is difficult to see why that *in itself* should be a bar to the bestowment of State aid towards the support of such schools; and probably if there was but one form of religious belief and profession in the State, it would not be so considered. But where there is a variety of religious creeds among us—while there are several sects and denominations in earnest rivalry and conflict with one another, and while religious partizanship remains so strong as it is—so strong as often to over-ride all other motives and considerations—it may freely be admitted that for the Legislature to make appropriations from the public funds in aid of sectarian institutions, however excellent their general objects and tendencies, would be an exercise of power especially liable to abuse. But this form of abuse being effectually guarded against in this section 19, as well as in section 2 of the article on Education, is there any such special liability to abuse in making the appropriations contemplated in section 18 as should require the special prevention of the two-thirds vote? The institutions to be aided will not be sectarian, not under the control of any religious denomination, not for private gain or emolument, not addressed to the special interests of any party, ecclesiastical or political; they will simply aim, by private efforts and benefactions, to accomplish some of those charitable and educational purposes in which the highest interests of the State are most deeply involved, and for which the State makes no adequate provision by her general system of public schools. Shall the Legislature be permitted freely to aid such institutions?

If attention is called to the great cost of the institutions, whether schools, refuges or homes, here contemplated, and if the danger of their demanding exorbitant drafts from the public treasury is urged in favor of a restriction of appropriations in their behalf, the answer is, those institutions will not hold the purse-strings, and those who do hold them are not likely to give more than, in their judgment, the public good requires. The question is, shall they be restrained from giving as much? For the State to impose such restraint upon itself seems

little short of absurdity. Indeed, this is the last of all directions in which to limit the public expenditure. Economy here is eventual extravagance, and extravagance the surest economy. The public benefit resulting from the removal of the evil in question would abundantly repay all the cost, even though the whole were drawn from the public treasury. But it is to be especially noted that the plan here in view is one which is contrived to relieve the public treasury instead of burdening it, always presuming one thing, that the end contemplated is acknowledged to be demanded by the general good, and that the State recognizes her interest in the removal of so great an evil. The State might justly and wisely assume the whole expense, but the present suggestion is that, in case the establishment and support of the remedial institutions be thrown, in the first instance, on private benevolence, the Legislature, without being hampered by any special restrictions, should then be permitted to make, from time to time, such appropriations in encouragement and aid of such institutions as should be deemed wise and reasonable, and consistent with the most rigid economy of the public funds. And it is respectfully suggested that the same economical motives which weigh in the minds of the members of the Convention may be confidently counted upon to weigh in the Legislature with quite sufficient force to keep its appropriations for such objects, and under such circumstances, within due bounds. At all events, the State would pay but a *part* of the price for the benefit it would receive.

If it be objected that the evil is local, and that the whole State ought not to be taxed for the relief or benefit of certain particular communities, the answer is threefold.

(1.) Then surely those communities should be allowed to tax themselves for the removal of the evil, and to economize in that taxation by availing themselves, as far as they should see fit, of all the aid they could obtain from private sources.

(2.) By far the greater part of all taxation is for the *direct* benefit of others than those who pay the taxes. The very idea of a State involves the principle of mutual protection and helpfulness, in which after the analogy of a mutual insurance, the stronger parts give the weaker more than they receive. The State is built upon a community, a solidarity, but not a perfect equality, of individual interests. When the different parts instead of consenting in mutual co-operation, fall into dissensions and jealousies of section with section, marshaling east and west city and country, or agriculturist and manufacturer, or rich and poor, against each other, the very existence of a State is endangered, and its proper purpose and object are annulled. But if the State is not to be taxed for the removal of the evil, *because it is local*, how large a community is to be taxed for that purpose—a county, a whole city, a ward, a precinct, or each individual on his own account? The evil is not distributed over any area, however small, short of each individual's domicile; and when that is reached, it is precisely some other individual or individuals that must be taxed for its removal. Besides, the whole common school system is especially liable to the objection in question. Here the rich are taxed for the education of the poor; those who have no children for the education of the children of others; and the State taxes herself by the million to distribute her aid to the different localities and communities, giving most to those places where the most children are found to need the appropriation.

But the evil is, after all, by no means so purely local as seems to be generally assumed. It exists and is formidable in all the counties of the State. If the evil is greater in one part of the State than in another, it cannot be confined to that portion but will spread its effects far and wide. And if one portion of the State remedies the evil within itself, the beneficial consequences of such remedy will be shared by all the other parts of the State. This dangerous element is, of course, found mainly in the thickly settled communities, and there it must be encountered and dealt with. Eventually it is found in maturity all over the State, spreading its corrupting influences, filling our prisons and almshouses, and festering with disease in the hospitals. Under proper State inspection, surely the Legislature should be allowed to aid, say, *by a per capita allowance*, industrial and other schools conducted by private individuals for the rescue of such children from the ruin which, in nine cases out of ten, is sure otherwise to overtake them and the State, from the blighting influences of their degraded and criminal lives. If, for example, there are 20,000 neglected children in Philadelphia, and if, in the rest of the State, there are 50,000 or 60,000 instead of the more exact proportion of 70,000 or 80,000, is this a reason for regarding the evil as is in such sense local, that the State has no common interest in it? It is undoubtedly more concentrated where the population is more concentrated; and there, from its very con-

centration, it becomes not only more conspicuous but more frequently dangerous. But are not the safety and prosperity of the State largely bound up in the safety and prosperity of the city? May not the corruptions of the city spread their contaminating influences into the State? May not the accumulation of ignorant and unprincipled voters in the city control the elections and revolutionize the political character of the State? Does not the State assume to govern the city and bind it by the constitution and laws which it makes? And would the State allow the city to protect itself, for instance, from the increase of this dangerous element, by prohibiting the ingress into its limits of the families of ignorant and destitute foreigners? If the city should remedy this evil within its own boundaries, would not the State reap a double benefit, in the first place, so far as the city is a part and a large part of the State, and secondly, by the distribution from the city into other parts of the State, of great numbers of industrious, and well educated and respectable, instead of idle and ignorant people? And will the State refuse to pay anything for the common benefit. For, it is again to be observed that, on the plan now proposed, the city through its private benefactions, together, perhaps with its municipal appropriations, would assume the principal weight of the burden, and the State would come in with only such aid and encouragement as it might see fit to bestow. Shall all such appropriations by the State be forbidden or hampered with such restrictions as may practically amount to a prohibition.

The Legislature, it may be finally said, cannot be trusted with an arbitrary control of the people's treasury; the people cannot be sure of having honest and intelligent legislators. What then, is the true remedy? Will you, by constitutional provisions, secure, as far as possible, the thorough education of all the people in knowledge and virtue, and guard with every possible barrier the purity of elections? Or will you leave thousands and tens of thousands of children to grow up in ignorance and vice and thus assume the elective franchise, only providing constitutional barriers against any aid being given by the State for their education; and then proceed to restrain the Legislature and strip it of its accustomed powers, and thus and so far deprive the very people of the functions of self-government. That the Legislature cannot be trusted, means that the people cannot be trusted. To restrain the Legislature is to restrain the people. If the Legislature may not make laws, the people cannot make them; for the people have no other organ than their Legislature, whereby to reform that function. Is it not inverting the order of things to leave the people in ignorance, and then restrain their Legislature? Would it not be better to secure the intelligence of the people and the purity of their elections, and then trust their chosen representatives? It is true, that the Legislature may be once for all constitutionally restrained from meddling with matters where experience has shown that their interference is productive of more harm than good to the State. But the education of the people, the thorough education of all the people, is admitted on all hands to be pre-eminently a matter of high public concern, and a proper subject of State legislation. It is submitted, therefore, that this is a case in which, beyond all others, the Legislature should be left free.

A draft of section eighteen, modified in accordance with the views thus imperfectly expressed, is with great diffidence herewith submitted. To require the *inspection* of the institutions in question, and the special recommendation of aid to them, by a board of commissioners appointed for the purpose by the Governor, the Legislature or the Department of the Interior, if such a department should be created, is thought to furnish a sufficient guaranty against improper or wasteful appropriations. It is presumed that the wisdom of the Legislature could easily frame a law by which private beneficence, municipal co-operation and State aid might all be combined and concentrated upon the same great end, leaving the institutions in question, so far as they should require no compulsory or penal action, to the simpler or cheaper methods of private management, thus utilizing private benevolence and economy for the public good. Shall the Constitution of Pennsylvania, instead of encouraging and facilitating such a result, only throw obstacles in the way of its accomplishment?

A modified draft of section nineteen, is also appended, in which the prohibition of appropriations to sectarian institutions is made absolute, the clause for charitable, educational or benevolent purposes being omitted. It is not perceived why against just those purposes there should be an expression of such special antipathy. Shall the Legislature be allowed to make appropriations to anything and for anything, provided only that it should not propose thereby to aid any charitable, educational or benevolent purposes? May the Legislature make appro-

priations, for example, for a purely ecclesiastical or religious purpose, for building a church, or paying the salary of a clergyman of any denomination; and yet shall it be forbidden to aid in the education of its own outcast children in a school established and supported by such a denomination? It is not supposed that such a distinction was intended. It is therefore suggested, as most consonant with the presumed purpose of the section, that the prohibition against all such appropriations be made once for all, absolute and universal.

It may be well to mention here—for the fact is not generally known not even to legislators—that but four of what are called “State Institutions,” of a permanent character, are “absolutely” under “State control.” These are the Eastern and Western Penitentiaries, the Pennsylvania State Lunatic Hospital at Harrisburg, and the Hospital for the Insane of the Northern District of Pennsylvania, at Danville. All the others are private charitable corporations, to which the Legislature has been in the habit of granting State aid at each session, in the same manner precisely as it has done to the former. Shall the education of the blind and the deaf and dumb be restricted by a two-thirds rule, because private beneficence originally founded these institutions and continues to share the expense of maintaining them? Is it well to curtail the opportunities of the insane poor to admission into that noble asylum at Dixmont, because it exists under the same conditions? or to prejudice the claims of delinquent children to the reforming influences of the refuges of Allegheny and Philadelphia counties, or feeble-minded children to education and maintenance in that model training school of Delaware county? The supposed impolicy of encouraging and aiding private zeal and benevolence, in the work of education and reform of neglected children, has long been practically disavowed by those enlightened governments of Europe, which have shown any interest in the improvement of this juvenile class as a measure of philanthropy or political concern. More especially has this been the case in Great Britain, which has given all such schools a recognized status, supports them largely, and allows, in the case of the private reformatories, the magistrates to send children for detention in them. The government accepted this policy, however, only after it had been incontestibly shown that reformatory schools could be thus established and their objects most successfully attained. It has been found there, as it is most lamentably the case in this State, that the refuges or reform schools, which maintain the unelastic character of State establishments, and which mingle together, as they must, the highly criminal youth with the barely offending ones, guarding them all as criminals by strict surveillance and within high walls, take more or less the form and complexion of prisons, and that the children discharged therefrom are regarded with some such distrust as attaches to discharged convicts, and the disposal of the inmates to eligible situations is exceedingly difficult—as a rule, almost impossible. “The result of this system,” writes the Rev. Sydney Turner, Inspector of the Reformatory and Industrial School of England, “have been very encouraging.” In many schools of either class, eighty per cent. and upwards have turned out well after their discharge; and these results are taken from the returns which the managers of each school have to make for the three years succeeding each inmate’s discharge, of his character and circumstances. The results are seen still more decidedly in the diminution of the numbers of the younger classes of criminals, and the lighter character of the crimes of which our juvenile offenders are now more commonly found guilty.

In the year 1856, when this system began to be in more active operation, the number of juvenile offenders committed for one year was 13,981; in 1858, when the system had spread and taken root, the number sank to 7,622; and in 1870, in spite of the very large increase of our population, the number of young offenders committed was but 9,998.

Submitted with great respect by your memorialist and humble servant,

GEO. L. HARRISON,

President.

PHILADELPHIA, September 15, 1873.

SECTIONS EIGHTEEN AND NINETEEN MODIFIED.

SECTION 18. The Legislature may make appropriations to such normal schools as may be established by law, for the professional training of teachers for the public schools of the State, and in aid of schools or homes which may be established under provisions of a general statute for the care and education of such vagrant or abandoned or destitute and neglected children as cannot be gathered into the

public schools; but no appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, except upon the special recommendation of a board of commissioners appointed by law to visit and inspect such institutions.

SECTION 19. No appropriation shall ever be made to any ecclesiastical, denominational or sectarian institution, corporation or association, nor shall any appropriation (except for pensions or bounties for military service) be made by way of gratuity to any person or community whatever.

Laid on the table.

Mr. Lawrence asked and obtained leave of absence for Mr. Hazzard for to-day and to-morrow.

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

Resolved, That on and after to-day the Convention will meet at half-past nine 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. Lawrence and Mr. Long, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Baer, Baker, Bannan, Bartholomew, Bigler, Black, J. S., Bowman, Boyd, Broomall, Buckalew, Calvin, Corbett, Curry, Curtin, Darlington, Davis, Dunning, Edwards, Ellis, Funck, Gibson, Green, Guthrie, Harvey, Hay, Hemphill, Hunsicker, Landis, M'Clean, M'Michael, Metzger, Minor, Newlin, Parsons, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Woodward and Walker, *President*—46.

N A Y S.

Messrs. Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Brown, Carter, Cochran, Collins, De France, Ewing, Fulton, Hall, Horton, Howard, Kaine, Lawrence, Lilly, MacConnell, MacVeagh, M'Culloch, Patterson, D. W., Purviance, Samuel A., Reed, Andrew, Rooke, Russell, Struthers, Temple, White, David N., White, Harry, White, J. W. F., and Wright—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Barclay, Beebe, Biddle, Black, Charles A., Brodhead, Bullitt, Campbell, Carey, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Fell, Finney, Gilpin, Hanna, Hazzard, Heverin, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Read, John R., Reynolds, Ross, Runk, Simpson, Smith, H. G., Wetherill, Jno. Price, Wherry and Worrell.

And 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 adding to the end thereof, as follows, viz: "and meet at 7½, and adjourn at 9½ o'clock P. M."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bowman, Carter, Cochran, Collins, Curry, De France, Hall, Hay, Horton, Kaine, Lawrence, Lilly, MacConnell, M'Culloch, Metzger, Parsons, Patterson, D. W., Purviance, Sam'l A., Rooke, Russell, Smith, Henry W., Struthers, White, David N., White, Harry, White, J. W. F., and Wright—32.

NAYS.

Messrs. Ainey, Armstrong, Baker, Bannan, Bartholomew, Bigler, Black, J. S., Boyd, Broomall, Brown, Buckalew, Calvin, Corbett, Curtin, Darlington, Davis, Dunning, Edwards, Ellis, Ewing, Fulton, Funck, Gibson, Green, Guthrie, Harvey, Hemphill, Howard, Hunsicker, Landis, MacVeagh, M'Clean, M'Michael, Minor, Newlin, Palmer, G. W., Pughe, Reed, Andrew, Sharpe, Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Woodward and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Barclay, Beebe, Biddle, Black, Charles A., Brodhead, Bullitt, Campbell, Carey, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Fell, Finney, Gilpin, Hanna, Hazzard, Heverin, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Read, John R., Reynolds, Ross, Runk, Simpson, Smith, H. G., Wetherill, John Price, Wherry and Worrell.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. MacVeagh to amend the same, by striking out the word "three," and inserting in lieu thereof the word "four."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Wright,

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. Wright and Mr. Harry White, and were as follow, viz :

YEAS.

Messrs. Andrews, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Brown, Carter, Cochran, Collins, Curry, De France, Ewing, Fulton, Hall, Horton, Howard, Kaine, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Cullough, Palmer, G. W., Patton, Pughe, Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Struthers, White, David N., White, Harry, White, J. W. F., and Wright—34.

NAYS.

Messrs. Ainey, Alricks, Armstrong, Baer, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Bowman, Boyd, Broomall, Buckalew, Calvin, Corbett, Curtin, Dallas, Darlington, Davis, Dunning, Edwards, Ellis, Funck, Gibson, Guthrie, Hanna, Harvey, Hay, Hemphill, Hunsicker, Landis, Littleton, M'Camant, M'Clean, M'Michael, Metzger, Minor, Newlin, Parsons, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Woodward, Worrell and Walker, *President*—52.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Barclay, Beebe, Black, Charles A.,

Brodhead, Bullitt, Campbell, Carey, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Dodd, Elliott, Fell, Finney, Gilpin, Green, Hazzard, Heverin, Knight, Lamberton, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Read, John R., Reynolds, Ross, Runk, Simpson, Smith, H. G., Wetherill, Jno. Price, and Wherry.

And the question recurring,

Will the Convention agree so to amend ?

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

YEAS.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bowman, Carey, Carter, Cochran, Collins, Edwards, Fulton, Gibson, Hall, Hay, Horton, Kaine, Landis, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'CLean, M'Culloch, M'Michael, Metzger, Palmer, G. W., Patterson, D. W., Pughe, Russell, Smith, Wm. H., White, David N., White, Harry, and White, J. W. F.—36.

NAYS.

Messrs. Addicks, Ainey, Armstrong, Baker, Bannan, Bartholomew, Biddle, Bigler, Black, J. S., Boyd, Broomall, Brown, Buckalew, Calvin, Corbett, Curry, Curtin, Dallas, Darlington, Davis, De France, Dunning, Ellis, Ewing, Funck, Guthrie, Hanna, Harvey, Hemphill, Howard, Hunsicker, Littleton, M'Camant, Minor, Newlin, Parsons, Patton, Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Van Reed, Wetherill, J. M., Woodward, Worrell and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Barclay, Beebe, Black, Charles A., Brodhead, Bullitt, Campbell, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Dodd, Elliott, Fell, Finney, Gilpin, Green, Hazzard, Heverin, Knight, Lamberton, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Read, John R., Ross, Runk, Simpson, Temple, Wetherill, Jno. Price, Wherry and Wright.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Alricks,

To amend the same, by striking out the words, "and 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. Henry W. Smith,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz :

"That hereafter the Convention meet at nine o'clock A. M., and take a recess at one o'clock P. M. until three o'clock P. M., and adjourn at five o'clock P. M., and on Saturdays adjourn at one o'clock P. M. until Monday at ten o'clock A. M."

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. MacVeagh and Mr. Armstrong, and were as follow, viz :

Y E A S.

Messrs. Addicks, Ainey, Armstrong, Baker, Bannan, Bardsley, Bartholomew, Biddle, Bigler, Black, J. S., Bowman, Boyd, Broomall, Buckalew, Calvin, Carey, Corbett, Curtin, Dallas, Darlington, Davis, Dunning, Edwards, Ellis, Ewing, Finney, Funk, Gibson, Guthrie, Hanna, Harvey, Hay, Hemphill, Hunsicker, Landis, Littleton, Long, M'Camant, M'Clean, M'Michael, Metzger, Minor, Newlin, Palmer, G. W., Parsons, Pughe, Reynolds, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Woodward, Worrell and Walker, *President*—61.

N A Y S.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Brown, Carter, Cochran, Collins, Curry, De France, Fulton, Hall, Horton, Howard, Kaine, Lawrence, Lilly, MacConnell, MacVeagh, M'Culloch, Patterson, D. W., Patton, Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Smith, Henry W., White, David N., White, Harry, White, J. W. F., and Wright—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Beebe, Black, Charles A., Brodhead, Bullitt, Campbell, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Dodd, Elliott, Fell, Gilpin, Green, Hazzard, Heverin, Knight, Lamberton, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, Jno. N., Read, John R., Ross, Simpson, Wetherill, John Price, and Wherry.

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

Resolved, That the rules of the Convention be so changed, that resolutions changing the hours of meeting and adjournment, shall only be in order on the first Monday of every month.

Laid on the table.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That a copy of the Debates of this Convention be presented, under the direction of the committee on Printing and Binding, to Daniel Agnew, Andrew Bayne, Andrew Bedford, Charles Brown, Joseph R. Chandler, Walter Craig, William Darlington, John R. Donnell, David M. Farelly, Robert Fleming, John A. Gamble, Orlo J. Hamlin, Henry G. Long, Levi Merkel, Christian Myers, Hiram Payne, Samuel A. Purviance, Ebenezer W. Sturdevant, Virgil Grinnell, Robert G. White and Geo. W. Woodward, the only surviving members of the Constitutional Convention of 1837-38, as a token of respect from this body.

On motion of Mr. MacVeagh,

The Convention resumed the second reading and consideration of the article (No. 2) reported from the Committee on Legislature.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. John Price Wetherill?

A motion was made by Mr. D. W. Patterson,

To amend the same, by striking out all after the word "The," in the first line, and inserting as follows, viz: "House of Representatives shall consist of two hundred members. The General Assembly, at its first session after the adoption of this Constitution, and every ten years thereafter, shall apportion the number of members aforesaid, throughout the State, by districts, in proportion to the population in the several parts thereof, for the election of representatives, according to the population of the whole State, as ascertained by the last preceding National census. Representative districts shall be composed of compact and contiguous territory, but no more than three counties shall be joined, and no county shall be divided in the formation of a district; there shall be a separate representation assigned to any city and county containing population sufficient to en-

title them to at least two representatives; and the Legislature may, at any time, divide the cities and counties of the State into convenient single districts of contiguous territory of as nearly equal population as may be; each of which districts shall elect one representative."

Which was not agreed to.

And the question again recurring,

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

A motion was made by Mr. Struthers,

To amend the same, by striking out all after the word "The," in the first line, and inserting in lieu thereof as follows, viz: "House of Representatives shall consist of one hundred and fifty members, and the State shall be apportioned every ten years, beginning the first year after the adoption of this Constitution, by dividing the population, as ascertained by the last preceding United States census, by one hundred and fifty, and the quotient shall be the ratio of representation. Each county shall be a district, and entitled to a member for each ratio, and one for each three-fifths of a ratio which it may contain at the time of such apportionment. Each county, organized at the adoption of this Constitution, shall have a representative, but shall not be entitled to an additional member until its population shall be equal to a ratio and three-fifths of a ratio; and every county having a population of double the ratio, and not less than three-fifths of the ratio, shall be entitled to three representatives. Counties hereafter organized shall not be entitled to separate representation until their population shall be equal to at least three-fifths of a ratio."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Struthers and Mr. Bailly, of Perry, and were as follow, viz:

Y E A S.

Messrs. Alricks, Andrews, Bigler, Black, J. S., Bowman, Boyd, Brown, Calvin, Carey, Collins, Curry, Ewing, Fulton, Funck, Hall, Horton, Kaine, Long, M'Clean, Minor, Newlin, Parsons, Purviance, Sam'l A., Struthers, White, Harry, and Walker, *President*—26.

N A Y S.

Messrs. Addicks, Ainey, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholomew, Biddle, Broomall, Buckalew, Cochran, Corbett, Curtin, Cuyler, Dallas, Darlington, Davis, De France, Edwards, Fell, Gibson, Green, Guthrie, Hanna, Harvey, Hay, Hemphill, Howard, Hunsicker, Landis, Lawrence, Lilly, Littleton, MacConnell, MacVeagh, M'Camant, M'Culloch, M'Michael, Metzger, Palmer, G. W., Patterson, D. W., Patton, Pughe, Read, John R., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Turrell, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward, Worrell and Wright—66.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bannan, Beebe, Black, Charles A., Brodhead, Bullitt, Campbell, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Dodd, Dunning, Elliott, Ellis, Finney, Gilpin, Hazzard, Heverin, Knight, Lambertson, Lear, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Ross, Simpson, Temple, Van Reed and Wherry.

And the question again recurring,

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

A motion was made by Mr. MacVeagh,

To amend the same, by adding a proviso, as follows, viz: "*Provided*, That no

county entitled to less than five members shall be divided in the formation of representative districts."

Which was not agreed to.

And the question again recurring,

'Will the Convention agree to the amendment offered by Mr. Wetherill?

A motion was made by Mr. Bartholomew,

To amend the same, by adding a proviso, as follows, viz:

Provided, That counties entitled to two or more members shall be divided into separate single districts, but no township shall be divided in the formation of such district.

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Addicks, Ainey, Alricks, Baily, of Perry, Baker, Bannan, Bartholomew, Bowman, Collins, Corbett, Darlington, Davis, DeFrance, Dunning, Edwards, Ewing, Fell, Finney, Fulton, Green, Hanna, Horton, Lawrence, Lilly, MacConnell, M'Culloch, M'Michael Palmer, G. W., Parsons, Patterson, D. W., Patton, Reynolds, Runk, Russell, Smith, Wm. H., Turrell, Van Reed, Wetherill, J. M., White, David N., White, Harry, and White, J. W. F.—41.

NAYS.

Messrs. Baer, Bailey, of Huntingdon, Bardsley, Biddle, Black, J. S., Boyd, Broomall, Brown, Buckalew, Bullitt, Campbell, Curry, Curtin, Dallas, Dodd, Ellis, Funck, Gibson, Guthrie, Harvey, Hay, Hemphill, Howard, Hunsicker, Landis, Littleton, Long, MacVeagh, M'Camant, M'Clean, Minor, Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Struthers, Wetherill, John Price, Woodward, Worrell, Wright and Walker, *President*—45.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Barclay, Beebe, Bigler, Black, Charles A., Brodhead, Calvin, Carey, Carter, Cassidy, Church, Clark, Cochran, Corson, Craig, Cronmiller, Cuyler, Elliott, Gilpin, Hall, Hazzard, Heverin, Kaine, Knight, Lamberton, Lear, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Ross, Simpson, Stewart, Temple and Wherry.

And the question recurring,

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

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

To amend the same, in the fifth line, by striking out the words, "unless its population is less than three-fifths of the ratio."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. S. A. Purviance and Mr. MacVeagh, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bowman, Boyd, Brown, Calvin, Carey, Collins, Curry, Darlington, Dodd, Ewing, Fell, Finney, Fulton, Funck, Guthrie, Hall, Hay, Horton, Howard, Hunsicker, Landis, MacConnell, M'Camant, M'Clean, Minor, Parsons, Patton, Purviance,

Sam'l A., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Wm. H., Stanton, Struthers, Turrell, Van Reed, White, David N., White, Harry, Woodward, Worrell and Walker, *President*—48.

N A Y S.

Messrs. Addicks, Ainey, Bardsley, Bartholomew, Biddle, Broomall, Buckalew, Campbell, Carter, Cochran, Corbett, Curtin, Cuyler, Dallas, Davis, De France, Dunning, Edwards, Ellis, Gibson, Green, Hanna, Harvey, Hemphill, Kaine, Lawrence, Lilly, Littleton, Long, MacVeagh, M'Culloch, M'Michael, Palmer, G. W., Patterson, D. W., Read, John R., Reynolds, Smith, H. G., Smith, Henry W., Stewart, Wetherill, J. M., Wetherill, John Price, White, J. W. F. and Wright—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Baker, Barclay, Beebe, Bigler, Black, Charles A., Black, J. S., Brodhead, Bullitt, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Elliott, Gilpin, Hazzard, Heverin, Knight, Lamber-ton, Lear, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Ross, Simpson, Temple and Wherry.

On the question,

Will the Convention agree to the amendment offered by Mr. Wetherill, as amended?

A motion was made by Mr. MacVeagh,

To amend the same, by striking out after the word "Representative," in the seventh line.

Which was agreed to.

And the question recurring,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Broomall,

To amend the same, by adding the following, viz: "And the number of Representatives shall be made one hundred and fifty, by giving representatives to the largest unrepresented fractions, or taking them from the smallest represented fractions, as the case may require."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Lilly,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Addicks, Baker, Bartholomew, Black, J. S., Boyd, Buckalew, Curry, Dunning, Ellis, Ewing, Fulton, Gibson, Green, Guthrie, Hall, Kaine, Lilly, M'Michael, Minor, Parsons, Pughe, Stanton, Stewart, Struthers, Van Reed, White, Harry, Worrell and Walker, *President*—28.

N A Y S.

Messrs. Ainey, Bailey, of Huntingdon, Bannan, Biddle, Bowman, Broomall, Brown, Calvin, Campbell, Darlington, Davis, Edwards, Finney, Funck, Hay, Hemphill, Hunsicker, Lawrence, MacConnell, MacVeagh, M'Clean, Newlin, Pal-

mer, G. W., Patterson, D. W., Purviance, Samuel A., Read, John R., Reynolds, Sharpe, Smith, Henry W., Smith, Wm. H., Turrell, Wetherill, J. M., and White, J. W. F.—33.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Barclay, Bardsley, Beebe, Bigler, Black, Charles A., Brodhead, Bullitt, Carey, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Craig, Cronmiller, Curtin, Cuyler, Dallas, De France, Dodd, Elliott, Fell, Gilpin, Hanna, Harvey, Hazzard, Heverin, Horton, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, M'Camant, M'Culloch, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Niles, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Temple, Wetherill, Jno. Price, Wherry, White, David N., Woodward and Wright.

There not being a quorum of members present,

A motion was made by Mr. Darlington,

That the Sergeant-at-Arms be directed to bring in the absentees.

Which was not agreed to.

A motion was made by Mr. Curry,

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. MacVeagh and Mr. Wetherill, and were as follow, viz:

Y E A S .

Messrs. Addicks, Baker, Bartholomew, Biddle, Bowman, Boyd, Brown, Buckalew, Calvin, Curry, Davis, De France, Dunning, Ellis, Ewing, Fulton, Gibson, Green, Guthrie, Hall, Hemphill, Kaine, Lilly, Minor, Palmer, G. W., Parsons, Pughe, Purviance, Samuel A., Read, John R., Stanton, Stewart, Struthers, Van Reed, White, Harry, White, J. W. F., Worrell and Walker, *President*—37.

N A Y S .

Messrs. Ainey, Baer, Bailey, of Huntingdon, Bannan, Broomall, Campbell, Darlington, Edwards, Finney, Funck, Hay, Horton, Hunsicker, Lawrence, MacConnell, MacVeagh, M'Clean, M'Culloch, Metzger, Patterson, D. W., Reynolds, Sharpe, Smith, Henry W., Smith, Wm. H., Turrell, Wetherill, J. M., and Wetherill, John Price—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Barclay, Bardsley, Beebe, Bigler, Black, Charles A., Black, J. S., Brodhead, Bullitt, Carey, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Elliott, Fell, Gilpin, Hanna, Harvey, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, M'Camant, M'Michael, M'Murray, Mann, Mantor, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Temple, Wherry, White, David N., Woodward and Wright.

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, SEPTEMBER 19, 1873.

Mr. Broomall asked and obtained leave of absence for himself until Wednesday next.

Mr. Davis asked and obtained leave of absence for himself for a few days from to-day.

Mr. Sharpe asked and obtained leave of absence for Mr. Struthers for to-day.

Mr. Wright asked and obtained leave of absence for Mr. Craig from Tuesday last on account of severe indisposition.

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

Resolved, That from and after Monday next all sessions of this Convention will be held in the Hall of the House of Representatives at Harrisburg.

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. Broomall,

That the Convention proceed to the second reading and consideration of the resolution, (laid on the table, September 18,) as follows, viz :

Resolved, That the rules of the Convention be so changed that resolutions changing the hours of meeting and adjournment shall only be in order on the first Monday in every month.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Darlington,

To postpone the question, together with the further consideration of the resolution, until the first Monday of October.

Which was agreed to.

Mr. Kaine, from the Committee on Commissions, Offices, Oath of Office and Incompatibility of Office, reported the following articles, viz :

ARTICLE —.

OF THE STATE SEAL AND COMMISSIONS.

SECTION 1. The present great seal of Pennsylvania shall be the *Seal of the State*.

SECTION 2. All commissions shall be in the name and by the authority of the Commonwealth of Pennsylvania, and be sealed with the State Seal and signed by the Governor.

ARTICLE —.

OF OFFICERS AND INCOMPATIBILITY OF OFFICE.

SECTION 1. No person but an elector shall ever be elected or appointed to any office of this Commonwealth.

SECTION 2. All officers whose election 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.

SECTION 3. No person (except notaries public, commissioners of deeds and officers of the militia not in actual service,) shall at the same time hold or exercise more than one office in this State to which a salary is or fees or perquisites are by law annexed; but the Legislature may provide by law the number of persons in each county who shall hold the offices of prothonotary, register of wills, recorder of deeds and clerk of the courts, and how many and which of said offices shall be held by one person.

SECTION 4. 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 attached.

SECTION 5. All officers 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.

SECTION 6. Prothonotaries, clerks of the peace and orphans' courts, recorders of deeds, registers of wills, county surveyors and sheriffs shall keep their offices in the county town of the county in which they respectively shall be officers, unless when the Governor shall, for special reasons, dispense therewith, for any term not exceeding five years after the county shall have been erected.

SECTION 7. Any person who shall 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.

Said articles were read the first time and 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 the Legislature.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Broomall to the amendment offered by Mr. John Price Wetherill?

It was determined in the negative.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Wetherill as amended?

A motion was made by Mr. Guthrie,

To amend the same, so as to make it read as follows, viz: "Each county shall be entitled to one representative, and in addition thereto one representative for every ratio of 25,000 inhabitants contained therein. Any county having a fraction of less than 25,000 inhabitants shall, when its population reaches the said ratio of 25,000, be entitled to an additional representative for such ratio. The Legislature, at its first session after the next national census, shall apportion the State for representatives by increasing or diminishing the ratio, provided the maximum number of the House shall not exceed one hundred and eighty."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Hunsicker and Mr. Guthrie, and were as follow, viz:

Y E A S.

Messrs. Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, J. S., Bowman, Boyd, Brown, Corbett, Curry, Darlington, De France, Finney, Guthrie, Horton, Hunsicker, Kaine, Lilly, Long, M'Clellan, Metzger, Mott, Palmer, G. W., Patton, Purviance, John N., Purviance, Samuel A., Smith, Wm. H., Turrell, Woodward and Worrell—31.

N A Y S.

Messrs. Alricks, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Broomall, Calvin, Cochran, Collins, Corson, Curtin, Davis, Edwards, Ellis, Ewing, Fulton, Green, Hall, Hanna, Hay, Hazzard, Hemphill, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Camant, M'Culloch, M'Michael, Minor, Newlin, Patterson, D. W., Pughe, Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Wright and Walker, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Baker, Bigler, Black, Charles A., Brodhead, Buckalew, Bullitt, Campbell, Carey, Carter, Cassidy, Church, Clark, Craig, Cronmiller, Cuyler, Dallas, Dodd, Dunning, Elliott, Fell, Funck, Gibson, Gilpin, Harvey, Heverin, Knight, Lamberton, Lear, Littleton, M'Murray, Mann, Mantor, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Ross, Runk, Simpson, Stewart, Struthers, Temple, Van Reed, Wherry and White, Harry.

And the question again recurring,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Baer,

To amend the same, so as to make it read as follows, viz: "Each county in the State shall have one representative as a community. The Legislature shall at the first session after the adoption of this Constitution, and thereafter at its first session after every decennial national census, apportion the State so as to provide for one hundred additional members on the basis of population."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Bear and Mr. Lilly, and were as follow, viz:

Y E A S.

Messrs. Ainey, Andrews, Baer, Baily, of Perry, Barclay, Beebe, Bowman, Brown, Curry, De France, Finney, Fulton, Guthrie, Hunsicker, Lilly, Long, M'Camant, Metzger, Mott, Palmer, G. W., Purviance, John N., Purviance, Sam'l A., Smith, Wm. H., Turrell and Woodward—25.

N A Y S.

Messrs. Alricks, Armstrong, Bailey, of Huntingdon, Bardsley, Bartholomew, Biddle, Black, J. S., Broomall, Buckalew, Calvin, Cochran, Collins, Corbett, Corson, Darlington, Davis, Edwards, Ewing, Green, Hall, Hanna, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Michael, Minor, Patterson, D. W., Patton, Pughe, Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Worrell, Wright and Walker, *President*—54.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bannan, Bigler, Black, Charles A., Boyd, Brodhead, Bullitt, Campbell, Carey, Carter, Cassidy, Church, Clark, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Dunning, Elliott, Ellis, Fell, Funck, Gibson, Gilpin, Harvey, Heverin, Kaine, Knight, Lamberton, Lear, Littleton, M'Murray, Mann, Mantor, Mitchell, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Ross, Runk, Simpson, Struthers, Temple, Van Reed, Wherry and White, Harry.

And the question again recurring,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Andrew Reed,

To amend the same, by making it read as follows, viz :

"The population of the State, as ascertained at each decennial census of the United States, divided by one hundred and fifty, shall be the ratio for members of the House of Representatives.

"Each county shall be entitled to one representative.

"Counties containing one ratio and three-fifths of another ratio shall be entitled to two representatives. Those containing two ratios and four-fifths of another ratio shall be entitled to three representatives, and every county containing three or more ratios shall be entitled to one representative for each ratio of its population.

"Counties containing more than five ratios shall be divided into single districts of compact and contiguous territory, as near equal in population as can be: *Provided*, That no ward or township shall be divided in the formation of such districts.

"The State shall be apportioned the first year after the adoption of this Constitution and every ten years thereafter."

On the question,

Will the Convention agree so to amend ?

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

Y E A S .

Messrs. Alricks, Andrews, Bailey, of Huntingdon, Black, J. S., Boyd, Brown, Buckalew, Carter, Corson, De France, Ellis, Ewing, Finney, Green, Hall, Hay, Hazzard, Horton, Kaine, Landis, Long, Minor, Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Sharpe, Smith, H. G., Smith, Wm. H., Turrell, Woodward and Worrell—32.

N A Y S .

Messrs. Ainey, Baer, Baily, of Perry, Bannan, Bartholomew, Beebe, Biddle, Bowman, Broomall, Campbell, Church, Cochran, Collins, Corbett, Curtin, Darlington, Davis, Edwards, Fulton, Guthrie, Hanna, Howard, Hunsicker, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Michael, Newlin, Palmer, G. W., Patterson, D. W., Pughe, Read, John R., Reynolds, Rooke, Russell, Smith, Henry W., Stanton, Stewart, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, J. W. F., Wright and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Armstrong, Baker, Barclay, Bardsley, Bigler, Black, Charles A., Brodhead, Bullitt, Calvin, Carey, Cassidy, Clark, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Dunning, Elliott, Fell, Funck, Gibson, Gilpin, Harvey, Hemphill, Heverin, Knight, Lambertson, Lear, Littleton, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Ross, Runk, Simpson, Struthers, Temple, Van Reed, Wherry and White, Harry.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Wetherill, as amended ?

A motion was made by Mr. D. N. White,

To amend the same, by making it read 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 ; and the city of Philadelphia, and any county having an excess of three-fifths of said ratio, over one or more ratios, shall be entitled to an additional member. Counties having a population of only one-half of a ratio shall be entitled to a member. If 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. The city of Philadelphia, and counties entitled to more than three members, shall be divided into single districts of compact and contiguous territory, as nearly equal in population as possible, but no township or election precinct shall be divided in the formation of a district: *Provided*, That in making the said apportionment 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."

On the question,

Will the Convention agree to the motion?

Mr. Minor called for a division of the question, the first division to end with the words, "arrived at."

On the question,

Will the Convention agree to the first division?

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

YEAS.

Messrs. Baily, of Perry, Bannan, Bartholomew, Broomall, Calvin, Carter, Collins, Corson, De France, Ewing, Hay, Horton, Howard, Hunsicker, Kaine, MacConnell, M'Culloch, Minor, Palmer, G. W., Purviance, John N., Reed, Andrew, Rooke, Russell, Turrell, White, David N., and White, J. W. F.—28.

NAYS.

Messrs. Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Beebe, Biddle, Black, J. S., Bowman, Boyd, Brown, Buckalew, Campbell, Church, Cochran, Corbett, Cuyler, Darlington, Edwards, Finney, Fulton, Green, Guthrie, Hall, Hanna, Hazzard, Lawrence, Lilly, Long, MacVeagh, M'Clean, M'Michael, Mantor, Newlin, Patterson, D. W., Patton, Purviance, Sam'l A., Reynolds, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Wetherill, J. M., Wetherill, John Price, White, Harry, Worrell, Wright and Walker *President*—49.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Armstrong, Baker, Barclay, Bardsley, Bigler, Black, Charles A., Brodhead, Bullitt, Carey, Cassidy, Clark, Craig, Cronmiller, Curry, Curtin, Dallas, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Funck, Gibson, Gilpin, Harvey, Hemphill, Heverin, Knight, Lamberton, Landis, Lear, Littleton, M'Camant, M'Murray, Mann, Metzger, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Read, John R., Ross, Runk, Simpson, Stewart, Struthers, Temple, Van Reed, Wherry and Woodward.

The second last last division was not agreed to.

And the question again recurring,

Will the Convention agree to the amendment as amended?

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

That the subject of apportionment of representatives be referred to the Committee on Legislature, with instructions to report on or before next Tuesday morning, an article embracing the following principles:

1. That representation shall be upon the basis of taxable inhabitants.
2. That the House of Representatives shall consist of not less than one hundred and fifty members, nor more than one hundred and sixty.
3. That every county shall be entitled to at least one member.
4. That counties shall not be joined in order to form districts.
5. That the apportionment shall be made septennial.

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the amendment offered by Mr. Wetherill, as amended?

A motion was made by Mr. Howard,

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, who shall be chosen by districts formed of compact and contiguous territory; and in the formation or such districts, no township, ward or election district, shall be divided; and the first apportionment shall be made by the Legislature, at its first session after the adoption of this Constitution, and every ten years thereafter."

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 amendment as amended?

A motion was made by Mr. Lawrence,

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, to be distributed among the counties and cities of the State, in proportion to the population as ascertained by the last preceding census of the United States. Each county having the requisite ratio of population shall form a separate representative district, and any county having less than the ratio of population may be connected to any adjoining county or counties, in the formation of a district."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Ainey, Baily, of Perry, Baker, Bartholomew, Biddle, Broomall, Campbell, Carter, Church, Corbett, Corson, Dallas, Dunning, Edwards, Ewing, Hanna, Hay, Hazzard, Hunsicker, Kaine, Lawrence, Lilly, Littleton, MacConnell, M'Culloch, M'Michael, Newlin, Palmer, G. W., Patterson, D. W., Pughe, Reynolds, Smith, Wm. H., Wetherill, J. M., and White, J. W. F.—34.

NAYS.

Messrs. Alricks, Andrews, Baer, Beebe, Black, J. S., Brown, Buckalew, Calvin, Cochran, Curtin, Darlington, De France, Dodd, Finney, Fulton, Green, Guthrie, Hall, Howard, Landis, Long, MacVeagh, Mantor, Metzger, Minor, Mott, Purviance, John N., Purviance, Sam'l A., Sharpe, Smith, Henry W., Stanton, Turrell, Wetherill, Jno. Price, White, David N., White, Harry, Woodward, Worrell and Walker, *President*—38.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Bullitt, Carey, Cassidy, Clark, Collins, Craig, Cronmiller, Curry, Cuyler, Davis, Elliott, Ellis, Fell, Funck, Gibson, Gilpin, Harvey, Hemphill, Heverin, Horton, Knight, Lamberton, Lear, M'Camant, M'Clean, M'Murray, Mann, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Stewart, Struthers, Temple, Van Reed, Wherry and Wright.

And the question again recurring,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Worrell,

To amend the same, so as to make it read as follows, viz :

"In the year succeeding the adoption of this Constitution, and thereafter in the year succeeding the Federal census, representatives to the number of one hundred and fifty shall be apportioned and distributed among the several counties of the State, on the basis of population : *Provided*, That any county containing less than three-fifths of the ratio required for one member shall be attached to an adjoining county or counties, but no district shall be formed in this manner so as to entitle it to more than three members. Counties entitled to more than eight members shall be divided into districts of compact territory, to elect not less than three, and not more than five members."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Woodward,

To postpone the question, together with the further consideration of the subject for the present, and that the same be referred to a committee of nine, to be appointed by the Chair, who shall consider the various propositions which have been submitted, and report on or before Tuesday next.

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 :

Y E A S .

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Baker, Beebe, Bowman, Boyd, Brown, Buckalew, Church, Curtin, Dallas, Dodd, Dunning, Finney, Green, Guthrie, Hemphill, Kaine, Lilly, Littleton, Long, M'Culloch, M'Michael, Metzger, Minor, Newlin, Palmer, G. W., Patton, Pughe, Purviance, John N., Purviance, Sam'l A., Sharpe, Smith, H. G., Smith, Wm. H., Wetherill, J. M., Woodward, Worrell and Wright—39.

N A Y S .

Messrs. Ainey, Alricks, Baily, of Perry, Biddle, Black, J. S., Broomall, Calvin, Campbell, Corbett, Darlington, De France, Edwards, Ewing, Fulton, Hall, Hanna, Hay, Hazzard, Horton, Howard, Hunsicker, Landis, Lawrence, MacConnell, MacVeagh, Mantor, Patterson, D. W., Reynolds, Smith, Henry W., Stanton, Turrell, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Walker, *President*—36.

So the question was determined in the affirmative.

ABSENT—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, Charles A., Brodhead, Bullitt, Carey, Carter, Cassidy, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Elliott, Ellis, Fell, Funck, Gibson, Gilpin, Harvey, Heverin, Knight, Lamberton, Lear, M'Camant, M'Clean, M'Murray, Mann, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Stewart, Struthers, Temple, Van Reed and Wherry.

Ordered, That Messrs. Woodward, MacVeagh, John Price Wetherill, Bowman, Harry White, Hall, Buckalew, Turrell and D. N. White be said committee.

A motion was made by Mr. MacVeagh,

That when this Convention adjourns, it adjourn to meet on Tuesday next at ten o'clock A. M.

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 "Tuesday," and inserting in lieu thereof the word "Monday."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Edwards and Mr. Campbell, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Baker, Beebe, Biddle, Bigler, Boyd, Broomall, Brown, Buckalew, Calvin, Carter, Cochran, Dallas, Darlington, De France, Dodd, Edwards, Ewing, Finney, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Hunsicker, Landis, Lawrence, Lilly, Long, MacConnell, M'Clean, Mantor, Minor, Mott, Patterson, D. W., Patton, Pughe, Purviance, John N., Purviance, Samuel A., Read, John R., Russell, Sharpe, Smith, Wm. H., Stanton, White, Harry, White, J. W. F., Woodward and Wright—53.

N A Y S .

Messrs. Bailey, of Huntingdon, Black, J. S., Bowman, Campbell, Church, Curtin, Cuyler, Ellis, Fulton, Hemphill, Howard, Kaine, MacVeagh, Newlin, Reynolds, Smith, Henry W., Turrell, Wetherill, J. M., Wetherill, John Price, White, David N., and Walker, *President*—21.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Black, Chas. A., Brodhead, Bullitt, Carey, Cassidy, Clark, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Davis, Dunning, Elliott, Fell, Funck, Gibson, Gilpin, Harvey, Heverin, Knight, Lamberton, Lear, Littleton, M'Camant, M'Culloch, M'Michael, M'Murray, Mann, Metzger, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Reed, Andrew, Rooke, Ross, Runk, Simpson, Smith, H. G., Stewart, Struthers, Temple, Van Reed, Wherry and Worrell.

And the question recurring,

Will the Convention agree to the motion?

A motion was made by Mr. Alricks,

To amend the same, by striking out the words, "ten A. M.," and inserting in lieu thereof the words, "twelve M."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Lawrence and Mr. John N. Purviance, and were as follow, viz:

Y E A S .

Messrs. Ainey, Armstrong, Baker, Biddle, Bigler, Bowman, Boyd, Broomall, Buckalew, Carter, Cochran, Curtin, Cuyler, Dallas, Ellis, Green, Hanna, Horton, Hunsicker, Kaine, Lilly, Long, Minor, Newlin, Patterson, D. W., Patton, Read, John R., Sharpe, Stanton, Wetherill, J. M., White, Harry, White, J. W. F., Woodward, Wright and Walker, *President*—35.

N A Y S .

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Black, J. S., Brown, Campbell, Church, Darlington, De France, Dodd, Edwards, Ewing, Finney, Fulton, Guthrie, Hall, Hay, Hazzard, Hemphill, Howard, Landis, Lawrence, MacConnell, M'Clean, Mantor, Metzger, Mott, Pughe, Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, Henry W., Smith, Wm. H., Turrell, Wetherill, Jno. Price, and White, David N.—39.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Black, Charles A., Brodhead, Bullitt, Calvin, Carey, Cassidy, Clark, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Davis, Dunning, Elliott, Fell, Funck, Gibson, Gilpin, Harvey, Heverin, Knight, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Culloch, M'Michael, M'Murray, Mann, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Reed, Andrew, Rooke, Ross, Runk, Simpson, Smith, H. G., Stewart, Struthers, Temple, Van Reed, Wherry and Worrell.

A motion was made by Mr. Ewing,

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.

SATURDAY, SEPTEMBER 20, 1873.

Mr. Lilly asked and obtained leave of absence for Mr. Corbett for a few days from to-day.

Mr. Carter asked and obtained leave of absence for Mr. Cochran until Monday at noon.

Mr. Bigler asked and obtained leave of absence for himself until Wednesday.

Mr. Ewing asked and obtained leave of absence for Mr. Onslow, Sergeant-at-Arms, for a few days.

Mr. Baer asked and obtained leave of absence for Mr. Metzger, for a few days from Monday.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the members of the Convention furnish to the Chief Clerk a statement of their respective places of residence, together with the distance of the same from Philadelphia by the shortest traveled route, for the use of the Committee on Accounts and Expenditures.

He also offered the following resolution, which was twice read, viz:

Resolved, That five copies of the Debates of the Convention and one copy of the Journal be sent to each person who has been a member of this Convention and resigned his position as such, and to the representatives of each deceased member: *Provided*, That they have not been otherwise supplied.

On motion of Mr. Hay,

Said resolution was referred to the Committee on Printing and Binding.

A motion was made by Mr. Kaine,

That the Convention resolve itself into the committee of the whole on article (No. 25) reported from the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Office.

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. MacVeagh in the Chair, on said article.

After some time the President resumed the Chair, and the chairman reported the article without amendments.

A motion was made by Mr. Kaine,

That the Convention resolve itself into the committee of the whole on article (No. 26) reported from the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Office.

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Alricks in the chair, on said bill.

After some time the President resumed the Chair, and the chairman reported that the committee had risen for want of a quorum.

At the suggestion of Mr. Darlington, the roll was called, when sixty-two members answered to their names.

A motion was made by Mr. Howard,

That the Sergeant-at-Arms be directed to bring in the absentees.

Which was agreed to.

A motion was made by Mr. Temple,

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. Campbell and Mr. Baer, and were as follow, viz :

Y E A S .

Messrs. Addicks, Bailey, of Huntingdon, Black, J. S., Bowman, Buckalew, Carey, Church, Curtin, Dallas, Dunning, Hall, Hanna, Hemphill, Kaine, Lilly, MacVeagh, M'Clean, M'Michael, Minor, Mott, Pugh, Stanton, Temple, White, David N., White, J. W. F., Woodward, Wright and Walker, *President*—28.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baer, Baily, of Perry, Biddle, Brown, Calvin, Campbell, Carter, Darlington, De France, Edwards, Ewing, Fulton, Gilpin, Guthrie, Hay, Hazzard, Horton, Howard, Landis, Lawrence, MacConnell, M'Culloch, Mantor, Newlin, Niles, Patterson, D. W., Patton, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Russell, Smith, Wm. H., Turrell and Wetherill, John Price—38.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Bullitt, Cassidy, Clark, Cochran, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Fell, Finney, Funck, Gibson, Green, Harvey, Heverin, Hunsicker, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Murray, Mann, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purman, Read, John R., Reed, Andrew, Ross, Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stewart, Struthers, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Worrall.

A quorum of members having appeared,

A motion was made by Mr. Buckalew,

That the motion directing the Sergeant-at-arms to bring in the absentees be rescinded.

Which was agreed to.

A motion was made by Mr. Wright,

That when the Convention adjourns, it will adjourn to meet on Monday morning at ten o'clock.

Which was agreed to.

A motion was made by Mr. Temple,

That the Convention do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Convention until Monday morning at ten o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

MONDAY, SEPTEMBER 22, 1873.

Mr. John N. Purviance presented a petition from the members of the bar of Armstrong county, which was read as follows, viz:

To the Hon. the President and Members of the Constitutional Convention of the Commonwealth of Pennsylvania:

The undersigned, officers of the court and members of the bar of Armstrong county, humbly represent, that the business of said county is at present, and has been for some years, wholly beyond the ability of the existing judicial force of the district; and that, in our opinion, the due and speedy administration of justice in said county demands a change in the present judicial district. We would, therefore, pray that the county of Armstrong may be erected into a separate judicial district, as the only proper remedy under the circumstances.

EDWARD S. GOLDEN,
F. MECHLING,
J. G. HENRY, *Prothonotary*,
JEFF. REYNOLDS, *District Attorney*,
CH. PHELPS,
G. E. BROWN,
J. V. PAINTER,
HENRY J. HAYS,
J. B. GATES,
R. W. SMITH,
JACKSON BOGGS,
J. C. GOLDEN,
J. O. BARRETT,
BARCLAY NULTON,
JOHN G. PARR, *late Prothonotary*,
JOHN W. ROHRER,
A. J. MONTGOMERY, *Sheriff*,
J. B. FINLEY.

Laid on the table.

Mr. Brown asked and obtained leave of absence for Mr. Finney for a few days from to-day.

Mr. Wm. H. Smith asked leave of absence for Mr. Bullitt for a few days from to-day.

Mr. Russell asked and obtained leave of absence for Mr. Armstrong for to-day.

Mr. Boyd asked and obtained leave of absence for himself for a few days from to-day.

Mr. Temple asked and obtained leave of absence for himself for to-day and to-morrow.

Mr. J. N. Purviance offered the following resolution, which was read, viz :

Resolved, That a copy of the Debates be sent to each of the judges of the Supreme Court, (except Judge Agnew already entitled to a copy as a member of the Constitutional Convention of 1837-8.) and also a copy to each of the judges of the United States courts residents in this State.

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. N. Purviance and Mr. Andrews, and were as follow, viz :

Y E A S .

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bidle, Boyd, Brown, Campbell, Carey, Carter, Corson, Curry, Dallas, Darlington, Dodd, Ewing, Guthrie, Hay, Hemphill, Horton, Howard, Kaine, Landis, Lawrence, Lear, M'Michael, Mantor, Mott, Niles, Patterson, T. H. B. Patton, Purviance, Jno. N., Purviance, Sam'l A., Reed, Andrew, Runk, Russell, Sharpe, Simpson, Smith, W. H., Struthers, Temple, Turrell, Wetherill, John Price, White, David N., White, J. W. F., Worrell and Walker, *President*—48.

N A Y S .

Messrs. Achenbach, Barclay, Brodhead, Calvin, Collins, Curtin, De France, Edwards, Gilpin, Hazzard, Hunsicker, Lilly, MacConnell, M'Culloch, Minor, Patterson, D. W., Rooke, Smith, Henry W., and Stanton—19.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baker, Bannan, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Bowman, Broomall, Buckalew, Bullitt, Cassidy, Church, Clark, Cochran, Corbett, Craig, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Green, Hall, Hanna, Harvey, Heverin, Knight, Lamberton, Littleton, Long, MacVeagh, M'Camant, M'Clean, M'Murray, Mann, Metzger, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., Reynolds, Ross, Smith, H. G., Stewart, Van Reed, Wetherill, J. M., Wherry, White, Harry, Woodward and Wright.

Said resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Brodhead,

To amend the same, by adding to the end thereof the following, viz : " And the president and associate judges of all the courts throughout the State."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Russell.

That the resolution be referred to the Committee on Printing and Binding.

Which was agreed to.

On motion of Mr. Corson,

The Convention again resolved itself into committee of the whole, Mr. Alricks in the chair, on article (No. 26) reported from the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Office.

After some time the President resumed the Chair, and the chairman reported that the committee rose for want of a quorum.

At the suggestion of Mr. Kaine,

The President ordered a call of the roll, when seventy-three members answered to their names.

On motion of Mr. Darlington,

The Convention again resolved itself into the committee of the whole, Mr. Alricks in the Chair, on article (No. 26) 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 progress, and asked leave for the committee of the whole to sit again.

Which was not agreed to.

On motion of Mr. Lilly,

The Convention proceeded to the second reading and consideration of said article.

On the question,

Will the Convention agree to the first section?

A motion was made by Mr. Bowman,

To amend the same, by adding to the end thereof the following words, viz: "Except as otherwise provided in this Constitution."

On the question,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Achenbach, Bowman, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Corson, Curry, Curtin, Darlington, De France, Dodd, Edwards, Fulton, Funck, Hazzard, Horton, Howard, Hunsicker, Knight, Landis, Lilly, MacConnell, M'Michael Mantor, Mott, Niles, Patterson, T. H. B., Patton, Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Stanton, Struthers, Wetherill, John Price, White, David N., White, Harry, and White, J. W. F.—42.

N A Y S .

Messrs. Alricks, Andrews, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Biddle, Boyd, Church, Collins, Dallas, Guthrie, Hay, Hemphill, Kaine, Lawrence, Littleton, M'Culloch, Minor, Patterson, D. W., Purviance, John N., Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Turrell, Woodward and Walker, *President*—28.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Brodhead, Broomall, Bullitt, Cassidy, Clark, Cochran, Corbett, Craig, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Heverin, Lamberton, Lear, Long, MacVeagh, M'Camant,

M'Clean, M'Murray, Mann, Metzger, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Ross, Smith, H. G., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, Worrell and Wright.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the second section?

Mr. Darlington called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "law," in the second line?

It was determined in the affirmative.

On the question,

Will the Convention agree to the second division, embracing the remainder of the section?

The yeas and nays were required by Mr. Kaine and Mr. John M. Bailey, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Hunt-
ingdon, Baker, Boyd, Brown, Calvin, Collins, Curry, Curtin, Darlington, Fulton,
Funk, Guthrie, Hay, Hazzard, Horton, Hunsicker, Kaine, Knight, Lawrence,
Lilly, Littleton, MacConnell, M'Culloch, M'Michael, Mantor, Mott, Niles, Pur-
viance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Runk,
Russell, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Struthers,
Turrell, Wetherill, Jno. Price, White, Harry, White, J.W. F., Woodward and
Walker, *President*—51.

NAYS.

Messrs. Biddle, Bowman, Buckalew, Campbell, Carey, Carter, Church, Corson,
Dallas, De France, Dodd, Edwards, Hemphill, Landis, Minor, Newlin, Patterson,
D. W., Patterson, T. H. B., Patton, and White, David N.—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Bannan, Barclay, Bardsley,
Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Brodhead, Broomall,
Bullitt, Cassidy, Clark, Cochran, Corbett, Craig, Cronmiller, Cuyler, Davis, Dun-
ning, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Gilpin, Green, Hall, Hanna,
Harvey, Heverin, Howard, Lamberton, Lear, Long, MacVeagh, M'Camant,
M'Clean, M'Murray, Mann, Metzger, Mitchell, Palmer, G. W., Palmer, H. W.,
Parsons, Porter, Pughe, Purman, Reed, Andrew, Ross, Smith, H. G., Stewart,
Temple, Van Reed, Wetherill, J. M., Wherry, Worrell and Wright.

On the question,

Will the Convention agree to the third section?

Mr. Howard called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "annexed," in the fourth line?

A motion was made by Mr. Buckalew,

To amend the same, in the first line, by inserting before the word "no," the words, "except in cases provided for in this Constitution," and by making the word "persons" read "person," and inserting after the word "except," the letter "a," and changing "notaries" to "notary," and the word "commissioners" to

"commissioner," and in the second line, by striking out the words, "and officers," and inserting in lieu thereof the words, "or an officer," and in the third line, by striking out the words, "in this State."

Which was agreed to.

The first division as amended was then agreed to.

On the question,

Will the Convention agree to the second division, to end with the end of the section?

A motion was made by Mr. Howard,

To amend the same, by making it read as follows: "The Legislature may provide by law how many and which of the officers of prothonotary, register of wills, recorder of deeds and clerk of the courts, may at the same time be held by one person."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the second division?

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

YEAS.

Messrs. Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Boyd, Brodhead, Collins, Curry, Fulton, Guthrie, Hanna, Hay, Hazzard, Kaine, Landis, Lawrence, Littleton, Niles, Purviance, John N., Sharpe, Smith, Wm. H., White, J. W. F., and Woodward—23.

NAYS.

Messrs. Alricks, Andrews, Biddle, Bowman, Brown, Buckalew, Campbell, Carter, Cassidy, Church, Corson, Dallas, Darlington, De France, Dodd, Edwards, Funck, Hall, Hemphill, Heverin, Horton, Howard, Hunsicker, Lilly, MacConnell, M'Culloch, Mantor, Minor, Mott, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, Sam'l A., Reynolds, Runk, Russell, Simpson, Smith, Henry W., Stanton, Turrell, Wetherill, John Price, White, Harry, and Walker, *President*—44.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Alney, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Broomall, Bullitt, Calvin, Carey, Clark, Cochran, Corbett, Craig, Cronmiller, Curtin, Cuyler, Davis, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Gilpin, Green, Harvey, Knight, Lamberton, Lear, Long, MacVeagh, M'Camant, M'Clean, M'Michael, M'Murray, Mann, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Smith, H. G., Stewart, Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., Worrell and Wright.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fourth section?

A motion was made by Mr. Littleton,

To amend the same, in the second line, by inserting after the word "exercising," the words, "by commissions."

Which was not agreed to.

The section was then agreed to.

The fifth section was not agreed to.

On the question,

Will the Convention agree to the sixth section ?

A motion was made by Mr. J. M. Bailey,

To amend the same, by striking out the words, "county surveyors."

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 first line, by striking out the words, "place and orphans."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

Mr. Dodd called for a division of the question.

On the question,

Will the Convention agree to the first division to end with the word "officers," in the fourth line ?

It was determined in the affirmative.

The second division was not agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the seventh section ?

Mr. Howard called for a division of the question.

On the question,

Will the Convention agree to the first division to end with the word "law," in the fifth line ?

A motion was made by Mr. Hazzard,

To amend the same, in the first line, by inserting after the word "duel" the following words, viz: "or shall habitually carry concealed deadly weapons, except marshals, sheriffs, constables, policemen and watchmen, or such other persons as shall be authorized by law."

Which was not agreed to.

The first division was then agreed to.

On the question,

Will the Convention agree to the second division ?

A motion was made by Mr. Kaine,

To amend the same, by adding to the end thereof, the following words, viz: "after seven years."

On the question,

Will the Convention agree so to amend ?

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

To amend the amendment, by striking out the word "seven," and inserting in lieu thereof, the word "thirty."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Kaine to the second division?

A motion was made by Mr. MacConnell,

To amend the amendment, by striking out all after the word "law," in the fifth line, and inserting in lieu thereof the following words, viz: "but the said offence may be pardoned after seven years."

Which was not agreed to.

The amendment was not agreed to.

And the question recurring,

Will the Convention agree to the second division?

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

Y E A S.

Messrs. Bailly, of Perry, Bailey, of Huntingdon, Bowman, Boyd, Calvin, Cochran, Corson, Curtin, De France, Gilpin, Hanna, Hay, Hazzard, Kaine, Landis, Lawrence, Mott, Niles, Patterson, D. W., Patton, Purviance, Sam'l A., Reynolds, Rooke, Stanton and Walker, *President*—25.

N A Y S.

Messrs. Achenbach, Alricks, Bear, Baker, Beebe, Brodhead, Brown, Buckalew, Campbell, Carter, Church, Collins, Curry, Darlington, Edwards, Fulton, Funk, Guthrie, Hall, Hortoh, Howard, Hunsicker, Lilly, MacConnell, M'Clean, Mantor, Minor, Newlin, Patterson, T. H. B., Purviance, John N., Read, John R., Runk, Russell, Sharpe, Simpson, Smith, Henry W., Struthers, Turrell, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Woodward—43.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Broomall, Bullitt, Carey, Cassidy Clark, Corbett, Craig, Cronmiller, Cuyler, Dallas, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Green, Harvey, Hemphill, Heverin, Knight, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Michael, M'Murray, Mann, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Parman, Reed, Andrew, Ross, Smith, H. G., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, Worrell and Wright.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Kaine,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Jno. M. Bailey,

That the Convention proceed to the second reading and consideration of the article (No. 25) reported from the Committee on Commissions, Offices, Oaths of Office and Incompatibility of Office.

Which was agreed to.

On the question,

Will the Convention agree to the first section?

It was determined in the affirmative.

The second and last section was then agreed to.

On the question,
Shall the article be transcribed for a third reading?

A motion was made by Mr. Kaine,
That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

Mr. Woodward, from the select committee to whom the subject was referred, made a report, which was read as follows, viz:

The members of the House of Representatives shall be apportioned among the several counties according to the population, on a ratio to be obtained by dividing the whole population of the State, as ascertained by the most recent United States census, by one hundred and fifty; any county, including the city of Philadelphia, having more than one ratio, shall be entitled to a member for each full ratio; but each county shall be given at least one member, and counties shall not be joined to form a district. Any county having less than five ratios shall have an additional member for a surplus exceeding one-half a ratio over one or more full ratios.

Any county, including the city of Philadelphia, having over two hundred thousand inhabitants, shall be divided into districts; but no district shall elect more than four members.

GEO. W. WOODWARD, *Chairman*,
HARRY WHITE,
DAVID N. WHITE,
C. O. BOWMAN,
C. R. BUCKALEW,
JNO. P. WETHERILL,
WM. J. TURRELL,
JNO. G. HALL.

A motion was made by Mr. Woodward,
That the usual number of copies be printed for the use of the Convention.

Which was agreed to.

A motion was made by Mr. Worrall,
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.

TUESDAY, SEPTEMBER 23, 1873.

The President laid before the Convention a memorial from the State Printer, which was read as follows, viz:

To the Honorable JOHN H. WALKER, President of the Constitutional Convention:

The undersigned respectfully begs leave to submit the following statement to the Convention:

In compliance with the resolution of the Convention, I have submitted to the Committee on Accounts and Expenditures statements of my accounts for printing and binding for the Convention. The first was to May 15, the second from May 15 to July 1, and the third from July 1 to July 15. These statements were made out, as I believed, in accordance with the law and my contract on the subject. The committee, by rejecting some items and reducing others, reduced my claim nearly one-half. They did not deny that the work was done and properly done, nor claim that the prices charged (except in a few small items) were actually too high; but they contended that the prices were higher than authorized by the schedule of the act of Assembly of March 24, 1871. The main item was the price per 1,000 ems for the composition of the Debates and Journal. They contended that this work was regulated by the price fixed in the schedule. I claimed it was not, but was to be regulated by the sixth division of section two of the same act. We differed as to the true construction of that act. At the time the resolution, under which I made the contract, was before the Convention for consideration, it was openly stated by one of the leading lawyers of the Convention, and not controverted by any one, that the act did not fix the price for such work. I so understood the law myself, and with that understanding made the contract. The Debates and Journal are altogether different from any work done by the State Printer for the State. The kind of work embraced in the schedule was well known. The sixth division of the second section provided for other kinds of work, and prescribed a mode for ascertaining the price. I notified the committee, or their chairman, in April last, that I claimed compensation for this work as above stated.

While the report of the committee does me great injustice (not intentionally, for I believe they were actuated by pure motives,) in several respects, yet on this point—the composition of the Debates and Journal—the difference between us is so vital, and the amount involved so great, that I feel constrained to protest against the report.

I claimed 75 cents per 1,000 ems for the composition. The actual cost to me was 60 cents per 1,000 ems. The committee have allowed me only 35½ cents per 1,000 ems. I pay the compositor for putting up the types alone 40 cents per 1,000. If I had supposed, for one moment, that this work was to come under the schedule prices, I never would have made the contract.

The former report of the committee, made July 14, was read in Convention that day, printed in Philadelphia that night, and passed Convention the next day, in my absence and without me seeing it or knowing what it was. As the Convention adjourned on that day until September 16, I had no opportunity of being heard on that report. But I now protest against it as well as this report. My contract is with the Commonwealth. I do not know whether the action of the Convention will be conclusive upon me. But I certainly have a right to have all the facts in the case fairly presented, and have the benefit of legal counsel on the questions of law involved. If the report of the committee should be adopted and be conclusive against me, I shall suffer an actual loss of several thousand dollars on my contract.

I therefore pray the Convention before taking final action in the matter, to give me an opportunity of presenting all the facts in the case and of being heard by legal counsel on the questions of law involved.

B. SINGERLY, *Printer.*

Laid on the table.

A motion was made by Mr. Darlington,

That the usual number of copies be printed for the use of the Convention.

Which was agreed to.

Mr. Jno. N. Purviance asked and obtained leave of absence for Mr. Corson for to-day.

A motion was made by Mr. Woodward,

That the Convention resume the second reading and consideration of the article (No. 2) reported from the Committee on the Legislature.

Which was agreed to.

On the question,

Will the Convention agree to the amendment reported from the select committee, to come in as section 19, as follows, viz :

"The members of the House of Representatives shall be apportioned among the several counties according to population, on a ratio to be obtained by dividing the whole population of the State, as ascertained by the most recent United States census, by one hundred and fifty; any county, including Philadelphia, having more than one ratio, shall be entitled to a member for each full ratio; but each county shall be given at least one member, and counties shall not be joined to form a district. Any county having less than five ratios shall have an additional member for a surplus exceeding one-half a ratio over one or more full ratios.

Any county, including Philadelphia, having over two hundred thousand inhabitants, shall be divided into districts; but no district shall elect more than four members."

A motion was made by Mr. Curtin,

To amend the same, in the third line, by striking out the words, "one hundred and fifty," and inserting in lieu thereof the words, "two hundred."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Darlington and Mr. Curtin, and were as follow, viz :

Y E A S .

Messrs. Ainey, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bartholomew, Beebe, Biddle, Brodhead, Campbell, Carter, Corbett, Curry, Curtin, Cuyler, Dallas, Darlington, De France, Dunning, Edwards, Gibson, Guthrie, Horton, Hunsicker, Knight, Lamberton, Lawrence, Lilly, MacConnell, M'CLean, M'Michael, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Reynolds, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Temple, Van Reed, Wetherill, J. M., Worrell and Wright—52.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Barclay, Black, Charles A., Bowman, Brown, Buckalew, Calvin, Carey, Church, Cochran, Collins, Dodd, Ewing, Fulton, Funck, Hall, Hay, Hazzard, Hemphill, Howard, Kaine, Landis, MacVeagh, M'Culloch, Mann, Mantor, Minor, Patton, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Smith, Henry W., Stewart, Struthers, Turrell, Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., Woodward and Walker, *President*—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Armstrong, Baker, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Cassidy, Clark, Corson, Craig, Cronmiller, Davis, Elliott, Ellis, Fell, Finney, Gilpin, Green, Hanna, Harvey, Heverin, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., and Wherry.

On the question,

Will the Convention agree to the amendment as amended?

A motion was made by Mr. Struthers,

To amend the same, by inserting after the word "shall," in the first line, the words, "consist of one hundred and fifty members and."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the amendment as amended?

Mr. Ainey called for a division of the question, the first division to end with the word "ratios," in the seventh line.

On the question,

Will the Convention agree to said division?

Mr. Lilly called for a further division, to end with the word "ratio," at the end of the fourth line, as follow, viz: "The members of the House of Representatives shall be apportioned among the several counties according to population, on a ratio to be obtained by dividing the whole population of the State, as ascertained by the most recent United States census, by two hundred; any county, including Philadelphia, having more than one ratio, shall be entitled to a member for each full ratio."

On the question,

Will the Convention agree to the division?

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

YEAS.

Messrs. Addicks, Ainey, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Bartholomew, Beebe, Biddle, Bowman, Brodhead, Buckalew, Campbell, Carter, Corbett, Curry, Curtin, Dallas, Darlington, De France, Dunning, Gibson, Guthrie, Hall, Hay, Hazzard, Heverin, Horton, Hunsicker, Knight, Lamberton, Landis, Lilly, MacConnell, M'Clean, M'Cullough, M'Michael, Mann, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Read, John B., Reynolds, Ross, Runk, Russell, Sharpe, Smith, H. G., Stanton, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Woodward and Wright—61.

NAYS.

Messrs. Achenbach, Alricks, Barclay, Black, Charles A., Brown, Calvin, Church, Cochran, Collins, Cuyler, Edwards, Ewing, Fulton, Funck, Hemphill, Kaine, Lawrence, Mantor, Minor, Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Rooke, Simpson, Smith, Henry W., Stewart, Struthers, White, David N., White, Harry, White, J. W. F., and Walker, *President*—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Armstrong, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Carey, Cassidy, Clark, Corson, Craig, Cronmiller, Davis, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Green, Hanna, Harvey, Howard, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Parsons, Porter, Pughe, Purman, Smith, Wm. H., Temple, Wherry and Worrell.

On the question,

Will the Convention agree to the second division?

Mr. Campbell called for a further division, to end with the word "member," in the fifth line, as follows, viz: "but each county shall be given at least one member."

On the question,

Will the Convention agree to the division?

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

Y E A S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Bowman, Brodhead, Brown, Buckalew, Calvin, Curry, Curtin, Darlington, De France, Dunning, Ewing, Fulton, Funck, Guthrie, Hall, Hay, Hazzard, Heverin, Horton, Hunsicker, Kaine, Knight, Lamberton, Landis, MacConnell, MacVeagh, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, White, David N., White, Harry, Woodward, Worrell, Wright and Walker, *President*—62.

N A Y S.

Messrs. Addicks, Ainey, Barclay, Bardsley, Bartholomew, Biddle, Black, Chas. A., Campbell, Carter, Church, Cochran, Collins, Corbett, Cuyler, Dallas, Edwards, Gibson, Hanna, Hemphill, Howard, Lawrence, Lear, Lilly, M'Clean, M'Culloch, M'Michael, Newlin, Patterson, D. W., Read, John R., Reynolds, Smith, Henry W., Wetherill, J. M., Wetherill, John Price, and White, J. W. F.—64.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Armstrong, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Carey, Cassidy, Clark, Corson, Craig, Cronmiller, Davis, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Parsons, Porter, Pughe, Purman, Smith, H. G., Smith, Wm. H., Temple and Wherry.

On the question,

Will the Convention agree to the third division ?

Mr. MacVeagh called for a further division, to end with the word "district," in the fifth line, as follows, viz: "and counties shall not be joined to form a district."

On the question,

Will the Convention agree to the division ?

The yeas and nays were required by Mr. Jos. Baily and Mr. Cuyler, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Beebe, Bowman, Brodhead, Brown, Buckalew, Calvin, Collins, Corbett, Curry, Curtin, Darlington, De France, Dunning, Ewing, Fulton, Funck, Gibson, Guthrie, Hall, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, M'Michael, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Smith, H. G., Stewart, Struthers, Turrell, Van Reed, White, David N., White, Harry, Woodward, Worrell, Wright and Walker, *President*—71.

N A Y S.

Messrs. Addicks, Ainey, Baker, Biddle, Black, Chas. A., Carter, Church, Cochran, Cuyler, Dallas, Edwards, Hanna, Lilly, M'Culloch, Patterson, D. W., Reynolds, Simpson, Smith, Henry W., Wetherill, J. M., and White, J. W. F.—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Armstrong, Baer, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Campbell, Carey, Cassidy, Clark, Corson, Craig, Cronmiller, Davis, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Smith, Wm. H., Stanton, Temple, Wetherill, John Price, and Wherry.

On the question,

Will the Convention agree to the fourth division, to end with the word "ratios," in the seventh line, as follows, viz: "Any county having less than five ratios shall have an additional member for a surplus exceeding one-half a ratio over one or more full ratios."

A motion was made by Mr. MacVeagh,

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

Which was not agreed to.

And the question recurring,

Will the Convention agree to the division?

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

To amend the same, by striking out the word "one-half," and inserting in lieu thereof the word "three-fifths."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the division?

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

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Bartholomew, Beebe, Black, Chas. A., Bowman, Brown, Buckalew, Calvin, Church, Corbett, Curry, De France, Dunning, Fulton, Funck, Guthrie, Hall, Hay, Hazzard, Heverin, Horton, Hunsicker, Kaine, Lawrence, Lilly, MacConnell, M'Clellan, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W. Patterson, T. H. B., Patton, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, White, David N., White, Harry, Woodward, Worrell and Walker, *President*—62.

N A Y S .

Messrs. Addicks, Ainey, Barclay, Biddle, Brodhead, Cochran, Collins, Curtin, Cuyler, Darlington, Edwards, Ewing, Gibson, Hanna, Hemphill, Howard, Knight, MacVeagh, M'Culloch, M'Michael, Patterson, D. W., Read, John R., Reynolds, Smith, Henry W., Wetherill, J. M., and White, J. W. F.—26.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Armstrong, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Campbell, Carey, Carter, Cassidy, Clark, Corson, Craig, Cronmiller, Dallas, Davis, Dodd, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Lamberton, Landis, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Stanton, Temple, Wetherill, John Price, Wherry and Wright.

On the question,

Will the Convention agree to the last division, as follows:

"Any county, including the city of Philadelphia, having over two hundred thousand inhabitants, shall be divided into districts; but no district shall elect more than four members."

A motion was made by Mr. Darlington,

To amend the same, so as to make it read as follows, viz: "Representatives shall be chosen by single districts, composed of contiguous, and as nearly as practicable, compact territory of equal population."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Addicks, Ainey, Andrews, Baker, Bardsley, Bartholomew, Biddle, Cochran, Corbett, Cuyler, Darlington, Edwards, Ewing, Fulton, Funck, Hanna, Knight, Lawrence, MacConnell, M'Culloch, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Reynolds, Runk, Simpson, Stanton, Struthers, Turrell, Wetherill, J. M., White, David N., White, Harry, and White, J. W. F.—35.

NAYS.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Black, Charles A., Brodhead, Brown, Buckalew, Calvin, Campbell, Church, Dodd, Gibson, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Landis, Lilly, M'CLean, M'Michael, Mann, Mantor, Minor, Mott, Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Wetherill, Jno. Price, Woodward, Worrell and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Armstrong, Bannan, Bigler, Black, J. S., Bowman, Boyd, Broomall, Bullitt, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Dallas, Davis, De France, Dunning, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Heverin, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Parsons, Porter, Pughe, Purman, Rooke, Stewart, Temple, Van Reed, Wherry and Wright.

And the question recurring,

Will the Convention agree to the last division?

A motion was made by Mr. Bartholomew,

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

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Bartholomew and Mr. Lilly, and were as follow, viz:

YEAS.

Messrs. Baily, of Perry, Bardsley, Bartholomew, Beebe, Biddle, Calvin, Cochran, Cuyler, De France, Dodd, Edwards, Ewing, Fulton, Funck, Guthrie, Hanna, Hay, Hazzard, Howard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, M'Michael, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Sharpe, Smith, Wm. H., Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., and Walker, *President*—51.

NAYS.

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Barclay, Black, Charles A., Bowman, Brodhead, Brown, Buckalew, Campbell, Church, Corbett, Darlington, Gibson, Hall, Hemphill, Horton, Hunsicker, Kaine, Lamberton, M'CLean, Patterson, D. W., Patton, Read, John R., Reed, Andrew, Ross, Smith, H. G., Smith, Henry W., Woodward and Worrell—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Armstrong, Baker, Bannan, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Heverin, Knight, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Parsons, Porter, Pughe, Purman, Simpson, Stewart, Temple, Van Reed, Wherry and Wright.

On the question, .

Will the Convention agree to the division as amended ?

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

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

Which was not agreed to.

And the question recurring,

Will the Convention agree to the division as amended ?

A motion was made by Mr. Ainey,

To amend the same, by inserting after the word "districts," where it first occurs in the second line, the following words, viz: "And every city shall be entitled to separate representation where its population equals the ratio."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Ainey and Mr. H. G. Smith, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Bailly, of Perry, Bailey, of Huntingdon, Bartholomew, Biddle, Bowman, Brodhead, Buckalew, Campbell, Church, Corbett, Edwards, Ewing, Guthrie, Hall, Hanna, Hay, Horton, Howard, Kaine, Lamberton, Landis, Lilly, M'Culloch, M'Michael, Mann, Mott, Palmer, H. W., Patton, Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Wetherill, J. M., Wetherill, John Price, White, David N., and White, J. W. F.—43.

N A Y S.

Messrs. Alricks, Andrews, Baer, Beebe, Black, Charles A., Brown, Calvin, Cochran, Darlington, De France, Dodd, Fulton, Funck, Hazzard, Hemphill, Hunsicker, Lawrence, MacConnell, M'Clean, Mantor, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Purviance, John N., Smith, Henry W., Struthers, Turrell, White, Harry, Woodward, Worrell and Walker, *President*—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Armstrong, Baker, Bannan, Barclay, Bardsley, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Finney, Gibson, Gilpin, Green, Harvey, Heverin, Knight, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Palmer, G. W., Parsons, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Ross, Simpson, Stewart, Temple, Van Reed, Wherry and Wright.

And the question again recurring,

Will the Convention agree to the division as amended ?

It was determined in the affirmative.

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

That the vote be re-considered by which the first division was adopted.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Ainey, Alricks, Black, Charles A., Brown, Calvin, Church, Cochran, Corbett, Darlington, Dodd, Edwards, Fulton, Hay, Hazzard, Hemphill, Hunsicker, Landis, MacVeagh, M'Culloch, Minor, Patterson, D. W., Purviance, Jno. N., Purviance, Sam'l A., Reynolds, Smith, Henry W., Stewart, Struthers, Wetherill, John Price, White, David N., Woodward, Wright and Walker, *President*—32.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Beebe, Biddle, Bowman, Brodhead, Buckalew, Campbell, Carter, Curtin, De France, Dunning, Ewing, Funck, Gibson, Guthrie, Hall, Hanna, Horton, Howard, Kaine, Lambertson, Lawrence, Lilly, MacConnell, M'Clean, M'Michael, Mann, Mantor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Rooke, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., and Worrell—55.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Bannan, Barclay, Bardsley, Bigler, Black, J. S., Boyd, Broomall, Bullitt, Carey, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Heverin, Knight, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Ross, Temple and Wherry.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. Harry White,

To amend the same, by adding a new section, as follows, viz :

"The Legislature, at its first session after the adoption of this Constitution, and at its first session after each United States decennial census thereafter, shall apportion the State into senatorial and representative districts agreeably to the provisions of the foregoing sections."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Buckalew,

To amend the amendment, by making it read as follows, viz :

"SECTION —. At the session of the General Assembly next after the adoption of this Constitution, Commissioners of Apportionment shall be chosen, whose duty it shall be to divide the State into senatorial districts, and counties containing over 100,000 into representative districts in conformity with the provisions of the two next preceding sections. The Senate shall choose four and the House of Representatives eight of said Commissioners, each Senator and each Representative voting for one-half of the number to be chosen by his House. The said commissioners shall severally possess all the qualifications required of members of the State Senate; shall be sworn or affirmed to support and obey this Constitution, and to perform their duties with fidelity, and shall be ineligible to an election to either House under an apportionment made by them for a period of five years. The assent of nine of their number shall be necessary to an apportionment, which, when made, shall be certified by them to the Secretary of the Commonwealth, to be published under his direction with the general laws of the State.

"Commissioners of Apportionment shall in like manner be chosen and appointed by the two Houses to make apportionments based upon each future decennial census of the United States, whose qualifications, duties and powers shall be the same as those of the commissioners above mentioned, who shall take and

subscribe a like oath or affirmation, and be subject to like ineligibility for legislative service, and who shall form such apportionments as shall be authorized by the Constitution by a like vote and assent of three-fourths of their number."

On the question,

Will the Convention agree so to amend the amendment?

A motion was made by Mr. Corbett,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. T. H. B. Patterson, and were as follow, viz:

YEAS.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Black, Charles A., Bowman, Brown, Buckalew, Calvin, Church, Cochran, Corbett, Curtin, De France, Hall, Hanna, Hemphill, Kaine, Knight, Lamberton, M'CLean, Niles, Patton, Reed, Andrew, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Wetherill, J. M., Wetherill, John Price, White, Harry, Woodward and Worrell—37.

NAYS.

Messrs. Achenbach, Addicks, Andrews, Baer, Beebe, Biddle, Campbell, Carter, Cuyler, Darlington, Dodd, Edwards, Ewing, Fulton, Funck, Gibson, Guthrie, Hay, Hazzard, Horton, Howard, Hunsicker, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, Henry W., Struthers, Turrell, Van Reed, White, David N., White, J. W. F., Wright and Walker, *President*—47.

So the question was determined in the negative.

ABSENT—Messrs. Ainey, Armstrong, Bannan, Barclay, Bardsley, Bigler, Black, J. S., Boyd, Brodhead, Broomall, Bullitt, Carey, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Finney, Gilpin, Green, Harvey, Heverin, Lear, Littleton, Long, M'Camant, M'Murray, Metzger, Minor, Mitchell, Mott, Newlin, Parsons, Porter, Pughe, Purman, Read, John R., Ross, Smith, Wm. H., Temple and Wherry.

And the question recurring,

Will the Convention agree so to amend the amendment?

The hour of three o'clock having arrived,

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.

WEDNESDAY, SEPTEMBER 24, 1873.

Mr. Hay asked and obtained leave of absence for Mr. John R. Reed for to-day.

Mr. Baer asked and obtained leave of absence for himself for to-morrow.

Mr. Reynolds asked and obtained leave of absence for Mr. Biddle for to-day and to-morrow.

Mr. Alricks asked and obtained leave of absence for himself for a few days from Saturday.

Mr. Alricks 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 a section to the purport that in the construction of wills, where the ancestor takes a preceding freehold estate, the remainder may be devised to the heirs or issue in fee as purchasers, if such is the clear intention of the testator.

On motion of Mr. D. N. White,

The Convention resumed the second reading and consideration of the article (No. 2) reported from the Committee on the Legislature.

And the question recurring,

Will the Convention agree so to amend the amendment offered by Mr. Buckalew, as follows, viz :

"SECTION —. At the session of the General Assembly next after the adoption of this Constitution, Commissioners of Apportionment shall be chosen, whose duty it shall be to divide the State into Senatorial districts; and counties containing over 100,000 into representative districts, in conformity with the provisions of the two next preceding sections. The Senate shall choose four and the House of Representatives eight of said commissioners; each Senator and each Representative voting for one-half of the number to be chosen by his House. The said commissioners shall severally possess all the qualifications required of members of the State Senate; shall be sworn or affirmed to support and obey this Constitution, and to perform their duties with fidelity, and shall be ineligible to an election to either House under an apportionment made by them for a period of five years. The assent of nine of their number shall be necessary to an apportionment, which, when made, shall be certified by them to the Secretary of the Commonwealth, to be published under his direction with the general laws of the State.

Commissioners of Apportionment shall in like manner be chosen and appointed by the two Houses to make apportionments based upon each future decennial census of the United States, whose qualifications, duties and powers shall be the same as those of the Commissioners above mentioned, who shall take and subscribe a like oath or affirmation, and be subject to like ineligibility for legislative service, and who shall form such apportionments as shall be authorized by the Constitution by a like vote and assent of three-fourths of their number."

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

Y E A S .

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Barclay, Black, Charles A., Black, J. S., Brodhead, Brown, Buckalew, Campbell, Carter, Church, Corbett, De France, Dodd, Elliott, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hemphill, Heverin, Kaine, Lamberton, Landis, Lilly, Long, M'Clellan, M'Murray, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patton, Furman Reed, Andrew, Ross, Sharpe, Smith, H. G., Smith, Wm. H., Van Reed, Woodward, Worrell and Wright—47.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Baker, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Calvin, Carey, Cochran, Collins, Curry, Cuyler,

Darlington, Edwards, Ewing, Fulton, Funck, Green, Hanna, Hazzard, Horton, Howard, Lawrence, Littleton, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Minor, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Runk, Russell, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F. and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Bannan, Biddle, Bigler, Boyd, Bullitt, Cassidy, Clark, Corson, Craig, Cronmiller, Curtin, Dallas, Davis, Dunning, Ellis, Fell, Finney, Hunsicker, Knight, Lear, M'Camant, Metzger, Parsons, Pughe, Read, John R., Simpson, Temple and Wherry.

And the question recurring,

Will the Convention agree to the amendment as offered by Mr. Harry White, as follows, viz :

"The Legislature at its first session after the adoption of this Constitution, and at its first session after each United States decennial census thereafter, shall apportion the State into Senatorial and Representative districts agreeably to the provisions of the foregoing sections."

A motion was made by Mr. Cuyler,

To amend the same, by making it read as follows, viz :

"At the session of the General Assembly next after the adoption of this Constitution, the Legislature shall divide the State into Senatorial districts, and at the general election next succeeding the adoption of this Constitution, the qualified electors of counties in which separate representative districts are authorized, shall in every such county elect seven commissioners for the purpose of establishing such districts in such county, but no elector shall vote for more than four of such commissioners. Apportionment into Senatorial and Representative districts shall be made in like manner immediately after each decennial census of the United States.

On the question,

Will the Convention agree so to amend the amendment ?

Mr. Hall called for a division of the question.

On the question,

Will the Convention agree to the first division of the question, to end with the words, "Senatorial districts ?" in the third line.

The yeas and nays were required by Mr. Sharpe and Mr. Cuyler, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Alricks, Baer, Barclay, Beebe, Black, Chas. A., Brodhead, Carey, Church, Corbett, Curry, Cuyler, Elliott, Ewing, Gibson, Hanna, Harvey, Hay, Hemphill, Lilly, Long, M'Michael, Mann, Mitchell, Palmer, H. W., Runk, Sharpe, Smith, Wm. H., Van Reed and White, David N.—30.

N A Y S .

Messrs. Addicks, Ainey, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bartholomew, Bowman, Broomall, Brown, Buckalew, Calvin, Campbell, Cochran, Collins, Dallas, Darlington, De France, Dadd, Dunning, Edwards, Fulton, Funck, Gilpin, Green, Guthrie, Hall, Hazzard, Horton, Howard, Kaine, Lamberton, Lawrence, Littleton, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—70.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Baker, Bannan, Biddle, Bigler, Black, J. S., Boyd, Bullitt, Carter, Cassidy, Clark, Corson, Craig, Cronmiller, Curtin, Davis, Ellis, Fell, Finney, Heverin, Hunsicker, Knight, Landis, Lear, M'Camant, Metzger, Parsons, Pughe, Read, John R., Simpson, Smith, H. G., Temple and Wherry.

On the question,

Will the Convention agree to the second and last division of the question ?

A motion was made by Mr. Cuyler,

To amend the same, by striking out the words, "Senatorial and."

Which was agreed to.

And the question recurring,

Will the Convention agree to the second and last division ?

The yeas and nays were required by Mr. Cuyler and Mr. Church, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Baer, Bailey, of Huntingdon, Black, Charles A., Black, J. S., Brodhead, Brown, Buckalew, Campbell, Church, Cuyler, Dallas, De France, Dodd, Dunning, Gibson, Guthrie, Hall, Hay, Hemphill, Hunsicker, Kaine, Lamberton, Long, M'Clean, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Reed, Andrew, Runk, Sharpe, Smith, Wm. H., Stanton, Wetherill, J. M., Woodward and Wright—40.

N A Y S .

Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Calvin, Carey, Cochran, Collins, Corbett, Curry, Darlington, Edwards, Ewing, Fulton, Funck, Gilpin, Green, Hanna, Hazzard, Heverin, Howard, Lawrence, Lilly, Littleton, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Minor, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith, Henry W., Struthers, Turrell, Van Reed, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Worrell and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Bannan, Barclay, Biddle, Bigler, Boyd, Bullitt, Carter, Cassidy, Clark, Corson, Craig, Cronmiller, Curtin, Davis, Elliott, Ellis, Fell, Finney, Harvey, Horton, Knight, Landis, Lear, M'Camant, Metzger, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Simpson, Smith, H. G., Stewart, Temple and Wherry.

And the question again recurring,

Will the Convention agree to the amendment ?

A motion was made by Mr. Hall,

To amend the same, by making it read as follows, viz :

"At the general election next after the adoption of this Constitution, and at each general election in the years next succeeding the taking of a United States decennial census, twelve commissioners of apportionment shall be chosen by the electors of the State, each elector to vote for not more than six of said commissioners. It shall be the duty of the said commissioners to divide the State into Senatorial districts, and counties containing over 100,000 inhabitants into representative districts, in conformity with the provisions of the preceding sections. The said commissioners shall severally possess all the qualifications required of members of the State Senate; shall be sworn or affirmed to support and obey this Constitution, and to perform their duties with fidelity, and shall be ineligible to an election to either House, under an apportionment made by them, for a period of five years. The assent of nine of their number shall be necessary to an appor-

tionment, which, when made, shall be certified by them to the Secretary of the Commonwealth, to be published under his direction with the general laws of the State."

On the question,

Will the Convention agree so to amend the amendment?

The yeas and nays were required by Mr. Hall and Achenbach, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Black, Charles A., Black, J. S., Brodhead, Brown, Buckalew, Campbell, Carter, Church, Corbett, Dallas, De France, Dodd, Dunning, Elliott, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hunsicker, Kaine, Lamberton, Lilly, Lear, M'CLean, M'Murray, Mitchell, Mott, Palmer, G. W., Patton, Reed, Andrew, Sharpe, Smith, H. G., Smith, Wm. H., Van Reed, Woodward and Worrell—42.

NAYS.

Messrs. Addicks, Ainey, Andrews, Bailly, of Perry, Baker, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Calvin, Carey, Cochran, Collins, Curry, Cuyler, Darlington, Edwards, Ewing, Fulton, Funck, Green, Hanna, Hazzard, Horton, Howard, Lawrence, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Bannan, Barclay, Biddle, Bigler, Boyd, Bullitt, Cassidy, Clark, Corson, Craig, Cronmiller, Curtin, Davis, Ellis, Fell, Finney, Hemphill, Heverin, Knight, Landis, Lear, Littleton, M'Camant, Metzger, Newlin, Palmer, H. W., Parsons, Pughe, Purman, Purviance, John N., Read, John R., Ross, Simpson, Temple, Wetherill, Jno. Price, Wherry and Wright.

And the question again recurring,

Will the Convention agree to the amendment?

A motion was made by Mr. Brodhead,

To amend the same, so as to make it read as follows, viz:

"The Legislature, at its first session after the adoption of this Constitution, and at its first session after each United States decennial census thereafter, shall apportion the State into senatorial districts, agreeably to the provisions of the foregoing sections. The apportionment for representative districts shall be made by a board consisting of the commissioners, sheriff and the judges of the courts of common pleas of each city or county."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the amendment?

A motion was made by Mr. Harry White,

To amend the same, by striking out the following words, where they occur the second time, viz: "At its first session," and inserting in lieu thereof the word "immediately," and by striking out the word "thereafter," in the second line, and by striking out the word "foregoing," in the third line, and inserting in lieu thereof the word "preceding."

Which was agreed to.

On the question,

Will the Convention agree to the amendment as amended?

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

YEAS.

Messrs. Addicks, Andrews, Baily, of Perry, Baker, Bardsley, Bartholomew, Beebe, Bowman, Broomall, Calvin, Carey, Cochran, Collins, Curry, Curtin, Darlington, Edwards, Ewing, Fulton, Funck, Green, Hanna, Hazzard, Horton, Howard, Lawrence, MacConnell, M'Culloch, M'Michael, Mann, Mantor, Minor, Niles, Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Rooke, Runk, Russell, Stanton, Stewart, Struthers, Turrell, Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., and Walker, *President*—49.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Bailey, of Huntingdon, Black, Charles A., Brodhead, Brown, Buckalew, Campbell, Carter, Church, Cuyler, Dallas, De France, Dunning, Elliott, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hunsicker, Kaine, Lambertson, Landis, Lilly, Long, M'Clean, M'Murray, Mitchell, Mott, Palmer, G. W., Patterson, T. H. B., Patton, Reed, Andrew, Ross, Sharpe, Smith, Henry W., Smith, Wm. H., Van Reed, Wetherill, J. M., Woodward and Worrell—44.

So the question was determined in the affirmative.

ABSENT.—Messrs. Armstrong, Baer, Bannan, Barclay, Biddle, Bigler, Black, J. S., Boyd, Bullitt, Cassidy, Clark, Corbett, Corson, Craig, Cronmiller, Davis, Dodd, Ellis, Fell, Finney, Hemphill, Heverin, Knight, Lear, Littleton, MacVeagh, M'Camant, Metzger, Newlin, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Reynolds, Simpson, Smith, H. G., Temple, Wherry and Wright.

On the question,

Shall the article be transcribed for a third reading ?

A motion was made by Mr. D. N. White,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Addicks,

That the Convention do now adjourn.

Which was not agreed to.

A motion was made by Mr. Hall,

That the Convention resume the consideration of the resolution attached to the report of the Committee on Accounts and Expenditures, made September 17, as follows, viz:

Resolved, That there is due to Benjamin Singerly, Printer for the Convention, in full of all claims to the 15th of July, 1873, (exclusive of the items in the above mentioned accounts yet to be fully audited, together amounting to the sum of \$714 50, and also exclusive of the items excepted from the audit of the first account, together amounting to the sum of \$2,060 45,) the sum of \$11,288 35; and that a copy of the above report and of the action of the Convention thereon, be forthwith certified by the Chief Clerk, to the Auditor General of the Commonwealth.

Which was agreed to.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Howard,

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. J. P. Wetherill and Mr. Church, and were as follow, viz:

Y E A S.

Messrs. Ainey, Alricks, Baily, of Perry, Baker, Bartholomew, Black, Charles A., Bowman, Edwards, Ewing, Gibson, Hemphill, Howard, Lamberton, MacVeagh, Mann, Minor, Niles, Rooke, Runk, Stanton, Wetherill, J. M., White, Harry, White, J. W. F., and Walker, *President*—24.

N A Y S.

Messrs. Achenbach, Bailey, of Huntingdon, Beebe, Black, J. S., Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Church, Corbett, Curry, Curtin, Darlington, De France, Dodd, Elliott, Fulton, Gilpin, Guthrie, Hall, Hay, Hazzard, Hunsicker, Kaime, Landis, Lawrence, Lilly, Long, M'CLean, M'Culloch, Mantor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Turrell, Wetherill, John Price, Woodward and Wright—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baer, Bannan, Barclay, Bardsley, Biddle, Bigler, Boyd, Bullitt, Carey, Carter, Cassidy, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Cuyler, Dallas, Davis, Dunning, Ellis, Fell, Finney, Funck, Green, Hanna, Harvey, Heverin, Horton, Knight, Lear, Littleton, MacConnell, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Parsons, Patterson, D. W., Porter, Pughe, Purman, Read, John R., Reed, Andrew, Simpson, Temple, Van Reed, Wherry, White, David N., and Worrell.

And the question recurring,

Will the Convention agree to the resolution?

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

Y E A S.

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Beebe, Black, Charles A., Black, J. S., Broomall, Brown, Buckalew, Campbell, Church, Cochran, Corbett, Darlington, De France, Dodd, Dunning, Elliott, Ewing, Fulton, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Horton, Hunsicker, Kaime, Lamberton, Landis, Lawrence, Lilly, Long, MacVeagh, M'CLean, M'Culloch, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Woodward, Wright and Walker, *President*—63.

N A Y S.

Messrs. Bowman, Edwards, Howard, Stanton and Turrell—5.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Boyd, Brodhead, Bullitt, Calvin, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Ellis, Fell, Finney, Funck, Gibson, Green, Harvey, Heverin, Knight, Lear, Littleton, MacConnell, M'Camant, M'Michael, M'Murray, Metzger, Minor, Newlin, Parsons, Patterson, D. W., Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Temple, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F. and Worrell.

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 nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

THURSDAY, SEPTEMBER 25, 1873.

The President announced that he had received from the Constitutional Convention of Ohio copies of the Debates and Proceedings of the same, for the use of the Convention.

On motion of Mr. Harry White,

The same were accepted with the thanks of the Convention.

A motion was made by Mr. MacConnell,

That a copy of the Debates and the Journal of this Convention be furnished to the Constitutional Convention of Ohio.

Which was agreed to.

Mr. H. W. Smith asked and obtained leave of absence for himself for Saturday.

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 the account of the Chief Clerk for the expenditures made by him from the 26th day of May to the 22d day of September, instant, showing the payment during that time of \$3,257 56, and a balance in his hands on the last named date of \$452 35; and that the same is correct according to the vouchers exhibited to the committee. An abstract of the account is herewith submitted, marked "A."

In the settlement of so much of this account as includes the expenses incurred in the care of the hall and the property therein during the recess of the Convention, from July 15 to September 16, the committee has been governed by the action of the Committee on House, communicated to the Chief Clerk September 20, 1873, which communication is hereto appended, marked "B."

The committee would respectfully recommend, that it be referred to the Committee on House, to ascertain and report whether any reduction can properly be made in the number of persons employed in the service of the Convention.

The following accounts have been under consideration:

1. Daniel M'Nichol & Bro., for placing tan in the street in front of the hall, by order of the Convention, and removing the same, - - - \$75 00
2. Gillin & Nagle, for marking names of members on morocco, for desks, 43 50
3. Field & Hardie, for tack hammers, - - - 2 25
4. Thomas L. Stone, for repairing locks, keys, bolts, ventilating windows, &c., 52 85
5. James H. Orne & Son, two and a-half yards of carpet for steps in hall, 6 25
6. W. T. Chambers, for soap, tacks, &c., - - - 22 37

Together amounting to, - - - - - 202 22

These bills, excepting the last, are presented from the Committee on House, and certified to be correct by its chairman. This committee has in charge the property of the Convention, and having in the exercise of its discretion, incurred obligations relative thereto, the Convention is bound for their payment, and said bills are therefore reported without further inquiry into their character by the Committee on Accounts.

The following resolution is accordingly reported :

Resolved, That the accounts above mentioned, together amounting to the sum of \$202 22, are hereby approved, and that the Chief Clerk be authorized to pay the same.

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 May 26, 1873, to September 22, inclusive.

Paid Powell De France, Page, for services from May 23d to July 15th, inclusive.....	\$106 00
Paid F. M'Reynolds, Page, for services from May 23d to July 15th, inclusive.....	54 00
Paid T. D. M'Gilloway, Page, for services from May 23d to July 15th, inclusive.....	54 00
Paid Percy Meyer, Page, for services from May 23d to July 15th, inclusive.....	52 50
Paid David Skenett, Page, for services from May 23d to July 15th, inclusive.....	54 00
Paid Charles Moore, Page, for services from May 23d to July 15th, inclusive.....	52 50
Paid F. B. Berlin, Page, for services from May 23d to July 15th, inclusive.....	58 50
Paid W. A. Cassidy, Page, for services from May 23d to July 15th, inclusive.....	60 00
Paid Thomas Simpson, Page, for services from May 23d to July 15th, inclusive.....	58 50
Paid J. B. Allen, Page, for services from May 23d to July 15th, inclusive.....	40 50
Paid A. B. Mackenzie, Page, for services from July 8th to July 15th, inclusive.....	10 50
Paid James Patterson, Watchman, for services from May 24th to September 15th, inclusive.....	399 00
Paid John Switzer, Fireman, in full, to May 26th.....	101 50
Paid Thomas Bartolet, Assistant Fireman, in full, to May 25th.....	48 00
Paid Joseph Ebersole, Janitor, for services from May 23d to July 15th, inclusive.....	105 00
Paid Joseph Ebersole, Watchman during recess, for services from July 16th to September 15th, both days included.....	217 00
Paid James Craig, Assistant Janitor, for services from May 23d to July 15th, inclusive.....	99 00
Paid Josephine Thompson, for sweeping and cleaning, from May 24th to July 15th, inclusive.....	105 00
Paid Jane Walters, for sweeping and cleaning, from May 24th to July 15th, inclusive.....	63 00
Paid Marcelina Taylor, for sweeping and cleaning, from May 24th to July 15th, inclusive.....	63 00
Paid Marcelina Taylor, for sweeping and cleaning, from July 16th to September 15th, inclusive.....	106 00
Paid Mary Wilson, for sweeping and cleaning, from May 24th to July 15th, inclusive.....	63 00
Paid Annie E. Gould, for sweeping and cleaning, from May 24th to July 15th, inclusive.....	3 00
Paid T. R. Warner, for stretching wires across the Hall.....	4 00
Paid Smith & Campion, for repairing locks and desks.....	1 25
Paid James Onslow, Sergeant-at-Arms, for sending dispatches to absent members.....	5 06
Paid Welbert & Brother, for coal.....	00
Paid trustees of gas works, for gas from April 19th to June 24th.....	23
Paid John A. Shermer, for repairing water closets, &c.....	00
Paid William M'Carter, for painting and glaizing.....	50
Paid James H. Orne, Son & Co., for stair carpet, rods, &c.....	00
Paid Whitesides & Madara, carpenter work.....	92
Paid George Bergner, Harrisburg, for stationery.....	80
Paid Thomas Bradley, for soap.....	9 30
Paid Farmers' and Mechanics' Bank, for stamp check book.....	3 00
Total expenditures.....	3,237 50
Balance in hands of Chief Clerk, May 26, 1873.....	\$511 23
Warrant, as per resolution, May 28, 1873.....	1,178 68
Warrant, as per resolution, June 5, 1873.....	2,000 00
	<u>3,689 91</u>

Balance in hands of Chief Clerk, September 22, 1873..... 452 35

3,689 91

[B.]

PHILADELPHIA, September 20, 1873.

The Committee on House have employed, as per resolution of the Convention, during the late recess, the following named persons, for the time and at the pay stated :

John Patterson, night watchman, from and including July 15, to September 16, sixty-two nights, at \$3 50 per night,	\$217 00
Joseph Ebersole, day watchman, from and including July 15, to September 16, sixty-two days, at \$3 50 per day,	217 00
Marcelina Taylor, house-keeper, from and including July 15, to September 16, (Sundays excepted,) making fifty-three days, at \$2 per day,	106 00
	<hr/> <hr/> 540 00

Respectfully submitted,

JOHN E. ADDICKS,
JAMES BOYD,
GEO. M. DALLAS,
M. HALL STANTON.

On motion of Mr. MacVeagh,

The Convention resolved itself into the committee of the whole, Mr. Joseph Bailey in the Chair, on the article (No. 23) reported from the Committee on the Legislature.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz :

Amend by striking out the word "people," in the third line, and inserting in lieu thereof the words, "qualified electors."

A motion was made by Mr. MacVeagh,

That the Convention proceed to the second reading and consideration of said article.

Which was agreed to.

On the question,

Will the Convention agree to the first and only section ?

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

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Bowman, Calvin, Carey, Carter, Collins, Corbett, Curry, Curtin, Darlington, De France, Edwards, Elliott, Ewing, Fulton, Funck, Gibson, Gilpin, Hall, Harvey, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mitchell, Niles, Patterson, D. W., Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, Wm. H., Stewart, Struthers, Wetherill, J. M., White, David N., Woodward, Wright and Walker, *President*—61.

N A Y S .

Messrs. Barclay, Bardsley, Bartholomew, Beebe, Brown, Buckalew, Campbell, Church, Cochran, Dallas, Dodd, Guthrie, Hanna, Hay, Hazzard, Hemphill, Hunsicker, Lear, M'Michael, Mann, Newlin, Palmer, G. W., Palmer, H. W., Patton, Sharpe, Smith, Henry W., Turrell, Wetherill, John Price, White, Harry. White, J. W. F., and Worrell—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Baker, Bannan, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Bullitt, Cassidy, Clark, Corson, Craig, Cronmiller, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Green, Heverin, Knight, Littleton, Metzger, Mott, Parsons, Patterson, T. H. B., Pughe, Read, John R., Ross, Runk, Simpson, Smith, H. G., Stanton, Temple, Van Reed and Wherry.

On the question,

Shall the article be transcribed for a third reading?

A motion was made by Mr. Alricks,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

Mr. Buckalew, from the Committee on Revision and Adjustment, reported the article on Declaration of Rights, revised, as follows, viz:

DECLARATION OF RIGHTS.

Amend preamble, by inserting in the fourth line, after the word "guidance," the words, "in the future," and by striking out in the fifth line, the words, "for its government."

Insert "I," after "Article."

In the first line of Article, after the word "the," insert the word "general."

In section three, sixth line, fourth page, after the word "consent," insert the word "that."

In section four, fourth line, after the word "of," insert the words, "trust or," and after the word "profit," strike out the words, "or trust."

In section seven, third line, strike out the word "the." In the fifth line, strike out "semi-colon," and insert "period" after the word "thereof," and commence following sentence with capital "T;" also, in ninth line, after the word "liberty," insert "period," and commence following sentence with capital "N." In twelfth line, make the word "publication," read "public."

Section 10. Strike out "semi-colon," and insert "period," after the word "office," in sixth line, and commence next sentence with capital "N."

Section 11. In third line, strike out the word "the." In fifth line, after the word "delay," strike out "semi-colon," and insert "period," and commence next sentence with capital "S."

Section 12. In second line after the word "exercised," insert the word "unless."

Section 13. In second and third lines, make the word "punishment," read "punishments."

Section 14. In fifth line, make the word, "cases," read "case."

Section 22. In fourth line, make the word "powers," read "power."

Section 25. In first line, insert the word "That" before the word "emigration."

On the question,

Will the Convention agree to the report of the committee?

A motion was made by Mr. MacVeagh,

To amend the same, by striking out the words, "in the future."

Which was agreed to.

On the question,

Will the Convention agree to the report of the committee as amended?

A motion was made by Mr. Woodward,

To add to the report an amendment, striking out the word "that," at the beginning of the several sections; also, where the word occurs in the third and sixth lines of the third section, and in the third line of the nineteenth section.

Which was agreed to.

On the question,

Will the Convention agree to the adoption of the report of the committee as amended?

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. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Beebe, Bigler, Black, Charles A., Bowman, Buckalew, Calvin, Campbell, Carey, Carter, Cochran, Corbett, Corson, Curry, Dallas, De France, Dodd, Elliott, Fulton, Funck, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Lamberton, Landis, Lawrence, Lear, Lilly, Long, MacConnell, MacVeagh, M'Camant, M'Culloch, M'Michael, M'Murray, Mann, Mantor, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, Wetherill, J. M., White, J. W. F., Woodward, Wright and Walker, *President*—73.

N A Y S.

Messrs. Darlington, Edwards, Ewing, Horton, Howard, Kaine, M'Clean, Reynolds, Smith, Henry W., Stanton and White, Harry—11.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Bear, Baker, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Brown, Bullitt, Cassidy Church, Clark, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Gibson, Green, Harvey, Knight, Littleton, Metzger, Mott, Newlin, Parsons, Patterson, T. H. B., Pughe, Reed, Andrew, Ross, Runk, Simpson, Temple, Wetherill, John Price, Wherry, White, David N., and Worrell.

A motion was made by Mr. Buckalew,

That said article be transcribed for a third reading ?

Which was agreed to.

Mr. Buckalew, from the Committee on Revision and Adjustment, reported the article on the Legislature, revised, as follows, viz :

LEGISLATURE.

Insert "II," after "Article."

Insert the word "the" before "Legislature."

Make section 2 read as follows, viz : .

"Members of the General Assembly shall be chosen at the general election every second year, and their terms of service shall begin on the first day of December next after their election ; whenever a vacancy shall occur in either House, the presiding officer thereof shall issue a writ of election to fill such vacancy for the remainder of the term."

Sections 3 and 4 make section 3, and to read as follows, viz :

"Senators shall be elected for the term of four years, and Representatives for the term of two years."

Make section 5 read as follows, viz :

"The General Assembly shall meet at twelve o'clock noon, on the first Tuesday of January, every second year, and at other times when convened by the Governor, but shall hold no adjourned annual session after the year 1878 ; in case of a vacancy in the office of United States Senator from this Commonwealth, in a recess between sessions, he shall convene the two Houses by proclamation, on notice not exceeding sixty days, to fill the same."

Make section 6 read as follows, viz :

"Senators shall be at least twenty-five years of age, and Representatives twenty-one years of age ; they shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election, (unless absent on the public business of the United States, or of this State,) and shall reside in their respective districts during their terms of service."

Section 7, in fourth, fifth and sixth lines, strike out the words, "which shall have been created, or the emoluments of which shall have been increased during

such time;" in seventh line strike out the word "and," and insert in lieu thereof the word "or;" and strike out all after the word "office," in the tenth line.

Section 8, in the third line, after the word "eligible," insert the words, "for election;" in fourth line, after the word "or," where it first occurs, insert the words, "for election or appointment," and in same line, strike out the words, "profit or," and insert after the word "trust" the words, "or profit;" in fifth line, strike out the word "State," and insert in lieu thereof the word "Commonwealth."

Strike out sections 9 and 10.

Section 11, in fourth line, strike out the words, "or payment;" in fifth line, make "services" read "service;" in same line, strike out the words, "as a member of any," and insert the word "upon;" in sixth line, strike out the word "but," and insert the word "and;" in eighth line strike out the word "compensation," and in the ninth line, strike out the word "period," and insert in lieu thereof the word "term."

Make section 12 read as follows, viz:

"The Senate shall, at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members President *pro tempore*, who shall perform the duties of Lieutenant Governor in any case of absence or disability of that officer, and whenever the said office of Lieutenant Governor shall be vacant.

"The House of Representatives shall elect one of its members as Speaker: each House shall choose its other officers, and shall judge of the elections and qualifications of its members."

Make section 14 read as follows, viz:

"Each House shall have power to determine the rules of its proceedings, and punish its members or other persons for contempt or disorderly behavior in its presence; to enforce obedience to its process; to protect its members against violence or offers of bribes or private solicitation, and, with the concurrence of two-thirds, to 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. A member expelled for corruption shall not thereafter be eligible for election to either House; and punishment for contempt or disorderly behavior shall not bar an indictment for the same offence."

Make section 15 read as follows, viz:

"Each House shall keep a journal of its proceedings, and from time to time publish the same, 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 journal."

"Section 20, in last line, before the word "preceding," insert the words, "two next."

On the question,

Will the Convention adopt the report of the committee?

A motion was made by Mr. MacVeagh,

That the article, with the changes proposed by the committee, be printed for the use of the Convention, the matter stricken out to be enclosed in brackets, and the matter to be inserted to be printed in *italics*.

Which was agreed to.

Mr. Buckalew, also from the same committee, reported the article on Legislation, revised as follows, viz:

LEGISLATION.

Insert after Article, "III."

Strike out sections 1, 2 and 3, the same being transferred to article II.

Section 5. In second line strike out the word "and."

Section 7. In third line, after the word "printed," insert the words, "for the use of the members." In eighth line strike out the word "be." In ninth line strike out the words, "on the Journal thereof," and insert in lieu thereof the word "thereon."

Section 8. In second line strike out the words, "returned to the other for concurrence." In third line insert, after the word "in," the words, "by the other." In the fourth and fifth lines strike out the words, "to the House to which the

amendments are so returned," and insert in lieu thereof the word "thereto." In the tenth line strike out the words, "to each House," and insert in lieu thereof the word "thereto." In the eleventh line strike out the words, "for and against."

Section 10. In first line strike out "Legislature," and insert the words, "General Assembly." In twelfth line make "ferries" read "ferry," and strike out the word "and," and insert in lieu thereof the word "or." In fifty-seventh line, after the word "immunity," strike out "period," and insert "comma." In fifty-eighth line insert the word "or," at beginning of line, and commence the word "Granting" with a small "g." In sixtieth line strike out the word "Legislature," and insert the words, "General Assembly." In sixty-fourth line strike out the word "any." In the sixty-seventh line strike out the words, "and in no case," and insert the word "nor." In the sixty-eighth line strike out the words, "or are competent," also the word "powers," and insert in lieu thereof the word "same."

Section 11. In the sixth line strike out the word "Legislature," and insert in lieu thereof the words, "General Assembly." In the eighth and ninth lines strike out the word "Legislature," and insert in lieu thereof the words, "General Assembly."

Section 12. In the fourth line strike out the word "Legislature," and insert in lieu thereof the words, "General Assembly." In sixth line strike out the word "to," and insert the word "shall."

Section 13. In first line strike out the word "Legislature," and insert the words, "General Assembly."

Section 20. Transferred to Finance Article.

Section 21. Transferred to Finance Article.

Section 22. In first line strike out the word "Legislature," and insert the words, "General Assembly."

Section 23. In first line strike out the word "Legislature," and insert the words "General Assembly." In sixth line, after the word "prosecuted," in a "period," and commence the following sentence with a capital "N." In sixth and seventh lines strike out the words, "nor shall any," and insert in lieu thereof the word "no," and after the word "act," insert the word "shall." In tenth line strike out the word "that," and insert in lieu thereof the word "those," and in same line strike out the word "the." Strike out all after the word "laws," in the tenth line, and insert in lieu thereof the words, "and such acts now existing shall be void."

Section 24. In first line strike out the word "Legislature," and insert the words, "General Assembly." In fourth line, after the word "and," insert the words, "such acts now." In fourth and fifth lines strike out the words, "laws so authorizing are annulled and avoided," and insert in lieu thereof the words, "shall be void." In fifth line strike out the word "such," and in sixth line strike out the words, "in good faith."

Section 25. In third line strike out the word "regulated," and insert in lieu thereof the word "provided."

Section 26. Second line strike out the words, "but in consequence of," and insert the words, "except upon."

Section 27. In fifth line strike out "Legislature," and insert "General Assembly."

Section 28. In fifth and sixth lines strike out the words, "or part thereof now existing or hereafter created," and strike out all after the word "law," in the seventh line.

Section 29. In first line strike out the word "Legislature," and insert in lieu thereof the words, "General Assembly." In third line strike out the words, "particularly mentioned," and insert in lieu thereof the word "designated." In the fourth line strike out the words, "as reasons for holding," and insert in lieu thereof the word "calling." In fifth line make the word "sessions," read "session."

Section 31. In first line strike out the word "Legislature," and insert in lieu thereof the words, "General Assembly."

Section 32. In second and third lines strike out the words, "or by means of or through any artful or dishonest devices." In third line strike out the word "goods," and insert in lieu thereof the word "or." In the sixth line strike out the words, "Legislature of this Commonwealth," and insert the words, "General Assembly." In the eighth line insert after the word "and," the word "be."

Section 33. In fourth line strike out the word "have," and insert the words, "be charged with having." In eighth line insert the word "a," before the word "prosecutions," make "prosecutions" read "prosecution," and after the word "in," insert the words, "the giving of." In eleventh line insert after the word "holding," the word "any."

Section 34. In third line strike out the word "Legislature," and insert the words, "General Assembly." In fifth line strike out the words, "have the right to."

Section 35. In first line strike out "Legislature," and insert the words, "General Assembly." In second line, after the word "where," insert the word "in." In third line strike out the word "where."

Section 36. In first line strike out "Legislature," and insert "General Assembly." In third line strike out the word "or," and insert the word "and." In fifth and sixth lines strike out the words, "and compliments of these shall," and insert the word "to." In seventh line, after the word "for," where it occurs the second time, insert the words, "sealing of weights and measures and for."

On the question,

Will the Convention adopt the report of the committee?

A motion was made by Mr. Buckalew,

That the article, with the changes proposed by the committee, be printed for the use of the Convention, the matter stricken out to be enclosed in brackets, and the matter to be inserted to be printed in *italic*.

Which was agreed to.

A motion was made by Mr. MacVeagh,

That the Convention proceed to the second reading and consideration of the article (No. 18) reported from the Committee on the Declaration of Rights.

Which was agreed to.

On the question,

Shall the article pass?

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

That the Convention resolve itself into the committee of the whole, for the purpose of amending the preamble, so as to make it read as follows, viz:

"We, the people of the Commonwealth of Pennsylvania, grateful to God, the Sovereign Ruler of the Universe, for the blessings of civil and religious liberty, and humbly invoking His favor and guidance, do ordain and establish this Constitution."

Which was not agreed to.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Hall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in section four, by striking out the following words, viz: "and a future state of rewards and punishments."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Bartholomew, Beebe, Buckalew, Campbell, Corbett, Dallas, Darlington, De France, Dodd, Dunning, Ewing, Gilpin, Hall, Hanna, Hemphill, Howard, Lilly, Long, M'Michael, Mann, Niles, Purman, Reynolds, Smith, H. G., Stanton, Van Reed, and Wetherill, J. M.—27.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Bigler, Black, Charles A., Bowman, Cochran, Corson, Curry, Curtin, Edwards, Elliott, Fulton, Funck, Gibson, Guthrie, Harvey, Hay, Hazzard, Horton, Hunsicker, Kaine, Lamberton, Landis, Lawrence, M'CLean, M'Culloch, Mantor, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purviance, Jno. N., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Smith, Henry W., Stewart, Struthers, Turrell, White, David N., White, Harry, White, J. W. F., Woodward and Walker, *President*—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Baker, Bannan, Barclay, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, Ellis, Fell, Finney, Green, Heverin, Knight, Lear, Littleton, MacConnell, MacVeagh, M'Camant, M'Murray, Metzger, Newlin, Parsons, Patterson, T. H. B., Pughe, Read, John R., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Temple, Wetherill, John Price, Wherry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hanna,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in section four, as follows, viz: Strike out all after the word "persons," in the first line, to and including the word "punishments," in the third line.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Bartholomew, Buckalew, Campbell, Corbett, Darlington, Ewing, Hall, Hanna, Hemphill, Howard, Lilly, Mann, Read, John R., Reynolds, Smith, H. G., Stanton, and Wetherill, J. M.—17.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Beebe, Bigler, Black, Charles A., Black, J. S., Bowman, Cochran, Carter, Curry, Curtin, Dallas, Dodd, Edwards, Elliott, Fulton, Funck, Guthrie, Harvey, Hay, Hazzard, Horton, Hunsicker, Kaine, Lamberton, Landis, Long, MacConnell, M'CLean, M'Culloch, M'Michael, Mantor, Minor, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Russell, Sharpe, Smith, Henry W., Stewart, Struthers, Turrell, White, David N., White, Harry, White, J. W. F., Woodward and Walker, *P. esident*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Biddle, Boyd, Brodhead, Broomall, Brown, Bullitt, Calvin, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Cuyler, Davis, De France, Dunning, Ellis, Fell, Finney, Gibson, Gilpin, Green, Heverin, Knight, Lawrence, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Newlin, Parsons, Pughe, Purman, Rooke, Ross, Runk, Simpson, Smith, Wm. H., Temple, Van Reed, Wetherill, John Price, Wherry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Russell.

That the Convention resolve itself into the committee of the whole for the purpose of amending the same as follows, viz: Strike out the word "that," at the end of each paragraph, and restore the word "That," to the beginning of each section.

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Struthers.

That the Convention resolve itself into committee of the whole on said article for the purpose of amending the twenty-first section, as follows, viz: By inserting ing after the word "citizens," the word "openly."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Andrews, Bartholomew, Bigler, Curtin, Dallas, Dunning, Ellis, Fulton, Hazzard, Horton, Howard, Hunsicker, Mann, Newlin, Purviance, John N., Purviance, Sam'l A., Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Wright and Walker, *President*—23.

N A Y S .

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, Chas. A., Black, J. S., Bowman, Broomall, Buckalew, Carter, Cochran, Corbett, Curry, Darlington, De France, Edwards, Ewing, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Harvey, Hay, Hemphill, Kaine, Landis, Lear, Lilly, Long, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mitchell, Mott, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Reynolds, Russell, Sharpe, Stanton, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Woodward—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Baker, Bannan, Barclay, Bardsley, Biddle, Boyd, Brodhead, Brown, Bullitt, Calvin, Campbell, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Cuyler, Davis, Dodd, Eliott, Fell, Finney, Green, Heverin, Knight, Lamberton, Lawrence, Littleton, M'Camant, M'Michael, Metzger, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Simpson, Stewart, Temple, Van Reed, Wetherill, John Price, Wherry and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Newlin,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the same in section nine, as follows, viz: By inserting after the word "himself," in the ninth line, the words, "but may at his option testify in his own behalf; and his omission so to do shall not be commented upon."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Dallas,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in section seven, as follows, viz: By adding after the word

"conviction," in the ninth line, "or recovery;" and after the word "prosecution," in the tenth line, the words, "or suit."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Alricks, Beebe, Bigler, Campbell, Carter, Curtin, Dallas, De France, Edwards, Ewing, Gibson, Guthrie, Hanna, Hay, Hemphill, Hunsicker, Landis, Lear, Lilly, Long, Newlin, Patton, Purviance, John N., Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Struthers and Woodward—29.

NAYS.

Messrs. Achenbach, Andrews, Bailey, of Huntingdon, Baker, Bartholomew, Black, Charles A., Black, J. S., Bowman, Broomall, Buckalew, Cochran, Corbett, Corson, Darlington, Dunning, Fulton, Funck, Gilpin, Hall, Harvey, Hazzard, Horton, Lamberton, MacConnell, MacVeagh, McCulloch, Mann, Mantor, Minor, Mitchell, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, Sam'l A., Reynolds, Russell, Smith, Henry W., Turrell, Wetherill, J. M., White, Harry, White, J. W. F., Wright and Walker, *President*—44.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Baily, of Perry, Bannan, Barclay, Bardsley, Biddle, Boyd, Brodhead, Brown, Bullitt, Calvin, Carey, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Elliott, Ellis, Fell, Finney, Green, Heverin, Howard, Kaine, Knight, Lawrence, Littleton, M'Camant, M'Clean, M'Michael, M'Murray, Metzger, Niles, Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Simpson, Stewart, Temple, Van Reed, Wetherill, Jno. Price, Wherry, White, David N., and Worrell.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the same in section seven, as follows, viz: By striking out the words, "or negligently," in the fourteenth line.

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Harry White,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the same in the seventh section, by striking out all after the word "liberty," in the ninth line, to and including the word "jury," in the fifteenth line, 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 capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Carter,

That when the Convention adjourn, it be to meet to-morrow at 3 o'clock P. M.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Bartholomew,

To amend the same, by striking out "to-morrow at 3 P. M." and inserting in lieu thereof, "Monday at 10 o'clock A. M."

On the question,

Will the Convention agree so to amend ?

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

Y E A S .

Messrs. Andrews, Baker, Bartholomew, Bigler, Black, J. S., Buckalew, Dallas, Gibson, Guthrie, Hall, Hanna, Hemphill, Lamberton, Landis, M'CLean, M'Culloch, Newlin, Palmer, G. W., Smith, Wm. H., Wetherill, J. M., White, J. W. F., and Worrell—22.

N A Y S .

Messrs. Achenbach, Alricks, Bailey, of Huntingdon, Beebe, Bowman, Broomall, Campbell, Cochran, Corson, Curtin, Darlington, De France, Edwards, Ewing, Funck, Gilpin, Hay, Hazzard, Horton, Hunsicker, Lilly, Long, MacConnell, MacVeagh, Mann, Mantor, Minor, Mitchell, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Wetherill, John Price, White, Harry, Woodward, Wright and Walker, *President*—48.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Armstrong, Baer, Baily, of Perry, Bauman, Barclay, Bardsley, Biddle, Black, Charles A., Boyd, Brodhead, Brown, Bullitt, Calvin, Carey, Carter, Cassidy, Church, Clark, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Fulton, Green, Harvey, Heverin, Howard, Kaine, Knight, Lawrence, Lear, Littleton, M'Camant, M'Michael, M'Murray, Metzger, Niles, Palmer, H. W., Parsons, Porter, Pughe, Purman, Read, John R., Rooke, Ross, Runk, Simpson, Stewart, Temple, Van Reed, Wherry and White, David N.

The hour of three o'clock having arrived,

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.

FRIDAY, SEPTEMBER 26, 1873.

Mr. Reynolds asked and obtained leave of absence for Mr. Biddle for to-day.

Mr. T. H. B. Patterson asked and obtained leave of absence for Mr. Harvey until Tuesday next.

Mr. MacVeagh asked and obtained leave of absence for himself for to-morrow.

Mr. Stewart asked and obtained leave of absence for himself until Tuesday morning next.

Mr. Cockran asked and obtained leave of absence for himself for Monday and Tuesday next.

Mr. Harry White asked and obtained leave of absence for himself for Monday and Tuesday next.

Mr. Buckalew asked and obtained leave of absence for Monday next.

Mr. S. A. Purviance asked and obtained leave of absence for Mr. Fulton for a few days from to-morrow.

Mr. Funck asked and obtained leave of absence for himself for to-morrow and Monday.

Mr. Minor asked and obtained leave of absence for Mr. Mantor for this afternoon.

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

Resolved, That when this Convention adjourn to-day it will be until ten o'clock A. M. on Monday next.

On the question,

Will the Convention agree to the resolution ?

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

Y E A S .

Messrs. Alricks, Baker, Bartholomew, Beebe, Bigler, Broomall, Buckalew, Calvin, Curry, Curtin, Dallas, De France, Dunning, Ellis, Ewing, Funck, Guthrie, Horton, Hunsicker, Kaine, Landis, Lilly, MacVeagh, M'Michael, Minor, Newlin, Palmer, H. W., Purviance, John N., Rooke, Sharpe, Smith, Henry W., Stanton, Stewart, Turrell, Wetherill, J. M., Woodward and Walker, *President*—37.

N A Y S .

Messrs. Barclay, Black, Charles A., Bowman, Campbell, Carter, Cochran, Collins, Corbett, Darlington, Edwards, Fulton, Hemphill, Lawrence, MacConnell, Mann, Mantor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Smith, H. G., Smith, Wm. H., Struthers, Temple, Wetherill, John Price, White, David N., White, Harry, and Wright—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Carey, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Cuyler, Davis, Dodd, Elliott, Fell, Finney, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Metzger, Mitchell, Niles, Palmer, G. W., Parsons, Porter, Read, John R., Ross, Runk, Simpson, Van Reed, Wherry, White, J. W. F., and Worrell.

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

Resolved, That the President of this Convention be authorized to draw his warrant on the State Treasurer for one-half of the salary of officers and members due and unpaid.

On the question,

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

It was determined in the negative.

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

Resolved, That on a motion to go into committee of the whole on third reading, for the purpose of amending articles, the time of speeches shall be limited to five minutes.

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 following words, viz :
"without leave of the Convention on a division without debate."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Carter and Mr. Stewart, and were as follow, viz :

Y E A S .

Messrs. Baker, Barclay, Beebe, Black, Charles A., Bowman, Broomall, Campbell, Carter, Cochran, Collins, Corbett, Edwards, Funck, Horton, Landis, Lawrence, Lilly, MacConnell, Mantor, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, Wm. H., Stanton, Wetherill, Jno. Price, White, David N., Wright and Walker, *President*—35.

N A Y S .

Messrs. Alricks, Bartholomew, Bigler, Buckalew, Calvin, Carey, Curtin, Dallas, Darlington, De France, Elliott, Ellis, Ewing, Fulton, Guthrie, Hemphill, Hunsicker, Kaine, MacVeagh, M'Michael, Mann, Minor, Mott, Newlin, Niles, Palmer, H. W., Pughe, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Struthers, Temple, Turrell, Wetherill, J. M., White, Harry, and Woodward—37.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Fell, Finney, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Lear, Littleton, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Metzger, Mitchell, Parsons, Patton, Porter, Read, John R., Ross, Runk, Simpson, Van Reed, Wherry, White, J. W. F. and Worrell.

Mr. S. A. Purviance offered the following resolution, which was twice read, viz :

Resolved, That from and after Monday next, the Convention will meet at nine and a half o'clock A. M., adjourn at one P. M., meet again at three P. M., and adjourn at seven P. M.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Kaine,
To amend the same, by striking out the word "seven," and inserting the word "six."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. Buckalew,

To amend the same, by striking out after the words, "three P. M."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Temple,

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. Temple and Mr. Newlin, and were as follow, viz:

YEAS.

Messrs. Baker, Bartholomew, Broomall, Calvin, Carey, Collins, Corbett, Curtin, Dallas, Darlington, Dunning, Ewing, Guthrie, Hemphill, Hunsicker, M'Michael, Mann, Mantor, Mott, Newlin, Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Turrell, Wetherill, J. M., White, Harry, and Walker, *President*—31.

NAYS.

Messrs. Achenbach, Alricks, Barclay, Beebe, Bigler, Black, Charles A., Bowman, Buckalew, Campbell, Carter, De France, Edwards, Elliott, Fulton, Funck, Hall, Horton, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Stanton, Struthers, Wetherill, John Price, White, David N., and Wright—40.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Cochran, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Kaine, Knight, Lamberton, Lear, Littleton, Long, M'CLean, M'Culloch, M'Murray, Metzger, Mitchell, Niles, Parsons, Patton, Porter, Read, John R., Ross, Runk, Simpson, Van Reed, Wherry, White, J. W. F., Woodward and Worrell.

And the question recurring,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Newlin,

To further amend the same, by striking out the word "one," and inserting in lieu thereof the word "two."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Newlin and Mr. Temple, and were as follow, viz:

YEAS.

Messrs. Armstrong, Bartholomew, Black, Charles A., Broomall, Cuyler, Dallas, Hemphill, Mann, Newlin, Sharpe, Smith, Henry W., Temple, Wetherill, J. M., White, Harry, and Woodward—15.

NAYS.

Messrs. Achenbach, Alricks, Baker, Barclay, Beebe, Bigler, Bowman, Buckalew, Calvin, Campbell, Carey, Carter, Cochran, Corbett, Curtin, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Guthrie, Hall, Horton, Hunsicker, Kaine, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, M'Michael, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, Wetherill, John Price, White, David N., Wright and Walker, *President*—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Lear, Littleton, Long, M'Clean, M'Culloch, M'Murray, Metzger, Mitchell, Parsons, Porter, Read, John R., Ross, Runk, Simpson, Van Reed, Wherry, White, J. W. F., and Worrell.

And the question again recurring,

Will the Convention agree to the resolution as amended?

The previous question was moved by Mr. D. N. White, seconded by Messrs. M'Camant, Rooke, H. W. Palmer, T. H. B. Patterson, Turrell, Lilly, S. A. Purviance, G. W. Palmer, Wright, Carter, Hunsicker, Minor, Wm. H. Smith, Edwards, Stanton, Temple, Niles and Horton.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Hunsicker and Mr. Bowman, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Barclay, Beebe, Bigler, Black, Charles A., Bowman, Carey, Carter, Cochran, Darlington, De France, Edwards, Elliott, Ewing, Fulton, Funck, Hall, Horton, Kaine, Lawrence, Lilly, MacConnell, MacVeagh, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Russell, Smith, H. G., Smith, Wm. H., Struthers, Turrell, Wetherill, Jno. Price, White, David N., Woodward, Wright and Walker, *President*—47.

NAYS.

Messrs. Armstrong, Baker, Bartholomew, Broomall, Buckalew, Calvin, Campbell, Corbett, Curtin, Cuyler, Dallas, Dunning, Guthrie, Hemphill, Hunsicker, M'Camant, M'Michael, Mann, Newlin, Purman, Reynolds, Sharpe, Smith, Henry, W., Stanton, Temple, Wetherill, J. M., and White, Harry—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Parsons, Porter, Read, John R., Ross, Runk, Simpson, Stewart, Van Reed, Wherry, White, J. W. F., and Worrell.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

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

YEAS.

Messrs. Achenbach, Alricks, Barclay, Beebe, Bigler, Black, Charles A., Bowman, Buckalew, Campbell, Carter, Cochran, De France, Edwards, Fulton, Funck, Hall, Horton, Kaine, Lawrence, Lilly, MacConnell, Minor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Smith, Wm. H., Turrell, Wetherill, John Price, and White, David N.—39.

NAYS.

Messrs. Armstrong, Baker, Bartholomew, Broomall, Calvin, Carey, Collins, Corbett, Cuyler, Dallas, Darlington, Dunning, Elliott, Ewing, Guthrie, Hemphill, Hunsicker, M'Camant, M'Michael, Mann, Mott, Niles, Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Wetherill, J. M., White, Harry, Woodward and Walker, *President*—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntington, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Curtin, Davis, Dodd, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, MacVeagh, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Parsons, Porter, Read, John R., Ross, Runk, Simpson, Stewart, Van Reed, Wherry, White, J. W. F., Worrell and Wright.

A motion was made by Mr. Calvin and Mr. Newlin,

That the vote be re-considered by which the resolution offered by Mr. Lilly was adopted, viz : "*Resolved*, That when this Convention adjourn to-day it will be until ten o'clock A. M. on Monday next."

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Dunning,

To lay the motion on the table.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Calvin and Mr. Newlin, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Baker, Barclay, Bartholomew, Beebe, Bigler, Bowman, Broomall, Buckalew, Cuyler, Dallas, Dunning, Elliott, Ewing, Fulton, Funck, Horton, Hunsicker, Kaine, Lilly, M'Michael, Minor, Niles, Patterson, D. W., Patton, Pughe, Purman, Rooke, Sharpe, Stanton, Turrell and Wetherill, J. M.—33.

NAYS.

Messrs. Armstrong, Black, Charles A., Calvin, Campbell, Carey, Carter, Cochran, Collins, Corbett, Darlington, De France, Edwards, Guthrie, Hall, Hemphill, Lawrence, MacConnell, Mann, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Temple, Wetherill, Jno. Price, White, David N., White, Harry, Woodward and Walker, *President*—36.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Curtin, Davis, Dodd, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Palmer, H. W., Parsons, Porter, Read, John R., Reed, Andrew, Ross, Runk, Simpson, Stewart, Van Reed, Wherry, White, J. W. F., Worrell and Wright.

And the question recurring,

Will the Convention agree to the motion to re-consider ?

A motion was made by Mr. Bartholomew,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Bartholomew and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Baker, Bartholomew, Broomall, Carey, Cuyler, Dunning, Hemphill, Horton, Kaine, Lilly, M'Camant, M'Michael, Mann, Newlin, Patton, Purviance, John N., Rooke, Russell, Stanton and Turrell—20.

N A Y S .

Messrs. Achenbach, Barclay, Beebe, Bigler, Black, Charles A., Bowman, Buckalew, Calvin, Campbell, Cochran, Collins, Corbett, Dallas, Darlington, De France, Edwards, Elliott, Ewing, Fulton, Guthrie, Hall, Hunsicker, Lawrence, MacConnell, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Purviance, Samuel A., Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry, and Walker, *President*—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Biddle, Black, J. S., Boyd, Brodhead, Brown, Bullitt, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Curtin, Davis, Dodd, Ellis, Fell, Finney, Funck, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, MacVeagh, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Parsons, Porter, Read, John R., Reed, Andrew, Ross, Runk, Simpson, Stewart, Temple, Van Reed, Wherry, White, J. W. F., Woodward, Worrell and Wright.

And the question again recurring,

Will the Convention agree to the motion to re-consider ?

A motion was made by Mr. Buckalew,

To postpone the further consideration of the motion to re-consider for the present.

Which was agreed to.

Mr. Buckalew, from the Committee on Revision and Adjustment, reported the Article on the Executive, revised as follows, viz :

After Article, insert "IV." Insert the word "The" before "Executive," and strike out "Department."

Section 1. In second, third and fourth lines, strike out the word "a," wherever it occurs.

Section 2. In second line, strike out the word "a," and insert in lieu thereof the word "the." In sixth line, strike out the word "respectively," and after the word "representatives," strike out semi-colon and insert period. Commence the

following sentence with the capital "T." In eleventh line, strike out the word "Legislature," and insert the words, "General Assembly;" also strike out semicolon after the word "Legislature," and insert period, and commence the next sentence with the capital "T." In fifteenth line, make sentence end with the word "Houses," and commence next sentence with capital "C."

Section 8. Strike out all after the word "term," in the fourth line, and after the word "the," where it occurs the second time, in the same line, insert the words, "next succeeding."

Section 4. In second line, after the word "manner," insert the words, "as the government and."

Section 7. Strike out all after the word "election," in the fourth line.

Section 9. In seventh line, after the word "vacancies," insert the words, "that may happen." In eighth line, strike out the words, "that may happen." In fifteenth line, after the word "or," insert the word "in."

Section 10. In seventh line, after the word "instruction," insert the word "and."

Section 12. In fourth line, strike out the word "shall," and insert the word "may."

Section 15. Strike out section, and insert as follows, viz: "In case of a vacancy in the office of Lieutenant Governor, or when the Lieutenant Governor shall be impeached by the House of Representatives, or shall be unable to exercise the duties of his office, the powers, duties and emoluments thereof for the remainder of the term or until the disability be removed, shall devolve upon the president *pro tempore* of the Senate; and he shall in like manner become Governor if a vacancy or disability shall occur in the gubernatorial office; 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. In the fifth line, after the word "which," where it first occurs, insert the word "House." In sixth line, make the word "journals" read "journal." In fifteenth line, strike out the word "persons," and insert the word "members," and the word "or," and insert the word "and."

Section 17. In second line, make the word "bills" read "bill." In fifth line, after the word "items," insert the words, "of appropriation."

Section 18. Strike out first eight lines. In tenth line strike out the words, "such contest," and insert the words, "contested election of Governor or Lieutenant Governor and." At end of section add the words, "The Governor and Lieutenant Governor shall exercise the duties of their respective offices until their successors shall be duly qualified."

Section 19. In second line, strike out the words, "fair register," and insert the word "record." In fifth line, strike out the word "Legislature," and insert the words, "General Assembly."

Section 20. In second and third lines, strike out the words, "devolved by law upon," and insert the word "of." In eleventh line, after the word "annually," insert the words, "and at such other times as may be required by law." In twelfth line, strike out all after the word "the," and insert the words, "General Assembly."

Section 21. In third line, strike out the words, "devolved by law upon," and insert the word "of." In fourth line, make the word "change" read "changes."

Section 22. In fifth line, strike out the words, "on the day of the," and insert the word "at."

A motion was made by Mr. Buckalew,

That the said report, in connection with the article, be printed for the use of the Convention.

Which was agreed to.

A motion was made by Mr. Newlin,

To resume the consideration of the motion to re-consider the vote by which the resolution offered by Mr. Lilly was adopted.

Which was agreed to.

And the question recurring,

Will the Convention agree to the motion to re-consider?

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

YEAS.

Messrs. Achenbach, Armstrong, Beebe, Bowman, Calvin, Campbell, Carey, Cochran, Collins, Corbett, Darlington, DeFrance, Edwards, Fulton, Guthrie, Hall, Hemphill, Lawrence, MacConnell, M'Camant, M'Michael, Mann, Mott, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Smith, Wm. H., Struthers, Wetherill, Jno. Price, White, David N., and White, Harry—37.

NAYS.

Messrs. Alricks, Baker, Bartholomew, Bigler, Black, Charles A., Black, J. S., Broomall, Buckalew, Curtin, Dunning, Ellis, Ewing, Funck, Horton, Hunsicker, Kaine, Lilly, MacVeagh, Minor, Newlin, Palmer, H. W., Patton, Purman, Rooke, Sharpe, Smith, Henry W., Stanton, Turrell, Wetherill, J. M., Walker, *President*—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Biddle, Boyd, Brodhead, Brown, Bullett, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, Dodd, Elliott, Fell, Finney, Gibson, Gilpin, Green, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, Littleton, Long, M'CLean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Parsons, Porter, Pughe, Read, John R., Reed, Andrew, Ross, Runk, Simpson, Stewart, Temple, Van Reed, Wherry, White, J. W. F., Woodward, Worrell and Wright.

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 resolution, for the present.

Which was agreed to.

A motion was made by Mr. Buckalew,

That the Convention resume the third reading and consideration of the article on Declaration of Rights.

Which was agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding a new section as follows, viz:

"No law shall be made or enforced within this Commonwealth that discriminates in favor of any class of persons, male or female, and all public institutions, educational or otherwise, all public places of amusement and for the accommodation of travelers, shall be open to and enjoyed by all persons on equal terms."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Beebe, Bowman, Broomall, Calvin, Campbell, Cochran, Darlington, Edwards, Elliott, Ewing, Fulton, Horton, Lilly, Littleton, M'Michael, Mann, Newlin, Niles, Palmer, H. W., Patterson, D. W., Pughe, Purviance, John N., Purviance, Sam'l A., Russell, Stanton, Wetherill, J. M., White, David N., and White, Harry—28.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Baker, Bigler, Black, Chas. A., Black, J. S., Buckalew, Carey, Collins, Curtin, Dallas, De France, Dunning, Green, Guth-

rie, Hall, Hemphill, Hunsicker, Kaine, Lawrence, Long, MacConnell, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Patton, Purman, Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers and Walker, *President*—36.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Boyd, Brodhead, Brown, Bullitt, Carter, Cassidy, Church, Clark, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Ellis, Fell, Finney, Funck, Gibson, Gilpin, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Knight, Lamberton, Landis, Lear, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Metzger, Mitchell, Parsons, Porter, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Simpson, Stewart, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, J. W. F., Woodward, Worrell and Wright.

A motion was made by Mr. Harry White,

That the Convention do now adjourn, for want of a quorum.

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.

SATURDAY, SEPTEMBER 27, 1873.

The hour of meeting having arrived, and there not being a quorum of members present,

A motion was made by Mr. Darlington,

That the Sergeant-at-Arms be directed to bring those members who are absent without leave.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Harry White,

To amend the same by adding the following words, viz:

"And that he be directed to notify those he cannot reach personally to-day, to be present at Monday's sessions."

Which was agreed to.

On the question,

Will the Convention agree to the motion as amended?

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

Y E A S.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Bowman, Collins, Corbett, Curtin, Darlington, De France, Edwards, Guthrie, Hazzard, Howard, Kaine, Lawrence, MacConnell, Mantor, Minor, Niles, Palmer, G. W., Patterson, D. W., Porter, Purviance, Sam'l A., Russell, Simpson, Struthers, White, David N., White, Harry, and Walker, *President*—31.

N A Y S.

Messrs. Bigler, Black, Charles A., Cochran, Dallas, Gibson, Gilpin, Hemphill, M'Clean, M'Michael, M'Murray, Mann, Mott, Newlin, Patton, Pughe, Purman and White, J. W. F.—17.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Baker, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Fulton, Funck, Green, Hall, Hanna, Harvey, Hay, Heverin, Horton, Hunsicker, Knight, Lamberton, Landis, Lear, Lilly, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Wright and Worrell.

A motion was made by Mr. Hemphill,

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. Patton and Mr. Hemphill, and were as follow, viz :

Y E A S.

Messrs. Addicks, Armstrong, Bailey, of Huntingdon, Baker, Bigler, Bowman, Calvin, Carey, Curtin, Dallas, Elliott, Gibson, Guthrie, Hanna, Hemphill, Kaine, Lamberton, M'Clean, M'Michael, M'Murray, Mann, Minor, Mott, Newlin, Niles, Patton, Porter, Purman, Read, John R., Sharpe, Smith, H. G., White, J. W. F., and Walker, *President*—33.

N A Y S.

Messrs. Achenbach, Baily, of Perry, Barclay, Beebe, Black, Charles A., Campbell, Cochran, Collins, Corbett, Darlington, De France, Edwards, Gilpin, Hazard, Howard, Lawrence, MacConnell, Mantor, Palmer, G. W., Patterson, D. W., Pughe, Purviance, Samuel A., Russell, Simpson, Struthers, White, David N., White, Harry and Woodward—28.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Baer, Bannan, Bardsley, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carter, Cassidy, Church, Clark, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Ewing, Fell, Finney, Fulton, Funck, Green, Hall, Harvey, Hay, Heverin, Horton, Hunsicker, Knight, Landis, Lear, Lilly, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Worrell and Wright.

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.

MONDAY, SEPTEMBER 29, 1873.

Mr. Hay asked and obtained leave of absence for Mr. W. H. Smith for a few days from to-day.

Mr. Patton asked and obtained leave of absence for Mr. Horton for a few days from to-day.

Mr. Guthrie asked and obtained leave of absence for Mr. Curry for Saturday last and to-day.

Mr. Brodhead offered the following resolution, which was read as follows, viz :

Resolved, That the Committee on State institutions and Buildings be and are hereby instructed to report an article to prevent the erection of any building for holding the sessions of the Legislature of this State until the project shall be approved by two successive Legislatures.

Laid on the table.

Mr. D. W. Patterson, from the Committee on Revision and Adjustment, reported the article on the Judiciary, revised as follows, viz :

Insert after Article, the numeral "V."

Strike-out the word "of" before the words, "the Judiciary."

Section 1. In third line, strike out the word "in." In fourth line, strike out the word "in." In fifth line, strike out the word "in;" also, the words, "in justices of the peace," and insert in lieu thereof the words, "magistrates' courts."

Section 5. In first line, strike out the word "city," and insert the word "county." In first and second lines, strike out the words, "in the county of." In the third line, strike out the word "the," where it occurs the second time. In fourth line, strike out the words, "or either of them in said city and county." In same line, insert a parenthesis before the word "subject." In sixth line, insert a parenthesis after the word "law." In same line, strike out the words, "the city of." In seventh line, strike out the words, "the county of." Strike out all after the word "each," in the ninth line, to and including the word "thereto," in the twelfth line. In the twelfth line, strike out the words, "the city of." In fifteenth line, strike out the words, "the county of."

Section 7. In first line, strike out the words, "the city of." In ninth line, strike out the words, "city and" and insert "county." In eleventh line, strike out the word "such" and insert the word "the." In twelfth line, strike out the word "city" and insert the word "county." In same line, after the word "treasury," strike out semi-colon and insert period, and commence the following sentence with the capital "E." In fifteenth line, strike out the word "are" and insert the word "is."

Section 8. In first line, strike out the word "city" and insert the word "counties." In second line strike out the words, "county of." In third line, strike out the word "its" and insert the word "their." In fifth line, after the word "sessions," insert the words, "of the peace." In same line, strike out the word "district" and insert the word "counties."

Section 9. In fourth and fifth lines strike out the words, "offenders therein" and insert the word "offences." In fifth line, after the word "shall," insert the word "also." In sixth line strike out the word "as," at beginning of line, and insert the word "so."

Section 10. In sixth line, after the word "justice," insert the word "to."

Section 11. In first line, before the word "justices," insert the words, "except as otherwise provided in this Constitution."

Section 12. In first line, strike out the words, "the city of." In third and fourth lines, strike out the words, "and justice of the peace." In sixth line, make "court" read "courts." In ninth line, strike out the word "all," and in the same line, strike out the words, "of said city," and after the word "voters," insert the words, "at large." In tenth line, strike out the word "the." In fourteenth line, strike out the word "city" and insert the word "county." In fifteenth line, strike out the word "modified," and insert the word "provided." In sixteenth line, strike out the words, "and justices of the peace."

Section 13. In first line, after the word "fees," insert the words, "fines and penalties in said." In second line, strike out the words, "and all fines and penalties," and in same line, strike out the word "city" and insert the word "county."

Section 14. In first line, after the word "cases," insert the words, "in this Commonwealth."

Section 15. In ninth line, strike out the word "branch," and insert the word "House."

Section 20. In third line, after the word "districts," insert the words, "subject to such changes as may be made by law."

Section 21. In seventeenth line, make the word "publications" read "publication." In twenty-fifth line, strike out the word "same" and insert the words, "said act." In thirty-third line, insert after the word "Legislature" the words, "or other person."

Section 23. Strike out the first five lines, and the word "court" in the sixth line. In the sixth line after the word "every," insert the words, "county or." In eighth line, strike out the words, "city or," and insert after the word "county," the words, "or city and county." In tenth line, strike out the word "and." In thirteenth line, make the word "court" read "courts." In fifteenth line, strike out the words, "city or" and insert after the word "county," the words, "or city and county." Strike out the remainder of the section, and insert as follows, viz:

"In any county or city and county in which a separate orphans' court shall be established, the register of wills shall be clerk of such court, and subject to its direction in all matters pertaining to his office; he may appoint assistant clerks, but only with the consent and approval of said court. All accounts filed with him as register or as clerk of said court shall be audited by the court without expense to parties, except where all parties in interest in a pending prosecution shall nominate an auditor, whom the court may, in its discretion, appoint. In every county, orphans' courts shall possess all the powers and jurisdiction of a registers' court, and separate registers' courts shall be abolished.

Section 25. In first line, strike out the word "unlawful" and insert in lieu thereof the word "felonious." In second line, strike out the word "authorized," and insert the words, "provided for." In fifth and sixth lines, strike out the words, "in the same manner as in civil cases."

Section 26. In fifth line, strike out "two" and insert "three."

Section 32. Strike out all after the word "provide," in the tenth line.

Mr. D. W. Patterson, also from the same committee, reported the article on Impeachment and Removal from office, revised as follows, viz:

OF IMPEACHMENT AND REMOVAL FROM OFFICE.

Insert after the word "Article," the numeral "VI."

In heading, strike out the word "of."

Section 3. In sixth line, strike out the word "honor."

Section 4. In first line, strike out the word "only." In same section, strike out the fifth and sixth lines and the words, "power by which they are appointed," in the seventh line.

On motion of Mr. D. W. Patterson,

Said articles, with the changes proposed by the committee, were ordered to be printed for the use of the Convention.

Agreeably to order,

The Convention resumed the third reading and consideration of the article reported from the Committee on Declaration of Rights.

And the question recurring,

Will the Convention resolve itself into committee of the whole for the purpose of amending the article, by adding the section offered by Mr. Harry White? as follows, viz:

"No law shall be made or enforced within this Commonwealth that discriminates in favor of any class of persons, male or female; and all public institutions, educational or otherwise, all public places of amusement, and for the accommodation of travelers, shall be open to and enjoyed by all persons on equal terms."

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

Y E A S .

Messrs. Armstrong, Baker, Beebe, Bowman, Broomall, Calvin, Campbell, Darlington, Edwards, Ewing, Hanna, Hazzard, Howard, Lawrence, Lear, Lilly, Littleton, M'Michael, M'Murray, Mann, Mantor, Newlin, Patterson, D. W., Porter, Purviance, Sam'l A., Russell, Wetherill, John Price, White, David N., and White, J. W. F.—29.

N A Y S .

Messrs. Achenbach, Baily, of Perry, Barclay, Biddle, Bigler, Black, Chas. A., Boyd, Brodhead, Carey, Carter, Corbett, Curtin, Dallas, De France, Gilpin, Guthrie, Hay, Hunsicker, Kaine, MacConnell, M'CLean, Minor, Mitchell, Mott, Palmer, G. W., Patton, Pughe, Purman, Read, John R., Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Struthers, Temple, Woodward and Walker, *President*—38.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Cassidy, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Lamberton, Landis, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Runk, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. De France,

That the Convention resolve itself into committee of the whole, for the purpose of amending the sixth section, by striking out the words, "be as heretofore, and the right thereof."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. De France and Mr. Newlin, and were as follow, viz :

Y E A S .

Messrs. De France, Guthrie, Lilly, Read, John R., Reynolds and White, J. W. F.—6.

N A Y S .

Messrs. Achenbach, Addicks, Armstrong, Baily, of Perry, Baker, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Campbell, Carey, Carter, Corbett, Curtin, Cuyler, Dallas, Darlington, Edwards, Elliott, Ewing, Hanna, Hay, Hazzard, Howard, Hunsicker, Kaine, Lawrence, Lear, Littleton, MacConnell, M'CLean, M'Michael, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patton, Pughe, Purman, Purviance, Sam'l A., Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Struthers, Temple, Wetherill, John Price, White, David N., Woodward and Walker, *President*—64.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Calvin,

Cassidy, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Lamberton, Landis, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purviance, Jno. N., Reed, Andrew, Rooke, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Dallas,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the tenth section, by inserting after the word "property," in the eighth line, the words, "be injured or."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Dallas and Mr. J. W. F. White, and were as follow, viz:

YEAS.

Messrs. Baily, of Perry, Baker, Beebe, Biddle, Bigler, Black, Charles A., Broomall, Calvin, Carey, Carter, Dallas, De France, Guthrie, Hanna, Hay, Hazzard, Heverin, Kaine, Lawrence, Lilly, M'Clean, Mott, Newlin, Palmer, G. W., Patton, Read, John R., Reynolds, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., White, J. W. F., Woodward and Walker, *President*—35.

NAYS.

Messrs. Achenbach, Addicks, Armstrong, Barelay, Bowman, Boyd, Brodhead, Campbell, Corbett, Curtin, Cuyler, Darlington, Edwards, Elliott, Ewing, Howard, Hunsicker, Lear, Littleton, MacConnell, M'Michael, M'Murray, Mann, Minor, Mitchell, Niles, Patterson, D. W., Porter, Pughe, Purman, Purviance, Sam'l A., Runk, Temple, Wetherill, Jno. Price, and White, David N.—35.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Cassidy, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Horton, Knight, Lamberton, Landis, Long, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Simpson, Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. Bigler,

That the Convention proceed to the third reading and consideration of the article reported from the Committee on the Legislature.

Which was agreed to.

On the question,

Shall the article pass?

A motion was made by Mr. Woodward,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the article in the second line of section seven, by striking out the words, "for election."

Which was agreed to.

Whereupon,

The committee resolved itself into committee of the whole, Mr. Lawrence in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the article in the third line of section seven, by striking out the words, "for election or appointment."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Armstrong, Baker, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Calvin, Cassidy, Corbett, Dallas, Darlington, De France, Elliott, Ewing, Guthrie, Hay, Heverin, Howard, Lawrence, Lear, Lilly, MacConnell, Minor, Mitchell, Mott, Newlin, Niles, Patton, Pughe, Purman, Read, John R., Ross, Runk, Russell, Sharpe, Smith, Henry W., Struthers, Temple, White, David N., White, J. W. F., Woodward and Walker, *President*—45.

NAYS.

Messrs. Achenbach, Baily, of Perry, Brodhead, Campbell, Carey, Carter, Curtin, Cuyler, Edwards, Hanna, Hunsicker, Kaine, M'CLean, M'Michael, M'Murray, Mann, Palmer, G. W., Patterson, D. W., Porter, Purviance, Sam'l A., Smith, H. G., and Worrell—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hazzard, Hemphill, Horton, Knight, Lamberton, Landis, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Mantor, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Reynolds, Rooke, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, Harry, and Wright.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Broom in the chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third line of section seven, by striking out the word "to," and inserting in lieu thereof the words, "capable of holding."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Pughe in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Kaine,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the fourth line of section seventeen, by striking out the words, "two hundred," and inserting in lieu thereof the words, "one hundred and fifty."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Armstrong, Black, Charles A., Broomall, Calvin, Cuyler, Ewing, Hay, Howard, Kaine, MacVeagh, M'Murray, Minor, Porter, Purman, Purviance, Sam'l A., Russell, Smith, Henry W., Struthers, White, David N., Woodward and Walker, *President*—21.

N A Y S .

Messrs. Achenbach, Bailly, of Perry, Baker, Beebe, Biddle, Bigler, Bowman, Brodhead, Campbell, Carey, Carter, Cassidy, Corbett, Curtin, Dallas, Darlington, De France, Edwards, Elliott, Guthrie, Hanna, Hazzard, Heverin, Hunsicker, Lamberton, Lawrence, Lear, Lilly, MacConnell, M'Olean, M'Michael, Mann, Mantor, Mitchell, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patton, Pughe, Read, John R., Reynolds, Ross, Runk, Sharpe, Smith, H. G., Temple, Wetherill, John Price, White, J. W. F., and Worrell—49.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntington, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Boyd, Brown, Buckalew, Bullitt, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Horton, Knight, Landis, Littleton, Long, M'Camant, M'Culloch, Metzger, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. D. N. White,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the fourth and fifth lines of section sixteen, by striking out the words, "by possessing a population exceeding one Senatorial ratio, and three-fifths of a second ratio."

On the question,

Will the Convention agree to the motion ?

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

YEAS.

Messrs. Armstrong, Baily, of Perry, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Calvin, Carter, Cassidy, Curtin, Cuyler, Dallas, Darlington, De France, Edwards, Elliott, Heverin, Hunsicker, Lamberton, MacVeagh, M'CLean, M'Michael, Read, John R., Runk, Smith, Henry W., Wetherill, John Price, White, David N., White, J. W. F., Worrell and Walker, *President*—33.

NAYS.

Messrs. Achenbach, Baker, Campbell, Corbett, Ewing, Guthrie, Hanna, Hay, Hazzard, Howard, Kaine, Lawrence, Lilly, MacConnell, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, Sam'l A., Reynolds, Ross, Russell, Smith, H. G., Struthers, Temple and Woodward—35.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Bear, Bailey, of Huntington, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Brown, Buckalew, Bullitt, Carey, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Horton, Knight, Landis, Lear, Littleton, Long, M'Camant, M'Culloch, Metzger, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question recurring,
Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the fifth and sixth lines of section sixteen, by striking out the words, "and no county or city shall be entitled to more than one-sixth of the whole number of members."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Baker, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Broomall, Campbell, Carey, Cassidy, Curtin, Cuyler, Dallas, Edwards, Guthrie, Hanna, Lear, Lilly, M'Michael, Mann, Newlin, Read, John R., Runk, Temple, Wetherill, John Price, and Worrell—26.

NAYS.

Messrs. Achenbach, Armstrong, Baily, of Perry, Beebe, Calvin, Carter, Corbett, Darlington, De France, Elliott, Ewing, Hay, Hazzard, Howard, Hunsicker, Kaine, Lamberton, Lawrence, MacConnell, MacVeagh, M'CLean, M'Murray, Mantor, Minor, Mitchell, Mott, Niles, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, Sam'l A., Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Struthers, White, David N., White, J. W. F., Woodward and Walker, *President*—44.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntington, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Brown, Buckalew, Bullitt, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Landis, Little-

ton, Long, M'Camant, M'Culloch, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question recurring,
Shall the article pass?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article, in the ninth and tenth lines of the seventeenth section, by striking out the words, "Every city shall be entitled to separate representation when its population equals the ratio."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Armstrong, Beebe, Boyd, Carter, Darlington, Edwards, Guthrie, Lawrence, Lilly, MacConnell, MacVeagh, Mann, Mantor, Minor, Newlin, Patterson, D. W., Porter, Russell, Smith, Henry W., Struthers, Wetherill, John Price, White, David N., Woodward, Worrell and Walker, *President*—25.

NAYS.

Messrs. Achenbach, Baily, of Perry, Baker, Biddle, Bigler, Black, Charles A., Brodhead, Broomall, Calvin, Campbell, Carey, Cassidy, Corbett, Curtin, Dallas, De France, Elliott, Ewing, Hanna, Hay, Howard, Hunsicker, Kaine, Lamber-ton, Lear, M'CLean, M'Michael, M'Murray, Mitchell, Mott, Niles, Palmer, G. W., Patton, Pughe, Purman, Purviance, Sam'l A., Read, John R., Reynolds, Ross, Runk, Smith, H. G., Stanton and White, J. W. F.—43.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Hunt-ington, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Brown, Buckalew, Bullitt, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Git-son, Gilpin, Green, Hall, Harvey, Hazzard, Hemphill, Heverin, Horton, Knight, Landis, Littleton, Long, M'Camant, M'Culloch, Metzger, Palmer, H. W., Par-sons, Patterson, T. H. B., Purviance, John N., Reed, Andrew, Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question again recurring,
Shall the article pass?

Mr. Brodhead asked and obtained unanimous consent to amend the same, in second line of the second section, by striking out the word "and."

And the question again recurring,
Shall the article pass?

Mr. D. W. Patterson asked and obtained unanimous consent to amend the same, in the first line of the thirteenth section, by striking out the word "doors," and inserting in lieu thereof the word "sessions."

And the question again recurring,
Shall the article pass?

Mr. Darlington asked and obtained unanimous consent to amend the same, in the sixth line of the eleventh section, by striking out the words, "for election."

And the question again recurring,
Shall the article pass ?

Mr. Darlington asked and obtained unanimous consent to amend the same, in the fifth line of the seventeenth section, by striking out the words, "be given," and inserting in lieu thereof the word "have."

And the question recurring,
Shall the article pass ?

Mr. Darlington asked unanimous consent to amend the same, in the first line of the eighth section, by striking out the words, "salary and mileage," and inserting in lieu thereof the word "compensate," and also in the fifth line of the same section, by striking out the words, "salary or mileage," and inserting in lieu thereof the word "compensation."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Woodward and Mr. Hunsicker, that the vote be reconsidered by which the motion made by Mr. D. N. White was negatived to strike out in the fourth and fifth lines of the sixteenth section, the words, "by possessing a population exceeding one Senatorial ratio, and two fifths of a second ratio."

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

The hour of one having arrived,

The President announced a recess until three o'clock P. M.

The hour of three o'clock having arrived, and there not being a quorum of members present,

A motion was made by Mr. Carter,
That a call of the House be had.

Which was agreed to.

Whereupon,

The President directed the doors of the Hall to be closed, and the names of the members to be called, when the following members were found to be absent without leave or with insufficient excuse: Messrs. Addicks, Ainey, J. M. Bailey, Bannan, Barclay, Bardsley, J. S. Black, Campbell, Cassidy, Church, Clark, Corson, Cronmiller, Cuyler, Dallas, Dunning, Ellis, Fell, Gilpin, Green, Hall, Hemphill, Heverin, Landis, Littleton, Long, M'Camant, M'Murray, Metzger, Newlin, Parsons, T. H. B. Patterson, Patton, John R. Read, Rooke, Temple, Van Reed, J. M. Wetherill, Wherry and Worrell.

A motion was made by Mr. Darlington,

That the Sergeant-at-Arms be directed to bring to the Convention, such absentees as can be found in the city, and that those absent from the city be notified by telegraph, that their presence is required.

Which was agreed to.

Whereupon,

The list of absentees was furnished the Sergeant-at-Arms, and he proceeded to the discharge of said duty.

After some time,

Messrs. Cuyler, Cassidy, Dallas, Temple, Barclay, Campbell, Parsons, J. S. Black and Littleton appeared before the bar of the Convention, and after assigning sufficient reasons for their absence, were excused therefor.

The President then directed the roll of members to be called, when sixty-seven answered to their names.

A motion was made by Mr. D. W. Patterson,

That the Convention resume the third reading and consideration of the article reported from the Committee on Legislature.

Which was agreed to.

And the question recurring,

Will the Convention agree to the motion made by Messrs. Woodward and Hunsicker, to re-consider the vote by which the motion made by Mr. D. N. White was negatived, to strike out, in the fourth and fifth lines of the sixteenth section, the words, "by possessing a population exceeding one Senatorial ratio and three-fifths of a second ratio?"

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

Y E A S.

Messrs. Armstrong, Baily, of Perry, Baker, Beebe, Biddle, Bigler, Black, Chas. A., Boyd, Brodhead, Calvin, Campbell, Carter, Cassidy, Corbett, Curtin, Cuyler, Dallas, Darlington, De France, Edwards, Elliott, Ewing, Gibson, Guthrie, Hanna, Hay, Hazzard, Hunsicker, Kaine, Lamberton, Lawrence, Lear, Lilly, MacVeagh, M'Clean, M'Michael, Mantor, Minor, Mitchell, Mott, Niles, Palmer, G. W., Patterson, D. W., Pughe, Purviance, Sam'l A., Sharpe, Smith, H. G., Smith, Henry, W., Struthers, Temple, Wetherill, Jno. Price, White, David N., White, J. W. F., Woodward and Walker, *President*—55.

N A Y S.

Messrs. Achenbach, Barclay, Bowman, Howard, MacConnell, Mann, Purman, Reynolds, Ross, Runk, Russell and Stanton—12.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, J. S., Broomall, Brown, Buckalew, Bullitt, Carey, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Landis, Littleton, Long, M'Camant, M'Culloch, M'Murray, Metzger, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Simpson, Smith, Wm. H., Stewart, Turrell, Van Beed, Wetherill, J. A., Wherry, White, Harry, Worrell and Wright.

And the question recurring,

Will the Convention agree so to amend?

It was determined in the negative.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh, that the article be re-committed to the Committee on Revision and Adjustment, with instructions that the same be reported back to the Convention to-morrow morning.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Achenbach, Armstrong, Barclay, Beebe, Black, Chas. A., Black, J. S., Boyd, Calvin, Carter, Cassidy, Corbett, Cuyler, Dallas, Darlington, Elliott, Gibson, Guthrie, Hanna, Howard, Hunsicker, Kaine, Lamberton, Lear, Lilly, MacVeagh, M'Michael, Minor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Purman, Purviance, Samuel A., Sharpe, Smith, H. G., Smith, Henry W., Woodward and Walker, *President*—40.

N A Y S.

Messrs. Baily, of Perry, Baker, Biddle, Bigler, Bowman, Campbell, Curtin, De France, Edwards, Ewing, Hay, Hazzard, Lawrence, Littleton, MacConnell, M'Clean, Mann, Mantor, Porter, Pughe, Reynolds, Ross, Russell, Stanton, Struthers, Temple, Wetherill, Jno. Price, White, David N., and White, J. W. F.—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carey, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Landis, Long, M'Camant, M'Culloch, M'Murray, Metzger, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

On leave given,

Mr. Armstrong asked and obtained leave of absence for to-morrow and next day.

On leave given,

Mr. Kaine offered the following resolution, viz :

Resolved, That hereafter if any member shall absent himself from the sessions of the Convention for the space of two days without leave or on account of sickness, his seat shall be declared vacant, and the Convention will proceed to fill said vacancy according to law.

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 Cuyler, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Baily, of Perry, Beebe, Biddle, Bowman, Campbell, Carter, Darlington, De France, Edwards, Ewing, Guthrie, Hanna, Hazzard, Howard, Hunsicker, Kaine, Lawrence, MacConnell, MacVeagh, M'Clean, Mantor, Mott, Niles, Porter, Purviance, Sam'l A., Russell, Struthers, White, David N., Woodward and Walker, *P. esident*—31.

N A Y S.

Messrs. Armstrong, Baker, Bigler, Black, Charles A., Boyd, Calvin, Cassidy, Corbett, Curtin, Cuyler, Dallas, Elliott, Gibson, Hay, Lamberton, Lear, Lilly, Littleton, M'Michael, Mann, Minor, Mitchell, Palmer, G. W., Parsons, Patterson, D. W., Pughe, Purman, Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Temple, Wetherill, John Price, and White, J. W. F.—36.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brodhead, Broomall, Brown, Buckalew, Bullitt, Carey, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Horton, Knight, Landis, Long, M'Camant, M'Culloch, M'Murray, Metzger, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

A motion was made by Mr. Bigler,

That the Convention proceed to the third reading and consideration of the article reported from the Committee on the Legislature.

Which was agreed to.

On the question,

Shall the article pass?

A motion was made by Mr. Struthers,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the article, in the sixth line of the fourteenth section, by inserting after the word "below," the words, "or at."

Which was not agreed to.

A motion was made by Mr. J. W. F. 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. MacVeagh and Mr. John Price Wetherill, and were as follow, viz:

YEAS:

Messrs. Armstrong, Baker, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Cassidy, Corbett, Curtin, Cuyler, Dallas, De France, Elliott, Ewing, Gibson, Guthrie, Hanna, Howard, Kaine, Lamberton, Lear, Lilly, Littleton, M'CLean, M'Michael, Minor, Mott, Parsons, Pughe, Ross, Smith, Henry W., Struthers, White, J. W. F., Woodward and Walker, *President*—36.

NAYS.

Messrs. Achenbach, Baily, of Perry, Barclay, Black, J. S., Bowman, Calvin, Campbell, Carter, Darlington, Edwards, Hazzard, Hunsicker, Lawrence, MacConnell, MacVeagh, Mann, Mantor, Mitchell, Niles, Palmer, G. W., Patterson, D. W., Porter, Purman, Purviance, Sam'l A., Reynolds, Russell, Sharpe, Smith, H. G., Temple, Wetherill, John Price, and White, David N.—32.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Alricks, Andrews, Baer, Bailey, of Huntington, Bannan, Bardsley, Bartholomew, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carey, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Harvey, Hay, Hemphill, Heverin, Horton, Knight, Landis, Long, M'Camant, M'Culloch, M'Murray, Metzger, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Smith, Wm. H., Stanton, Stewart, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

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.

TUESDAY, SEPTEMBER 30, 1873.

Mr. Lilly asked and obtained leave of absence for Mr. Fell for a few days from to-day.

Mr. Kaine asked and obtained leave of absence for Mr. Collins for a few days from yesterday, on account of sickness, and for himself for to-morrow.

Mr. Ewing asked and obtained leave of absence for Mr. Turrell for a few days from yesterday.

Mr. H. W. Palmer asked and obtained leave of absence for Mr. Wright for a few days from to-day.

Mr. Biddle asked and obtained leave of absence for the members of the Convention, who are members of the Philadelphia bar, and also Mr. H. G. Smith from twelve o'clock, for the balance of the day, in order to attend the memorial meeting on the death of Col. Charles J. Biddle.

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

Resolved, That this House will adjourn to-day at three o'clock P. M., and there shall be no afternoon session ; and that hereafter the daily sessions shall be from nine and a-half A. M., until three o'clock P. M.

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 "three," and inserting in lieu thereof the word "four."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Hanna,

To amend the same, by striking out the words, "nine and a-half," and inserting in lieu thereof the word "ten."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Carter,

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

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. H. W. Smith,

To amend the same, by adding to the end thereof the words, "and that there be no sessions on Saturdays."

On the question,

Will the Convention agree so to amend ?

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

YEAS.

Messrs. Addicks, Armstrong, Baker, Bartholomew, Beebe, Biddle, Bigler, Black, J. S., Brodhead, Broomall, Buckalew, Calvin, Carey, Corson, Curry, Curtin, Dallas, Dunning, Elliott, Funck, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hemphill, Howard, Hunsicker, Kaine, Lamberton, Lear, Lilly, MacVeagh, M'Michael, Minor, Mott, Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Rooke, Ross, Simpson, Smith, Henry W., Stanton, Stewart, Temple, Wetherill, J. M., White, J. W. F., Woodward and Walker, *President*—53.

NAYS.

Messrs. Achenbach, Ainey, Bailly, of Perry, Barclay, Black, Charles A., Bowman, Boyd, Campbell, Carter, Clark, Corbett, Darlington, De France, Edwards, Ewing, Hay, Hazzard, Landis, Lawrence, Littleton, MacConnell, M'CLean, M'Murray, Mann, Mantor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Runk, Russell, Sharpe, Smith, H. G., Struthers, Wetherill, John Price, and White, David N.—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Brown, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Cuyler, Davis, Dodd, Ellis, Fell, Finney, Fulton, Green, Hall, Heverin, Horton, Long, Knight, M'Camant, M'Culloch, Metzger, Newlin, Read, John R., Smith, Wm. H., Turrell, Van Reed, Wherry, White, Harry, Worrell and Wright.

On the question,

Will the Convention agree to the resolution as amended?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. Stanton, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Baker, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Brodhead, Broomall, Calvin, Carey, Cassidy, Corbett, Corson, Curry, Curtin, Cuyler, Dallas, Darlington, Dunning, Elliott, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hemphill, Howard, Hunsicker, Lamberton, Lear, Lilly, MacVeagh, M'Michael, Mann, Mott, Newlin, Niles, Parsons, Patterson, D. W., Pughe, Reynolds, Ross, Runk, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stanton, Stewart, Temple, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Woodward and Walker, *President*—60.

NAYS.

Messrs. Achenbach, Addicks, Bailly, of Perry, Beebe, Buckalew, Campbell, Carter, Clark, De France, Edwards, Ewing, Funck, Hay, Hazzard, Kaine, Landis, Lawrence, Littleton, MacConnell, M'CLean, M'Murray, Mantor, Minor, Mitchell, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Rooke, Russell, Struthers and White, David N.—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Brown, Bullitt, Church, Cochran, Collins, Craig, Cronmiller, Davis, Dodd, Ellis, Fell, Finney, Fulton, Green, Hall, Heverin, Horton, Knight, Long, M'Camant, M'Culloch, Metzger, Read, John R., Smith, Wm. H., Turrell, Van Reed, Wherry, White, Harry, Worrell and Wright.

Mr. Carey, from the committee of nine, to whom was referred the subject, made a report, which was read as follows, viz:

The special committee appointed under the following resolution, viz :

“Resolved, That a committee of nine be appointed to take order for the preparation of a memorial of the deceased,” passed September 16, 1873,

Respectfully report the following resolution, and recommend its adoption by the Convention :

Provided, That the committee appointed to take order for the preparation of a memorial of Mr. William M. Meredith, be and are hereby directed to procure fifteen hundred copies of a memorial volume, which shall contain a portrait of Mr. Meredith, and the remarks made in Convention upon the announcement of his death.

HENRY C. CAREY,
Chairman of Committee.

September 29, 1873.

On motion of Mr. Carey,

Said resolution was read twice, considered and agreed to.

A motion was made by Mr. Buckalew,

That the time be extended for the Committee on Revision and Adjustment to report the article on the Legislature.

Which was agreed to.

A motion was made by Mr. MacVeagh and Mr. Armstrong,

That the vote be re-considered by which the Convention, upon a motion made by Mr. Bigler on yesterday, agreed to proceed to the third reading and consideration of the article reported from the Committee on the Legislature.

Which was agreed to.

And the question recurring,

Will the Convention agree to the motion to proceed to the third reading of said article?

It was determined in the negative.

A motion was made by Mr. MacVeagh,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the Legislation article.

Which was agreed to.

A motion was made by Mr. H. W. Palmer,

That said report be adopted by the Convention.

Which was agreed to.

On motion of Mr. D. W. Patterson,

The article on Legislation was

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Buckalew,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the Executive article.

Which was agreed to.

On motion of Mr. Buckalew,

Said report was adopted, and the article

Ordered, To be transcribed for a third reading.

A motion was made by Mr. MacVeagh,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the Judiciary article.

Which was agreed to.

On motion of Mr. MacVeagh,
Said report was adopted, and the article
Ordered, To be transcribed for a third reading.

A motion was made by Mr. MacVeagh,
That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Impeachment and Removal from Office.

Which was agreed to.

On motion of Mr. D. W. Patterson,
Said report was adopted, and the article
Ordered, To be transcribed for a third reading.

A motion was made by Mr. Darlington,
That the Convention proceed to the third reading and consideration of the article on Legislation.

Which was agreed to.

On the question,
Shall the article pass ?

A motion was made by Mr. Darlington,
That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the twelfth line of the tenth section, by striking out the words, "any other," and inserting in lieu thereof the word "another."

Which was not agreed to.

And the question recurring,
Shall the article pass ?

A motion was made by Mr. Darlington,
That the Convention resolve itself into committee of the whole for the purpose of amending the tenth section, in the fourteenth line, by striking out the word "of" and inserting in lieu thereof the words, "belonging to."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Howard asked and obtained unanimous consent to amend the first section, in the second line, by striking out the words, "in the course of," and inserting in lieu thereof the word "on."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Lilly,
That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the sixteenth and seventeenth lines of the tenth section, by striking out the words, "erecting new counties or changing county lines."

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

The yeas and nays were required by Mr. Lilly and Mr. Woodward, and were as follow, viz :

YEAS.

Messrs. Beebe, Bowman, Carter, Curtin, De France, Dunning, Ewing, Harvey, Hazzard, Landis, Lawrence, Lilly, Minor, Mott, Palmer, G. W., Pughe, Rooke, Runk and Simpson—19.

NAYS.

Messrs. Achenbach, Addicks, Armstrong, Baily, of Perry, Baker, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Brodhead, Broomall, Buckalew, Calvin, Campbell, Carey, Cassidy, Clark, Corson, Curry, Cuyler, Dallas, Darlington, Edwards, Elliott, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Hay, Hemphill, Howard, Hunsicker, Kaine, Knight, Lamberton, Lear, Littleton, MacConnell, MacVeagh, M'Clean, M'Michael, M'Murray, Mann, Mantor, Mitchell, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, Jno. Price, White, David N., Woodward and Walker, *President*—75.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Boyd, Brown, Bullitt, Church, Cochran, Collins, Corbett, Craig, Crommiller, Davis, Dodd, Ellis, Fell, Finney, Fulton, Green, Heverin, Horton, Long, M'Camant, M'Culloch, Metzger, Reed, Andrew, Smith, Wm. H., Temple, Turrell, Van Reed, Wherry, White, Harry, White, J. W. F. Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Purman,

To amend the same, by striking out the words, "General Assembly," wherever they occur, and inserting in lieu thereof the word "Legislature."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

Mr. Biddle asked and obtained unanimous consent to amend the same in the fifth line of the twenty-third section, by striking out the word "act," and inserting in lieu thereof the word "law," by striking out the word "any," and by making the word "limitation" read "limitations," and in the ninth and tenth lines of the same section, by striking out the words, "shall be void," and inserting in lieu thereof the words, "are avoided."

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of adding to the end of the section the words, "but such appropriation shall be applied exclusively to the support of such widows and orphans."

Which was agreed to.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Stewart in the chair on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the House.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into the Committee of the whole, for the purpose of amending the thirty-fifth section by striking out the word "existing" in the second line, and the word "now," in the third line.

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Achenbach, Addicks, Armstrong, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Brodhead, Buckalew, Calvin, Campbell, Carey, Carter, Cassidy, Clark, Corson, Curry, Curtin, Cuyler, Darlington, Davis, De France, Dunning, Edwards, Elliott, Funck, Gibson, Gilpin, Hall, Hanna, Harvey, Hay, Hazzard, Heverin, Howard, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, MacConnell, MacVeagh, M'CLean, M'Michael, M'Murray, Mantor, Mitchell, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Ross, Runk, Russell, Sharpe, Smith, Henry W., Stanton, Stewart, Struthers, Van Reed, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Worrell and Walker, *President*—80.

N A Y S.

Messrs. Baily, of Perry. Beebe, Black, J. S., Boyd, Corbett, Ewing, Guthrie, Hemphill, Mann, Minor, Read, John R., Reed, Andrew and White, David N.—13.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Alricks, Andrews, Baer, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Broomall, Brown, Bullitt, Church, Cochran, Collins, Craig, Cronmiller, Dallas, Dodd, Ellis, Fell, Finney, Fulton, Green, Horton, Knight, Littleton, Long, M'Camant, M'Culloch, Metzger, Mott, Simpson, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Woodward and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Landis in the chair, on said amendment.

After some time the President resumed the chair, and the chairman reported the amendment made in accordance with the instruction of the House.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Brodhead;

That the Convention resolve itself into the committee of the whole, for the purpose of amending said article in the second line of first section, by striking out the words, "on its passage through either House."

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Achenbach, Addicks, Alricks, Bigler, Brodhead, Buckalew, Campbell, Clark, Corson, Curry, Darlington, De France, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hemphill, Howard, Hunsicker, Kaine, Knight, Lamberton, Lilly, M'CLean, M'Michael, M'Murray, Minor, Palmer, G. W., Patton, Reynolds, Runk, Russell, Sharpe, Smith, Henry W., Stewart, Struthers, Van Reed, Wetherill, J. M., and White, J. W. F.—40.

N A Y S.

Messrs. Armstrong, Baily, of Perry, Bartholomew, Beebe, Biddle, Black, Chas. A., Bowman, Boyd, Broomall, Carey, Carter, Cassidy, Corbett, Cuyler, Edwards, Elliott, Ewing, Funck, Hall, Hay, Heverin, Lawrence, MacConnell, Mann, Mantor, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Wetherill, John Price, White, David N., Worrell and Walker, *President*—44.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Andrews, Bear, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Black, J. S., Brown, Bullitt, Calvin, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Green, Hazzard, Horton, Landis, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Mott, Newlin, Simpson Smith, H. G., Smith, W. H., Stanton, Temple, Turrell, Wherry, White, Harry, Woodward and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. H. W. Palmer,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the eighth line of the twenty-third section, by inserting after the word "laws," the words, "regulating actions against natural persons."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Gibson in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the fourth section, by inserting the word "shall," after the word "same," in the fifth line, and by inserting the word "be," in the sixth line, after the word "House."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the fourth section, by inserting after the word "bill," where it last occurs in the third line, the words, "though approved by the Governor," and strike out, in the same line, the word "become," and insert in lieu thereof the word "be."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. Minor, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Armstrong, Beebe, Black, J. S., Buckalew, Calvin, Carey, Corbett, Cuyler, Davis, Ewing, Gibson, Gilpin, Guthrie, Hay, Hazzard,

Kaine, Knight, Landis, MacVeagh, Mitchell, Parsons, Patterson, T. H. B., Ross, Runk, Russell, Sharpe, Struthers, Worrell and Walker, *President*—31.

N A Y S.

Messrs. Ainey, Baily, of Perry, Bartholomew, Biddle, Bigler, Black, Charles A., Broomall, Carter, Cassidy, Corson, Curtin, Darlington, De France, Dunning, Edwards, Funck, Hall, Harvey, Hemphill, Howard, Hunsicker, Lamberton, Lawrence, Lear, Lilly, MacConnell, M'CLean, M'Michael, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Pughe, Purviance, John N., Purviance, Samuel A., R., Reed, Andrew, Reynolds, Rooke, Smith, Henry W., Stanton, Stewart, Van Reed, White, David N., and White, J. W. F.—50.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bowman, Boyd, Brodhead, Brown, Bullitt, Campbell, Church, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Dallas, Dodd, Elliott, Ellis, Fell, Finney, Fulton, Green, Hanna, Heverin, Horton, Littleton, Long, M'Camant, M'Culloch, M'Murray, Metzger, Porter, Purnan, Read, John R., Simpson, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, Harry, Woodward and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Stewart.

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Alricks, Baker, Black, J. S., Boyd, Cassidy, Clark, Davis, Elliott, Ewing, Gibson, Gilpin, Guthrie, Hay, Hemphill, Kaine, Lamberton, Lilly, M'Murray, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Read, John R., Reed, Andrew, Ross, Smith, Henry W., Stanton, Stewart, Van Reed, Wetherill, J. M., White, J. W. F., Woodward and Worrell—38.

N A Y S.

Messrs. Achenbach, Ainey, Armstrong, Baily, of Perry, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Brodhead, Broomall, Buckalew, Calvin, Campbell, Carter, Corbett, Corson, Curtin, Cuyler, Darlington, De France, Edwards, Funck, Hall, Hanna, Howard, Hunsicker, Landis, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'CLean, M'Michael, Mann, Mantor, Mitchell, Mott, Purnan, Purviance, John N., Purviance, Samuel A., Reynolds, Runk, Russell, Sharpe, Smith, H. G., Struthers, Wetherill, John Price, White, David N., and Walker, *President*—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Brown, Bullitt, Carey, Church, Cochran, Collins, Craig, Cronmiller, Curry, Dallas, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Green, Harvey, Hazzard, Heverin, Horton, Knight, Long, M'Camant, M'Culloch, Metzger, Patton, Porter, Rooke, Simpson, Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article in the nineteenth section, by striking out the words, "except for pensions and gratuities for military service;" and in the third line, by striking out the words, "any person or community, nor to."

On the question,

Will the Convention agree to the motion?

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 nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

WEDNESDAY, OCTOBER 1, 1873.

The President laid before the Convention the following communication, which was read, viz:

COMMONWEALTH OF PENNSYLVANIA, }
BOARD OF PUBLIC CHARITIES, }
PHILADELPHIA, October 1, 1863. }

President WALKER:

I beg leave to submit to the Convention, on behalf of the Board of State Charities, the accompanying memorial, concerning the education and industrial training of the ignorant, destitute and neglected children of the Commonwealth.

I remain truly and respectfully,

GEO. L. HARRISON, *President.*

On motion of Mr. John Price Wetherill,

Said memorial was received with the thanks of the Convention.

Mr. Hanna asked and obtained leave of absence for Mr. Addicks for a few days from to day.

Mr. H. W. Smith asked and obtained leave of absence for Mr. Barclay for a few days from to-day; also for Mr. Temple for to-day and to-morrow.

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

Resolved, That a Comparing Committee of three be appointed, whose duty it shall be to take charge and care of the articles severally, as they shall be finally adopted, have them accurately transcribed in duplicate, in a plain legible hand, and after careful comparison with the original, present the same to the Convention at the close of the session, for the signatures of the members.

Laid on the table.

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

Resolved, That hereafter no leaves of absence shall be granted without good and sufficient cause.

On the question,

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

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

YEAS.

Messrs. Achenbach, Ainey, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Black, Chas. A., Bowman, Calvin, Campbell, Carter, Darlington, De France, Guthrie, Hay, Hazzard, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Culloch, Mann, Niles, Patterson. D. W., Porter, Purviance, John N., Purviance, Sam'l A., Rooke, Russell, Smith, H. G., Struthers, Wetherill, John Price, White, David N., White, J. W. F., Woodward and Walker, *President*—38.

NAYS.

Messrs. Alricks, Armstrong, Bartholomew, Biddle, Black, J. S., Boyd, Brodhead, Broomall, Buckalew, Clark, Corbett, Corson, Curry, Curtin, Dallas, Davis, Dunning, Edwards, Elliott, Ewing, Funck, Gibson, Gilpin, Green, Hall, Hanna, Harvey, Hemphill, Hunsicker, Lamberton, Lilly, M'Clean, M'Michael, M'Murray, Mantor, Minor, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Purman, Reed, Andrew, Reynolds, Ross, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Temple, Van Reed and Wetherill, J. M.—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Bardsley, Bigler, Brown, Bullitt, Carey, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Cuyler, Dodd, Ellis, Fell, Finney, Fulton, Heverin, Horton, Kaine, Knight, Lear, Litleton, Long, M'Camant, Metzger, Mott, Newlin, Pughe, Read, John R., Runk, Smith, Wm. H., Turrell, Wherry, White, Harry, Worrell and Wright.

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

Resolved, That the Convention shall, from this day forward, proceed to business without regard to absentees, and no call for a quorum shall be made.

Laid on the table.

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

Resolved, That rule forty-one be amended by striking out of the third line, the words, "a majority," and insert in lieu the words, "forty-five members."

Laid on the table.

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

Resolved, That no leave of absence shall be good for more than three days, unless the same shall be extended 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. Buckalew, from the Committee on Revision and Adjustment, to whom was referred the article on Oaths of Office, reported the same revised as follows, viz:

Add after the word "Article," the numeral "VII." Strike out the words, "of thee" before the words, "oaths of office."

Section 1. In thirteenth line, before the word "necessary," insert the word "for." In fourteenth line, strike out the words, "nor have I," and insert in lieu thereof the words, "that I have not." In twentieth line, strike out the words "salary or fees," and insert the word "compensation."

Section 2. In twenty-first line, strike out the word "law."

On motion of Mr. Buckalew,

Said report was ordered to be printed for the use of the Convention.

Agreeably to order,

The Convention resumed the third reading and consideration of the article reported from the Committee on Legislation.

And the question recurring,

Will the Convention agree to the motion made by Mr. Buckalew, that the Convention resolve itself into committee of the whole for the purpose of amending section nineteen, by striking out the words, "except for pensions and gratuities for military services," in first and second lines; and by striking out the words "any person or community nor to," in the third line.

Mr. Funck called the previous question, which was seconded by Messrs. Van Reed, Mitchell, Carter, Porter, S. A. Purviance, Parsons, Guthrie, MacConnell, T. H. B. Patterson, Reynolds, John Price Wetherill, Hazzard, Broomall, Davis, G. W. Palmer, Bartholomew, Edwards and Stanton.

On the question,

Shall the main question be now put?

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

Y E A S.

Messrs. Achenbach, Armstrong, Baer, Bailly, of Perry, Baker, Barclay, Bartholomew, Black, J. S., Boyd, Broomall, Brown, Calvin, Carey, Carter, Clark, Corbett, Corson, Curry, Davis, Edwards, Funck, Green, Guthrie, Hanna, Hazzard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Simpson, Stanton, Struthers, Van Reed, Wetherill, Jno. Price, White, David N., and Walker, *President*—52.

N A Y S.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Bowman, Buckalew, Campbell, Cassidy, Curtin, Cuyler, Dallas, Darlington, De France, Dunning, Ewing, Gibson, Gilpin, Hall, Harvey, Hay, Hemphill, Howard, Hunsicker, Lamberton, Lear, MacVeagh, M'CLean, M'Michael, Mann, Mantor, Minor, Patterson, D. W., Purman, Read, John R., Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Temple, Wetherill, J. M., White, J. W. F., and Woodward—45.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Bardsley, Beebe, Brodhead, Bullitt, Church, Cochran, Collins, Craig, Cronmiller, Dodd, Elliott, Ellis, Fell, Finney, Fulton, Heverin, Horton, Kaine, Knight, Littleton, Long, M'Camant, M'Murray, Metzger, Palmer, H. W., Pughe, Runk, Smith, Wm. H., Turrell, Wherry, White, Harry, Worrell and Wright.

And the question recurring,

Will the Convention resolve itself into committee of the whole for the purpose of amending the article as indicated by Mr. Buckalew?

The yeas and nays were required by Mr. M'CLean and Mr. Temple, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Armstrong, Baer, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Bowman, Buckalew, Carey, Clark, Corson, Curtin, Cuyler, Darlington, Dunning, Elliott, Gibson, Gilpin, Harvey, Lamberton, Landis, M'CLean, Niles, Patton, Pughe, Purman, Purviance, Jno. N., Russell, Sharpe, Stanton, Stewart, Wetherill, J. M., Wetherill, John Price, and Woodward—35.

N A Y S.

Messrs. Ainey, Alricks, Baily, of Perry, Baker, Bartholomew, Beebe, Black, J. S., Boyd, Broomall, Brown, Calvin, Campbell, Carter, Corbett, Curry, Dallas, Davis, De France, Edwards, Ewing, Funck, Green, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Howard, Hunsicker, Lawrence, Lilly, Littleton, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Smith, H. G., Smith, Wm. H., Struthers, Temple, Van Reed, White, David N., White, J. W. F., and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Brodhead, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Dodd, Ellis, Fell, Finney, Fulton, Heverin, Horton, Kaine, Knight, Lear, Long, M'Camant, M'Murray, Metzger, Palmer, H. W., Runk, Smith, Henry W., Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Stewart,

That the Convention resolve itself into committee of the whole for the purpose of amending the article by striking out the nineteenth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Stewart and Mr. Sharpe, and were as follow, viz:

Y E A S.

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Biddle, Bigler, Bowman, Clark, Curtin, Cuyler, Darlington, Gibson, Hunsicker, Lamberton, Lear, Littleton, MacVeagh, M'Clean, M'Michael, Purman, Purviance, John N., Russell, Sharpe, Stanton, Stewart, Wetherill, Jno. Price, and Woodward—26.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Baily, of Perry, Baker, Bartholomew, Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Corbett, Corson, Curry, Dallas, Davis, De France, Dunning, Edwards, Elliott, Ewing, Funck, Gilpin, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Landis, Lawrence, Lilly, MacConnell, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Smith, H. G., Smith, Henry W., Struthers, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., and Walker, *President*—67.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Beebe, Black, Charles A., Black, J. S., Brodhead, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Dodd, Ellis, Fell, Finney, Fulton, Green, Heverin, Horton, Kaine, Knight, Long, M'Camant, M'Culloch, Metzger, Palmer, H. W., Patterson, D. W., Pughe, Runk, Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Sharpe,

That the Convention resolve itself into committee of the whole, for the purpose of adding to the end of the section the words, "except by a vote of two-thirds of all the members elected to each House."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Charles A., Bowman, Carey, Clark, Corson, Curtin, Cuyler, Darlington, De France, Edwards, Elliott, Gibson, Green, Hunsicker, Lamberton, Lear, Littleton, MacVeagh, M'Clean, M'Michael, Niles, Purman, Purviance, John N., Reed, Andrew, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Wetherill, Jno. Price, and Woodward—38.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Baily, of Perry, Baker, Bartholomew, Beebe, Black, J. S., Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Corbett, Curry, Dallas, Davis, Ewing, Funck, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Ross, Simpson, Struthers, Van Reed, Wetherill, J. M., White, David N. White, J. W. F., and Walker, *President*—59.

So the question was determined in the negative.

ABSENT. — Messrs. Addicks, Andrews, Bannan, Bardsley, Brodhead, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gilpin, Heverin, Horton, Kaine, Knight, Long, M'Camant, Metzger, Palmer, H. W., Parsons, Runk, Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole for the purpose of amending the nineteenth section, by inserting after the word "nor," in the third line, the words, "for educational purposes."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. Sharpe, and were as follow, viz:

Y E A S.

Messrs. Baer, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Chas. A., Bowman, Carey, Clark, Curtin, Cuyler, Hunsicker, Knight, Lamberton, Lear, Littleton, MacVeagh, M'Clean, M'Michael, Palmer, H. W., Pughe, Purviance, John N., Sharpe, Stanton and Woodward—25.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Baily, of Perry, Baker, Bartholomew, Beebe, Black, J. S., Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Corbett, Corson, Curry, Dallas, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ewing, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Struthers, Van Reed, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., and Walker, *President*—75.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Bannan, Bardsley, Brodhead, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Dodd, Ellis, Fell, Finney, Fulton, Heverin, Horton, Kaine, Long, M'Camant, Metzger, Runk, Smith, Wm. H., Stewart, Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring.

Shall the article pass?

A motion was made by Mr. J. S. Black,

To amend the same, by striking out the thirty-first section, and inserting in lieu thereof as follows, viz :

"A member of the Legislature shall be guilty of bribery, and punished as shall be provided by law, who, after his election, and during his term of office, shall solicit, demand, accept or consent to receive, directly or indirectly, upon any pretense whatever, for himself or any other person, from any candidate, person, association or corporation, having a special or private interest in legislation, any gift or promise of money, property, office or thing of value, or personal advantage, or shall make any contract which gives him a private interest in the legislation of this State, or who, after his election, and during his term of office, shall consent to become agent, attorney or employee of any person, association or corporation, knowing that such person, association or corporation has or expects to have any private or special interest in the legislation of the State. All corporations holding franchises by grant from the State, or doing business in the State, their officers, agents, attorneys and employees; all contractors or persons having an interest in contracts with the State; all officers, judicial, executive and ministerial, of the State and of the United States; all persons known to engage themselves for hire or reward, to oppose or promote the passage of any measure by the Legislature; all candidates for any office in the gift of the Legislature, including candidates for the Senate of the United States, shall be presumed to have a special interest in Legislation. No person having or presumed to have such interest in legislation shall address to any member of either House any private solicitation, speech or argument, orally or in writing, to influence his vote on any subject whatsoever. Both the person offering such solicitation and the member who voluntarily and knowingly hears it, shall be taken for criminal offenders and punished as the law may prescribe."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Alricks, Baily, of Perry, Black, J. S., Brodhead, Ewing, Gibson, Gilpin, Guthrie, Hanna, Hay, Hemphill, M'Clellan, M'Culloch, Palmer, G. W., Palmer H. W., Parsons, Patterson, T. H. B., Russell, Smith, H. G., and Van Reed—20.

N A Y S .

Messrs. Ainey, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bartholomew, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Broomall, Bucklew, Calvin, Campbell, Carey, Carter, Clark, Corson, Curry, Curtin, Cuyler, Darrington, Davis, De France, Edwards, Elliott, Funck, Green, Hall, Harvey, Hazard, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, Lilly, MacConnell, MacVeagh, M'Michael, M'Murray, Mann, Mantor, Minor, Mitchell, Newlin, Niles, Patterson, D. W., Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Sharpe, Simpson, Smith, Henry W., Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., and Walker, *President*—70.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baker, Bannan, Bardsley, Brown, Bullitt, Cassidy, Church, Cochran, Collins, Corbett, Craig, Cronmiller, Dallas, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Heverin, Horton, Kaine,

Littleton, Long, M'Camant, Metzger, Mott, Patton, Pughe, Reed, Andrew, Ross, Runk, Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Woodward, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Alricks,

That the Convention resolve itself into committee of the whole, for the purpose of striking out the nineteenth section and inserting in lieu thereof as follows, viz:

"No appropriation shall ever be made by way of gratuity to any ecclesiastical, denominational or sectarian institution, corporation or association, nor shall any appropriation, except for pensions or bounties for military services, be made to any community or person."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. John Price Wetherill,

That the Convention resolve itself into committee of the whole for the purpose of amending the eighteenth section, by striking out all after the word "except," in the fourth line, and inserting in lieu thereof as follows, viz: "Upon the special recommendation of a board of commissioners appointed by law to visit and inspect such institutions."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. John Price Wetherill and Mr. Biddle, and were as follow, viz:

YEAS.

Messrs. Biddle, Bowman, Carey, Darlington, Hunsicker, Mac Veagh, M'Michael, Patterson, D. W., Sharpe, Stanton Stewart, Struthers and Wetherill, John Price—13.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Bigler, Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Clark, Corbett, Corson, Curry, Cuyler, Dallas, Davis, De France, Edwards, Elliott, Ewing, Funck, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Knight, Lamberton, Lawrence, Lilly, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Simpson, Smith, H. G., Smith, Henry W., Van Reed, White, David N., White, J. W. F. Woodward and Walker, *President*—70.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, Charles A., Black, J. S., Brodhead, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gibson, Heverin, Horton, Kaine, Landis, Lear, Littleton, Long, M'Camant, Metzger, Mott, Niles, Palmer, G. W., Pughe, Read, John R., Reed, Andrew, Runk, Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Parsons,

To amend the same, by adding a new section to be numbered thirty-seven, as follows, viz:

"A member of the Legislature shall be guilty of bribery and punished as shall be provided by law, who, after his election and during his term of office, shall solicit, demand or accept, directly or indirectly, upon any pretence whatever, for himself or any other person, from any candidate, person, association or corporation, having a special or private interest in legislation, any gift or promise of money, property, office or thing of value, or shall make any contract which gives him a private interest in the legislation of this State, or who, after his election and during his term of office, shall consent to become the agent, attorney or employee of any person, association or corporation, knowing that such person, association or corporation has any private or special interest in the legislation of the State. All corporations holding franchises, by grant, from the State, or doing business in the State, their officers, agents, attorneys and employees, all contractors or persons having an interest in contracts with the State, all officers, judicial, executive and ministerial of the State and of the United States, all persons known to engage themselves for hire or reward to oppose or promote the passage of any measure by the Legislature, all candidates for any office in the gift of the Legislature, including candidates for the Senate of the United States, shall be presumed to have a special interest in legislation."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. H. W. Palmer and Mr. Parsons, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Baer, Bailly, of Perry, Beebe, Black, J. S., Campbell, Ewing, Funck, Gibson, Guthrie, Hay, Hazzard, Hemphill, Heverin, Howard, Knight, M'Clellan, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Samuel A., Smith, Henry W., Struthers, Van Reed and Woodward—29.

NAYS.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bidle, Bigler, Black, Chas. A., Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Carey, Clark, Corbett, Corson, Curry, Darlington, Davis, DeFrance, Edwards, Elliott, Green, Hall, Harvey, Lamberton, Lawrence, Lilly, MacConnell, M'Michael, Mann, Mantor, Minor, Mott, Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Reynolds, Rooke, Ross, Russell, Sharpe, Simpson, Stanton, Stewart, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, J. W. F., and Walker *President*—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Bardsley, Bartholomew, Brodhead, Bullitt, Carter, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gilpin, Hanna, Horton, Hunsicker, Kaine, Landis, Lear, Littleton, Long, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Niles, Pughe, Read, John R., Reed, Andrew Runk, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

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

That the Convention resolve itself into committee of the whole for the purpose of amending the article, by striking out the thirty-first and thirty-second sections, and inserting the following to come in as section thirty-one, viz:

"A member of the General Assembly who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation or person, or their agents, having an interest in legislation, any money office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage, or promise thereof, during his term of office or thereafter; and any person having an interest in legislation, who shall,

directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage, to a member of the General Assembly, during his term of office or thereafter, shall be guilty of bribery, and be punished in such manner as shall be provided by law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. S. A. Purviance and Mr. T. H. B. Patterson, and were as follow, viz:

Y E A S.

Messrs. Alricks, Beebe, Black, J. S., Boyd, Brown, Calvin, Carter, Clark, Corson, Edwards, Ewing, Funck, Gibson, Gilpin, Hemphill, Heverin, Howard, Hunsicker, Knight, Lamberton, McCulloch, Mitchell, Newlin, Palmer, G. W., Parsons, Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Russell, Smith, Henry W., Struthers, Van Reed, Wetherill, J. M., White, David N., and Woodward—39.

N A Y S.

Messrs. Achenbach, Ainey, Armstrong, Bear, Baily, of Perry, Bailey, of Huntington, Baker, Barclay, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Buckalew, Campbell, Carey, Corbett, Curry, Darlington, Davis, DeFrance, Dunning, Elliott, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Landis, Lilly, MacConnell, M'CLean, M'Michael, Mann, Mantor, Minor, Mott, Niles, Patterson, D. W., Patton, Porter, Purman, Reynolds, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Wetherill, Jno. Price, White, J. W. F., and Walker, *President*—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Bardsley, Brodhead, Broomall, Bullitt, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Dallas, Dodd, Ellis, Fell, Finney, Fulton, Hanna, Horton, Kaine, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, M'Murray, Metzger, Palmer, H. W., Pughe, Runk, Smith, W. H., Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section "thirty-six."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Boyd in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Funck,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article, by adding a new section as follows, viz:

"Lobbying before either branch of the Legislature is hereby declared to be a felony, to be punished as may be prescribed by law; and any person not a member of either branch, so continuously engaged in influencing or attempting to influence legislation, as to become a professional lobbyist, shall be guilty of the offence aforesaid."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Dunning,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article by adding at the end of the seventeenth line of the tenth section the words, "except in counties containing not less than one hundred and sixty thousand inhabitants, and an area of not less than one thousand two hundred miles."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Pughe and Mr. Hemphill, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Baker, Bartholomew, Beebe, Biddle, Bigler, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carter, Corson, Curry, Curtin, Darlington, Davis, De France, Dunning, Edwards, Ewing, Funk, Green, Hall, Hanna, Harvey, Howard, Knight, Lamberton, Lawrence, Lilly, M'Cullough, M'Michael, M'Murray, Mitchell, Mott, Palmer, G. W., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Sharpe, Stanton, Wetherill, J. M., Wetherill, John Price, White, David N., and White, J. W. F.—53.

N A Y S.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Black, J. S., Clark, Corbett, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Hunsicker, Landis, Lear, MacConnell, MacVeagh, M'Clean, Mann, Minor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Read, John R., Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Struthers, Van Reed, Woodward and Walker, *President*—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baer, Bannan, Barclay, Bardsley, Bullitt, Campbell, Carey, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Ellis, Fell, Finney, Fulton, Gibson, Heverin, Horton, Kaine, Littleton, Long, M'Camant, Mantor, Metzger, Patton, Rooke, Runk, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. D. N. White in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. D. N. White,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article, by adding a new section as follows, viz :

"No law shall make any discrimination in favor of, or against any class of persons. All public institutions, educational or otherwise, places of amusement, modes of travel, and houses of public entertainment, shall be equally free to all persons on the same terms and conditions."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Ainey, Baily, of Perry, Baker, Beebe, Broomall, Calvin, Carter, Corson, Darlington, Davis, Edwards, Elliott, Ewing, Hanna, Howard, Lawrence, Lear, Lilly, MacVeagh, M'Culloch, M'Michael, Mann, Mantor, Newlin, Niles, Parsons, Porter, Purviance, John N., Purviance, Samuel A., Russell, Stanton, Wetherill, Jno. Price, White, David N., White, J. W. F., and Walker, *President*—31.

N A Y S .

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brodhead, Brown, Buckalew, Clark, Corbett, Curtin, De France, Funck, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Landis, MacConnell, M'CLean, M'Murray, Minor, Mitchell, Palmer, H. W., Patterson, T. H. B., Pughe, Purman, Read, John R., Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Struthers, Wetherill, J. M., and Woodward—47.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Bannan, Barclay, Bardsley, Bowman, Bullitt, Campbell, Carey, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gibson, Heverin, Horton, Kaine, Knight, Littleton, Long, M'Camant, Metzger, Mott, Palmer, G. W., Patterson, D. W., Patton, Reed, Andrew. Rooke, Runk, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into committee of the whole, for the purpose of amending said article, by striking out sections "thirty-one and thirty-two."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ewing and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Beebe, Black, J. S., Boyd, Corson, Ewing, Gibson, Gilpin, Hemphill, Howard, Hunsicker, Lear, M'CLean, Minor, Patterson, T. H. B., Reed, Andrew and Ross—16.

N A Y S .

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Brown, Buckalew, Carter, Cassidy, Clark, Corbett, Darlington, De France, Edwards, Elliott, Funck, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Knight, Lamberton, Lawrence, Lilly, MacConnell, MacVeagh, M'Culloch, M'Michael, M'Murray, Mann, Mantor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Struthers, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward, Worrell and Walker, *President*—62.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Barclay, Bardsley, Brodhead, Broomall, Bullitt, Campbell, Calvin, Carey, Church, Cochran, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Green, Heverin, Horton, Kaine, Landis, Lit-

tleton, Long, M'Camant, Metzger, Newlin, Palmer, H. W., Patton, Porter, Rooke, Runk, Russell, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wherry, White, Harry, and Wright.

And the question again recurring,
Shall the article pass?

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

That the Convention resolve itself into the committee of the whole, for the purpose of amending said article, by inserting a new section, as follows, viz: "No State office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity; but any county or municipality may appoint such officers when authorized by law."

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived, 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, OCTOBER 2, 1873.

Mr. Lamberton asked and obtained leave of absence for Mr. Harvey for to-day and to-morrow.

Mr. Dallas asked and obtained leave of absence for Mr. Corbett for a few days from to-day.

Mr. Edwards asked and obtained leave of absence for himself for to-morrow.

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on Suffrage, Election and Representation, reported the same, revised, as follows, viz:

Insert after "Article" the numerals "VIII."

Insert after "Suffrage" the word "and," and strike out the words, "and Representation."

Section 1. In first line, after word "every," insert the word "male," and after the word "person" insert the words, "twenty-one years of age." In third line, strike out "namely." Strike out the fourth line. In fifth line, strike out the word "Second" and insert the word "First." In seventh line, strike out the word "Third" and insert the word "Second." In eighth line, strike out the words, "he had been," and insert "having," and after "previously" insert "been." In ninth line, after the word "State" insert the words, "he shall have." In tenth line, after the word "returned" insert the word "then." In twelfth line, strike out the word "Fourth" and insert the word "Third." In twelfth line, strike out the word "Fourth" and insert the word "Third." In thirteenth line, after the word "he" insert the word "shall," make the word "offers" read "offer," and after the word "vote" insert the words, "at least." In fifteenth line, strike out the word "Fifth," and insert "Fourth." In seventeenth line, strike out the word "had," and insert the words, "shall have." §

Insert sections in reference to general and local elections as follows, viz: "The general election shall be held, annually, 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."

All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

Section 2. In first line, strike out the word "of" and insert the word "by." In third line, strike out the word "is" and insert the words, "shall be." In fourth line, after the word "officers" insert the words, "on the list of voters." In fifth line, strike out the word "and" after "ballot," insert period, and commence next sentence with capital "A." In sixth line, strike out the words, "on the back of" and insert the word "upon," and at end of line add, "or cause the same to be written thereon, and attested by a citizen of the district."

Section 4. Strike out from the word "service," in the second line, to the word "such," in the fifth line.

Section 5. In first line, after the word "regulating," insert the words, "the holding of." In second line, strike out the word "people" and insert the word "citizens," and in same line, make the word "registry" read "registration." In third line, strike out the words, "in their operation."

Section 7. After the word "shall," in the sixth line, insert the words, "in addition to any penalties provided by law."

Section 8. In first line, strike out the words, "cases of," and in same line, strike out the word "or" and insert the word "and." In seventh line, after the word "in" insert the word "giving."

Section 9. In first line, before the word "wards," insert the words, "townships and." In first and second lines, strike out the words, "and townships." In sixth line, strike out the word "all," and insert the word "that." In eighth line, strike out the words, "of said cities" and insert the words, "having jurisdiction therein," after "whenever," insert the word "at," and after the word "the" insert the word "next." In ninth line, strike out the words, "shows the polling of." In tenth line, after the word "votes," insert the words, "shall have been polled therein," and strike out the word "in." In eleventh line, strike out the word "satisfied," and insert the words, "of opinion."

Section 11. In first line, strike out the words, "of the age of," and after the word year, insert the words, "of age and." In second line, strike out the word "or." Transfer section to the article on Education.

Section 12. In eighth line, strike out the word "seminary" and insert the word "institution."

Section 13. In second line, strike out the words, "to be" and insert the words, "who shall be." In third line, after "citizens," insert a period and commence next sentence with capital "E." In same line, strike out the word "having" and insert the words, "shall have." Strike out from the word "clerk," in the fifth line, to the word "the" where it occurs the second time in the sixth line. In seventh line, strike out the word "in" and insert the word "for." In same line, after the word "district," insert the words, "shall be selected," and strike out the words, "the filling of." In eighth and ninth lines, strike out the words, "shall be by judicial appointment or otherwise," and insert the words, "shall be filled." In tenth line, strike out the words, "members of election boards," and insert the words, "election officers." In eleventh line, strike out the word "any" and make the word "day" read "days." In twelfth line, strike out the word "arrest." In fourteenth line, after the word "fraud," insert the word "for." In fifteenth line, strike out the word "and." In sixteenth line, strike out all after the word "jury," where it first occurs, and insert the word "duty." In seventeenth line, make the word "term" read "terms."

Section 14. In second line, strike out the word "upon" and insert the word "as," and strike out the word "board" and insert the word "office." In seventh line, after the word "aldermen" insert the words, "notaries public." In ninth line, strike out the words, "or notary public," and in ninth and tenth lines, strike out the words, "to an election." In eleventh line, after the word "only," insert the word "to."

Section 15. In sixth line, make the word "appointment" read "appointments." In sixth and seventh lines, strike out the words, "a part or for all the," and insert the word "any." In seventh line, make the word "district" read "districts." Strike out from the word "county," in the seventh line, to the word "petition," in the ninth line, and insert the word "upon." In twenty-second line, make the word "appointment" read "appointments."

Section 16. Strike out from the word "of," in the third line, to the word "and" in the fourth line, and insert the words, "members of the General Assembly." In seventh line, strike out the word "Legislature" and insert the words, "Gen-

eral Assembly." In twelfth line, strike out the words, "to take effect as," and insert the word "apply."

On motion of Mr. Knight,

Said article, with the changes proposed by the committee, was ordered to be printed for the use of the Convention.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Legislation.

And the question recurring,

Will the Convention resolve itself into committee of the whole for the purpose of amending the article, by adding the section offered by Mr. J. P. Wetherill? as follows, viz:

"No State office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity, but any county or municipality may appoint such officers when authorized by law."

The yeas and nays were required by Mr. Ewing and Mr. Knight, and were as follow, viz:

Y E A S .

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Biddle, Bigler, Bowman, Boyd, Brodhead, Broomall, Buckalew, Calvin, Campbell, Carter, Clark, Cochran, Curry, Curtin, Darlington, Davis, DeFrance, Dunning, Fulton, Funck, Green, Hanna, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Lawrence, Lilly, Littleton, MacVeagh, M'Clean, M'Culloch, M'Michael, M'Murray, Minor, Niles, Palmer, G. W., Patterson, D. W., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, and Walker, *President*—65.

N A Y S .

Messrs. Ainey, Bartholomew, Beebe, Black, Chas. A., Corbett, Corson, Dallas, Edwards, Elliott, Ewing, Gibson, Gilpin, Guthrie, Hall, Kaine, Lear, Long, MacConnell, Mann, Mantor, Mitchell, Newlin, Parsons, Patterson, T. H. B., Porter, Ross, Stanton, Van Reed, White, David N., White, J. W. F. and Woodward—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Black, J. S., Brown, Bullitt, Carey, Cassidy, Church, Collins, Craig, Cronmiller, Cuyler, Dodd, Ellis, Fell, Finney, Harvey, Hay, Heverin, Landis, M'Camant, Metzger, Mott, Palmer, H. W., Patton, Read, John R., Runk, Smith, Wm. H., Temple, Turrell, Wherry, White, Harry, Worrell and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Lamberton in the chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Calvin,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the fifteenth section, the words, "except judges whose salaries may be increased."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Armstrong, Bailey, of Huntingdon, Baker, Bartholomew, Biddle, Bowman, Calvin, Corson, Curry, Dallas, Gibson, Green, Hay, Hunsicker, Lamberton, Landis, Lilly, Littleton, MacVeagh, M'Clean, M'Michael, Newlin, Parsons, Patterson, D. W., Porter, Purviance, Sam'l A., Reynolds, Ross, Sharpe, Simpson, Smith, H. G., Stewart, Struthers, Wetherill, J. M., White, J. W. F., and Woodward—36.

N A Y S .

Messrs. Alricks, Baer, Baily, of Perry, Bardsley, Beebe, Bigler, Black, Charles A., Brodhead, Broomall, Buckalew, Carey, Carter, Cochran, Corbett, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ewing, Fulton, Funck, Gilpin, Guthrie, Hanna, Hazzard, Hemphill, Horton, Howard, Kaine, Knight, Lawrence, Lear, Long, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purman, Purviance, John N., Reed, Andrew, Rooke, Russell, Smith, Henry W., Van Reed, White, David N., and Walker, *President*—55.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bannan, Barclay, Black, J. S., Boyd, Brown, Bullitt, Campbell, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curtin, Cuyler, Dodd, Ellis, Fell, Finney, Hall, Harvey, Heverin, M'Camant, Metzger, Mott, Patton, Pughe, Read, John R., Runk, Smith, Wm. H., Stanton, Temple, Turrell, Wetherill, Jno. Price, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Mantor,

That the Convention resolve itself into committee of the whole for the purpose of amending the article, by inserting a new section, as follows, viz :

"No law shall make any discrimination in favor of or against any class of persons.

"All public institutions, educational or otherwise, shall be equally free to all persons on the same terms and conditions."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Minor and Mr. Hemphill, and were as follow, viz :

Y E A S .

Messrs. Ainey, Armstrong, Baily, of Perry, Baker, Bardsley, Beebe, Bowman, Broomall, Calvin, Carey, Carter, Cochran, Corson, Curry, Darlington, Davis, Edwards, Ewing, Fulton, Green, Hazzard, Horton, Howard, Knight, Lawrence, Lear, Lilly, Littleton, MacVeagh, M'Michael, Mann, Mantor, Newlin, Niles, Palmer, H. W., Parsons, Porter, Purviance, John N., Purviance, Sam'l A., Rooke, Russell, Simpson, Stewart, White, David N., and White, J. W. F.—45.

N A Y S .

Messrs. Achenbach, Alricks, Baer, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Buckalew, Clark, Corbett, Dallas, De France, Dunning, Elliott, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Hay, Hemphill, Hunsicker, Kaine, Lamberton, Landis, Long, MacConnell, M'Clean, M'Culloch, M'Murray, Minor, Mitchell, Palmer, G. W., Patterson, T. H. B., Pughe, Purman, Reed, Andrew, Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Struthers, Woodward and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bartholomew, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Church, Collins, Craig, Cronmiller, Curtin, Cuyler, Dodd, Ellis, Fell, Finney, Harvey, Heverin, M'Camant, Metzger, Mott, Patterson, D. W., Patton, Read, John R., Runk, Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by inserting a new section to be numbered thirty-four, as follows, viz:

“The offence of boring shall be defined and punished by law, and shall include any corrupt solicitation of members of the General Assembly, or of public officers of the State or of any municipal division thereof, and any occupation or practice as a common borer for or against the passage or approval of laws, the punishment for the offence shall be by fine and imprisonment.”

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Buckalew and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Brodhead, Broomall, Brown, Buckalew, Calvin, Carey, Carter, Clark, Cochran, Corbett, Corson, Dallas, Davis, De France, Dunning, Edwards, Elliott, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Hay, Hazzard, Hemphill, Howard, Kaine, Knight, Lamberton, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Michael, M'Murray, Mantor, Mitchell, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman Purviance, John N., Purviance, Samuel A., Rooke, Ross, Russell, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Struthers, Van Reed, Wetherill, J. M., White, J. W. F., and Woodward—75.

NAYS.

Messrs. Baker, Biddle, Bowman, Boyd, Curry, Darlington, Ewing, Hanna, Horton, Hunsicker, Landis, Lear, Littleton, Mann, Minor, Niles, Patterson, D. W., Porter, Read, John R., Reed, Andrew, Reynolds, Simpson, White, David N., and Walker, *President*—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Black, J. S., Bullitt, Campbell, Cassidy, Church, Collins, Craig, Cronmiller, Curtin, Cuyler, Dodd, Ellis, Fell, Finney, Harvey, Heverin, M'Camant, Metzger, Patton, Pughe, Runk, Smith, Wm. H., Stanton, Temple, Turrell, Wetherill, John Price, Wherry, White, Harry, Worrell and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Mann in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section thirty-four, and inserting in lieu thereof the following, viz:

"The offence of lobbying shall include any corrupt solicitation of members of the General Assembly or of public officers of the State, or of any municipal division thereof, and any occupation or practice as a common lobbyist for or against the passage or approval of any law. The punishment for the offence shall be fine and imprisonment."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Alricks, Baker, Beebe, Black, Charles A., Bowman, Boyd, Carey, Carter, Clark, Corbett, Curry, Cuyler, Darlington, Edwards, Ewing, Green, Hanna, Hunsicker, Knight, Landis, Lawrence, MacVeagh, M'Clean, M'Michael, Mann, Minor, Niles, Patterson, D. W., Purviance, John N., Read, John R., Sharpe, Simpson, White, David N., Woodward and Walker, *President*—35.

N A Y S .

Messrs. Achenbach, Armstrong, Baer, Baily, of Perry, Bartholomew, Biddle, Bigler, Brodhead, Broomall, Brown, Buckalew, Calvin, Corson, Dallas, Davis, De France, Dunning, Elliott, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Kaine, Lamberton, Lear, Lilly, Long, MacConnell, M'Murray, Mantor, Mitchell, Mott, Newlin, Palmer, G. W., Parsons, Patterson, T. H. B., Porter, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Henry W., Stewart, Van Reed, Wetherill, J. M., and White, J. W. F.—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Black, J. S., Bullitt, Campbell, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Dodd, Ellis, Fell, Finney, Harvey, Heverin, Littleton, M'Camant, M'Culloch, Metzger, Palmer, H. W., Patton, Pughe, Runk, Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, John Price, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

Mr. Armstrong asked and obtained unanimous consent to amend the same, by striking out sections thirty-three and thirty-four, and inserting in lieu thereof as follows, viz:

"SECTION 33. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offence of bribery or corrupt solicitation, or practice of solicitation, and shall not 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, except for perjury in giving such testimony; and any person convicted of either of the offences aforesaid, shall, as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this Commonwealth.

"SECTION 34. The offence of corrupt solicitation of members of the General Assembly, or of public officers of the State, or of any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment."

And the question again recurring,

Shall the article pass?

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

That the vote be re-considered by which the seventeenth line of the tenth section was adopted.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ewing and Mr. Darlington, and were as follow, viz:

Y E A S.

Messrs. Armstrong, Bailey, of Huntingdon, Clark, Corbett, Darlington, De France, Ewing, Fulton, Gibson, Gilpin, Guthrie, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, Landis, Lear, MacConnell, MacVeagh, M'Michael, Mann, Niles, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Smith, H. G., Smith, Henry W., Stewart, Struthers, Van Reed, Woodward and Walker, *President*—39.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Baer, Bail, of Perry, Baker, Bartholomew, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Corson, Curry, Cuyler, Dallas, Davis, Dunning, Edwards, Funck, Green, Hall, Hanna, Hazzard, Knight, Lamberton, Lawrence, Lilly, Long, M'CLean, M'Culloch, M'Murray, Mantor, Minor, Mitchell, Mott, Newlin, Porter, Pughe, Purmah, Purviance, John N., Rooke, Ross, Russell, Sharpe, Simpson, Wetherill, J. M., and White, J. W. F.—53.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Beebe, Black, J. S., Bullitt, Campbell, Carey, Carter, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Dodd, Elliott, Ellis, Fell, Finney, Harvey, Heverin, Littleton, M'Camant, Metzger, Palmer, G. W., Patton, Runk, Smith, Wm. H., Stanton, Temple, Turrell, Wetherill, John Price, Wherry, White, David N., White, Harry, Worrell and Wright.

And the question recurring,

Shall the article pass?

A motion was made by Mr. H. W. Palmer,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding to the end of the amendment made to the seventeenth line of the tenth section, the following words, viz: "But no county included in this exception shall be divided without the express assent of such county, by a vote of the electors thereof."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Pughe and Mr. H. W. Palmer, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Bailey, of Huntingdon, Biddle, Bigler, Black, Charles A., Boyd, Brown, Buckalew, Calvin, Carey, Carter, Clark, Corbett, Corson, Cuyler, Darlington, Fulton, Gibson, Gilpin, Guthrie, Hanna, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, MacConnell, MacVeagh, M'CLean, M'Culloch, M'Michael, M'Murray, Mann, Mantor, Mitchell, Newlin, Niles, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Reynolds, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Wetherill, John Price, White, David N., Woodward and Walker, *President*—55.

N A Y S.

Messrs. Ainey, Bailly, of Perry, Baker, Beebe, Bowman, Brodhead, Broomall, Curry, Davis, De France, Dunning, Edwards, Ewing, Funck, Hall, Lamberton, Lawrence, Lilly, Long, Minor, Mott, Palmer, G. W., Patterson, D. W., Pughe, Rooke, Simpson, Struthers, Wetherill, J. M., and White, J. W. F.—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Baer, Bauman, Barclay, Bardsley, Bartholomew, Black, J. S., Bullitt, Campbell, Cassidy, Church, Cochran, Collins, Craig, Cronmiller, Curtin, Dallas, Dodd, Elliott, Ellis, Fell, Finney, Green, Harvey, Hazzard, Heverin, Knight, Landis, Lear, Littleton, M'Camant, Metzger, Patton, Porter, Purviance, John N., Reed, Andrew, Runk, Russell, Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wherry, White, Harry, Worrell and Wright.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Brodhead in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Kaine,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding to the end of the twelfth section, the following words, viz: "And all laws passed and signed shall be published entire."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

Mr. Broomall asked and obtained unanimous consent to amend the same in the twelfth section, by striking out the words, "after" and "have," in the third line, and the word "signing," in the fourth line, and inserting the word "having," before the word "been," in the third line."

And the question again recurring,

Shall the article pass?

The previous question was moved by Mr. Niles, seconded by Messrs. Boyd, Howard, Corbett, Samuel A. Purviance, Parsons, Beebe, Baker, David N. White, De France, Porter, Curry, Stanton, T. H. B. Patterson, John Price Wetherill, MacConnell, Clark, Ewing and Lilly.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Buckalew and Mr. Hemphill, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baer, Bailly, of Perry, Baker, Bartholomew, Beebe, Bowman, Boyd, Brown, Calvin, Campbell, Carey, Carter, Clark, Cochran, Corbett, Corson, Curry, Davis, De France, Edwards, Elliott, Ewing, Fulton, Funck, Green, Guthrie, Hall, Hanna, Horton, Howard, Kaine, Landis, Lawrence, Lilly, Long, MacConnell, MacVeagh, M'Culloch, M'Michael, Mann, Mitchell, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purviance, John N., Purviance, Sam'l A., Reynolds, Simpson, Stanton, Wetherill, J. M., Wetherill, Jno. Price, White, David N., Woodward and Walker, *President*—61.

N A Y S.

Messrs. Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Biddle, Bigler, Black, Chas. A., Broomall, Buckalew, Curtin, Cuyler, Darlington, Dunning, Gibson, Gilpin, Hemphill, Hunsicker, Lamberton, Lear, M'CLean, Mantor, Minor, Purman, Read, John R., Reed, Andrew, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry, W., Stewart, Struthers and White, J. W. F.—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Black, J. S., Brodhead, Bullitt, Cassidy, Church, Collins, Craig, Cronmiller, Dallas, Dodd, Ellis, Fell, Finney, Harvey, Hay, Hazzard, Heverin, Knight, Littleton, M'Ca-
nant, M'Murray, Metzger, Newlin, Patton, Runk, Russell Smith, Wm. H., Tem-
ple, Turrell, Van Reed, Wherry, White, Harry, Worrell and Wright.

And the question recurring,

Shall the article pass?

It was determined in the affirmative.

On leave given.

Mr. Woodward presented the following communication, viz:

PHILADELPHIA, October 2, 1873.

Hon. JOHN H. WALKER, *President of the Convention*:

I hereby resign my seat in the Convention, to which I was elected as Delegate at Large.

J. S. BLACK.

Laid on the table.

A motion was made by Mr. Woodward,

That the resignation be accepted, and that the same be referred to the committee of Fourteen Delegates at Large, last named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

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

To lay the motion on the table.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. R. Reed and Mr. Hunsicker, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Biddle, Bowman, Broomall, Brown, Calvin, Carter, Clark, Curry, Cuyler, Davis, Ewing, Fulton, Guthrie, Horton, Howard, Landis, Lilly, MacConnell, MacVeagh, M'Cullough, M'Michael, Mann, Mantor, Mitchell, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Simpson, Stewart, Struthers, White, David N., and White, J. W. F.—45.

N A Y S.

Messrs. Pailey, of Huntingdon, Beebe, Bigler, Boyd, Brodhead, Buckalew, Campbell, Cochran, Curtin, Dallas, Darlington, De France, Edwards, Elliott, Gibson, Gilpin, Green, Hall, Hemphill, Hunsicker, Kaine, Lamberton, Lawrence, Lear, Long, M'CLean, Minor, Parsons, Purman, Read, John R., Ross, Sharpe, Smith, Henry W., Stanton, Van Reed, Woodward and Walker, *President*—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Black, Charles A., Black, J. S., Bullitt, Carey, Cassidy, Church, Collins, Corbett, Corson, Craig, Cronmiller, Dodd, Dunning, Ellis, Fell, Finney, Funck, Hanna, Harvey, Hay, Hazzard, Heverin, Knight, Littleton, M'Camant, M'Murray, Metzger, Mott, Newlin, Palmer, G. W., Patton, Pughe, Rooke, Runk, Russell, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, Worrell and Wright.

On motion of Mr. D. W. Patterson,

The Convention proceeded to the third reading and consideration of the article on Executive Department.

On the question,

Shall the article pass?

Mr. Mann asked and obtained unanimous consent to amend the same, by striking out section seven.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Struthers.

That the Convention resolve itself into committee of the whole, for the purpose of amending the eleventh line of the sixteenth section, by striking out the word "respectively."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole, for the purpose of amending the first section in the third line, by striking out the words, "Secretary of Internal Affairs," and inserting the words, "Seperintendent of Corporations."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first line of the ninth section, by striking out the word "two-thirds," and inserting in lieu thereof the words, "a majority."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Kaine,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section twenty-two, and inserting a new section, to be numbered twenty, as follows, viz:

"The Secretary of Internal Affairs shall be chosen by the qualified electors of the State, for the term of four years; the Auditor General for the term of three years, and the State Treasurer for the term of two years; but no person elected to the office of Auditor General, or State Treasurer, shall be capable of holding the same office for two consecutive terms."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

Mr. Buckalew asked and obtained unanimous consent to amend the same in the seventh line of the fifteenth section, by striking out the word "Lieutenant;" also in the twentieth section, by inserting after the word "and," in the second line, the words, "perform all the."

And the question again recurring,

Shall the article pass?

Mr. John M. Bailey asked and obtained unanimous consent to amend the same in the twentieth section, by striking out all after the word "law," in the third line, to the word "his," in the fourth line; also in the twenty-first section, by striking out all after the word "law," in the third line, to the end of the section.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Curtin,

That the Convention resolve itself into the committee of the whole, for the purpose of amending the tenth section, by inserting before the word "secretary," in the fourth line, the words, "Lieutenant Governor," and by striking out of the fifth line the words, "Superintendent of Public Instruction."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Bigler in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported that the amendment had been inserted in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Hemphill asked and obtained unanimous consent to amend the same in the fourth section, as follows, viz:

Insert in the first line, after the word "chosen," the words, "at the same time," and striking out in the second line, the words, "the Governor, and at the same time and," and by inserting in the third line, after the word "provisions," the words, "as the Governor."

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the sixth line of the tenth section, by striking out the words, "upon due public notice and in open session."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. D. W. Patterson,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the fourth and fifth lines of the twenty-second section, by striking out the words, "Auditor General or."

Which was not agreed to.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Brodhead.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out all after the word "thereto," in the eighth line of the twentieth section.

Which was not agreed to.

And the question again recurring.

Shall the article pass?

Mr. Hemphill asked and obtained unanimous consent to amend the nineteenth section as follows, viz: By striking out the word "shall," in the second line, and striking out the word "and," where it first occurs in the third line, and inserting in lieu thereof the word "with," and by striking out the word "shall," in the fourth line, and by striking out the word "shall," in the fifth line, and inserting in lieu thereof the word "may."

And the question again recurring.

Shall the article pass?

A motion was made by Mr. J. W. F. White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out in the thirteenth section the words, "not exceeding four months."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

The hour of three o'clock having arrived,

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.

FRIDAY, OCTOBER 3, 1873.

Mr. Curry asked and obtained leave of absence for himself for Monday.

Mr. Sharpe asked and obtained leave of absence for himself for Monday and Tuesday.

Mr. Davis asked and obtained leave of absence for himself for Monday.

Mr. Niles asked and obtained leave of absence for Mr. Parsons for Monday and Tuesday.

Mr. Stanton asked and obtained leave of absence for Mr. Ainey for a few days from to-day.

Mr. Dunning asked and obtained leave of absence for himself for Monday.

Mr. Bigler asked and obtained leave of absence for himself for Monday and Tuesday.

Mr. Wright asked and obtained leave of absence for Mr. Pughe for Monday.

Mr. Hall asked and obtained leave of absence for himself for Monday.

Mr. Parsons asked and obtained leave of absence for Mr. Stewart for a few days from Monday.

Mr. J. M. Wetherill asked and obtained leave of absence for Mr. Bartholomew for a few days from Monday.

A motion was made by Mr. Woodward,

That the Convention proceed to the consideration of the motion, which was laid on the table yesterday, to accept the resignation of Mr. J. S. Black, and to refer the same to the fourteen Delegates-at-Large last named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Bailey, of Huntingdon, Bigler, Bowman, Boyd, Brodhead, Cochran, Cronmiller, Curtin, Dallas, Darlington, De France, Dunning, Elliott, Gilpin, Hall, Hanna, Hay, Hazzard, Hemphill, Hunsicker, Kaine, M'Michael, M'Murray, Parsons, Porter, Ross, Smith, Henry W., Stanton, Van Reed, Woodward and Wright—31.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Bardsley, Bartholomew, Beebe, Biddle, Black, Charles A., Broomall, Brown, Calvin, Carter, Church, Corson, Curry, Davis, Ewing, Fulton, Funck, Guthrie, Horton, Howard, Lamberton, Lawrence, Lilly, MacConnell, M'CLean, M'Culloch, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew. Reynolds, Rooke, Russell, Sharpe, Simpson, Stewart, Struthers, Wetherill, Jno. Price, White, David N., White, J. W. F., and Walker, President—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Black, J. S., Buckalew, Bullitt, Campbell, Carey, Cassidy, Clark, Collins, Corbett, Craig, Cuyler, Dodd, Edwards, Ellis, Fell, Finney, Gibson, Green, Harvey, Heverin, Knight, Landis, Lear, Littleton, Long, MacVeagh, M'Camant, Metzger, Mitchell, Newlin, Read, John R., Runk, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wherry, White, Harry, and Worrell.

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

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table, Oct. 1st,) viz:

Resolved, That a comparing committee of three be appointed, whose duty it shall be to take charge and care of the articles severally as they shall be finally adopted, have them accurately transcribed, in duplicate, in a plain legible hand, and after careful comparison with the original, present the same to the Convention at the close of the session for the signatures of the members."

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 striking out the words, "a comparing committee of three be appointed, whose duty it shall be to," and inserting in lieu thereof the words, "the Committee on Revision and Adjustment."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Mann,

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

Which was 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 the following resolution, and recommends its adoption:

Resolved, That a warrant upon the State Treasurer, for the sum of fifteen hundred dollars, be drawn in favor of D. L. Imbrie, Chief Clerk, for the payment of such accounts and expenses as he may be authorized to pay by the Convention.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on Revenue, Taxation and Finance, reported the same, revised as follows, viz:

After the word "Article," insert the numerals "IX."

Strike out "Revenue," in heading.

Section 1. In sixth line, after the word "provided," insert the word "for."

Strike out section five and insert the following sections, to be numbered five and six, the same having been stricken out of the article on Legislation: (Sections twenty and twenty-one.)

"Section 5. The credit of the Commonwealth shall not be pledged or loaned to any individual, company, corporation or association, nor shall the Commonwealth become a joint owner or stockholder in any company, association or corporation.

"Section 6. The General Assembly shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for or to loan its credit to any corporation, association, institution or individual."

Section 8. Insert after the word "or," in the second line, the word "other;" in the same line, make "municipals" read "municipality," and strike out the word "corporation."

Section 9. In eleventh line, strike out the word "such."

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on "Education," reported the same revised, as follows, viz:

After the word "Article," insert the numeral "X."

Section 1. In sixth line, strike out the word "this," and insert the word "that."

Strike out section three, and insert section eleven of the article on Suffrage, Election and Representation, as follows, viz: "Women twenty-one years of age and upwards, shall be eligible to any office of control or management under the school laws of this State."

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on "Militia," reported the same revised, as follows, viz:

After the word "Article," insert the numerals "XI."

On motion of Mr. Knight,

Said articles, with the changes proposed by the committee, were ordered to be printed for the use of the Convention.

On motion of Mr. Armstrong,

The Convention proceed to the third reading and consideration of the article on the Judiciary.

On the question,

Shall the article pass?

Mr. Armstrong asked and obtained unanimous consent, to amend the article in the twenty-fifth line of the twenty-third section, by striking out the words, "shall be," and inserting in lieu thereof the words, "are hereby."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole for the purpose of amending the article in the first line of the second section, by striking out the word "seven," and inserting in lieu thereof the word "five."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Parsons,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding a new section to be numbered "four," as follows, viz: "The judges of the Supreme Court shall appoint a reporter of their decisions, who shall hold his office during the pleasure of the court."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Boyd,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out the thirty-first section,

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Andrew Reed in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Boyd,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding to the end of the thirty-second section the words, "The office of associate judge, not learned in the law, is abolished in counties forming separate districts; but the several associate judges in office when this constitution shall be adopted shall serve for their unexpired terms."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Boyd and Mr. T. H. B. Patterson, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Abricks, Armstrong, Baer, Baker, Boyd, Brodhead, Broomall, Brown, Calvin, Church, Clark, Cochran, Corson, Curry, Darlington, De France, Elliott, Fulton, Funck, Guthrie, Hazzard, Hemphill, Hunsicker, Landis, Lilly, Littleton, Long, MacConnell, MacVeagh, M'Michael, M'Murray, Mann, Mantor, Minor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Porter, Purviance, Samuel A., Reynolds, Russell, Simpson, Smith, Henry W., Struthers, Van Reed, Wetherill, John Price, White, David N., White, Harry, Woodward, Worrell and Walker, *President*—53.

N A Y S.

Messrs. Bailly, of Perry, Bailey, of Huntingdon, Bartholomew, Beebe, Biddle, Black, Chas. A., Bowman, Buckalew, Carter, Cronmiller, Curtin, Cuyler, Davis, Dunning, Ewing, Gibson, Gilpin, Green, Hay, Horton, Howard, Kaine, Lamberton, Lawrence, M'CLean, M'Culloch, Mott, Niles, Patterson, D. W., Patton, Purviance, Jno. N., Read, John R., Rooke, Ross, Sharpe, Smith, H. G., Wetherill, J. M., White, J. W. F., and Wright—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Dallas, Dodd, Edwards, Ellis, Fell, Finney, Hall, Hanna, Harvey, Heverin, Knight, Lear, M'Camant, Metzger, Mitchell, Newlin, Pughe, Purman, Reed, Andrew, Runk, Smith, Wm. H., Stanton, Stewart, Temple, Turrell and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Sharpe in the Chair, on said amendment.

After some time the President resumed the chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Brodhead asked and obtained unanimous consent to amend the article in the fourth and fifth lines of the eighteen section, by striking out the words, "and which shall not be diminished during their continuance in office."

And the question again recurring,

Shall the article pass?

Mr. Biddle asked and obtained unanimous consent to amend the article in the twenty-third section, by striking out the words, "or city and county," where it occurs in the fourth, sixth, eleventh and seventeenth lines.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the twenty-first section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Armstrong and Mr. Howard, and were as follow, viz:

Y E A S.

Messrs. Bailly, of Perry, Baker, Bartholomew, Beebe, Biddle, Bowman, Brodhead, Broomall, Brown, Carey, Carter, Clark, Cronmiller, Curtin, Darlington, Davis, De France, Dunning, Elliott, Fulton, Funck, Green, Hall, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lawrence, Lilly, M'CLean, M'

Michael, Mann, Mantor, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Simpson, Stanton, Van Reed, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., and Walker, *President*—52.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Black, Chas. A., Buckalew, Calvin, Campbell, Church, Curry, Cuyler, Dallas, Gibson, Gilpin, Guthrie, Hay, Hazzard, Kaine, Knight, Long, MacConnell, M'Culloch, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Patton, Porter, Read, John R., Reed, Andrew, Russell, Smith, H. G., Smith, Henry W., Woodward, Worrell and Wright—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bigler, Black, J. S., Boyd, Bullitt, Cassidy, Cochran, Collins, Corbett, Corson, Craig, Dodd, Edwards, Ellis, Ewing, Fell, Finney, Hanna, Harvey, Heverin, Lear, Littleton, MacVeagh, M'Canant, Metzger, Mitchell, Newlin, Parsons, Purman, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Struthers, Temple, Turrell, Wetherill, J. M., and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Green in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Gilpin.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section thirty-two.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Gilpin and Mr. J. M. Bailey, and were as follow, viz:

Y E A S.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Broomall, Buckalew, Calvin, Cassidy, Church, Cochran, Curtin, Ewing, Fulton, Gibson, Gilpin, Hay, Landis, Lilly, M'Clean, Patterson, D. W., Porter, Reed, Andrew, Reynolds, Russell, Smith, H. G., and White, David N.—24.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baker, Bartholomew, Beebe, Biddle, Brodhead, Brown, Campbell, Carey, Carter, Clark, Corson, Curry, Dallas, Darlington, Davis, De France, Dunning, Elliott, Green, Guthrie, Hall, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lawrence, MacConnell, M'Culloch, M'Michael, M'Murray, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Pughe, Purviance, John N., Purviance, Sam'l A., Simpson, Smith, Henry W., Struthers, Wetherill, John Price, White, Harry, White, J. W. F., Woodward, Worrell and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Armstrong, Bannan, Barclay, Bardsley, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Bullitt, Collins, Corbett, Craig, Cronmiller, Cuyler, Dodd, Edwards, Ellis, Fell, Finney, Funck, Hanna, Harvey, Heverin, Lamberton, Lear, Littleton, Long, MacVeagh, M'

Camant, Metzger, Mitchell, Newlin, Parsons, Purman, Read, John R., Rooke, Ross, Runk, Sharpe, Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Landis.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the sixth and seventh lines of the twenty-ninth section, by striking out the words, "that special rules may be provided for cities and counties exceeding one hundred thousand inhabitants and," and by striking out all after "district," in the eighth line.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Landis and Mr. Cochran, and were as follow, viz:

Y E A S.

Messrs. Alricks, Bailly, of Perry, Bailey, of Huntingdon, Baker, Broomall, Carter, Cassidy, Cochran, Corson, Darlington, Davis, Fulton, Gibson, Hunsicker, Landis, Lawrence, Lilly, MacConnell, Minor, Palmer, H. W., Patterson, D. W., Pughe, Purviance, Sam'l A., Reed, Andrew, Struthers, Wetherill, Jno. Price, White, David N. White, J. W. F., and Woodward—29.

N A Y S.

Messrs. Armstrong, Baer, Biddle, Bowman, Brodhead, Brown, Buckalew, Calvin, Church, Clark, Dallas, De France, Elliott, Ewing, Gilpin, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Kaine, Knight, Long, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Niles, Palmer, G. W., Patton, Purviance, John N., Read, John R., Reynolds, Russell, Smith, H. G., Wetherill, J. M., Worrell and Walker, *President*—41.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, Charles A., Black, J. S., Boyd, Bullitt, Campbell, Carey, Collins, Corbett, Craig, Cronmiller, Curry, Curtin, Cuyler, Dodd, Dunning, Edwards, Ellis, Fell, Finney, Funck, Green, Hanna, Harvey, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Michael, Metzger, Mitchell, Mott, Newlin, Parsons, Patterson, T. H. B., Porter, Purman, Rooke, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wherry, White, Harry, and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Ewing.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the twenty-ninth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ewing and Mr. Armstrong, and were as follow, viz:

Y E A S.

Messrs. Alricks, Bailey, of Huntingdon, Baker, Beebe, Black, Chas. A., Broomall, Buckalew, Calvin, Carter, Cassidy, Dallas, Darlington, Davis, De France, Ewing, Gibson, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Landis, Lawrence, Lilly, Long, Mann, Mantor, Minor, Mott, Niles, Patterson, D. W., Purviance, John N., Reynolds, Wetherill, John Price, White, David N., White, Harry, White, J. W. F. and Woodward—40.

N A Y S .

Messrs. Achenbach, Armstrong, Baer, Baily, of Perry, Biddle, Bowman, Brodhead, Brown, Church, Clark, Cochran, Elliott, Fulton, Gilpin, Guthrie, Hall, Hazard, MacConnell, M'CLean, M'Culloch, M'Murray, Palmer, G. W., Palmer, H. W., Purviance, Sam'l A., Read, John R., Russell, Smith, H. G., Struthers, Worrell and Walker, *President*—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Bullitt, Campbell, Carey, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Curtin, Cuyler, Dodd, Dunning, Edwards, Ellis, Fell, Finney, Funck, Green, Hanna, Harvey, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Michael, Metzger, Mitchell, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Reed, Andrew, Rooke, Ross, Runk, Sharpe, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Hemphill in the Chair, on said amendment.

After some time the President resumed the chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

The hour of three o'clock having arrived, the President adjourned the Convention until Monday morning at nine and a half o'clock.

D. L. IMBRIE,
Clerk.

Attest :

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

MONDAY, OCTOBER 6, 1873.

Mr. Armstrong asked and obtained leave of absence for Mr. Cuyler for three days from to-day, on account of death in his family.

Mr. Lawrence asked and obtained leave of absence for a few days from to-morrow.

Mr. J. M. Bailey asked and obtained leave of absence for Mr. Kaine for a few days from to-day.

Mr. Minor asked and obtained leave of absence for Mr. Mantor for a few days, on account of sickness.

Mr. Dallas presented the following communication, which was read, viz :

PHILADELPHIA, October 4, 1873.

At a meeting of the bar of the city and county of Philadelphia, held Saturday, October 4, 1873, the following resolution was unanimously adopted :

I. *Resolved*, That in the opinion of the bar of Philadelphia, the system of courts proposed for this district by the Constitutional Convention is not suited to the wants of this community, and is objectionable, amongst other reasons, for the following :

1st. Because it will make unnecessary changes in our judicial system, which must introduce uncertainty and confusion in practice and the conduct of business.

2d. Because, by the creation of several courts of equal and concurrent jurisdiction for this city, it would lead to the selection of judges by suitors and counsel.

3d. Because, in the event of discordant rulings in matters of discretion, the construction of their own rules and the like, in this district, there would be no means of securing revision or correction.

4th. Because it would diminish the dignity of the office of judge, and the respect of parties and of the public for the judgments of our courts, and consequently greatly increase the business of the Supreme Court from this county.

II. *Resolved*, That a copy of the foregoing resolution be forwarded to the Convention, with the request that this subject may receive its further consideration.

_____, *President*,
ISAAC HAZLEHURST,
SAM'L C. PERKINS,
_____, *Vice Presidents*,
JOHN C. KNOX, Jr.,
DALLAS SANDERS,
_____, *Secretaries*.

Laid on the table.

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

Resolved, That hereafter forty-five delegates present shall constitute a quorum.

Laid on the table.

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

Resolved, That the Committee on Accounts and Expenditures are hereby directed to examine and settle the account of John Switzer, the Fireman, and to allow him at the rate of three dollars and fifty cents per day since the meeting of the Convention on the 16th of September; and that a warrant on the State Treasurer be drawn in his favor for the amount found due.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Darlington,

That the same be referred to the Committee on Accounts and Expenditures without instructions.

Which was agreed to.

A motion was made by Mr. Woodward,

That the Convention proceed to the consideration of the motion, (laid on the table on Thursday last,) to accept the resignation of Mr. J. S. Black, and refer the same to the committee consisting of the fourteen Delegates-at-Large, last named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Baker, Black, Charles A., Bowman, Boyd, Brodhead, Campbell, Church, Cochran, Cronmiller, Curtin, Dallas, Darlington, De France, Edwards, Hanna, Hemphill, Hunsicker, Knight, Landis, Lear, M'Michael, M'Murray, Metzger, Newlin, Niles, Porter, Smith, Henry W., Stanton, Van Reed, White, David N., Woodward, Wright and Walker,
President—36.

N A Y S.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Biddle, Broomall, Brown, Carter, Clark, Corson, Ewing, Fulton, Guthrie, Hazzard, Heverin, Horton, Howard, Lawrence, Lilly, MacConnell, M'Clean, M'Culloch, Mann, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Rooke, Russell, Simpson, Struthers, White, Harry, and White, J. W. F.—38.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Buckalew, Bullitt, Calvin, Carey, Cassidy, Collins, Corbett, Craig, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hay, Kaine, Lamberton, Littleton, Long, MacVeagh, M'Camant, Mantor, Mitchell, Parsons, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, and Worrell.

On motion of Mr. Mann,

The Convention resumed the third reading and consideration of the article reported from the Committee on the Judiciary.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the fourth line of the second section, by striking out the words, "eligible to re-election," and inserting in lieu thereof the word "re-elected."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Achenbach, Alricks, Bailey, of Huntingdon, Baker, Beebe, Brodhead, Broomall, Brown, Church, Clark, Cronmiller, Darlington, De France, Guthrie, Hemphill, Heverin, Horton, M'Culloch, M'Murray, Mann, Patterson, T. H. B., Rooke, Smith, Henry W., Struthers, White, Harry, White, J. W. F., and Walker, *President*—27.

N A Y S.

Messrs. Andrews, Armstrong, Baer, Baily, of Perry, Biddle, Black, Charles A., Bowman, Boyd, Campbell, Corson, Dallas, Edwards, Ewing, Fell, Fulton, Hanna, Hay, Hazzard, Hunsicker, Knight, Landis, Lawrence, Lilly, MacConnell, M'Clean, M'Michael, Metzger, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Russell, Simpson, Stanton, Van Reed, White, David N., Woodward and Wright—44.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Buckalew, Bullitt, Calvin, Carey, Carter, Cassidy, Cochran, Collins, Corbett, Craig, Curry, Curtin, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Finney, Funck, Gibson, Gilpin, Green, Hall, Harvey, Howard, Kaine, Lamberton, Lear, Littleton, Long, MacVeagh, M'Camant, Mantor, Mitchell, Mott, Parsons, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry and Worrell.

And the question again recurring,

Shall the article pass ?

Mr. Armstrong asked and obtained unanimous consent to amend the article in the fourth line of the second section, by striking out the words, "to re-election," and by inserting after the word "be," the word "again," and by striking out the word "will," and inserting in lieu thereof the word "again."

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out the sixteenth section.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Edwards and Mr. Struthers, and were as follow, viz :

Y E A S .

Messrs. Addicks, Andrews, Baily, of Perry, Beebe, Bowman, Broomall, Darlington, Edwards, Ewing, Hanna, Horton, Howard, Lawrence, Lear, Littleton, MacConnell, M'Culloch, Minor, Newlin, Niles, Patterson, D. W., Porter, Purviance, John N., Purviance, Samuel A., Russell, Simpson, Stanton, Struthers, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Walker, *President*—54.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Biddle, Black, Chas. A., Boyd, Brodhead, Brown, Buckalew, Calvin, Carter, Church, Clark, Cochran, Corson, Cronmiller, Curtin, Dallas, De France, Elliott, Fell, Fulton, Guthrie, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Landis, Lilly, M'CLean, M'Michael, M'Murray, Mann, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Read, John R., Smith, H. G., Smith, Henry W., Van Reed, Woodward, Worrell and Wright—50.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Finney, Funck, Gibson, Gilpin, Green, Hall, Harvey, Kaine, Knight, Lamberton, Long, MacVeagh, M'Camant, Mantor, Mitchell, Parsons, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Turrell, Wetherill, Jno. Price, and Wherry.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding to the end of the fifth section, the following words, viz: "All suits shall be instituted in the said courts of common pleas without designating the number of said court; and the several courts shall distribute and apportion the business among them in such manner as shall be provided by rules of court, and each court to which any suit shall be thus assigned, shall have exclusive jurisdiction thereof, subject to change of venue as shall be provided by law." And by striking out the sixth section.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Curtin in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Curtin.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the fifth section.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Campbell and Mr. Edwards, and were as follow, viz :

Y E A S .

Messrs. Addicks, Bailey, of Huntingdon, Baker, Black, Charles A., Brodhead, Buckalew, Carey, Cassidy, Cronmiller, Curtin, Darlington, De France, Edwards, Ewing, Hanna, Harvey, Heverin, Horton, Hunsicker, Lawrence, Lear, Lilly, MacVeagh, M'CLean, M'Michael, Mann, Minor, Newlin, Palmer, G. W., Palmer, H. W., Porter, Read, John R., Rooke, Ross, Smith, H. G., Smith, Henry W., Stanton, Van Reed, White, David N., White, Harry, White, J. W. F., Woodward and Worrell—43.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Beebe, Biddle, Bowman, Boyd, Broomall, Brown, Calvin, Campbell, Church, Clark, Cochran, Corson, Dallas, Elliott, Fulton, Funck, Guthrie, Hay, Hazzard, Howard, Landis, MacConnell, M'Murray, Metzger, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Russell, Simpson, Struthers, Temple, Wetherill, J. M., Wetherill, Jno. Price, Wright and Walker, *President*—44.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carter, Collins, Corbett, Craig, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Gilpin, Green, Hall, Hemphill, Kaine, Knight, Lamberton, Littleton, Long, M'Camant, M'Culloch, Mantor, Mitchell, Niles, Parsons, Pughe, Purman, Reed, Andrew, Reynolds, Runk, Sharpe, Smith, Wm. H., Stewart, Turrell, and Wherry.

And the question again recurring,
Shall the article pass ?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the twenty-eighth section, by striking out all after the word "uniform," in the fourth line.

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into the committee of whole, for the purpose of amending the article in the fourteenth section, by striking out in the third line, the words, "shall have the right to," and inserting in lieu the word "may," and by adding to the end of the section the words, "upon allowance of appellants' court or a judge thereof, upon cause shown."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole. Mr. Edwards in the Chair, on said amendment.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hanna.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the twenty-first and twenty-second lines of the twenty-third section, by striking out the words, "without expense to parties."

Which was not agreed to.

And the question again recurring.

Shall the article pass?

A motion was made by Mr. Cochran.

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the twenty-third section as follows, viz: By striking out in the twenty-first line, the words, "as register or," and by inserting after the word "said," the words, "separate orphans?," and by inserting after the word "shall," the words, "when exceptions shall be filed thereto or disputed questions of distribution shall arise," and in the twenty-third line, by inserting after the word "appoint," the words, "and no other account shall be audited."

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. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Brodhead, Calvin, Cochran, Corson, Curtin, De France, Funck, Gilpin, Hanna, Heverin, Landis, Lawrence, Lear, MacVeagh, Metzger, Mott, Patterson, D. W., Purviance, Sam'l A., Ross, White, Harry, and White, J. W. F.—24.

N A Y S.

Messrs. Alricks, Armstrong, Baer, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Buckalew, Cassidy, Church, Cronmiller, Darlington, Edwards, Elliott, Ewing, Fulton, Guthrie, Harvey, Hay, Horton, Howard, Hunsicker, Lilly, MacConnell, M'CLean, M'Culloch, M'Michael, Mann, Minor, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purviance, John N., Rooke, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, White, David N., Woodward, Worrell and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainex, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Carter, Clark, Collins, Corbett, Craig, Curry, Cuyler, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Gibson, Green, Hall, Hazzard, Hemphill, Kaine, Knight, Lamberton, Littleton, Long, M'Camant, M'Murray, Mantor, Mitchell, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Turrell, Wherry and Wright.

And the question again recurring.

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole for the purpose of amending section twenty-five, by adding to the end thereof the words, "in the same manner as in civil cases."

Which was not agreed to.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. J. N. Purviance and Mr. Struthers,

That the vote be re-considered by which the motion made by Mr. Curtin was negatived, viz: "That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section fifth."

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Brodhead, Cassidy, Curtin, Ewing, Gibson, Hanna, Harvey, Hazzard, Heverin, Horton, Hunsicker, Lawrence, Lear, MacVeagh, M'Clean, M'Michael, Mann, Newlin, Niles, Porter, Purviance, John N., Read, John R., Ross, Smith, Henry W., Stanton, Struthers, Wetherill, John Price, White, Harry, White, J. W. F., Woodward, Worrell and Walker, *President*—32.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Church, Clark, Cochran, Corson, Cronmiller, Dallas, Darlington, Elliott, Fulton, Funck, Gilpin, Guthrie, Hay, Howard, Landis, Lilly, MacConnell, M'Culloch, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, Samuel A., Russell, Simpson, Temple, Van Reed, Wetherill, J. M., White, David N., and Wright—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Garey, Carter, Collins, Corbett, Craig, Curry, Cuyler, Davis, De France, Dodd, Dunning, Edwards, Ellis, Fell, Finney, Green, Hall, Hemphill, Kaine, Knight, Lamberton, Littleton, Long, M'Camant, M'Murray, Mantor, Mitchell, Parsons, Patterson, D. W., Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Runk, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Turrell, and Wherry.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the twelfth section, by striking out all from the word "large," in the seventh line, to the word "they," in the ninth line.

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Beebe, Bowman, Broomall, Darlington, Edwards, Ewing, Hanna, Horton, Howard, Lawrence, Lear, MacConnell, MacVeagh, Minor, Niles, Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Ross, Simpson, Stanton, Struthers, Wetherill, J. M., White, Harry, White, J. W. F., and Walker, *President*—27.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Biddle, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Church, Clark, Corson, Cronmiller, Curtin, Dallas, Elliott, Fulton, Gibson, Guthrie, Harvey, Hay, Hazzard, Heverin, Hunsicker, Lamberton, Landis, Lilly, M'CLean, M'Michael, Mann, Metzger, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Read, John R., Russell, Smith, H. G., Smith, Henry W., Temple, Van Reed, Wetherill, John Price, Woodward, Worrell and Wright—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carey, Cochran, Collins, Corbett, Craig, Curry, Cuyler, Davis, De France, Dodd, Dunning, Ellis, Fell, Finney, Funck, Gilpin, Green, Hall, Hemphill, Kaine, Knight, Littleton, Long, M'Camant, M'Culloch, M'Murray, Mantor, Mitchell, Newlin, Parsons, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Runk, Sharpe, Smith, Wm. H., Stewart, Turrell, Wherry, and White, David N.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Calvin,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the thirty-second section, by striking out the word "forty," and inserting in lieu thereof the word "fifty," and by striking out the words, "five hundred."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Calvin and Mr. Curtin, and were as follow, viz:

Y E A S.

Messrs. Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Boyd, Buckalew, Calvin, Carter, Cassidy, Church, Cochran, Cronmiller, Curtin, Edwards, Ewing, Fulton, Gilpin, Hanna, Harvey, Howard, Landis, Lawrence, Lear, Lilly, MacVeagh, Patterson, D. W., Rooke, Ross, Russell, Smith, Henry W., Wetherill, J. M., Wetherill, John Price, and Walker, *President*—34.

N A Y S.

Messrs. Achenbach, Baer, Baker, Beebe, Biddle, Bowman, Brodhead, Broomall, Brown, Campbell, Corson, Dallas, Darlington, De France, Funck, Guthrie, Hay, Hazzard, Hunsicker, Lamberton, MacConnell, M'CLean, M'Culloch, M'Michael, Mann, Metzger, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Read, John R., Stanton, Struthers, Temple, Van Reed, White, David N., White, Harry, White, J. W. F., Woodward, Worrell and Wright—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carey, Clark, Collins, Corbett, Craig, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Gibson, Green, Hall, Hemphill, Heverin, Horton, Kaine, Knight, Littleton, Long, M'Camant, M'Murray, Mantor, Mitchell, Parsons, Pughe, Purman, Reed, Andrew, Reynolds, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Turrell, and Wherry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the thirty-second section, by striking out the words, "five hundred," in the first line.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Baker, Beebe, Biddle, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Buckalew, Campbell, Carter, Church, Darlington, De France, Gibson, Hanna, Hay, Hazzard, Horton, Lambertson, Lawrence, Lear, MacVeagh, M'Clean, Mann, Metzger, Minor, Niles, Patterson, T. H. B., Porter, Purviance, John N., Purviance, Samuel A., Russell, Stanton, Struthers, Wetherill, J. M., Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Woodward, Worrell and Wright—46.

NAYS.

Messrs. Achenbach, Alricks, Baily, of Perry, Boyd, Calvin, Cassidy, Cronmiller, Curtin, Dallas, Edwards, Ewing, Fulton, Funck, Gilpin, Guthrie, Harvey, Howard, Hunsicker, Landis, Lilly, MacConnell, M'Culloch, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Read, John R., Rooke, Ross, Smith, Henry W., Temple, Van Reed and Walker, *President*—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carey, Clark, Cochran, Collins, Corbett, Corson, Craig, Curry, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Green, Hall, Heverin, Hemphill, Kaine, Knight, Littleton, Long, M'Camant, M'Michael, M'Murray, Mantor, Mitchell, Newlin, Parsons, Pughe, Purman, Reed, Andrew, Reynolds, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Turrell and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Beebe in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported that the amendment had been made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Fulton,

That the Convention resolve itself into committee of the whole for the purpose of amending the article, by striking out section "thirty-two," and inserting in lieu thereof, as follows, viz:

"The judicial districts of the State, except Philadelphia and Allegheny, until otherwise provided by law, shall continue as at present organized. A district having over seventy thousand population shall be entitled to an additional law judge.

"The Legislature shall provide additional judges for districts as the business may require."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Alricks, Bailly, of Perry, Bailey, of Huntingdon, Black, Charles A., Boyd, Buckalew, Calvin, Carter, Cochran, Curtin, Ewing, Fulton, Funck, Gibson, Gilpin, Horton, Howard, Landis, Lawrence, Lilly, MacVeagh, McClean, McCulloch, Patterson, D. W., Ross, Smith, Henry W., Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward and Walker. *President*—32.

NAYS.

Messrs. Achenbach, Andrews, Baer, Beebe, Biddle, Bowman, Brodhead, Broomall, Brown, Campbell, Church, Clark, Darlington, De France, Edwards, Elliott, Guthrie, Harvey, Hay, Hazzard, Hunsicker, Lamberton, Lear, MacConnell, M. Murray, Mann, Metzger, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Russell, Simpson, Smith, H. G., Stanton, Struthers, Temple, White, Harry, Worrell and Wright—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carey, Cassidy, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Green, Hall, Hanna, Hemphill, Heverin, Kaine, Knight, Littleton, Long, M'Camant, M'Michael, Mantor, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Runk, Sharpe, Smith, Wm. H., Stewart, Turrell, Van Reed and Wherry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. John M. Bailey,

To amend the same, by striking out all after the word "in," in the first line, and inserting in lieu thereof, as follows, viz: "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 justices of the peace and in such other courts as the Legislature may, from time to time establish.

"SECTION 2. 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 the Commonwealth at large. The president judges of the 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 for 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 may 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 com-

missions 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 this 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.

"SECTION 3. Until otherwise directed by law, the courts of common pleas shall continue as at present established. Not more than five counties shall at any time be included in one judicial district organized for said courts.

"SECTION 4. The jurisdiction of the Supreme Court shall extend over the State, and the judges thereof shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery in the several counties.

"SECTION 5. The judges of the courts of common pleas in each county shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery, for the trial of capital and other offenders therein; any two of the said judges, the president being one, shall be a quorum, but they shall not hold a court of oyer and terminer or jail delivery in any county when the judges of the Supreme Court, or any of them, shall be sitting in the same county. The party accused, as well as the Commonwealth, may, under such regulations as shall be prescribed by law, remove the indictment and proceedings, or a transcript thereof, into the Supreme Court.

"SECTION 6. The Supreme Court, and the several courts of common pleas shall, beside the powers heretofore usually exercised by them, have the power of a court of chancery, so far as relates to perpetuating of testimony, the obtaining of evidence from places not within the State, and 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 7. 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.

"SECTION 8. The judges of the courts of common pleas shall, within their respective counties, have the like powers with the judges of the Supreme Court to issue writs of *certiorari* to the justices of the peace, and to cause their proceedings to be brought before them, and the like right and justice to be done.

"SECTION 9. The president of the court in each circuit within such circuit, and the judges of the court of common pleas within their respective counties shall be justices of the peace so far as relates to criminal matters.

"SECTION 10. A register's office for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each county.

"SECTION 11. 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."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. M. Bailey and Mr. Gilpin, and were as follow, viz:

YEAS.

Messrs. Bailey, of Huntingdon, Cochran, Curtin, Edwards, Ewing, Fulton, Funck, Gibson, Gilpin, Harvey, Howard, Hunsicker, Lawrence, Lear, Lilly, MacVeagh, M'CLean, Mann, Niles, Patterson, D. W., Smith, Henry W., White, D. N., White, Harry, White, J. W. F., Woodward and Walker, *President*—26.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Bear, Baily, of Perry, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Carter, Church, Clark, Dallas, Darlington, De France, Elliott, Guthrie, Hay, Hazzard, Horton, Lamberton, Landis, Littleton, MacConnell, M'Murray, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Ross, Russell, Simpson, Smith, H. G., Stanton, Struthers, Temple, Wetherill, J. M., Wetherill, Jno. Price, Worrell and Wright—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Broomall, Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Fell, Finney, Green, Hall, Hanna, Hemphill, Heverin, Kaine, Knight, Long, M'Camant, M'Culloch, M'Michael, Mantor, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Runk, Sharpe, Smith, Wm. H., Stewart, Turrell, Van Reed and Wherry.

And the question again recurring,

Shall the article pass?

Mr. Baer asked and obtained unanimous consent to amend the same in the first line of the ninth section, by inserting after the word "pleas," the words, "learned in the law."

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the fourteenth section as follows, viz: "In the cities of Pittsburg and Allegheny, there shall be but one alderman for every ten thousand inhabitants; districts of as nearly equal population as may be, and formed of compact and contiguous territory, shall be established in a manner to be prescribed by law, in each of which districts but one alderman shall be elected, reside and hold office; their term of office shall be five years; they shall be compensated only by fixed salaries, to be determined and paid by the city in which they shall hold office; they shall exercise such jurisdiction and powers as are now exercised by aldermen in said cities, excepting as the same may be changed or modified by law: *Provided*, That their civil jurisdiction shall not be increased to amounts exceeding one hundred dollars; all fees and perquisites received by said aldermen shall be paid by them into the treasury of the city in which they hold office, and be accounted for in such manner as may be provided by law.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Edwards and Mr. Ewing, and were as follow, viz:

YEAS.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Black, Chas. A., Bowman, Brown, Calvin, Campbell, Carter, Cassidy, Cochran, Curtin, Darlington, De France, Edwards, Ewing, Funck, Guthrie, Horton, Hunsicker, Lamberton, Lawrence, Littleton, MacConnell, M'CLean, Mann, Minor,

Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Simpson, Smith, Henry W., Stanton, Struthers, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Worrell, Wright and Walker, *President*—45.

N A Y S.

Messrs. Alricks, Andrews, Armstrong, Biddle, Boyd, Brodhead, Broomall, Buckalew, Church, Dallas, Elliott, Gibson, Gilpin, Hay, Hazzard, Howard, Knight, Landis, Lilly, MacVeagh, M'Murray, Metzger, Mott, Niles, Palmer, H. W., Patton, Read, John R., Russell, Smith, H. G., Wetherill, J. M. and Woodward—81.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Carey, Clark, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Cuyler, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Green, Hall, Hanna, Harvey, Hemphill, Heverin, Kaine, Lear, Long, M'Camant, M'Culloch, M'Michael, Mantor, Mitchell, Newlin, Parsons, Porter, Pughe, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Simpson in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Lamberton asked and obtained unanimous consent to amend the article, by striking out the ninth section and inserting in lieu thereof the following, viz:

"SECTION 9. Judges of the courts of common pleas, learned in the law, shall be judges of the courts of oyer and terminer, quarter sessions of the peace and general jail delivery and of the orphans' court, and within their respective districts, shall be justices of the peace as to criminal matters."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the twenty-eighth section the following words: "The judges of the courts of common pleas and quarter sessions may hold courts at such places in their respective districts, other than the county seat, as may be directed by law."

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived,

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.

TUESDAY, OCTOBER 7, 1873.

Mr. De France asked and obtained leave of absence for Mr. Bentley, the Door-keeper of the Convention, for a few days from to-morrow.

Mr. Brodhead asked and obtained leave of absence for himself for Thursday and Friday.

Mr. Darlington asked and obtained leave of absence for Mr. Hemphill for a few days from to-day.

A motion was made by Mr. Woodward,

That the Convention proceed to the consideration of the motion, (laid on the table on Thursday last,) to accept the resignation of Mr. J. S. Black, and refer the same to the committee consisting of the fourteen Delegates-at-Large last named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Alricks,

To postpone the motion, together with the further consideration of the subject, for one week.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Ainey, Alricks, Baily, of Perry, Bardsley, Beebe, Biddle, Broomall, Brown, Calvin, Carter, Cochran, Davis, Edwards, Ewing, Finney, Fulton, Funk, Guthrie, Hanna, Harvey, Hazzard, Horton, Howard, Knight, Lilly, MacVeagh, M'CLean, M'Cullough, Mann, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Russell, Struthers, Turrell, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Wright—49.

NAYS.

Messrs. Armstrong, Baer, Bailey, of Huntingdon, Baker, Black, Charles A., Bowman, Boyd, Brodhead, Clark, Corson, Cronmiller, Curtin, Dallas, Darlington, De France, Dunning, Gilpin, Hall, Hay, Hunsicker, Lamberton, Landis, Lear, M'Michael, M'Murray, Mott, Patton, Porter, Pughe, Purman, Ross, Runk, Smith, Henry W., Stanton, Van Reed, Woodward and Walker, *President*—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bartholomew, Bigler, Black, J. S., Buckalew, Bullitt, Campbell, Carey, Cassidy, Church, Collins, Corbett, Craig, Curry, Cuyler, Dodd, Elliott, Ellis, Fell, Gibson, Green, Hemphill, Heverin, Kaine, Lawrence, Littleton, Long, MacConnell, M'Camant, Mantor, Mitchell, Newlin, Parsons, Read, John R., Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry and Worrell.

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on Private Corporations, reported the same revised, as follows, viz:

After "Article," insert numerals "XVI."

Section 2. In fourth line, strike out the words, "the terms of," and insert the words, "condition that." In fifth line, after the word "corporation," insert th

word "shall," and in same line, strike out the words, "holding such," and insert the words, "hold its."

Section 3. In first line, strike out the words, "power and the." In third line, strike out the words, "the taking by," and after "Legislature," insert the words, "from taking." In fourth line, strike out the word "of," at the beginning of the line. In ninth line, strike out the word "a."

Section 5. In third line, strike out the word "in."

Section 6. In second line strike out the word "other," and after the word "business," insert the word "other." In fourth line, strike out the word "what," and insert the words, "such as." In fifth line, strike out the word "and." In eighth line, after the word "otherwise," insert the word "and."

Insert sections eleven and twelve from the Railroad article, to be numbered seventh and eighth:

"SECTION 7. No corporation shall issue stocks or bonds except for money, labor or property actually received; and all fictitious increase of stock or indebtedness shall be void; the stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of stock first obtained, at a meeting to be held after sixty days' notice given in pursuance of law.

"SECTION 8. Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction."

Make Section "7" Section "9." In first and second lines, strike out the words, "which shall be passed."

Make Section "8" Section "10," and Section "9" Section "11." In fourth line of Section 11, after the word "any," insert the words, "that may." In same line, strike out the word "to," and in fourth and fifth lines, strike out the words, "conferred by or under any law," and insert the word "created."

Make Section "10" Section "12," and in first line strike out the word "for," and insert the words, "to possess."

Make Section "11" Section "13"

Mr. Knight, also from the same committee, to whom was referred the article on County, Township and Borough Officers, reported the same revised as follows, viz:

After the word "Article," insert the numerals "XIV."

In heading, strike out the words, "township and borough."

Insert section to be numbered three, as follows, viz: "No person shall be appointed to any office within any county who shall not have been a citizen and inhabitant therein one year next before his appointment, if the county shall have been so long erected; but if it shall not have been so long erected, then within the limits of the county or counties out of which it shall have been taken."

Insert section to be numbered four, as follows, viz: "Prothonotaries, clerks of the courts, recorders of deeds, registers of wills, county surveyors and sheriffs, shall keep their offices in the county town of the county in which they respectively shall be officers."

Section 5. In the eleventh line, make the word "vacancies" read "vacancy."

Mr. Knight, also, from the same committee, to whom was referred the article on Offices and Incompatibility of Office, reported the same revised as follows, viz:

After the word "Article," insert the numerals "XII."

In heading, strike out the word "of," and insert the word "public," and strike out the words, and incompatibility of office."

Section 1. In the first line, strike out the word "ever."

Section 2. In first line, make the word "office" read "officers." Strike out all after the word "law," in the second line, the same having been transferred to the article on "County Officers."

Section 3. In third line, strike out the words, "is or." In fourth line, strike out the words, "are by law," and insert the words, "shall be."

Section 4. In fourth line, strike out the words, "is or," and in the same line, strike out the words, "are by law," and insert the words, "shall be."

Strike out section "sixth," the same having been transferred to the article on "County Officers."

Section 7. In fourth line, strike out the word "shall," and insert the word "may;" after the word "be," insert the word "otherwise;" strike out the words, "otherwise in such a manner," and strike out the words, "is or may," and insert the word "shall."

Mr. Knight, also, from the same committee, to whom was referred the article on New Counties, reported the same revised, as follows, viz:

After the word "Article," insert the numerals, "XIII."

Section 1. In third line, after the word "nor," insert the word "to." In fifth line, make the word "nor" read "or."

Mr. Knight, also, from the same committee to whom was referred the article on Cities and City Charters, reported the same revised, as follows, viz:

After "Article" insert numerals "XV."

Section 1. In fourth line, strike out the word "voting," and insert the words, "shall vote." In fifth line, strike out the words, "shall vote."

Section 2. In third line, after the word "appropriation," insert the words, "previously made," and in third and fourth lines, strike out the words, "having first been made."

Laid on the table.

On motion of Mr. Knight,

Said articles, with the changes proposed by the committee, were ordered to be printed for the use of the Convention.

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 the following resolution and recommends its adoption, viz:

Resolved, That a warrant for the sum of \$1,626 92, be drawn upon the State Treasurer in favor of D. F. Murphy, official reporter of the Convention, in full payment for all services and demands, up to and including the fifteenth day of July, 1873.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

On motion of Mr. Calvin,

The Convention resumed the third reading and consideration of the article on the Judiciary.

And the question recurring,

Will the Convention agree to the motion of Mr. Buckalew, that the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding to the end of the twenty-eighth section, the words, "The judges of the courts of common pleas and quarter sessions may hold courts at such places in their respective districts, other than the county seats as may be directed by law."

Mr. Buckalew asked and obtained unanimous consent to withdraw the same.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hanna,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the tenth line of the twelfth section, by inserting after the word "criminal," the words, "within such district."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Temple in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendments made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third line of the second section, by striking out the word "twenty-one," 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. Boyd and Mr. Ainey, and were as follow, viz :

Y E A S.

Messrs. Ainey, Alricks, Beebe, Black, Chas. A., Buckalew, Corson, Cronmiller, Darlington, Dunning, Edwards, Ewing, Gibson, Hanna, Harvey, Howard, Landis, Lear, Littleton, MacConnell, M'CLean, Mott, Newlin, Patterson, D. W., Patton, Porter, Purviance, John N., Rooke, Ross, Smith, H. G., Smith, Henry, W., Stanton, Temple, Turrell, Van Reed, White, David N., White, J. W. F., Woodward and Worrell—38.

N A Y S.

Messrs. Achenbach, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bardsley, Biddle, Boyd, Brodhead, Broomall, Brown, Calvin, Carter, Clark, Cochran, Dallas, Davis, De France, Elliott, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hay, Hazzard, Heverin, Horton, Hunsicker, Knight, Lambertson, Lilly, MacVeagh, M'Culloch, M'Michael, M'Murray, Mann, Minor, Niles, Palmer, G. W., Patterson, T. H. B., Pughe, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Runk, Russell Simpson, Struthers Wetherill, J. M., White, Harry, Wright and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bartholomew, Bigler, Black, J. S., Bowman, Bullitt, Campbell, Carey, Cassidy, Church, Collins, Corbett, Craig, Curry, Curtin, Cuyler, Dodd, Ellis, Fell, Green, Hemphill, Kaine, Lawrence, Long, M'Camant, Mantor, Metzger, Mitchell, Palmer, H. W., Parsons, Sharpe, Smith, Wm. H., Stewart, Wetherill, Jno. Price, and Wherry.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the thirteenth section, by striking out the fourth, fifth and sixth lines, and inserting in lieu thereof, the words, "and the judgment therein shall be subject to writs of error as in other cases."

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. Baer, Bailey, of Huntingdon, Baker, Beebe, Biddle, Bowman, Brodhead, Broomall, Buckalew, Carey, Clark, Darlington, Davis, Dunning, Edwards,

Elliott, Ewing, Funck, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Heverin, Horton, Howard, Hunsicker, Lamberton, Lear, Lilly, Littleton, M'Cleane, M'Murray, Mann, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purviance, Jno. N., Purviance, Samuel A., Reed, Andrew, Rooke, Ross, Simpson, Smith, H. G., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., White, David N., White, J. W. F., and Worrell—57.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Bailly, of Perry, Black, Chas. A., Boyd, Brown, Calvin, Carter, Church, Cochran, Corson, Cronmiller, Curtin, Dallas, De France, Finney, Fulton, Hall, Landis, MacConnell, MacVeagh, M'Culloch, Patterson, D. W., Purman, Read, John R., Reynolds, Runk, Russell, Smith, Henry W., Van Reed, White, Harry, Woodward, Wright and Walker, *President*—36.

So the question was determined in the affirmative.

* **ABSENT.**—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Cassidy, Collins, Corbett, Craig, Curry, Cuyler, Dodd, Ellis, Fell, Gilpin, Green, Hemphill, Kaine, Knight, Lawrence, Long, M'Camant, M'Michael, Mantor, Metzger, Mitchell, Mott, Parsons, Porter, Pughe, Sharpe, Smith, Wm. H., Stewart, Wetherill, John Price, and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. J. M. Wetherill in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported that the amendment had been made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Andrew Reed,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the thirtieth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Andrew Reed and Mr. Temple, and were as follow, viz:

Y E A S.

Messrs. Alricks, Bailly, of Perry, Bailey, of Huntingdon, Baker, Biddle, Black, Charles A., Bowman, Brown, Clark, Cronmiller, Cuyler, Dallas, Elliott, Finney, Gibson, Harvey, Heverin, Howard, Lamberton, M'Murray, Mann, Mott, Niles, Palmer, H. W., Pughe, Purman, Purviance, John N., Reed, Andrew, Smith, Henry W., Temple, Van Reed, White, Harry, Woodward, Worrell and Walker, *President*—35.

N A Y S.

Messrs. Achenbach, Armstrong, Baer, Beebe, Boyd, Brodhead, Broomall, Buckalew, Calvin, Carey, Carter, Church, Cochran, Corson, Darlington, Davis, De France, Ewing, Funck, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Hunsicker, Landis, Lear, Lilly, Littleton, MacConnell, M'Cleane, M'Culloch, M'Michael, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Stanton, Struthers, Turrell, Wetherill, J. M., White, David N., White, J. W. F. and Wright—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Cassidy, Collins, Corbett, Craig, Curry, Curtin, Dodd, Dunning, Edwards, Ellis, Fell, Fulton, Gilpin, Green, Hemphill, Kaine, Knight, Lawrence, Long, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Parsons, Porter, Sharpe, Smith, Wm. H., Stewart, Wetherill, John Price, and Wherry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section, to be numbered twenty-three, as follows, viz:

"There shall be established by law, a court to be styled 'the Superior Court of the State of Pennsylvania,' having three judges, learned in the law, chosen by the electors of the State at large. Those first chosen shall respectively hold office for terms of five, of ten, and of fifteen years, as may be determined by lot, to be drawn immediately after taken the oath of office, and those afterwards chosen shall hold office for terms of fifteen years each. The judge of said court having the shortest unexpired term shall be chief justice thereof. The said court shall have and exercise all the jurisdiction in law and in equity heretofore possessed by the court of *nisi prius*, and shall also have and exercise the jurisdiction of a final appellate court in all causes in law and in equity in which the amount in controversy does not exceed _____ hundred dollars, or in which both parties to the record shall agree, without regard to the amount in controversy, to submit the same to the final judgment or decree of said court. The judgments of said court shall not be reported as authoritative evidence of the law, and it shall be the duty of the Supreme Court, upon petition of any defendant in error or appellee, if satisfied that doubtful and unsettled questions of law are involved in any cause pending in the superior court, to cause the same to be certified to the Supreme Court for its decision. The appellate jurisdiction of said court shall be exercised in convenient districts to be established by law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cuyler and Mr. Temple, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Armstrong, Bailey, of Huntingdon, Baker, Beebe, Biddle, Black, Chas. A., Bowman, Boyd, Brodhead, Carey, Corson, Curtin, Cuyler, Dallas, De France, Dunning, Finney, Funck, Gibson, Guthrie, Hall, Hanna, Hay, Hazzard, Heverin, Horton, Hunsicker, Lear, M'Clean, M'Culloch, M'Michael, Minor, Newlin, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Russell, Smith, H. G., Stanton, Temple, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., Woodward and Worrell—51.

N A Y S .

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Broomall, Brown, Calvin, Church, Clark, Cochran, Cronmiller, Darlington, Davis, Elliott, Harvey, Howard, Lamberton, Landis, Lilly, Littleton, MacConnell, M'Murray, Mann, Mott, Palmer, G. W., Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Simpson, Smith, Henry W., Struthers, Turrell, White, David N., Wright and Walker, *President*—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Buckalew, Bullitt, Campbell, Carter, Cassidy, Collins, Corbett, Craig, Curry, Dodd, Edwards, Ellis, Ewing, Fell, Fulton, Gilpin, Green, Hemphill, Kaine, Knight, Lawrence, Long, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Parsons, Sharpe, Smith, Wm. H., Stewart, Wetherill, John Price, and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Littleton in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Baker,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the eighteenth section, the following words, viz:

"But that the compensation to be paid by the State shall not be less than that which is now received by the several judges of this Commonwealth."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Baker and Mr. Simpson, and were as follow, viz:

YEAS.

Messrs. Baker, Biddle, Boyd, Calvin, Carey, Cassidy, Curtin, Cuyler, Dallas, Gibson, Hanna, Heverin, Lilly, Littleton, M'Michael, Newlin, Read, John R., Simpson, Stanton, Temple, Wetherill, John Price, and Worrell—22.

NAYS.

Messrs. Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Buckalew, Carter, Church, Clark, Cronmiller, Darlington, Davis, De France, Dunning, Edwards, Elliott, Finney, Fulton, Funck, Guthrie, Harvey, Hay, Hazzard, Howard, Hunsicker, Lamberton, Landis, MacConnell, Mac Veagh, M'Clean, M'Culloch, M'Murray, Mann, Minor, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Runk, Russell, Smith, Henry W., Struthers, Turrell, Van Reed, Wetherill, J. M., White, David N., White, Harry, Woodward, Wright and Walker, *President*—65.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Bullitt, Campbell, Cochran, Collins, Corbett, Corson, Craig, Curry, Dodd, Ellis, Ewing, Fell, Gilpin, Green, Hall, Hemphill, Horton, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Mitchell, Niles, Parsons, Pughe, Reed, Andrew, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Wherry and White, J. W. F.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Harry White and Mr. Funck,

That the vote be re-considered by which the section (No. 23) offered by Mr. Cuyler was adopted.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Black, Chas. A., Bowman, Broomall, Brown, Buckalew, Calvin,

Campbell, Cassidy, Church, Clark, Cochran, Cronmiller, Darlington, Davis, Edwards, Elliott, Fulton, Funck, Harvey, Hazzard, Horton, Howard, Lamberton, Landis, Lilly, Littleton, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, Henry W., Struthers, Turrell, White, David N., White, Harry, Woodward, Wright and Walker, *President*—62.

N A Y S .

Messrs. Baker, Beebe, Biddle, Boyd, Brodhead, Carey, Carter, Cuyler, Dallas, De France, Ewing, Gibson, Guthrie, Hall, Hanna, Hay, Hunsicker, MacVeagh, M'Michael, Minor, Patton, Read, John R., Smith, H. G., Stanton, Temple, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, White, J. W. F., and Worrell—30.

So the question was determined in the affirmative.

ABSENT—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Collins, Corbett, Corson, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Fell, Finney, Gilpin, Green, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Minlin, Niles, Parsons, Pughe, Reed, Andrew, Sharpe, Smith, Wm. H., Stewart and Wherry.

And the question again recurring,

Will the Convention agree to the motion?

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by inserting a new section, to be numbered twenty-three.

A motion was made by Mr. Cuyler,

To postpone the question, together with the further consideration of the article, until to-morrow.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. T. H. B. Patterson and Mr. Lilly and were as follow, viz:

Y E A S .

Messrs. Alricks, Armstrong, Baker, Beebe, Biddle, Black, Chas. A., Bowman, Boyd, Brodhead, Campbell, Carey, Cronmiller, Cuyler, Dallas, Darlington, De France, Ewing, Finney, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Horton, Howard, Hunsicker, Lamberton, Landis, Littleton, M'Michael, Minor, Newlin, Palmer, H. W., Patton, Porter, Purman, Ross, Runk, Simpson, Smith, H. G., Stanton, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, White, J. W. F., Woodward and Wright—50.

N A Y S .

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Brown, Buckalew, Calvin, Carter, Church, Clark, Cochran, Davis, Dunning, Edwards, Elliott, Fulton, Hall, Lilly, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Russell, Smith, Henry W., Struthers, White, David N., White, Harry, and Walker, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Broomall, Bullitt, Cassidy, Collins, Corbett, Corson, Craig, Curry, Curtin, Dodd, Ellis, Fell, Funck, Gilpin, Green, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Niles, Parsons, Pughe, Read, John R., Reed, Andrew, Sharpe, Smith, Wm. H., Stewart, Wherry and Worrell.

On motion of Mr. Buckalew,

That the Convention proceed to the third reading and consideration of the article (No. 6) on Impeachment and Removal from Office.

And on the question,

Shall the article pass?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the fourth section, by adding after the word "crime," in the third line, 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 to the motion?

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

Y E A S.

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Biddle, Boyd, Brown, Calvin, Carter, Church, Darlington, Davis, Edwards, Finney, Fulton, Funk, Gibson, Horton, Howard, Hunsicker, Lamberton, Lear, Littleton, MacConnell, Mann, Minor, Newlin, Patterson, T. H. B., Purman, Purviance, Sam'l A., Reynolds, Rooke, Smith, Henry W., Struthers, Turrell, Van Reed, White, Harry, Woodward and Walker, *President*—41.

N A Y S.

Messrs. Armstrong, Black, Charles A., Buckalew, Cassidy, Cronmiller, Dallas, De France, Elliott, Ewing, Guthrie, Hall, Harvey, Hazzard, Landis, Lilly, MacVeagh, M'CLean, M'Culloch, M'Michael, Mitchell, Mott, Palmer, H. W., Patton, Porter, Purviance, John N., Read, John R., Ross, Runk, Stanton, Wetherill, J. M., Wetherill, Jno. Price, White, J. W. F., and Worrell—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Bowman, Brodhead, Broomall, Bullitt, Campbell, Carey, Clark, Cochran, Collins, Corbett, Corson, Craig, Curry, Curtin, Cuyler, Dodd, Dunning, Ellis, Fell, Gilpin, Green, Hanna, Hay, Hemphill, Heverin, Kaine, Knight, Lawrence, Long, M'Camant, M'Murray, Mantor, Metzger, Niles, Palmer, G. W., Parsons, Patterson, D. W., Pughe, Reed, Andrew, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wherry, White, David N., and Wright.

Whereupon,

The Convention resolved itself into the committee of the whole, Mr. Porter in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. Buckalew,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment, on the article on Oaths and Oaths of Office.

Which was agreed to.

A motion was made by Mr. D. W. Patterson,

That the report be adopted by the Convention, and that the article be transcribed for a third reading.

Which was agreed to.

On motion of Mr. J. M. Bailey,

The Convention proceeded to the third reading and consideration of said article.

On the question,

Shall the article pass?

A motion was made by Mr. Littleton,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out the second section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Littleton and Mr. H. W. Palmer, and were as follow, viz:

YEAS.

Messrs. Armstrong, Baer, Baily, of Perry, Baker, Biddle, Black, Charles A., Bowman, Brown, Cassidy, Church, Cronmiller, Curtin, Darlington, Davis, Elliott, Ewing, Hall, Horton, Hunsicker, Lear, Lilly, Littleton, MacConnell, M^r. Michael, Mann, Minor, Patterson, D. W., Porter, Pughe, Reynolds, Rooke, Runk, Stanton, Struthers, Turrell, White, Harry, White, J. W. F., and Walker, *President*—38.

NAYS.

Messrs. Achenbach, Alricks, Bailey, of Huntingdon, Beebe, Boyd, Buckalew, Calvin, Dallas, Finney, Fulton, Funck, Gibson, Guthrie, Harvey, Howard, Lambertson, Landis, MacVeagh, M^r. Clean, M^r. Culloch, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam^l. A., Ross, Smith, H. G., Smith, Henry W., Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Woodward, Worrell and Wright—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Brodhead, Broomall, Bullitt, Campbell, Carey, Carter, Clark, Cochran, Collins, Corbett, Corson, Craig, Curry, Cuyler, De France, Dodd, Dunning, Edwards, Ellis, Fell, Gilpin, Green, Hanna, Hay, Hazzard, Hemphill, Heverin, Kaine, Knight, Lawrence, Long, M^r. Camant, M^r. Murray, Mantor, Metzger, Mitchell Newlin, Niles, Parsons, Read, John R., Reed, Andrew, Russell, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Wherry, and White, David N.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Hunsicker in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the twenty-seventh line of the first section, by striking out the words, "learned in the law."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Mann,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first section, by striking out all after the word "fidelity," in the sixth line, to the word "that," in the tenth line.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Armstrong, Baker, Biddle, Bowman, Broomall, Corson, Darlington, Edwards, Ewing, Gilpin, Hanna, Harvey, Horton, Littleton, M'CLean, M'Michael, Mann, Minor, Newlin, Patterson, D. W., Porter, Pughe, Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Runk, Stanton, Turrell, Wetherill, J. M., White, Harry, White, J. W. F., Worrell and Walker, *President*—34.

N A Y S .

Messrs. Achenbach, Alricks, Baer, Bailly, of Perry, Bailey, of Huntingdon, Beebe, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Calvin, Carter, Cassidy, Church, Clark, Cronmiller, Curtin, Dallas, Davis, De France, Dunning, Elliott, Finney, Fulton, Funck, Gibson, Guthrie, Hall, Hunsicker, Lamberton, Landis, Lear, Lilly, MacConnell, M'Culloch, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Read, John R., Rooke, Smith, H. G., Smith, Henry W., Struthers, Van Reed, Wetherill, Jno. Price, Woodward and Wright—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cochran, Collins, Corbett, Craig, Curry, Cuyler, Dodd, Ellis, Fell, Green, Hay, Hazzard, Hemphill, Heverin, Howard, Kaine, Knight, Lawrence, Long, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Niles, Parsons, Russell, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Wherry and White, David N.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. D. W. Patterson,

To amend the same, by striking out all after the word "support," in the first line, and insert in lieu thereof as follows, viz: "The Constitution of the United States and the Constitution of this Commonwealth, and will honestly 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.

"The foregoing oath shall be administered by one of the judges of the Supreme Court, or a president judge of the common pleas 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 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."

Which was not agreed to;

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the ninth and tenth lines, by striking out the words, "expressly authorized by law."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Alricks, Armstrong, Baker, Biddle, Black, Chas. A., Bowman, Broomall, Corson, De France, Dunning, Edwards, Ewing, Hall, Hanna, Horton, Knight, Lamberton, Lear, M'CLean, Mann, Minor, Newlin, Pughe, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Smith, Henry W., Stanton, Struthers, Turrell, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., and Walker, *President*—38.

N A Y S.

Messrs. Achenbach, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Boyd, Brodhead, Brown, Buckalew, Calvin, Carter, Clark, Cochran, Curtin, Darlington, Elliott, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Howard, Landis, Lilly, MacConnell, MacVeagh, M'Culloch, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Read, John R., Runk, Russell, Smith, H. G., Wetherill, Jno. Price, Woodward and Wright—43.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Church, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Davis, Dodd, Ellis, Fell, Finney, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Lawrence, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Mitchell, Niles, Parsons, Porter, Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wherry and Worrell.

And the question again recurring,
Shall the article pass?

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

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, Charles A., Boyd, Brodhead, Brown, Buckalew, Calvin, Carter, Church, Clark, Cochran, Curtin, Davis, De France, Elliott, Finney, Funck, Gibson, Guthrie, Hall, Hay, Howard, Hunsicker, Lamberton, Landis, Lilly, MacConnell, MacVeagh, M'Culloch, M'Murray, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Russell, Smith, H. G., Smith, Henry W., Turrell, Wetherill, John Price, Woodward and Wright—56.

N A Y S.

Messrs. Baker, Biddle, Bowman, Broomall, Corson, Darlington, Dunning, Edwards, Ewing, Fulton, Gilpin, Hanna, Horton, Knight, M'CLean, Mann, Minor, Patterson, D. W., Pughe, Reynolds, Ross, Stanton, Struthers, White, David N., White, Harry, White, J. W. F., and Walker, *President*—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Ellis, Fell, Green, Harvey, Hazzard, Hemphill, Heverin, Kaine, Lawrence, Lear, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Mitchell, Niles, Parsons, Porter, Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed Wetherill, J. M., Wherry and Worrell.

On motion of Mr. S. A. Purviance,

The Convention adopted the report of the Committee on Revision and Adjustment on the article on the Militia, and said article was

Ordered, To be transcribed for a third reading.

On motion of Mr. Purviance,

The Convention proceeded to the third reading and consideration of the same.

On the question,

Shall the article pass ?

A motion was made by Mr. Boyd,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out all after the word "Commonwealth," in the fourth line.

On the question,

Will the Convention agree to the motion ?

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

YEAS.

Messrs. Boyd, Church, Edwards, Hunsicker, M'CLean, M'Murray, Reynolds and Wetherill, J. M.—8.

NAYS.

Messrs. Achenbach, Alricks, Armstrong, Bear, Bailly, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Black, Charles A., Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Carter, Clark, Cochran, Corson, Curtin, Darlington, Davis, De France, Elliott, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Hay, Horton, Howard, Knight, Lamberton, Landis, Lear, Lilly, MacConnell, MacVeagh, M'Culloch, Mann, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Furman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., White, Harry, White, J. W. F., Woodward and Walker, President—71.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Dunning, Ellis, Fell, Green, Hanna, Harvey, Hazzard, Hemphill, Heverin, Kaine, Lawrence, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Mitchell, Niles, Parsons, Patterson, D. W., Porter, Pughe, Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wherry, Worrell and Wright.

And the question recurring,

Shall the article pass ?

A motion was made by Mr. M'CLean,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out all after the word "Commonwealth," in

the fourth line, and inserting in lieu thereof the following words, viz: "Those who conscientiously scruple to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Mann,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the first and only section, by striking out the word "shall," in the first and second lines, and inserting in lieu thereof the word "may."

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived, 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.

WEDNESDAY, OCTOBER 8, 1873.

Mr. Ross asked and obtained leave of absence for himself for Thursday and Friday.

Mr. Fulton asked and obtained leave of absence for himself for a few days from to-morrow.

Mr. Achenbach asked and obtained leave of absence for himself for to-morrow.

Mr. T. H. B. Patterson asked and obtained leave of absence for Mr. Campbell for the balance of this week.

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

Resolved, That this Convention, from and after to-morrow, will sit from nine o'clock A. M. to one o'clock, P. M., and from three o'clock P. M. to seven o'clock P. M., daily except Sunday; and will adjourn *sine die* on Friday, October 17.

On the question,

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

The yeas and nays were required by Mr. Baer and Mr. M'Murray, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Baer, Beebe, Boyd, Carter, Cochran, Cronmiller, De France, Fulton, Funck, Hazzard, MacConnell, M'Culloch, M'Murray, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Struthers and Wright—22.

N A Y S.

Messrs. Armstrong, Baily, of Perry, Bailey, of Huntingdon, Biddle, Black, Charles A., Broomall, Brown, Calvin, Clark, Curry, Curtin, Cuyler, Darlington, Davis, Dunning, Edwards, Elliott, Ewing, Gibson, Gilpin, Guthrie, Hall, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lear, Lilly, M^cClean, M^cMichael, Mann, Minor, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Smith, H. G., Smith, Henry W., Stanton, Wetherill, J. M., Wetherill, John Price, White, David N., White, J. W. F., Woodward, and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bowman, Brodhead, Buckalew, Bullitt, Campbell, Carey, Cassidy, Church, Collins, Corbett, Corson, Craig, Dallas, Dodd, Ellis, Fell, Finney, Green, Hanna, Harvey, Hay, Heverin, Kaine, Lawrence, Littleton, Long, MacVeagh, M^cCamant, Mantor, Metzger, Mitchell, Newlin, Niles, Palmer, H. W., Parsons, Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Van Reed, Wherry White, Harry, and Worrell.

A motion was made by Mr. Woodward,

That the Convention proceed to the consideration of the motion, (laid on the table on Thursday last,) to accept the resignation of Mr. J. S. Black, and refer the same to the committee consisting of the fourteen Delegates-at-Large last named in the proclamation of the Governor.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Woodward and Mr. Cuyler, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Armstrong, Baer, Bailey, of Huntingdon, Beebe, Black, Chas. A., Buckalew, Church, Clark, Cochran, Cronmiller, Curry, Curtin, Cuyler, Dallas, Darlington, De France, Elliott, Gilpin, Guthrie, Hall, Harvey, Hay, Hazard, Hemphill, Hunsicker, Lamberton, Landis, Lear, MacConnell, M^cMichael, M^cMurray, Patton, Porter, Purman, Rooke, Ross, Runk, Smith, H. G., Smith, Henry W., Stantor, Woodward and Wright—43.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bardsley, Biddle, Broomall, Brown, Calvin, Carter, Edwards, Ewing, Fulton, Funck, Gibson, Hanna, Horton, Howard, Knight, Lilly, M^cClean, M^cCulloch, Mann, Minor, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Russell, Struthers, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry, White, J. W. F., and Walker, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Andrews, Baker, Bannan, Barclay, Bartholomew, Bigler, Black, J. S., Bowman, Boyd, Brodhead, Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Corson, Craig, Davis, Dodd, Dunning, Ellis, Fell, Finney, Green, Heverin, Kaine, Lawrence, Littleton, Long, MacVeagh, M^cCamant, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Parsons, Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wherry and Worrell.

And the question recurring,

Will the Convention agree to the motion, to accept the resignation and refer the same to the appropriate committee?

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

To postpone the question, together with the further consideration of the subject, for the present, and that a committee of three be appointed to wait upon Mr. Black and request the withdrawal of his resignation.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Baer, Baily, of Perry, Baker, Bardsley, Biddle, Broomall, Brown, Calvin, Carter, Clark, Corson, Curtin, Davis, Edwards, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hanna, Horton, Howard, Knight, Lamberton, Lilly, M'Clellan, M'Culloch, Mann, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Ross, Runk, Russell, Struthers, White, Harry, White, J. W. F., Wright and Walker, *President*—46.

N A Y S .

Messrs. Armstrong, Bailey, of Huntingdon, Bigler, Black, Chas. A., Boyd, Buckalew, Church, Cochran, Cronmiller, Curry, Cuyler, Dallas, Darlington, De France, Elliott, Hall, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Landis, MacConnell, M'Michael, M'Murray, Minor, Patterson, D. W., Patton, Porter, Pughe, Purman, Reynolds, Smith, H. G., Smith, Henry, W., Stanton, Temple, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, David N., and Woodward—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Bannan, Barclay, Bartholomew, Beebe, Black, J. S., Bowman, Brodhead, Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Dodd, Dunning, Ellis, Fell, Finney, Green, Heverin, Kaine, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Parsons, Read, John R., Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed, Wherry and Worrell.

Ordered, That Messrs. S. A. Purviance, Boyd and Lamberton be said committee.

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the article on Railroads and Canals, reported the same revised, as follows, viz :

After the word "Article," insert the numerals "XVII."

Section 1. In eighth line, strike out the word "or," and insert the word "and."

Section 3. In third line, after the word "and," insert the word "of." In fifth line, strike out the word "subject," and insert the word "liable."

Insert the seventh section as section four. In ninth line of the same, after the word "excepting," insert the word "for."

Section 5. In eleventh line, after the word "and," insert the words, "the question."

Section 6. In fourth line, strike out the word "the." In fourth and fifth lines, strike out the words, "of said company."

Section 7. In fourth and fifth lines, strike out the words, "in such railroad or canal companies," and insert the word "therein." In sixth line, strike out the words, "as common carriers."

Strike out sections eleven and twelve, the same having been transferred to the article on "Private Corporations."

Section 14. In third line, strike out the words, "any beneficial," and insert the words, "the benefit of any."

Mr. Knight, also, from the same committee, to whom was referred the article (No. 25) reported from the Committee on Commissions, Offices, &c., reported the same without amendment, and recommends the two sections thereof be transferred to the article on the Executive Department, and be numbered sections twenty-three and twenty-four.

Mr. Knight, also, from the same committee, to whom was referred the article reported from the Committee on Future Amendments, reported the same without amendment.

Mr. Knight, also, from the same committee to whom was referred the article (No. 23) reported from the Committee on the Legislature, as follows, viz: "No law changing the present location of the capital of the State at Harrisburg shall be valid, until the same shall have been submitted to the qualified electors at a general election, and ratified and approved by them."

Reported the same without amendment, and recommends that it be transferred to the article on Legislation, and be numbered section thirty-seven.

Said reports were laid on the table.

On motion of Mr. Knight,

The articles with the changes proposed by the committee, were ordered to be printed for the use of the Convention.

On motion of Mr. Mann,

The Convention proceed to the third reading and consideration of the article on the Militia.

And the question recurring,

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

That the Convention resolve itself into committee of the whole, for the purpose of amending said article, by striking out the word "shall," where it occurs in the first and second lines of the first and only section, and inserting in lieu thereof the word "may."

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

Y E A S .

Messrs. Alricks, Baer, Bailly, of Perry, Boyd, Broomall, Corson, Darlington, Ewing, Funck, Gibson, Hall, Howard, Hunsicker, Landis, M'Clellan, Mann, Minor, Palmer, H. W., Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W., Temple and White, David N.—27.

N A Y S .

Messrs. Achenbach, Ainey, Armstrong, Bailey, of Huntingdon, Bardsley, Beebe, Biddle, Bigler, Brown, Buckalew, Calvin, Carey, Carter, Church, Clark, Cronmiller, Curtin, Dallas, Davis, De France, Edwards, Elliott, Fulton, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Lamberton, Lilly, MacConnell, M'Culloch, M'Michael, M'Murray, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, Samuel A., Reynolds, Ross, Runk, Russell, Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Woodward, Wright and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bannan, Barclay, Bartholomew, Black, Charles A., Black, J. S., Bowman, Brodhead, Bullitt, Campbell, Cassidy, Cochran, Collins, Corbett, Craig, Curry, Cuyler, Dodd, Dunning, Ellis, Fell, Finney, Green, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Parsons, Puglie, Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed, Wherry and Worrell.

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the first and only section, and inserting in lieu thereof the following, viz:

"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."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Stanton and Mr. Edwards, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baer, Bailey, of Huntingdon, Baker, Bigler, Black, Charles A., Boyd, Buckalew, Calvin, Church, Cronmiller, Curry, Dallas, De France, Ewing, Funk, Gibson, Gilpin, Hall, Hanna, Hemphill, Heverin, Howard, Hunsicker, Lamberton, Landis, M'CLean, M'Culloch, Mann, Mitchell, Palmer, H. W., Patterson, T. H. B., Purman, Purviance, John N., Read, John R., Reynolds, Rooke, Smith, H. G., Smith, Henry W., White, David N., Woodward, Worrell and Walker, *President*—44.

N A Y S .

Messrs. Armstrong, Baily, of Perry, Beebe, Biddle, Broomall, Brown, Carey, Carter, Clark, Cochran, Corson, Curtin, Darlington, Edwards, Finney, Fulton, Guthrie, Hay, Hazzard, Horton, Lear, Lilly, Littleton, MacConnell, MacVeagh, M'Michael, M'Murray, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patton, Porter, Purviance, Sam'l A., Ross, Runk, Russell, Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F. and Wright—45.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Achenbach, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Bowman, Brodhead, Bullitt, Campbell, Cassidy, Collins, Corbett, Craig, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Green, Harvey, Kaine, Knight, Lawrence, Long, M'Camant, Mantor, Metzger, Mott, Niles, Parsons, Pughe, Reed, Andrew, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed and Wherry.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third and fourth lines of the first and only section, by striking out the words, "by appropriation from the treasury of the Commonwealth," and also in the fourth line, by striking out the words, "the Legislature."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Black, Charles A., Boyd, Buckalew, Cronmiller, De France, Ewing, Funk, Gibson, Gilpin, Green, Hemphill, Heverin, Howard, Hunsicker, Lamberton, Landis, Littleton, Mann, Minor, Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Runk, Smith, H. G., Smith, Henry W., Struthers and White, David N.—37.

N A Y S .

Messrs. Baily, of Perry, Baker, Beebe, Biddle, Bowman, Broomall, Brown, Calvin, Carey, Carter, Church, Clark, Cochran, Corson, Curry, Curtin, Dallas, Darlington, Davis, Edwards, Fulton, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Knight, Lear, Lilly, MacConnell, MacVeagh, M'CLean, M'Culloch, M'Michael, Mitchell, Newlin, Palmer, G. W., Patterson, D. W., Porter, Purviance,

Sam'l A., Ross, Russell, Stanton, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Worrell, Wright and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Brodhead, Bullitt, Campbell, Cassidy, Collins, Corbett, Craig, Cuyler, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Harvey, Kaine, Lawrence, Long, M'Camant, M'Murray, Mantor, Metzger, Mott, Niles, Parsons, Pughe, Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed, Wherry and Woodward.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the first and only section, the words, viz: "Who will furnish substitutes or pay an equivalent for personal services."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Struthers and Mr. Worrell, and were as follow, viz:

YEAS.

Messrs. Alricks, Baer, Boyd, Buckalew, Church, Cronmiller, De France, Gibson, Gilpin, Guthrie, Hemphill, Heverin, Howard, Hunsicker, Landis, M'Clean, Mitchell, Patton, Purviance, John N., Reynolds, Smith, H. G., Struthers, Worrell and Walker, *President*—24.

NAYS.

Messrs. Ainey, Baily, of Perry, Baker, Beebe, Biddle, Black, Charles A., Bowman, Broomall, Brown, Calvin, Carey, Carter, Clark, Corson, Curry, Curtin, Cuyler, Dallas, Darlington, Davis, Edwards, Ewing, Finney, Fulton, Funck, Green, Hall, Hanna, Hay, Hazzard, Horton, Knight, Lamberton, Lear, Lilly, MacConnell, M'Michael, M'Murray, Mann, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, Sam'l A., Reed, Andrew, Rooke, Ross, Runk, Russell, Smith, Henry W., Stanton, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, White, J. W. F., Woodward and Wright—63.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Brodhead, Bullitt, Campbell, Cassidy, Cochran, Collins, Corbett, Craig, Dodd, Dunning, Elliott, Ellis, Fell, Harvey, Kaine, Lawrence, Littleton, Long, MacVeagh, M'Camant, M'Cullough, Mantor, Metzger, Mott, Newlin, Niles, Parsons, Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed, Wherry and White, David N.,

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, in the second line of the first and only section, by inserting after the word "disciplined," the words, "for its defence when."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Calvin, Carey, Church, Cronmiller, Curry, Darlington, De France, Ewing, Funck, Gibson, Gilpin, Hall, Hanna, Hemphill, Heverin, Horton, Howard, Hunsicker, Lamberton, Landis, Lear, M'Cleane, Mann, Mitchell, Palmer, H. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Temple, White, David N., Woodward, Worrell, Wright and Walker, *President*—52.

N A Y S.

Messrs. Baker, Biddle, Carter, Clark, Cochran, Corson, Curtin, Cuyler, Davis, Edwards, Finney, Fulton, Green, Guthrie, Hay, Hazzard, Knight, Lilly, MacConnell, M'Culloch, M'Michael, M'Murray, Minor, Palmer, G. W., Patterson, D. W., Porter, Pughe, Purviance, Samuel A., Runk, Russell, Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, and White, J. W. F.—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Brown, Buckalew, Bullitt, Campbell, Cassidy, Collins, Corbett, Craig, Dallas, Dodd, Dunning, Elliott, Ellis, Fell, Harvey, Kaine, Lawrence, Littleton, Long, MacVeagh, M'Camant, Mantor, Metzger, Mott, Newlin, Niles, Parsons, Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Finney in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

The previous question was moved by Mr. Hunsicker, seconded by Messrs. Green, De France, Funck, Beebe, Hazzard, J. P. Wetherill, Knight, Wright, T. H. B. Patterson, Harry White, Jos. Bailey, Porter, Corson, Temple, Boyd, Chas. A. Black, S. A. Purviance and Stanton.

On the question,

Shall the main question be now put?

It was determined in the affirmative.

And the question again recurring,

Shall the article pass?

The yeas and nays were required by Mr. Broomall, and Mr. Baer, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Baily, of Perry, Baker, Beebe, Biddle, Black, Chas. A., Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Carey, Carter, Church, Cochran, Corson, Cronmiller, Cuyler, Dallas, Darlington, Davis, De France, Elliott, Ewing, Finney, Funck, Gibson, Green, Guthrie, Hall, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Knight, Lamberton, Landis, MacConnell, M'Culloch, M'Michael, M'Murray, Minor, Palmer, H. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Rooke, Ross, Runk, Russell, Smith, Henry W., Stanton, Wetherill, J. M., Wetherill, Jno. Price, White, David N., Woodward, Wright and Walker, *President*—65.

N A Y S.

Messrs. Alricks, Baer, Broomall, Edwards, Fulton, Harvey, Hunsicker, Lilly, M'Clean, Mann, Mitchell, Palmer, G. W., Pughe, Reed, Andrew, Reynolds, Smith, H. G., Struthers, Temple, Turrell and Worrell—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Cassidy, Clark, Collins, Corbett, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Fell, Gilpin, Hanna, Kaine, Lawrence, Lear, Littleton, Long, MacVeagh, M'Camant, Mantor, Metzger, Mott, Newlin, Niles, Parsons, Patterson, D. W., Read, John R., Sharpe, Simpson, Smith, Wm. H., Stewart, Van Reed, Wherry, White, Harry, and White, J. W. F.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on the Judiciary.

And the question recurring,

Will the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section to be numbered twenty-three, as follows, viz :

There shall be established by law a court, to be styled "the Superior Court of the State of Pennsylvania," having three judges, learned in the law, chosen by the electors of the State at large. Those first chosen shall respectively hold office for terms of five, of ten, and of fifteen years, as may be determined by lot to be drawn immediately after taking the oath of office, and those afterwards chosen shall hold office for terms of fifteen years each. The judge of said court having the shortest unexpired term shall be chief justice thereof.

The said court shall have and exercise all the jurisdiction in law and in equity heretofore possessed by the court of *nisi prius*, and shall also have and exercise the jurisdiction of a final appellate court in all causes in law and in equity in which the amount in controversy does not exceed — hundred dollars, or in which both parties to the record shall agree—without regard to the amount in controversy—to submit the same to the final judgment or decree of said court. The judgments of said court shall not be reported as authoritative evidence of the law, and it shall be the duty of the Supreme Court, upon petition of any defendant in error or appellee, if satisfied that doubtful and unsettled questions of law are involved in any cause pending in the superior court, to cause the same to be certified to the Supreme Court for its decision.

The appellate jurisdiction of said court shall be exercised in convenient districts to be established by law."

It was not agreed to.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by inserting a new section, to be numbered twenty-three, as follows, viz :

"There shall be established by law, a court to be styled 'the Superior Court of the State of Pennsylvania,' having three judges, learned in the law, chosen by the electors of the State at large. Those first chosen shall respectively hold office for terms of five, of ten, and of fifteen years, as may be determined by lot to be drawn immediately after taking the oath of office, and those afterwards chosen shall hold office for terms of fifteen years each. The judge of said court having the shortest unexpired term shall be chief thereof.

"The said court shall have and exercise the jurisdiction of a final appellate court in all cases of appeals, *certioraris* and writs of error, from or to the several courts of oyer and terminer and courts of quarter sessions of the peace in this Commonwealth. Said court may exercise such further jurisdiction as shall be

provided by law; and any two judges may hold an appellate court; and also in and for the county of Philadelphia, said court may be held by any one judge to be delegated for the purpose, and shall have and exercise all the jurisdiction in law and equity heretofore possessed by the court of *nisi prius*; and the same shall be a court of record; and all appeals from said court shall be to the Supreme Court; and writs of error and *certioraris* from the Supreme Court shall be issued to said court of *nisi prius* for removal of its proceeding as in the case of other courts of record."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Baker, Biddle, Corson, Curry, Cuyler, Dallas, Gibson, Guthrie, Hall, Hanna, Howard, M'Michael, Mann, Newlin, Read, John R., and Smith, H. G..
—16.

NAYS.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baily, of Perry, Black, Charles A., Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Clark, Cochran, Cronmiller, Curtin, Darlington, Davis, De France, Edwards, Elliott, Ewing, Funck, Green, Harvey, Hay, Hazzard, Hemphill, Horton, Hunsicker, Lamberton, Landis, Lear, Lilly, MacConnell, M'CLean, M'Culloch, Mitchell, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Runk, Russell, Smith, Henry W., Struthers, Turrell, White, J. W. F. Woodward, Wright and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Beebe, Bigler, Black, J. S., Brodhead, Bullitt, Campbell, Carey, Carter, Cassidy, Church, Collins, Corbett, Craig, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gilpin, Heverin, Kaine, Knight, Lawrence, Littleton, Long, Mac Veagh, M'Camant, M'Murray, Mantor, Metzger, Minor, Mott, Niles, Palmer, H. W., Parsons, Porter, Pughe, Rooke, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry White, David N., White, Harry, and Worrell

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the eighteenth section, by inserting after the word "State," in the fourth line, the words "and which may be increased."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Gibson,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section twenty-three.

Which was not agreed to.

And the question again recurring,

Shall the article pass?

Mr. Hanna asked and obtained unanimous consent, to amend the same in the tenth line of the twelfth section, by striking out the words, "within such district."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section, to be numbered four, as follows, viz :

"The Legislature shall, at its first session after this Constitution takes effect, erect the several counties of the State in 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 there shall be elected a circuit judge, and the said circuit judge shall, during his term of office, reside within the circuit for which he was elected, 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 the 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 by 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 in 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 reviewable 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 or 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."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Woodwad and Mr. Armstrong, and were as follow, viz:

Y E A S.

Messrs. Ainey, Armstrong, Baker, Beebe, Biddle, Black, Charles A., Boyd, Corson, Gibson, Green, Guthrie, Hemphill, Howard, Hunsicker, Lear, MacVeagh, M'Michael, Newlin, Stanton, Woodward, Worrell and Wright—22.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Church, Clark, Cochran, Darlington, Davis, De France, Edwards, Elliott, Hall, Hay, Hazzard, Horton, Lamberton, Landis, Lilly, MacConnell, M'Cleau, M'Culloch, M'Murray, Mann, Mitchell, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Struthers, Turrell, Wetherill, J. M., White, David N., White, J. W. F., and Walker, *President*—51.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Carter, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Dodd, Dunning, Ellis, Ewing, Fell, Finney, Fulton, Funk, Gilpin, Hanna, Harvey, Heverin, Kaine, Knight, Lawrence, Littleton, Long, M'Camant, Mantor, Metzger, Minor, Mott, Niles, Palmer, H. W., Parsons, Patton, Porter, Rooke, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, John Price, Wherry and White, Harry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose pose of amending the same, by adding to the end oi the first section the words:

"But no such court, thus established, shall be vested with original jurisdiction beyond the city or county in which it may be located."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole for the purpose of amending the same, by adding to the end of the section the words, viz:

"In the cities of Pittsburg and Allegheny, not more than one alderman shall be elected in each ward or district."

On the question,

Will the Convention agree to the motion?

The previous question was moved by Mr. Armstrong, seconded by Messrs. Church, Calvin, Bowman, Stanton, Ainey, Funk, D. N. White, Boyd, Lilly, M'Culloch, MacVeagh, MacConnell, Carter, Wright, Fulton, Edwards, Green and Herton.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Howard and Mr. Armstrong, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Armstrong, Baily, of Perry, Beebe, Bowman, Boyd, Broomall, Calvin, Carter, Church, Clark, Corson, Davis, De France, Edwards, Elliott, Finney, Funk, Green, Horton, Lear, Lilly, MacConnell, MacVeagh, M'Culloch, M'Murray, Mitchell, Palmer, G. W., Porter, Purman, Purviance, John N., Russell, Smith, Henry W., Stanton, Wetherill, J. M., White, David N., Woodward, Wright and Walker, *President*—40.

N A Y S .

Messrs. Alricks, Baker, Biddle, Black, Charles A., Brodhead, Brown, Buckalew, Cochran, Curtin, Dallas, Darlington, Ewing, Fulton, Gibson, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Howard, Hunsicker, Lamberton, Landis, M'Clean, M'Michael, Mann, Minor, Newlin, Patterson, D. W., Patterson, T. H. B., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Ross, Smith, H. G., Struthers, Turrell, White, J. W. F., and Worrell—46.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dodd, Dunning, Ellis, Fell, Gilpin, Hanna, Heverin, Kaine, Knight, Lawrence, Littleton, Long, M'Camant, Mantor, Metzger, Mott, Niles, Palmer, H. W., Parsons, Patton, Pughe, Rooke, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, John Price, Wherry and White, Harry.

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

That the vote just taken be re-considered.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. Hemphill, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Ainey, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, Chas. A., Bowman, Brodhead, Broomall, Brown, Calvin, Carter, Church, Clark, Corson, Davis, De France, Dunning, Edwards, Elliott, Finney, Fulton, Funk, Green, Hall, Hay, Hazzard, Horton, Hunsicker, Lilly, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Ross, Russell, Smith, Henry W., Stanton, Struthers, Wetherill, J. M., White, David N., Woodward, Wright and Walker, *President*—53.

N A Y S .

Messrs. Baker, Biddle, Buckalew, Cochran, Curtin, Cuyler, Dallas, Darlington, Ewing, Gibson, Gilpin, Guthrie, Harvey, Hemphill, Howard, Lamberton, Landis, M'Michael, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patton, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Turrell, White, J. W. F., and Worrell—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Bullitt, Campbell, Caréy, Cassidy, Collins, Corbett, Craig, Cronmiller, Curry, Dodd, Ellis, Fell, Hanna, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Mott, Niles, Palmer, H. W., Parsons, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, John Price, Wherry and White, Harry.

And the question recurring,

Shall the main question be now put?

The yeas and nays were required by Mr. Howard and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Armstrong, Baily, of Perry, Beebe, Bowman, Boyd, Brodhead, Carter, Church, Clark, Corson, Davis, De France, Dunning, Edwards, Elliott, Horton, Lilly, MacConnell, MacVeagh, M'Murray, Mann, Mitchell, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Smith, Henry W., Struthers, Wetherill, J. M., White, David N., Wright and Walker, *President*—37.

NAYS.

Messrs. Alricks, Bailey, of Huntingdon, Baker, Biddle, Black, Charles A., Brown, Cochran, Curry, Curtin, Cuyler, Dallas, Darlington, Ewing, Finney, Gibson, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hemphill, Howard, Hunsicker, Lamberton, Landis, M'Clean, M'Culloch, Minor, Newlin, Palmer, G. W., Patterson, D. W., Read, John R., Reynolds, Ross, Smith, H. G., Turrell, White, J. W. F., Woodward and Worrell—40.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Broomall, Buckalew, Bullitt, Calvin, Campbell, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Dodd, Ellis, Fell, Fulton, Funk, Hanna, Hazzard, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Mott, Niles, Palmer, H. W., Parsons, Reed, Andrew, Rooke, Runk, Russell, Sharpe, Simpson, Smith, Wm. H., Stanton, Stewart, Temple, Van Reed, Wetherill, John Price, Wherry and White, Harry.

A motion was made by Mr. Howard,

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, OCTOBER 9, 1873.

The President laid before the Convention the following communication, which was read, viz:

PHILADELPHIA, October 7, 1873.

HON. JOHN H. WALKER:

President of the Constitutional Convention:

DEAR SIR:—You will confer a favor upon the undersigned and those associated with him, by laying before the Convention over which you have the honor to preside, the enclosed communication.

Your friend and obedient servant,

JOHN DUNGAN.

Said communication, together with the accompanying memorial, was laid on the table.

Mr. Niles asked and obtained leave of absence for Mr. J. M. Bailey for a few days from to-day.

Mr. Clark asked and obtained leave of absence for Mr. Brown until Tuesday next; also, for Mr. G. W. Palmer for a few days from to-day.

Mr. Brodhead asked and obtained leave of absence for Mr. Lear for to-day and to-morrow, on account of ill health.

Mr. Henry W. Smith asked and obtained leave of absence for himself for Monday and Tuesday.

Mr. Gilpin asked and obtained leave of absence for himself for to-morrow.

Mr. Hazzard asked and obtained leave of absence for Mr. Russell for a few days from Monday.

Mr. Hay asked and obtained leave of absence for himself for to-morrow.

Mr. J. N. Purviance offered the following resolution, which was read, viz:

Resolved, That this Convention will adjourn *sine die* on Saturday, the 18th instant, at 1 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. J. N. Purviance and Mr. H. W. Smith, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baily, of Perry, Bannan, Broomall, Carter, Cochran, Cronmiller, Curry, De France, Edwards, Elliott, Hay, Horton, Landis, MacConnell, MacVeagh, M'Culloch, M'Murray, Niles, Parsons, Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Russell, Smith, Henry W., Stanton, Struthers, White, David N., Wright and Walker, *President*—31.

N A Y S.

Messrs. Addicks, Ainey, Armstrong, Bailey, of Huntingdon, Baker, Bardsley, Biddle, Black, Chas. A., Brodhead, Brown, Buckalew, Calvin, Clark, Curtin, Dallas, Darlington, Davis, Dunning, Ewing, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, M'CLean, M'Michael, Mann, Minor, Mott, Newlin, Patterson, D. W., Patton, Porter, Reed, Andrew, Reynolds, Rooke, Runk, Simpson, Temple, Turrell, Van Reed, Wetherill, J. M., White, J. W. F., and Woodward—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baer, Barclay, Bartholomew, Beebe, Bigler, Black, J. S., Bowman, Boyd, Bullitt, Campbell, Carey, Cassidy, Church, Collins, Corbett, Corson, Craig, Cuyler, Dodd, Ellis, Fell, Finney, Fulton, Funck, Harvey, Heverin, Howard, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Pughe, Read, John R., Ross, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Wetherill, Jno. Price, Wherry, White, Harry, and Worrell.

Mr. Alricks offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That if the previous question be called and the Convention on taking the vote refuse to sustain the call, the business under consideration shall be proceeded in as if no call had been voted on, and the ruling of the Convention to the contrary is hereby revoked.

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

Resolved, That the Secretary of the Commonwealth be requested to furnish the Convention a tabular statement of the votes cast in the several counties in 1838 for Governor and for and against the amended Constitution of 1837-38.

Mr. MacVeagh offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the debate on the article on the Judiciary shall close at eleven o'clock this day, and that the Convention will then proceed to vote on any amendments offered, and subsequently on the article itself without discussion: *Provided*, That this shall not preclude a motion to refer for revision and adjustment.

Mr. Hay offered the following resolution, which was twice read as follows, viz:

Resolved, That two copies of the Debates and proceedings of the Convention be presented to the Library of the United States Senate, and to the Congressional Library.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Lilly,

To refer the same to the Committee on Printing and Binding.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

It was determined in the affirmative.

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 the following statement of the respective places of residence of the members, with the mileage to which they are entitled according to the distances furnished, under resolution of the Convention, by the members themselves, and the following resolution viz:

Resolved, That warrants be drawn in favor of the members named in the statement appended to this report, for the sums placed opposite their names respectively, being the amounts due them for their mileage for the present session of the Convention.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

STATEMENT OF MILEAGE.

Names of Members.	Residence.	Miles circul'r	Mileage
Achenbach, George A.	Logansville.	494	\$49 40
Addicks, John E.	Philadelphia.		
Ainey, William H.	Allentown.	120	12 00
Alricks, Hamilton.	Harrisburg.	210	21 00
Andrews, George W.	Brookville.	770	77 00
Armstrong, William H.	Williamsport.	400	40 00
Baer, William J.	Somerset.	630	63 00
Baily, Joseph.	Bailey's Station.	260	26 00
Bailey, John M.	Huntingdon.	406	40 60
Baker, William D.	Philadelphia.		
Bannan, Th. R.	Pottsville.	186	18 60
Barclay, George G.	Reading.	116	11 60
Bardsley, John.	Philadelphia.		
Bartholomew, Lin.	Pottsville.	186	18 60
Beebe, Manly C.*	Pleasantville.	880	68 00
Biddle, George W.	Philadelphia.		
Black, Charles A.	Waynesburg.	910	91 00
Black, Jeremiah S.	York.	184	18 40
Bowman, Charles O.	Corry.	820	82 00
Boyd James.	Norristown.	34	3 40
Brodhead, Charles.	Bethlehem.	108	10 80
Broomall, John M.	Media.	30	3 00
Brown, Rasselas.	Warren.	764	76 40
Buckalew, Charles R.	Bloomsburg.	320	32 00
Campbell, John H.	Philadelphia.		
Carey, Henry C.	Philadelphia.		
Carter, Henry.	Lyle.	154	15 40
Cassidy, Lewis C.	Philadelphia.		
Church, Pearson.	Meadville.	900	90 00
Clark, Silas M.	Indiana.	638	63 80
Cochran, Thomas E.	York.	184	18 40
Collins, John.	Uniontown.	850	85 00
Corbett, William L.	Clarion.	892	89 20
Corson, George Norman.	Norristown.	34	3 40
Craig, David.	New Castle.	810	81 00
Cronmiller, John P.	Middleburg.	398	39 80
Curry, James W.	Altoona.	480	48 00
Curtin, Andrew G.	Bellefonte.	512	51 20
Cuyler, Theodore.	Philadelphia.		
Dallas, George M.	Philadelphia.		
Darlington, William.	West Chester.	60	6 00
Davis, William.	Stroudsburg.	224	22 40
De France, Robert M.	Mercer.	910	91 00
Dimmick, Samuel E.	Honesdale.	470	47 00
Dodd, Samuel C. T.	Franklin.	860	86 00
Dunning, A. B.	Dunning's.	370	37 00
Edwards, Matthew.	Pittsburg.	710	71 00
Elliott, M. F.	Wellsboro'.	706	70 60
Edis, James.	Pottsville.	186	18 60
Ewing, Thomas.	Pittsburg.	710	71 00
Fell, J. Gillingham.	Philadelphia.		
Finney, A. C.	Clearfield.	526	52 60
Fulton, A. M.	Greensburg.	650	65 00
Fnock, Josiah.	Lebanon.	164	16 40
Gibson, John.	York.	184	18 40
Gilpin, John.	Kittanning.	796	79 60
Gowen, Franklin B.	Philadelphia.		
Guthrie, John B.	Pittsburg.	710	71 00
Hall, John G.	Ridgway.	662	66 20
Hanna, William B.	Philadelphia.		
Harvey, Edward.	Allentown.	120	12 00
Hay, Malcolm.	Pittsburg.	710	71 00
Hazzard, Th. R.	Monongahela City.	774	77 40

* Mr. Beebe's mileage for the Philadelphia session is reduced \$20, for the reason that he was inadvertently overpaid \$20 for mileage at the Harrisburg session. The correction is made at Mr. Beebe's own request.

STATEMENT—Continued.

Names of Members.	*Residence.	Miles circul'r	Mileage
Hemphill, Joseph.....	West Chester.....	60	\$6 00
Heverin, James H.....	Philadelphia.....		
Hopkins, Wm., legal representatives..	Washington.....	758	75 80
Horton, George F.....	Terrytown.....	430	43 00
Howard, Thomas.....	Pittsburg.....	710	71 00
Hunsicker, Charles.....	Norristown.....	34	3 40
Kaine, Daniel.....	Uniontown.....	850	85 00
Knight, Edward C.....	Philadelphia.....		
Lamberton, Robert A.....	Harrisburg.....	210	21 00
Landis, A. S.....	Holidaysburg.....	486	48 60
Lawrence, George V.....	Monongahela City.....	774	77 40
Lear, George.....	Doylestown.....	64	6 40
Lilly, William.....	Mauch Chunk.....	176	17 60
Littleton, William E.....	Philadelphia.....		
Long, Zach. H.....	Lehighton.....	170	17 00
MacConnell, Thomas.....	Pittsburg.....	710	71 00
MacVeagh, Wayne.....	Harrisburg.....	210	21 00
M'Allister, H. N., legal representatives,	Bellefonte.....	512	51 20
M'Camant, Joel B.....	Shenandoah.....	210	21 00
M'Clean, William.....	Gettysburg.....	266	26 60
M'Culloch, John.....	Huntingdon.....	406	40 60
M'Murray, John.....	Brookville.....	770	77 00
Mann, John S.....	Coudersport.....	684	68 40
Mantor, Frank.....	Conneautville.....	940	94 00
Metzger, John J.....	Williamsport.....	400	40 00
Minor, Samuel.....	Titusville.....	878	87 80
Mott, Henry S.....	Milford.....	400	40 00
Newlin, James W. M.....	Philadelphia.....		
Niles, Jerome B.....	Wellsboro'.....	706	70 60
Palmer, George W.....	Humphreyville.....	342	34 20
Palmer, H. W.....	Wilkesbarre.....	288	28 80
Parsons, H. C.....	Williamsport.....	400	40 00
Patterson, D. W.....	Lancaster.....	136	13 60
Patterson, T. H. B.....	Pittsburg.....	710	71 00
Patton, Joseph G.....	Towanda.....	456	45 60
Porter, D. S.....	Indiana.....	638	63 80
Pughe, Lewis.....	Scranton.....	324	32 40
Purman, Andrew.....	Waynesburg.....	910	91 00
Purviance, John N.....	Butler.....	730	73 00
Purviance, Samuel A.....	Pittsburg.....	710	71 00
Read, John R.....	Philadelphia.....		
Reed, Andrew.....	Lewistown.....	332	33 20
Reynolds, J. L.....	Lancaster.....	136	13 60
Reynolds, S. H.....	Lancaster.....	136	13 60
Rooke, Levi.....	Winfield.....	330	33 00
Ross, George.....	Doylestown.....	64	6 40
Runk, C. M.....	Allentown.....	120	12 00
Russell, S. L.....	Bedford.....	506	50 60
Sharpe, J. M'Dowell.....	Chambersburg.....	320	32 00
Simpson, J. Alexander.....	Philadelphia.....		
Smith, H. G.....	Lancaster.....	136	13 60
Smith, H. W.....	Reading.....	116	11 60
Smith, William H.....	Pittsburg.....	710	71 00
Stanton, M. Hall.....	Philadelphia.....		
Stewart, J.....	Chambersburg.....	320	32 00
Struthers, Thomas.....	Warren.....	764	76 40
Temple, Benjamin L.....	Philadelphia.....		
Turrell, William J.....	Montrose.....	390	39 00
Van Reed, Henry.....	Reading.....	116	11 60
Wetherill, J. M.....	Pottsville.....	186	18 60
Wetherill, John Price.....	Philadelphia.....		
Wherry, Samuel M.....	Shippensburg.....	292	29 20
White, David N.....	Sewickleyville.....	734	73 40
White, Harry.....	Indiana.....	638	63 80
White, J. W. F.....	Sewickley.....	734	73 40
Woodward, George W.....	Philadelphia.....		

STATEMENT—Continued.

Names of Members.	Residence.	Miles circul'r	Mileage
Worrell, E. R.	Philadelphia		
Wright, Celeb E.	Wilkesbarre	288	\$28 80
Meredith, William M.	Philadelphia		
Walker, John H.	Erie	892	89 20
Bigler, William.	Clearfield	526	52 60
Mitchell, Lewis Z.	Butler	730	73 00
Calvin, Samuel.	Hollidaysburg	486	48 60
Green, Henry.	Easton	134	13 40
M'Michael Morton	Philadelphia		
Bullitt, John C.	Philadelphia		

Mr. Armstrong, from the Committee on the Judiciary, made a report, which was read as follows, viz:

That it is not expedient to embody the following proposition in the Constitution:

Resolved, That the Committee on the Judiciary inquire into the expediency of reporting a section to the purport, that in the construction of wills, where the ancestor takes a preceding freehold estate, the remainder may be devised to the heirs or issue, in fee as purchaser, if such is the clear intention of the testator.

Laid on the table.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on the Judiciary.

And the question recurring,

Will the Convention agree to the motion of Mr. Hay?

That the Convention resolve itself into committee of the whole, to amend the article, by adding to the end of the eleventh section the following words, viz: "In cities of Pittsburg and Allegheny, not more than one alderman shall be elected in each ward or district."

It was determined in the negative.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the eleventh section the following words, viz: "In cities containing over fifty thousand inhabitants, not more than one alderman shall be elected in each ward or district."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Beebe, Biddle, Black, Chas. A., Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carey, Carter, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Curtin, Dallas, Darlington, Davis, De France, Edwards, Elliott, Ewing, Gibson, Green, Guthrie, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lilly, MacConnell, M'Clean, M'Culloch, M'Michael, M'Murray, Mann, Minor, Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Por-

ter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Runk, Russell, Simpson, Smith, Henry W., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., White, David N., Woodward, Worrell and Walker, *President*—75.

N A Y S.

Messrs. Addicks, Ainey, Bardsley, Gilpin, Hall, Hanna, MacVeagh, Newlin, Niles and White, J. W. F.—10.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Andrews, Baer, Baker, Barclay, Bartholomew, Bigler, Black, J. S., Bowman, Bullitt, Campbell, Cassidy, Collins, Craig, Curry, Cuyler, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Pughe, Rooke, Ross, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Wetherill, Jno. Price, Wherry, White, Harry, and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. M'Michael in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the eleventh section the following words, viz: "and they shall be compensated only by fixed salaries."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hay and Mr. Dallas, and were as follows, viz:

Y E A S.

Messrs. Bailey, of Huntingdon, Bardsley, Biddle, Brodhead, Carey, Carter, Corson, Cronmiller, Dallas, Darlington, Green, Hay, Hazzard, Hemphill, Heverin, Lamberton, Landis, M'Clean, M'Cullech, Patton, Purviance, John N., Read, John R., Rooke, Runk, Russell, Simpson, Struthers, Wetherill, J. M., Worrell and Walker, *President*—30.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Armstrong, Baily, of Perry, Beebe, Broomall, Brown, Buckalew, Calvin, Clark, Corbett, Davis, Dodd, Dunning, Edwards, Elliott, Ewing, Gibson, Guthrie, Hall, Hanna, Harvey, Horton, Howard, Hunsicker, Lilly, MacConnell, MacVeagh, M'Michael, M'Murray, Mann, Minor, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Smith, Henry W., Temple, Turrell, Van Reed, White, David N., White, J. W. F., Woodward and Wright—52.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baer, Baker, Bannan, Barclay, Bartholomew, Bigler, Black, Charles A., Black, J. S., Bowman, Boyd, Bullitt, Campbell, Cassidy, Church, Cochran, Collins, Craig, Curry, Curtin, Cuyler, De France, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Mitchell, Newlin, Palmer, H. W., Pughe, Ross, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Stewart, Wetherill, Jno. Price, Wherry and White, Harry.

And the question again recurring,
Shall the article pass ?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third section, by striking out all after the word "cases," in the fourth line, to the word "of," where it first occurs in the fifth line.

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Armstrong asked and obtained unanimous consent, to amend the article in the twenty-first line of the twenty-third section, by inserting after the word "of," the word "the," and by inserting after the word "said," the words, "separate orphans."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. J. W. F. White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out all after the word "vested," in the first line of the first section, and inserting in lieu thereof the following, viz :

"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 justices of the peace, and in such other courts as the Legislature may from time to time establish.

"SECTION 2. 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 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 ; 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 judge of the Supreme Court, 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 State of this 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.

"SECTION 3. Until otherwise directed by law, the courts of common pleas shall continue as at present established. Not more than five counties shall at any time be included in one judicial district organized for said courts.

"SECTION 4. The jurisdiction of the Supreme Court shall extend over the State, and the judges thereof shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery in the several counties.

"SECTION 5. The judges of the courts 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, of a transcript thereof, into the Supreme Court.

"SECTION 6. The Supreme Court, and the several courts of common pleas shall, beside the powers heretofore usually exercised by them, have the power of a court of chancery, so far as relates to 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.

"SECTION 7. 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.

"SECTION 8. The judges of the courts of common pleas shall, within their respective counties, have the like powers with the judges of the Supreme Court, to issue writs of *certiorari* to the justices of the peace and to cause their proceedings to be brought before them, and the like right and justice to be done.

"SECTION 9. The president of the court in each circuit within such circuit, and the judges of the court of common pleas, within their respective counties, shall be justices of the peace, so far as relates to criminal matters.

"SECTION 10. A register's office for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each county.

"SECTION 11. 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 12. In all cases in this Commonwealth, of summary conviction, or of judgment in suit for a 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 13. No duties shall be imposed by law upon the Supreme Court or any of the judges thereof, except such as are judicial, nor shall any of the judges thereof exercise any power of appointment, except as herein provided; and no court of original jurisdiction shall be presided over by any one or more of the judges of the Supreme Court."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. W. F. White and Mr. Temple, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Black, Charles A., Church, Cronmiller, Curtin, Ewing, Gibson, Gilpin, Green, Hazzard, Heverin, Horton, Howard, Lilly, MacVeagh, M'Culloch, M'Michael, Mann, Patterson, D. W., Porter, Reed, Andrew, Rooke, Struthers, Wetherill, J. M., White, J. W. F., Woodward and Walker, *President*—31.

NAYS.

Messrs. Alricks, Armstrong, Baer, Beebe, Biddle, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carey, Carter, Clark, Cochran, Corbett, Corson, Dal-

las, Darlington, Davis, De France, Dodd, Dunning, Edwards, Elliott, Guthrie, Hall, Hanna, Harvey, Hay, Hemphill, Hunsicker, Lambertson, Landis, Littleton, MacConnell, M'CLean, M'Murray, Minor, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Stanton, Temple, Turrell, Van Reed, White, David N., Worrell and Wright—63.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Baker, Bannan, Barclay, Bartholomew, Bigler, Black, J. S., Bowman, Bullitt, Campbell, Cassidy, Collins, Craig, Curry, Cuyler, Ellis, Fell, Finney, Fulton, Funck, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Mitchell, Palmer, H. W., Pughe, Ross, Sharpe, Smith, Wm. H., Stewart, Wetherill, John Price, Wherry and White, Harry.

And the question again recurring,

Shall the article pass ?

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

Y E A S .

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Bannan, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Carter, Clark, Cochran, Corbett, Corson, Dallas, Darlington, Davis, De France, Dodd, Dunning, Elliott, Guthrie, Hall, Hay, Hazzard, Hunsicker, Lambertson, Landis, Littleton, MacConnell, M'Culloch, M'Michael, M'Murray, Minor, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Runk, Russell, Simpson, Smith, H. G., Stanton, Temple, Turrell, Van Reed, White, David N., Worrell and Wright—61.

N A Y S .

Messrs. Addicks, Ainey, Bailey, of Huntingdon, Baker, Bardsley, Church, Cronmiller, Curtin, Edwards, Ewing, Gibson, Gilpin, Green, Hanna, Harvey, Hemphill, Heverin, Horton, Howard, Lilly, MacVeagh, M'CLean, Mann, Niles, Patterson, D. W., Porter, Reed, Andrew, Rooke, Smith, Henry W., Struthers, White, J.W. F. Woodward and Walker, *President*—33.

So the question was determined in the affirmative.

ABSENT. — Messrs. Achenbach, Andrews, Barclay, Bartholomew, Bigler, Black, J. S., Bullitt, Campbell, Carey, Cassidy, Collins, Craig, Curry, Cuyler, Ellis, Fell, Finney, Fulton, Funck, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Mitchell, Newlin, Palmer, H. W., Read, John R., Ross, Sharpe, Smith, Wm. H., Stewart, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

On motion of Mr. Buckalew,

The Convention proceeded to the consideration of the report of the Committee of Revision and Adjustment on the article on Suffrage and Elections.

On motion of Mr. Buckalew,

The report was adopted, and the article

Ordered, To be transcribed for a third reading.

On motion of Mr. M'Murray,

The Convention proceeded to the third reading and consideration of said article.

On the question,

Shall the article pass ?

A motion was made by Mr. M'Murray,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the second section, by inserting after the word "of" in the third line, the words, "all the members of."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Calvin in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the third section, by striking out the words, "Tuesday of February," in the second line, and inserting in lieu thereof the words, "Friday of March," and by adding to the end of the section the words, viz: "But in counties where a different day is now fixed by law, the Legislature may authorize the same to be held on the third Tuesday of February."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Ainey, Alricks, Bailly, of Perry, Bannan, Boyd, Buckalew, Calvin, Carey, Church, Cochran, Corson, Curtin, Davis, Hanna, M'Culloch, M'Michael, Mitchell, Newlin, Patterson, D. W., Purman, Purviance, John N., Reynolds, Runk, Smith, Henry W., Stanton, White, David N., Woodward and Wright—28.

N A Y S .

Messrs. Baer, Baker, Bardsley, Beebe, Biddle, Black, Charles A., Bowman, Brodhead, Broomall, Carter, Clark., Corbett, Cronmiller, Curry, Dallas, Darlington, De France, Dodd, Dunning, Edwards, Ewing, Gibson, Gilpin, Green, Guthrie, Hall, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Hunsicker, Lambertson, Landis, Lilly, MacConnell, MacVeagh, M'CLean, M'Murray, Mann, Minor, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Russell, Struthers, Turrell, Van Reed, White, J. W. F., Worrell and Walker, *President*—60.

So the question was determined in the negative.

ABSENT—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Collins, Craig, Cuyler, Elliott, Ellis, Fell, Finney, Fulton, Funck, Harvey, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Niles, Palmer, H. W., Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. D. W. Patterson,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the third section as follows, viz:

But the select and common council of every city now existing and hereafter established, having a population of thirty thousand or more, shall have the power

of changing, altering and fixing the time or times for holding their *municipal election*; but such change or changes shall only be made by a vote of two-thirds of each council, and that such vote shall be taken by yeas and nays and entered on its Journal."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. D. W. Patterson and Mr. H. G. Smith, and were as follow, viz:

Y E A S.

Messrs. Addicks, Ainey, Bailly, of Perry, Bardsley, Carey, Cochran, Corson, Hanna, MacVeagh, M'Michael, Mann, Patterson, D. W., Smith, Henry W., and Stanton—14.

N A Y S.

Messrs. Alricks, Baer, Baker, Bannan, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Buckalew, Calvin, Carter, Church, Clark, Corbett, Curry, Dallas, Darlington, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ewing, Gibson, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lilly, MacConnell, M'Clean, M'Cullough, M'Murray, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Runk, Russell, Smith, H. G., Turrell, Van Reed, Wetherill, J. M., White, David N., Woodward, Worrell, Wright and Walker, *President*—70.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Collins, Craig, Cronmiller, Curtin, Cuyler, Ellis, Fell, Finney, Fulton, Funck, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Minor, Newlin, Palmer, H. W., Pughe, Reynolds, Rooke, Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, Harry, and White, J. W. F.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first section, by striking out the word "two," in the thirteenth line, and inserting in lieu thereof the word "one."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Darlington, and Mr. Ewing, and were as follow, viz:

Y E A S.

Messrs. Bardsley, Boyd, Brodhead, Broomall, Curtin, Darlington, DeFrance, Edwards, Ewing, Gilpin, Guthrie, Hanna, M'Michael, M'Murray, Patterson, D. W., Smith, Henry W., White, David N., and White, J. W. F.—18.

N A Y S.

Messrs. Ainey, Alricks, Baer, Bailly, of Perry, Baker, Bannan, Beebe, Biddle, Bowman, Buckalew, Calvin, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Curry, Dallas, Davis, Dunning, Elliott, Gibson, Green, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Hunsicker, Lamberton, Landis, Lilly, MacConnell, MacVeagh, M'Clean, M'Culloch, Mann, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Pur-

viance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Smith, H. G., Stanton, Struthers, Turrell, Woodward, Worrell, Wright and Walker, *President*—64.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Black, Charles A., Black, J. S., Brown, Bullitt, Campbell, Carey, Carter, Cassidy, Collins, Craig, Cuyler, Dodd, Ellis, Fell, Finney, Fulton, Funck, Heverin, Howard, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, Mantor, Metzger, Newlin, Palmer, H. W., Porter, Pughe, Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

And the question again recurring,

Shall the article pass?

Mr. Turrell asked and obtained unanimous consent to amend the same in the first line of the first section, by striking out the word "person," and inserting in lieu thereof the word "citizen."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hanna,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end thereof the words, "but in Philadelphia said election shall be held on the first Tuesday of May."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Bardsley, Carter, Corson, Hanna, Littleton, M'Michael, Newlin, Patterson, D. W., Reynolds, Stanton, and Woodward—11.

NAYS.

Messrs. Alricks, Baer, Baily, of Perry, Bannan, Beebe, Biddle, Bowman, Brodhead, Broomall, Buckalew, Church, Clark, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, De France, Dunning, Edwards, Elliott, Ewing, Finney, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Horton, Howard, Hunsicker, Lamberton, Landis, Lilly, MacConnell, Mac Veagh, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Russell, Smith, H. G., Smith, Henry W., Struthers, Van Reed, White, David N., Worrell, Wright and Walker, *President*—64.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bartholomew, Bigler, Black, Charles A., Black, J. S., Boyd, Brown, Bullitt, Calvin, Campbell, Carey, Cassidy, Cochran, Collins, Craig, Cuyler, Davis, Dodd, Ellis, Fell, Fulton, Funck, Gibson, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, Long, M'Camant, Mantor, Metzger, Minor, Palmer, H. W., Porter, Pughe, Purviance, Sam'l A., Ross, Runk, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, and White, J. W. F.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Corson,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third section, by striking out the word "February," and inserting in lieu thereof the word "May."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Littleton,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the seventh section.

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. W. H. Smith,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fourth section, by striking out all after the word "ballot," in the first line.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Newlin and Mr. Cochran, and were as follow, viz:

Y E A S.

Messrs. Ainey, Baer, Baily, of Perry, Bardsley, Beebe, Biddle, Bowman, Broomall, Carter, Cochran, Corson, Davis, Elliott, Ewing, Gibson, Hall, Hanna, Horton, Howard, Littleton, Mann, Minor, Newlin, Niles, Patterson, D. W., Porter, Pughe, Purviance, John N., Smith, Henry W., Stanton, Turrell, Van Reed and Walker, *President*—33.

N A Y S.

Messrs. Alricks, Armstrong, Baker, Bannan, Boyd, Brodhead, Buckalew, Calvin, Church, Clark, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, De France, Dodd, Finney, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, MacConnell, M'Clean, M'Culloch, Mitchell, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Rooke, Russell, Smith, H. G., Struthers, Wetherill, J. M., White, J. W. F., Woodward, Worrell and Wright—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Black, Charles A., Black, J. S., Brown, Bullitt, Campbell, Carey, Cassidy, Collins, Craig, Cuyler, Dunning, Edwards, Ellis, Fell, Fulton, Funck, Green, Heverin, Kaine, Knight, Landis, Lawrence, Lear, Long, MacVeagh, M'Camant, M'Michael, M'Murray, Mantor, Metzger, Palmer, H. W., Reynolds, Ross, Runk, Sharpe, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, David N. and White, Harry.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Davis,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fourth section, by striking out the word "upon," and inserting in lieu thereof the words, "on the back of."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fourth section, by striking out all between the word "ballot," in the first line, to the word "any," in the fourth line.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Broomall and Mr. Biddle, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Bardsley, Boebe, Biddle, Bowman, Broomall, Carter, Cochran, Corson, Darlington, Davis, Edwards, Elliott, Ewing, Finney, Gilpin, Hall, Hanna, Horton, Howard, Littleton, MacConnell, Mann, Minor, Newlin, Niles, Patterson, D. W., Porter, Pughe, Purviance, John N., Reynolds, Rooke, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, and Walker, *President*—40.

N A Y S .

Messrs. Armstrong, Baker, Bannan, Boyd, Brodhead, Buckalew, Calvin, Church, Clark, Corbett, Cronmiller, Curry, Curtin, Dallas, De France, Dodd, Gibson, Guthrie, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, M'Cleane, M'Culloch, Mitchell, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Russell, Smith, H. G., Wetherill, J. M., White, J. W. F., Woodward, Worrell and Wright—46.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Black, Charles A., Black, J. S., Brown, Bullitt, Campbell, Carey, Cassidy, Collins, Craig, Cuyler, Dunning, Ellis, Fell, Fulton, Funck, Green, Heverin, Kaine, Knight, Landis, Lawrence, Lear, Long, MacVeagh, M'Camant, M'Michael, M'Murray, Mantor, Metzger, Palmer, H. W., Ross, Sharpe, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, David N., and White, Harry.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the seventeenth section, by striking out all between the word "opinion," in the twelfth line, and "shall," in the thirteenth line, and insert the words, "the overseers, if they shall be agreed thereon."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Littleton and Mr. Reynolds, and were as follow, viz:

Y E A S .

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Bannan, Bowman, Brodhead, Buckalew, Calvin, Cassidy, Church, Clark, Corson, Cronmiller, Curtin, Dallas, De France, Edwards, Elliott, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Landis, Lilly, M'Culloch, Mann, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Porter, Pughe, Purman, Read, John R., Reed, Andrew, Sharpe, Smith, H. G., Smith, Henry W., Van Reed, Wetherill, J. M., Worrell and Wright—50.

N A Y S.

Messrs. Baker, Bardsley, Beebe, Broomall, Davis, Finney, Hanna, Howard, Littleton, MacConnell, M'CLean, Minor, Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Stanton, Struthers, Turrell, White, J. W. F., and Walker, *President*—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bailey, of Huntingdon, Barclay, Bartholomew, Biddle, Bigler, Black, Chas. A., Black, J. S., Boyd, Brown, Bullitt, Campbell, Carey, Carter, Cochran, Collins, Corbett, Craig, Curry, Cuyler, Darlington, Dodd, Dunning, Ellis, Ewing, Fell, Fulton, Funck, Green, Heverin, Horton, Kaine, Knight, Lawrence, Lear, Long, MacVeagh, M'Camant, M'Michael, M'Murray, Mantor, Metzger, Mott, Newlin, Palmer, H. W., Patton, Ross, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, David N., White, Harry and Woodward.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Carter in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Calvin,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to section four these words, viz: "The officers and clerks of the election board shall be sworn or affirmed not to disclose how any elector has voted, unless they shall be required to do so by law."

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Horton in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the seventeenth section.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Littleton and Mr. Minor, and were as follow, viz:

Y E A S.

Messrs. Baker, Beebe, Bowman, Broomall, Darlington, Davis, Edwards, Ewing, Hanna, Horton, Littleton, MacConnell, M'CLean, M'Culloch, Mann, Minor, Niles, Patterson, D. W., Porter, Purviance, John N., Purviance, Samuel A., Rooke, Runk, Russell, Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—30.

N A Y S.

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Brodhead, Buckalew, Calvin, Carter, Cassidy, Corbett, Corson, Cronmiller, Curtin, Dallas, De France, Dodd, Dunning, Elliott, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemp-hill, Howard, Hunsicker, Lamberton, Landis, Lilly, MacVeagh, M'Murray, Mitchell, Parsons, Purman, Read, John R., Reed, Andrew, Sharpe, Smith, H. G., Smith, Henry W., Van Reed, Wetherill, J. M., Woodward, Worrell and Wright.—47.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bailey, of Hunt-ington, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, Charles A., Black, J. S., Boyd, Brown, Bullitt, Campbell, Carey, Church, Clark, Cochran, Collins, Craig, Curry, Cuyler, Ellis, Fell, Finney, Fulton, Funck, Green, Hall, Heverin, Kaine, Knight, Lawrence, Lear, Long, M'Camant, M'Michael, Mantor, Metzger, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Pughe, Reynolds, Ross, Simpson, Smith, Wm. H., Stewart, Temple, Weth-erill, John Price, Wherry and White, Harry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the seventeenth section, by striking out all between the word "shall," in the sixth line, to the word "a," in the eighth line, and insert in lieu thereof the words, "be made to appear to the court to be."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

The previous question was called by Mr. Hunsicker, seconded by Messrs. Worrell, Brodhead, Howard, Van Reed, De France, Andrew Reed, Beebe, Parsons, Church, Mitchell, Hazzard, Niles, Clark, Lilly, MacVeagh, Davis, Elliott and Wright.

On the question,
Shall the main question be now put?

It was determined in the affirmative.
And the question again recurring,
Shall the article pass?

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

Y E A S.

Messrs. Alricks, Armstrong, Baer, Baily, of Perry, Baker, Bannan, Black, Chas. A., Brodhead, Buckalew, Calvin, Carter, Cassidy, Church, Clark, Corbett, Corson, Curtin, Dallas, De France, Dunning, Elliott, Gibson, Gilpin, Green, Guthrie, Harvey, Hay, Hazzard, Hunsicker, Lamberton, Landis, Lilly, MacCon-nell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, John N., Pur-viance, Sam'l A., Read, John R., Reed, Andrew, Runk, Russell, Sharpe, Smith, H. G., Van Reed, Wetherill, J. A., Woodward, Worrell and Wright—58.

N A Y S.

Messrs. Beebe, Biddle, Bowman, Broomall, Darlington, Davis, Edwards, Ewing, Finney, Hanna, Horton, Howard, Mann, Minor, Newlin, Patterson, D. W., Pughe, Reynolds, Smith, Henry W., Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—25.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Bigler, Black, J. S., Boyd, Brown, Bullitt, Campbell, Carey, Cochran, Collins, Craig, Cronmiller, Curry, Cuyler, Dodd, Ellis, Fell, Fulton, Funck, Hall, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Palmer, H. W., Porter, Rooke, Ross, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry and White, Harry.

On motion of Mr. Mr. MacVeagh,

The Convention proceeded to the consideration of the report of the Committee on Revision and Adjustment on the article on Revenue, Taxation and Finance.

On motion of Mr. MacVeagh,

The report was adopted, and the article

Ordered, To be transcribed for a third reading.

On motion of Mr. Broomall,

The Convention proceeded to the third reading and consideration of said article.

On the question,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section twelve, and inserting in lieu thereof, two new sections to be numbered twelve and thirteen, as follows, viz:

"SECTION 12. The moneys held as the necessary reserve shall be limited by law to the amount required for current expenses, and shall be secured and kept as and where the General Assembly shall require. The General Assembly shall provide for the publication, once in every month, of a statement showing the amount of such moneys, where the same are deposited, and how secured.

"SECTION 13. The General Assembly shall declare the making of profit out of the public moneys, or using the same for political purposes, by any officer of the State, or member or officer of the General Assembly, or any candidate for election or appointment, a misdemeanor, and shall provide proper punishment for such offence. A part of such punishment shall be the disqualification to hold office for a period of not less than five years, and a pardon shall not remit or affect that part of the punishment."

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Bowman in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the thirteenth section, by striking out all after the word "years," in the sixth line, to the end of the section.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Armstrong, Baily, of Perry, Bannan, Beebe, Bowman, Calvin, Corson, De France, Elliott, Ewing, Finney, Gibson, Green, Howard, Lamberton, MacVeagh, Mann, Minor, Niles, Patterson, D. W., Reed, Andrew, Runk, Stanton, Struthers, Wetherill, J. M., and White, J. W. F.—26.

NAYS.

Messrs. Alricks, Baer, Baker, Biddle, Black, Charles A., Boyd, Brodhead, Broomall, Buckalew, Church, Clark, Curtin, Darlington, Davis, Edwards, Gilpin, Guthrie, Hall, Horton, Hunsicker, Landis, Lilly, MacConnell, M'CLean, M'Culloch, M'Murray, Mitchell, Mott, Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Sharpe, Smith, H. G., Smith, Henry W., Turrell, Van Reed, White, David N., Woodward, Worrell, Wright and Walker, *President*—47.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Bailey, of Huntingdon, Barclay, Bardsey, Bartholomew, Bigler, Black, J. S., Brown, Bullitt, Campbell, Carey, Carter, Cassidy, Cochran, Collins, Corbett, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Dunning, Ellis, Fell, Fulton, Funck, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, M'Michael, Mantor, Metzger, Newlin, Palmer, G. W., Palmer, H. W., Porter, Rooke, Ross, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry and White, Harry,

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section to be number three, as follows, viz:

“SECTION 3. In classifying subjects for taxation, the General Assembly shall have power to do equity between municipalities which have been or shall be united, where the proportion of their municipal debts to their taxable property differs. And also to impose special assessments on lands specially benefitted thereby, for the making and renewing of local improvements in cities or boroughs.”

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived,

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.

FRIDAY, OCTOBER 10, 1873.

Mr. Porter asked and obtained leave of absence for himself for a few days Monday.

Mr. J. N. Purviance asked and obtained leave of absence for Mr. Imbrie, Chief Clerk of the Convention, for a few days from to-day.

Mr. Cochran asked and obtained leave of absence for himself for Monday.

Mr. Biddle asked and obtained leave of absence for Mr. Reynolds and himself for one hour from eleven o'clock to-day.

Mr. Horton asked and obtained leave of absence for himself for Monday.

Mr. Lilly asked and obtained leave of absence for Mr. Davis for a few days from to-day.

Mr. Howard asked and obtained leave of absence for Mr. Mann for Monday and Tuesday.

Mr. Carter asked and obtained leave of absence for himself for Monday.

Mr. Clark asked and obtained leave of absence for himself for Monday and Tuesday.

Mr. Russell asked and obtained leave of absence for Mr. M'Culloch for Monday and Tuesday.

Mr. J. M. Wetherill asked and obtained leave of absence for himself for Monday and Tuesday.

Mr. Landis asked and obtained leave of absence for himself for Monday.

Mr. Dunning asked and obtained leave of absence for himself for Monday.

Mr. Andrew Reed asked and obtained leave of absence for a few days from to-day.

Mr. Buckalaw asked and obtained leave of absence for Mr. Hall and himself for Monday.

Mr. D. N. White offered the following resolution, which was read, viz :

Resolved, That on and after next Monday an evening session be held, commencing at seven 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. Stanton offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Committee on Accounts and Expenditures of the Convention be hereby directed to report a resolution, authorizing warrants to be drawn for one-half of that portion of the salary of the clerks and other officers of the Convention yet remaining unpaid.

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

Resolved, That articles passed third reading be referred to the Committee on Revision and Adjustment for final report.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Boyd,

To amend the same, by adding to the end thereof the following words, viz: "But the committee shall not strike out or substitute sections, nor in any way change the substance of the article."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Bigler,

To further amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof the following, viz: "That the Committee on Revision and Adjustment be instructed to report to the Convention any inaccuracies in language or punctuation that may appear in the several articles, with sub-headings to the same, for the action of the Convention thereon."

Which was agreed to.

The resolution as amended was then agreed to.

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

Resolved, That the vote by which the Judiciary article was adopted be and hereby is re-considered, and that the article be referred to a select committee of thirty-three, of which the President of this Convention shall be the chairman, with instructions to report on Wednesday next.

On the question,

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

It was determined in the negative.

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

Resolved, That this Convention will adjourn, *sine die*, on Monday, the 20th inst., at one o'clock P. M.

On the question,

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

It was determined in the negative.

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

Resolved, That when this Conventions adjourns to-day, it will meet again on Wednesday morning at half-past nine o'clock.

On the question,

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

It was determined in the negative.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Revenue, Taxation and Finance.

And the question recurring,

Will the Convention agree to the motion of Mr. Broomall?

That the Convention resolve itself into committee of the whole, to amend the article by adding a new section, to be numbered three, as follows, viz:

"In classifying subjects for taxation, the General Assembly shall have power to do equity between municipalities which have been or shall be united where the proportion of their municipal debts to their taxable property differs. And also to

impose special assessments on lands specially benefitted thereby for the making and renewing of local improvements in cities and boroughs."

It was determined in the negative.

And the question again recurring,

Shall the article pass ?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section thirteen, and inserting in lieu thereof the following viz :

"No law shall authorize special taxation upon any class of persons or property, except where the same is levied for the special benefit or advantage of the persons or property so taxed."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. S. A. Purviance and Mr. Clark, and were as follow, viz :

Y E A S .

Messrs. Ainey, Armstrong, Bannan, Brodhead, Clark, Cochran, Edwards, Ewing, Hall, Hanna, Littleton, M'Culloch, Patterson, T. H. B., Porter, Purviance, Samuel A., Reed, Andrew, Van Reed and White, David N.—18.

N A Y S .

Messrs. Alricks, Baily, of Perry, Baker, Beebe, Biddle, Bigler, Black, Chas. A., Bowman, Boyd, Buckalew, Calvin, Carey, Carter, Corbett, Corson, Curry, Curtin, Dallas, Darlington, Davis, De France, Dodd, Dunning, Funck, Gibson, Guthrie, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lilly, Long, MacConnell, MacVeagh, M'Camant, M'Clean, M'Michael, M'Murray, Mann, Minor, Mott, Newlin, Niles, Parsons, Patterson, D. W., Patton, Pughe, Purman, Read, John R., Reynolds, Rooke, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Wetherill, J. M., White, J. W. F., and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Black, J. S., Broomall, Brown, Bullitt, Campbell, Cassidy, Church, Collins, Craig, Cronmiller, Cuyler, Elliott, Ellis, Fell, Finney, Fulton, Gilpin, Green, Harvey, Hay, Heverin, Kaine, Knight, Lawrence, Lear, Manter, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Purviance, John N., Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, Jno. Price, Wherry, White, Harry, Woodward, Worrell and Wright.

And the question again recurring,

Shall the article pass ?

Mr. Armstrong asked and obtained unanimous consent to amend the same, by striking out section number twelve, and inserting in lieu thereof as follows, viz :

"SECTION 12. The moneys held as necessary reserve shall be limited by law to the amount required for current expenses, and shall be secured and kept as may be provided by law. Monthly statements shall be published showing the amount of such moneys, where the same are deposited, and how secured."

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Mann,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section thirteen.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Stanton in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. D. N. White and Mr. Darlington,

That the vote be re-considered by which the motion made by Mr. Armstrong was negatived, to strike out all after the word "years," in the sixth line of the thirteenth section.

Which was agreed to.

And the question recurring,

Will the Convention resolve itself into committee of the whole for that purpose?

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. John R. Read in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by making section thirteen read as follows, viz: "The making of profit out of the public moneys or using the same for any purpose not authorized by law by any officer of the State, or member or officer of the General Assembly, shall be a misdemeanor, and shall be punished as may be provided by law, but part of such punishment shall be disqualification to hold office for a period of not less than five years."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Darlington in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section seven.

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the third line of the seventh section, by striking out the word "five," and inserting in lieu thereof the word "seven."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Buckalew and Mr. Corbett, and were as follow, viz:

Y E A S.

Messrs. Beebe, Bigler, Black, Charles A., Broomall, Buckalew, Carter, Clark, Corbett, Corson, Curry, Curtin, Cuyler, Dallas, Darlington, Davis, Dodd, Gibson, Hall, Horton, Landis, Littleton, MacConnell, MacVeagh, M'Culloch, M'Michael, Newlin, Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Sharpe, Smith, H. G., Smith, Henry W., Stanton, White, David N., and White, J. W. F.—39.

N A Y S.

Messrs. Ainey, Alricks, Baily, of Perry, Bannan, Bowman, Boyd, Brodhead, Calvin, Carey, Cochran, De France, Dunning, Edwards, Ewing, Funck, Guthrie, Hanna, Hazzard, Howard, Hunsicker, Lamberton, Lilly, Long, M'Camant, M'Clean, Mann, Minor, Mott, Niles, Parsons, Patterson, T. H. B., Struthers, Turrell, Van Reed, Wetherill, J. M., Wright and Walker, *President*—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Church, Collins, Craig, Cronmiller, Elliott, Ellis, Fell, Finney, Fulton, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lawrence, Lear, M'Murray, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Pughe, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, Jno. Price, Wherry, White, Harry, Woodward and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Brodhead in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Buckalew asked and obtained unanimous consent, to amend the same in the ninth line of the seventh section, by striking out the words, "make loans not exceeding," and insert in lieu thereof, the words, "increase the same."

And the question recurring,

Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out all after the word "valuation," in the tenth line of the seventh section.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Joseph Baily in the Chair, for that purpose.

After some time the President resumed the chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by inserting after the word "but," in the third line of the first section, the words, "in the valuation of real estate for the purposes of taxation, all interest bearing incumbrances of record shall be deducted."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Beebe, Boyd, Brodhead, Cochran, Curtin, Davis, De France, Dunning, Finney, Funk, Gibson, Guthrie, Howard, Hunsicker, Lilly, Long, M'CLean, Mann, Mott, Newlin, Palmer, G. W., Parsons, Patterson, D. W., Patton, Purviance, John N., Purviance, Sam'l A., Sharpe, Struthers, Turrell, Van Reed and White, David N.—31.

N A Y S.

Messrs. Alricks, Baily, of Perry, Baker, Bannan, Bigler, Black, Charles A., Bowman, Broomall, Buckalew, Calvin, Carey, Carter, Cassidy, Clark, Corbett, Corson, Cuyler, Dallas, Darlington, Edwards, Hall, Hanna, Hazzard, Lamber-ton, Littleton, MacConnell, MacVeagh, M'Camant, M'Culloch, M'Michael, Minor, Mitchell, Niles, Patterson, T. H. B., Pughe, Purman, Read, John R., Smith, Henry W., Stanton, Wetherill, J. M., White, J. W. F., Woodward and Walker, *President*—43.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bear, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Brown, Bullitt, Campbell, Church, Collins, Craig, Cronmiller, Curry, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Horton, Kaine, Knight, Landis, Lawrence, Lear, M'Murray, Mantor, Metzger, Palmer, H. W., Porter, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, Harry, Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the first section the words, "the General Assembly shall have power to authorize special assessments on property specially benefitted thereby for the making and renewing of local improvements in cities and boroughs."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cuyler and Mr. Corson, and were as follow, viz:

Y E A S.

Messrs. Baily, of Perry, Bannan, Beebe, Bigler, Broomall, Carey, Carter, Cassidy, Church, Corson, Curry, Curtin, Cuyler, Darlington, Dodd, Dunning, Ewing, Hanna, Hazzard, Littleton, MacConnell, M'Michael, Minor, Niles, Palmer, G.

W., Parsons, Patterson, D. W., Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Sharpe, Stanton, Van Reed, White, David N., White, J. W. F., and Woodward—38.

N A Y S.

Messrs. Alricks, Baker, Black, Chas. A., Bowman, Boyd, Brodhead, Buckalew, Corbett, Dallas, Davis, De France, Edwards, Finney, Funck, Gibson, Guthrie, Hall, Horton, Howard, Hunsicker, Landis, Lilly, Long, M'CLean, M'Culloch, Mann, Mitchell, Mott, Patterson, T. H. B., Patton, Pughe, Smith, H. G., Smith, Henry W., Struthers, Turrell, Wetherill, J. M., Wright and Walker, *President*—38.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Brown, Bullitt, Calvin, Campbell, Clark, Cochran, Collins, Craig, Cronmiller, Elliott, Ellis, Fell, Fulton, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Murray, Mantor, Metzger, Newlin, Palmer, H. W., Porter, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, Jno. Price, Wherry, White, Harry, and Worrell.

And the question again recurring,

Shall the article pass?

The previous question was called by Mr. Howard, seconded by Messrs. Hunsicker, Corson, Horton, Niles, Parsons, Church, M'Culloch, Edwards, Mott, Guthrie, MacConnell, Bowman, Wright, Lilly, Corbett, T. H. B. Patterson, Hazzard and Funk.

On the question,

Shall the main question be now put?

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

Y E A S.

Messrs. Baily, of Perry, Beebe, Bowman, Carey, Carter, Church, Clark, Cochran, Corbett, Corson, Curry, Davis, De France, Edwards, Funck, Guthrie, Hall, Hazzard, Horton, Howard, Hunsicker, Landis, Lilly, Long, MacConnell, M'Culloch, Mann, Minor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Pughe, Stanton, Turrell, Van Reed, Wetherill, J. M., Wright and Walker, *President*—42.

N A Y S.

Messrs. Alricks, Baker, Black, Charles A., Boyd, Buckalew, Cassidy, Curtin, Darlington, Dunning, Ewing, Gibson, Hanna, Littleton, M'CLean, M'Michael, Newlin, Patterson, D. W., Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Sharpe, Smith, Henry W., Struthers, White, David N., White, J. W. F., and Woodward—28.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Black, J. S., Brodhead, Broomall, Brown, Bullitt, Calvin, Campbell, Collins, Craig, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Ellis, Fell, Finney, Fulton, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Murray, Mantor, Metzger, Palmer, H. W., Porter, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, Harry and Worrell.

And the question again recurring,

Shall the article pass?

The yeas and nays were required by Mr. Howard and Mr. De France, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baily, of Perry, Bannan, Beebe, Bigler, Boyd, Broomall, Buckalew, Carey, Carter, Cassidy, Church, Cochran, Corbett, Corson, Curry, Dallas, Darlington, Davis, De France, Dodd, Edwards, Ewing, Finney, Funk, Gibson, Green, Guthrie, Hall, Hazzard, Horton, Howard, Hunsicker, Lilly, Littleton, MacConnell, M'Culloch, Mann, Minor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Sharpe, Smith, H. G., Stanton, Turrell, Van Reed, Wetherill, J. M., White, David N., Woodward, Wright and Walker, *President*—62.

N A Y S .

Messrs. Baker, Bowman, Brodhead, Clark, Dunning, Hanna, Landis, M'Michael, Patterson, D. W., Smith, Henry W., Struthers, and White, J. W. F.—12.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Biddle, Black, Chas. A., Black, J. S., Brown, Bullitt, Calvin, Campbell, Collins, Craig, Cronmiller, Curtin, Cuyler, Elliott, Ellis, Fell, Fulton, Gilpin, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, Long, MacVeagh, M'Camant, M'Clean, M'Murray, Mantor, Metzger, Newlin, Palmer, H. W., Porter, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, John Price, Wherry, White, Harry and Worrell.

A motion was made by Mr. Buckalew,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Education.

Which was agreed to.

And on the question,

Will the Convention adopt said report?

It was determined in the affirmative.

Ordered, That the article be transcribed for a third reading.

A motion was made by Mr. D. W. Patterson,

That the Convention proceed to the third reading and consideration of said article.

Which was agreed to.

On the question,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the third line of the first section, by striking out the words, "above the age of six years."

Which was not agreed to.

And the question recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first section, by striking out all after the word "educated," in the third line.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Bannan, Black, Charles A., Bowman, Brodhead, Broomall, Buckalew, Corbett, Corson, Darlington, De France, Ewing, Funck, Hanna, Mott, Purviance, Sam'l A., Read, John R., Reed, Andrew, Smith, H. G., Van Reed, White, David N., and Woodward—21.

N A Y S.

Messrs. Alricks, Baily, of Perry, Beebe, Bigler, Carey, Carter, Church, Cochran, Curry, Curtin, Cuyler, Davis, Dodd, Dunning, Edwards, Gibson, Green, Guthrie, Hall, Hazzard, Horton, Howard, Hunsicker, Landis, Lilly, Littleton, Long, MacConnell, M'Culloch, M'Michael, M'Murray, Mann, Minor, Mitchell, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Sharpe, Smith, Henry W., Stanton, Struthers, Turrell, White, J. W. F., Wright and Walker, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Boyd, Brown, Bullitt, Calvin, Campbell, Cassidy, Clark, Collins, Craig, Cronmiller, Dallas, Elliott, Ellis, Fell, Finney, Fulton, Gilpin, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Clean, Mantor, Metzger, Newlin, Palmer, H. W., Patton, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Preece, Wherry, White, Harry, and Worrell.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding a new section to be numbered four, as follows, viz:

"The arts and sciences may be encouraged and promoted in colleges and other institutions of learning, under the exclusive control of the State."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by adding a new section, to be numbered four, as follows, viz:

"The Legislature may establish industrial schools, and require the attendance therein of vagrant, neglected and abandoned children."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Purman and Mr. Corson, and were as follow, viz:

Y E A S.

Messrs. Baily, of Perry, Baker, Bannan, Beebe, Bigler, Bowman, Broomall, Carey, Carter, Church, Cochran, Corson, Curry, Curtin, Cuyler, Darlington, Davis, Edwards, Finney, Funck, Hazzard, Horton, Hunsicker, Landis, M'

Michael, Mann, Minor, Mitchell, Mott, Palmer, G. W., Parsons, Pughe, Purviance, John N., Read, John R., Sharpe, Stanton, Struthers, Turrell, Van Reed and White, David N.—40.

N A Y S .

Messrs. Alricks, Black, Charles A., Boyd, Buckalew, Calvin, Corbett, De France, Dodd, Ewing, Guthrie, Hall, Hanna, Howard, Lilly, Long, MacConnell, M'Culloch, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Samuel A., Reed, Andrew, Smith, Henry W., White, J. W. F., Woodward, Wright and Walker, *President*—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Biddle, Black, J. S., Brodhead, Brown, Bullitt, Campbell, Cassidy, Clark, Collins, Craig, Cronmiller, Dallas, Dunning, Elliott, Ellis, Fell, Fulton, Gibson, Gilpin, Green, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Murray, Mantor, Metzger, Newlin, Palmer, H. W., Patton, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Struthers in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding a new section to be numbered five, as follows, viz: "They may by law require that every child of sufficient mental and physical ability shall attend the public schools, unless educated by other means."

.On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Darlington and Mr. Corson, and were as follow, viz :

Y E A S .

Messrs. Alricks, Baker, Bannan, Beebe, Bowman, Brodhead, Carey, Church, Cochran, Curry, Curtin, Cuyler, Darlington, Davis, Edwards, Finney, Gibson, Hanna, Hazzard, Heverin, Howard, Landis, MacConnell, M'Michael, Minor, Palmer, G. W., Parsons, Patterson, T. H. B., Reynolds, Sharpe, Stanton, Struthers, Turrell, Van Reed, White, David N., White, J. W. F., Wright and Walker, *President*—38.

N A Y S .

Messrs. Baily, of Perry, Biddle, Bigler, Black, Charles A., Boyd, Broomall, Buckalew, Calvin, Corbett, Corson, De France, Dodd, Ewing, Green, Guthrie, Hall, Hunsicker, Lilly, Long, M'Cullough, Mann, Mitchell, Mott, Newlin, Niles, Patterson, D. W., Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Smith, H. G., Smith, Henry W., and Woodward—35.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Black, J. S., Brown, Bullitt, Campbell, Carter, Cassidy, Clark, Collins, Craig, Cronmiller, Dallas,

Dunning, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Harvey, Hay, Hemphill, Horton, Kaine, Knight, Lamberton, Lawrence, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Murray, Mantor, Metzger, Palmer, H. W., Patton, Pughe, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, Harry, and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Carey in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported that the section had been added in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the fourth section these words, viz: "But each city or county wherein said schools are located, shall pay all the cost and expense thereof, except their proportionate share of the common school fund appropriated by the State."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Howard and Mr. Corson, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baily, of Perry, Beebe, Bigler, Black, Charles A., Brodhead, Broomall, Buckalew, Calvin, Carey, Carter, Church, Corbett, Curry, Curtin, Darlington, Davis, DeFrance, Elliott, Gibson, Green, Hanna, Hazzard, Horton, Hunsicker, Landis, Lilly, Long, MacConnell, M'Culloch, Mann, Minor, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Smith, Henry W., Turrell, Van Reed, White, David N., White, J. W. F., Wright and Walker, *President*—50.

N A Y S .

Messrs. Baker, Biddle, Bowman, Boyd, Corson, Edwards, Finney, Guthrie, Hall, Heverin, Howard, Littleton, M'Michael, Newlin, Porter, Read, John R., Sharpe, Smith, H. G., Stanton, Struthers, Woodward and Worrell—22.

So the question was determined in the affirmative.

ABSENT. — Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Cuyler, Dallas, Dodd, Dunning, Ellis, Ewing, Fell, Fulton, Funck, Gilpin, Harvey, Hay, Hemphill, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Clean, M'Murray, Mantor, Metzger, Mitchell, Palmer, H. W., Patton, Pughe, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Hazzard in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article so as to make it read as follows, viz :

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. No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school.

SECTION 3. Women, twenty-one years of age and upwards, shall be eligible to any office of control or management under the school laws of this State.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Turrell in the Chair, for the purpose indicated.

After some time the committee rose, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Mann,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first section, by adding to the end thereof the words, "and the Legislature shall appropriate at least one million dollars each year for that purpose."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Baily, of Perry, Beebe, Boyd, Carey, Carter, Church, Curtin, Davis, Edwards, Elliott, Finney, Gibson, Hall, Hazzard, Horton, Howard, Hunsicker, Lilly, Littleton, Long, M'Culloch, M'Michael, M'Murray, Mann, Minor, Niles, Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Reynolds, Sharpe, Smith, Henry W., Stanton, Turrell and Worrell—37.

N A Y S .

Messrs. Biddle, Bigler, Black, Chas. A., Bowman, Brodhead, Broomall, Buckalew, Calvin, Corbett, Corson, Darlington, De France, Dodd, Dunning, Green, Guthrie, Hanna, Landis, MacConnell, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Smith, H. G., Struthers, White, David N., White, J. W. F., Woodward, Wright and Walker, *President*—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Cuyler, Dallas, Ellis, Ewing, Fell, Fulton, Funck, Gilpin, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Clean, Mantor, Metzger, Mitchell, Palmer, H. W., Patton, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry and White, Harry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. T. H. B. Patterson in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Corbett called for the previous question, seconded by Messrs. Boyd, Church, D. N. White, Mann, Howard, Horton, DeFrance, Hunsicker, Green, Bigler, Calvin, Newlin, Lilly, Broomall, Davis, Hall, Pughe and Corson.

On the question,

Shall the main question be now put?

It was determined in the affirmative.

And the question again recurring,

Shall the article pass?

The yeas and nays were required by Mr. Bowman and Mr. Darlington, and were as follow, viz:

Y E A S .

Messrs. Baily, of Perry, Bigler, Black, Charles A., Boyd, Broomall, Calvin, Carey, Carter, Corbett, Corson, Davis, De France, Elliott, Green, Guthrie, Hall, Hanna, Horton, Howard, Hunsicker, Landis, Lilly, Long, MacConnell, M'Culloch, M'Murray, Mann, Mott, Newlin, Niles, Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Smith, H. G., Smith, Henry W., Struthers, White, David N., Wright and Walker, *President*—42.

N A Y S .

Messrs. Baker, Beebe, Biddle, Bowman, Brodhead, Buckalew, Church, Curtin, Darlington, Dunning, Edwards, Finney, Gibson, Hazzard, Littleton, Minor, Palmer, G. W., Parsons, Porter, Read, John R., Reynolds, Sharpe, Stanton, Turrell, White, J. W. F., Woodward and Worrell—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Black, J. S., Brown, Bullitt, Campbell, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Cuyler, Dallas, Dodd, Ellis, Ewing, Fell, Fulton, Funck, Gilpin, Harvey, Hay, Hemphill, Heverin, Kaine, Knight, Lamberton, Lawrence, Lear, MacVeagh, M'Camant, M'Clean, M'Michael, Mantor, Metzger, Mitchell, Palmer, H. W., Patterson, D. W., Patton, Rooke, Ross, Runk, Russell, Simpson, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

The hour of three o'clock having arrived,

The President adjourned the Convention until Monday morning at nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

MONDAY, OCTOBER 13, 1873.

Mr. Lilly asked and obtained leave of absence for Mr. Gilpin for a few days from to-day.

Mr. Turrell asked and obtained leave of absence for Mr. M'Clean for to-day and to-morrow.

Mr. Church asked and obtained leave of absence for Mr. Elliott for a few days from to-day.

Mr. J. W. F. White asked and obtained leave of absence for Mr. Niles for a few days from to-day.

Mr. Reynolds asked and obtained leave of absence for Mr. H. G. Smith and himself for to-morrow.

Mr. S. A. Purviance offered the following resolution, which was read as follows, viz:

Resolved, That the amended Constitution shall be submitted to a vote of the people in the following manner: To be voted upon by tickets labelled on the outside, "Constitution," and on the inside, "for article No. —, or against article No. —;" and if the voter is opposed to any one or more sections of said article, to add upon the face of the ticket the words, "with the exception of section No. —." If a majority of the votes are in favor of the article without exception, it shall be carried as a whole, but if a majority of the votes are in favor of the article, but opposed to the section or sections named, then the article shall be considered carried with the section or sections voted against omitted.

The articles shall be numbered in the following order, and voted upon as such by separate tickets for each number:

No. 1. Article on the Executive.

No. 2. Article on Legislation.

No. 3. Article on the Legislature.

No. 4. Article on the Judiciary.

No. 5. Article on Suffrage, Election and Representation.

No. 6. Article on Finance and Taxation.

No. 7. Article on Railroads and Canals.

No. 8. Article on Private Corporations.

No. 9. Article on Bill of Rights; on Impeachment and Removal from Office; on County, Township and Borough Officers; on Oath of Office; on Education; on City and City Charters; on New Counties; on Militia and on Future Amendments.

Laid on the table.

Mr. S. A. Purviance offered the following resolution, which was read, viz:

Resolved, That on and after Monday next, the Convention will hold evening sessions, commencing at seven o'clock P. M.; that on Friday the twenty-fourth inst., at twelve o'clock M., the roll will be called and the amended Constitution signed, and at three o'clock P. M. of said day the Convention will adjourn *sine die*.

On the question,

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

The yeas and nays were required by Mr. S. A. Purviance and Mr. Church, and were as follow, viz:

Y E A S.

Messrs. Baily, of Perry, Bardsley, Beebe, Bowman, Boyd, Church, Curry, Ewing, Hunsicker, Long, MacConnell, M'Murray, Metzger, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Struthers, White, David N., and Wright—22.

N A Y S.

Messrs. Alricks, Baker, Biddle, Bigler, Black, Chas. A., Brodhead, Broomall, Calvin, Carey, Corbett, Corson, Dallas, Darlington, De France, Dodd, Dunning, Edwards, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Knight, Lear, Lilly, Littleton, M'Michael, Mantor, Minor, Newlin, Patterson, D. W., Purman, Reynolds, Ross, Runk, Simpson, Smith, H. G., Stanton, Turrell, Van Reed, Wetherill, John Price, White, J. W. F., Woodward, Worrell and Walker, *President*—47.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Campbell, Carter, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Heverin, Horton, Kaine, Lamberton, Landis, Lawrence, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Palmer, H. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Harry.

Mr. D. W. Patterson offered the following resolution, which was read, viz :

Resolved, That to-morrow being the general election day of the State, the Convention, when it adjourns to-day, adjourn to meet on Wednesday next, at ten 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. D. W. Patterson and Mr. Dallas, and were as follow, viz :

Y E A S.

Messrs. Baker, Bardsley, Carey, Corson, Dunning, Ewing, Hanna, Harvey, Knight, Littleton, Long, M'Michael, Metzger, Newlin, Patterson, D. W., Patterson, T. H. B., Ross, Runk, Simpson, Smith, H. G., Van Reed, White, J. W. F., and Worrell—23.

N A Y S.

Messrs. Alricks, Baily, of Perry, Beebe, Biddle, Bigler, Black, Charles A., Bowman, Boyd, Brodhead, Broomall, Calvin, Church, Corbett, Curry, Dallas, Darlington, De France, Dodd, Edwards, Guthrie, Hay, Hazzard, Hemphill, Howard, Hunsicker, Lilly, MacConnell, M'Murray, Mantor, Minor, Mott, Palmer, G. W., Parsons, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., Woodward, Wright and Walker, *President*—45.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Black, J. S., Brown, Buckalew, Bullitt, Campbell, Carter, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Heverin, Horton, Kaine, Lamberton, Landis, Lawrence, Lear, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Palmer, H. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Harry.

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, in conformity with the resolution adopted by the Convention, Friday, October 10, that the clerks and other officers of the Convention have already been

paid four-fifths of their compensation, and that the one-half of their salaries yet remaining unpaid is according to the following statement, to wit :

D. L. Imbrie, Chief Clerk.....	\$275 00
Lucius Rogers, First Assistant Clerk.....	275 00
A. D. Harlan, Second Assistant Clerk.....	275 00
J. L. Linton, Transcribing Clerk.....	200 00
A. T. Parker, Transcribing Clerk.....	200 00
James Onslow, Sergeant-at-Arms.....	200 00
C. M. Brown, Assistant Sergeant-at-Arms.....	180 00
Clement Evans, Doorkeeper.....	180 00
Frank Bentley, Assistant Doorkeeper.....	180 00
Henry B. Price, Postmaster.....	180 00
B. Frank Major, Assistant Postmaster.....	180 00
Total.....	<u>2,325 00</u>

For the payment of which the following resolution is reported :

Resolved, That warrants be drawn upon the State Treasurer in favor of the clerks and other officers of the Convention above named, for the amounts set opposite their names, respectively, in the foregoing report.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

Mr. S. A. Purviance, from the select committee to whom the subject was referred, made a report, which was read as follows, viz :

That on Thursday last they addressed telegrams to Judge Black, at York and Washington, and also forwarded letters to the same places, requesting the re-consideration and withdrawal of his resignation. As yet, the committee has received no answer, and would therefore submit the following resolution :

Resolved, That the committee appointed to wait on Judge Black and request him to withdraw his resignation be discharged from further action in the premises.

On motion of Mr. Boyd,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. Woodward,

That the resignation of Mr. J. S. Black be accepted, and that the same be referred to the fourteen Delegates-at-Large last named in the proclamation of the Governor.

Which was agreed to.

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

That the Convention proceed to the second reading and consideration of the resolution, (laid on the table October 6th,) as follows, viz :

Resolved, That hereafter forty-five delegates present shall constitute a quorum.

On the question,

Will the Convention agree to the motion ?

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

YEAS.

Messrs. Bailly, of Perry, Beebe, Bowman, Broomall, Calvin, Darlington, Edwards, Ewing, Hanna, Howard, Lear, Littleton, MacConnell, MacVeagh, Mantor, Minor, Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—27.

NAYS.

Messrs. Alricks, Baker, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Carey, Cassidy, Cochran, Corbett, Corson, Curry, Cuyler, Dallas, De France,

Dodd, Finney, Gibson, Guthrie, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, Long, M'Michael, M'Murray, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Simpson, Smith, H. G., Van Reed, Wetherill, Jno. Price, Woodward, Worrell and Wright—44.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Campbell, Carter, Church, Clark, Collins, Craig, Cronmiller, Curtin, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Funk, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Newlin, Niles, Patton, Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Harry.

On motion of Mr. D. W. Patterson,

The Convention proceeded to the consideration of the report of the Committee of Revision and Adjustment on the article on Public Officers.

On motion of Mr. D. W. Patterson,

The report was adopted, and the article

Ordered, To be transcribed for a third reading.

On motion of Mr. Bigler,

The Convention proceeded to the third reading and consideration of said article.

And on the question,

Shall the article pass?

A motion was made by Mr. Lilly,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding a new section as follows, viz: 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 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 immediately preceding his election."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out the first section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Broomall and Mr. Corson, and were as follow, viz:

Y E A S.

Messrs. Alricks, Bardsley, Beebe, Bowman, Brodhead, Broomall, Carey, Cassidy, Corson, Darlington, De France, Edwards, Ewing, Hanna, Hazzard, Hunsicker, Lilly, Littleton, M'Michael, Minor, Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Runk, Stanton, Struthers, Van Reed, White, David N., White, J. W. F., and Wright—30.

N A Y S.

Messrs. Baily, of Perry, Baker, Biddle, Bigler, Boyd, Calvin, Church, Corbett, Curry, Dallas, Dodd, Dunning, Guthrie, Harvey, Hay, Hemphill, Howard, Lear, Long, MacConnell, M'Murray, Mantor, Metzger, Mott, Newlin, Palmer, G. W., Parsons, Patterson, D. W., Purman, Read, John R., Reynolds, Ross, Simpson, Smith, H. G., Turrell, Wetherill, John Price, Woodward and Walker, *President*—38.

So the question was determined in the negative.

ABSENT—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Black, Chas. A., Brown, Buckalew, Bullitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Lamberton, Landis, Lawrence, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Palmer, H. W., Patton, Porter, Pughe, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry, White, Harry and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Minor,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the first section, by striking out the words, "or appointed," in the first line.

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Dodd in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Dodd and Mr. Dallas,

That the vote be re-considered by which the motion made by Mr. Broomall, to go into committee of the whole, for the purpose of striking out section one was negatived.

Which was agreed to.

And the question recurring,

Will the Convention resolve itself into committee of the whole for that purpose?

The yeas and nays were required by Mr. Corbett and Mr. Hazzard and were as follow, viz:

Y E A S.

Messrs. Alricks, Beebe, Biddle, Bigler, Black, Chas. A., Bowman, Brodhead, Broomall, Calvin, Carey, Cassidy, Corson, Curry, Dallas, Darlington, De France, Dodd, Dunning, Edwards, Ewing, Guthrie, Hanna, Harvey, Hemphill, Heverin, Howard, Hunsicker, Lamberton, Lilly, Littleton, Long, MacConnell, M'Michael, Metzger, Minor, Mott, Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Ross, Runk, Smith, H. G., Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., White, J. W. F., and Wright—50.

N A Y S.

Messrs. Baily, of Perry, Baker, Bardsley, Boyd, Church, Corbett, Hay, Hazard, M'Murray, Mantor, Palmer, G. W., Parsons, Patterson, D. W., Read, John R., Reynolds, Simpson, Van Reed, Woodward and Walker, *President*—19.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Brown, Buckalew, Bullitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Horton, Kaine, Knight, Landis, Lawrence, Lear, Mac Veagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Newlin, Niles, Palmer, H. W., Patton, Porter, Pughe, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry, White, Harry and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Hay in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the third section.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Brodhead in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hunsicker,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the fourth section, the following words, viz: "And the General Assembly may, by law, declare what offices are incompatible."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Alricks in the Chair, for the purpose indicated.

After some time the President resumed the chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

On motion of Mr. D. W. Patterson,

The Convention proceeded to the consideration of the report of the Committee on Revision and Adjustment on the article on New Counties.

On the question,
Will the Convention adopt said report?

It was determined in the affirmative.

Ordered, That the article be transcribed for a third reading.

On motion of Mr. Bowman,
The Convention proceeded to the third reading and consideration of said article.

On the question,
Shall the article pass?

A motion was made by Mr. Church,

That the Convention resolve itself into committee of the whole, for the purpose of adding a new section, to be numbered two, as follows, viz: "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."

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

The yeas and nays were required by Mr. Church and Mr. Parsons, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baker, Barclay, Biddle, Boyd, Calvin, Cassidy, Church, Corbett, Corson, Cuyler, Dallas, Darlington, Dodd, Harvey, Hemphill, Hunsicker, Lear, Littleton, M'Michael, Mantor, Metzger, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Read, John R., Reynolds, Ross, Simpson, Smith, H. G., Stanton, Struthers, Turrell, Van Reed, White, David N., Woodward Worrell, Wright and Walker, *President*—40.

N A Y S.

Messrs. Baily, of Perry, Beebe, Bigler, Black, Charles A., Bowman, Brodhead, Broomall, Carey, De France, Dunning, Edwards, Ewing, Gibson, Guthrie, Hanna, Hay, Hazzard, Howard, Lamberton, Lilly, Long, MacConnell, M'Murray, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Runk and White, J. W. F.—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bulitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Landis, Lawrence, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Patton, Porter, Pughe, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wetherill, Jno. Price, Wherry, and White, Harry.

And the question recurring,
Shall the article pass?

A motion was made by Mr. Beebe,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same so as to make it read as follows, viz: "No new county shall hereafter be established within this Commonwealth."

Which was not agreed to

And the question again recurring,
Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by making section two read as follows, viz :

"The Legislature shall make general provision for the erection of new counties in conformity with the foregoing requirements, together with the approval of three-fifths of the voters voting within the limits of any proposed new county and and one-fifth of the voters voting within the limits of the balance of county or counties from which the proposed new county is to be taken."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Dunning and Mr. De France, and were as follow, viz :

Y E A S .

Messrs. Baily, of Perry, Beebe, Bowman, Brodhead, Corson, De France, Dunning, Edwards, Ewing, Howard, Lamberton, Lilly, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Struthers and White, J. W. F.—22.

N A Y S .

Messrs. Alricks, Baker, Barclay, Biddle, Bigler, Black, Chas. A., Boyd, Broomall, Calvin, Carey, Cassidy, Church, Corbett, Cuyler, Dallas, Darlington, Dodd, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Lear, Littleton, Long, MacConnell, MacVeagh, M'Michael, Mantor, Metzger, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Reynolds, Ross, Simpson, Smith, H. G., Stanton, Turrell Van Reed, Wetherill, Jno. Price, White, David N., Woodward, Worrell, Wright and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Niles, Patton, Porter, Pughe, Purman, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Harry.

And the question again recurring,

Shall the article pass ?

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

Y E A S .

Messrs. Alricks, Baily, of Perry, Baker, Barclay, Biddle, Black, Chas. A., Boyd, Broomall, Calvin, Carey, Cassidy, Church, Corbett, Corson, Cuyler, Dallas, Darlington, Dodd, Finney, Hanna, Harvey, Hemphill, Hunsicker, Lear, Littleton, Long, MacConnell, MacVeagh, M'Michael, Manter, Metzger, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Purman, Purviance, Samuel A., Read, John R., Reynolds, Ross, Simpson, Smith, H. G., Stanton, Struthers, Turrell, Van Reed, Wetherill, Jno. Price, White, David N., Woodward, Worrell, Wright and Walker, *President*—52.

N A Y S .

Messrs. Beebe, Bigler, Bowman, Brodhead, Cochran, De France, Dunning, Edwards, Ewing, Gibson, Guthrie, Hay, Hazzard, Howard, Lamberton, Lilly, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purviance, John N., Runk and White, J. W. F.—23.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Campbell, Carter, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Niles, Patton, Porter, Pughe, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Harry.

A motion was made by Mr. Darlington,

That when the Convention adjourns to-day, it will adjourn to meet on Wednesday morning at nine and a-half o'clock.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Baker, Bigler, Brodhead, Broomall, Cassidy, Corbett, Corson, Cuyler, Dallas, Darlington, Dodd, Dunning, Ewing, Hanna, Howard, Lear, Littleton, Long, M'Michael, Metzger, Minor, Mott, Newlin, Patterson, D. W., Patterson, T. H. B., Reynolds, Ross, Runk, Simpson, Smith, H. G., Stanton, White, J. W. F., Worrell, Wright and Walker, *President*—35.

N A Y S .

Messrs. Alricks, Bailly, of Perry, Barclay, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Calvin, Carey, Church, DeFrance, Edwards, Gibson, Guthrie, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, MacConnell, M'Murray, Mantor, Palmer, G. W., Palmer, H. W., Parsons, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Struthers, Turrell, White, David N., and Woodward—35.

So the question was determined in the negative.

ABSENT. — Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Curtin, Davis, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gilpin, Green, Hall, Harvey, Heverin, Horton, Kaine, Knight, Landis, Lawrence, Mac Veagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Patton, Porter, Pughe, Reed, Andrew, Rooke, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry and White, Harry.

On motion of Mr. Lilly,

The Convention proceeded to the consideration of the report of the Committee on Revision and Adjustment on the article on County Officers.

On the question,

Will the Convention adopt the report?

It was determined in the affirmative, and the article was

Ordered, To be transcribed for a third reading.

On motion of Mr. Bigler,

The Convention proceeded to the third reading and consideration of the article.

On the question,

Shall the article pass?

Mr. Broomall asked and obtained unanimous consent to amend the same in the first section, by striking out of the fourth and fifth lines, the words, "the Legislature shall declare what offices are incompatible."

And the question recurring,
Shall the article pass ?

Mr. S. A. Purviance asked and obtained unanimous consent to amend the same, in the third and fourth lines of the third section, by striking out the word "created," and inserting in lieu thereof the word "erected."

And the question again recurring,
Shall the article pass ?

Mr. Church asked and obtained unanimous consent to amend the same, in the first section, by making the word "re-eligible," read "eligible."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Ross,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the first section, by inserting after the word "deeds," in the second line, the words, "County Superintendents of Common Schools."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in section seven, by striking out from the word "thereafter," in the in the third line, to the word "any," in the fifth line.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. J. N. Purviance and Mr. Struthers, and were as follow, viz :

Y E A S.

Messrs. Baker, Beebe, Biddle, Bowman, Boyd, Broomall, Cassidy, Corson, Darlington, De France, Edwards, Ewing, Hanna, Hazzard, Lear, Long, MacConnell, M'Murray, Metzger, Newlin, Parsons, Purviance, John N., Purviance, Sam'l A., Simpson, Stanton, Turrell and White, J. W. F.—27.

N A Y S.

Messrs. Alricks, Bailly, of Perry, Bardsey, Bigler, Black, Charles A., Brodhead, Calvin, Carey, Church, Corbett, Dallas, Dodd, Guthrie, Harvey, Hay, Hemphill, Howard, Hunsicker, Knight, Lilly, Littleton, M'Michael, Mantor, Minor, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Reynolds, Ross, Runk, Struthers, Van Reed, Wetherill, John Price, White, David N., Woodward, Worrell, Wright and Walker, *President*—40.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Brown, Buckalew, Bulitt, Campbell, Carter, Clark, Cochran, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Heverin, Horton, Kaine, Lamberton, Landis, Lawrence, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Niles, Palmer, H. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry and White, Hairy,

And the question again recurring,
Shall the article pass ?

Mr. T. H. B. Patterson asked and obtained unanimous consent to amend the same, in the second section, by striking out in the second and third lines the words, "if they shall so long behave themselves well," and inserting in lieu thereof the words, "beginning on the first Monday of January next after their election," and by striking out section eight.

And the question again recurring,

Shall the article pass?

Mr. Darlington asked and obtained unanimous consent to amend the same, in the second section, by striking out of the fourth line the words, "the Legislature may direct," and inserting in lieu thereof the words, "may be provided by law."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section seven, and inserting in lieu thereof the following, viz:

"Three county commissioners and three county auditors shall be elected in each county where such officers are now chosen; at such times and in such manner as shall be directed by law. Vacancies in said offices shall be filled by appointments of the court of common pleas of the county where such vacancy occurs."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Howard and Mr. Struthers, and were as follow, viz:

YEAS.

Messrs. Baily, of Perry, Beebe, Bowman, Broomall, Darlington, Edwards, Ewing, Hanna, Howard, Lear, Littleton, MacConnell, MacVeagh, Mantor, Minor, Newlin, Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Ross, Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—26.

NAYS.

Messrs. Alricks, Baker, Barclay, Biddle, Bigler, Black, Chas. A., Boyd, Carey, Cassidy, Cochran, Corbett, Corson, Curry, Cuyler, De France, Dodd, Finney, Gibson, Guthrie, Harvey, Hay, Hemphill, Hunsicker, Lamberton, Lilly, Long, M'Michael, M'Murray, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Read, John R., Simpson, Smith, H. G., Van Reed, Wetherill, John Price, Woodward and Worrell—42.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Clark, Collins, Craig, Cronmiller, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Green, Hall, Hazzard, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Clean, M'Cullough, Mann, Mitchell, Niles, Patton, Porter, Pugh, Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question again recurring,

Shall the article pass?

The previous question was called by Mr. Newlin, seconded by Messrs. Barclay, Boyd, Corbett, Corson, De France, Edwards, Finney, Guthrie, Hunsicker, Lilly, MacConnell, Metzger, Mott, G. W. Palmer, Parsons, T. H. B. Patterson, Van Reed and Worrell.

On the question,

Shall the main question be now put ?

The yeas and nays were required by Mr. Darlington and Mr. Cuyler, and were as follow, viz :

Y E A S.

Messrs. Baily, of Perry, Baker, Barclay, Beebe, Bigler, Black, Chas. A., Bowman, Boyd, Church, Corbett, Corson, Curry, De France, Dodd, Edwards, Finney, Guthrie, Hazzard, Hunsicker, Lear, Lilly, Long, MacConnell, MacVeagh, M'Michael, M'Murray, Mantor, Metzger, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, Sam'l A., Simpson, Smith, H. G., Stanton, Turrell, Van Reed, Wetherill, Jno. Price, White, David N., Worrell and Walker, *President*—45.

N A Y S.

Messrs. Alricks, Biddle, Broomall, Cassidy, Cochran, Cuyler, Darlington, Ewing, Gibson, Hanna, Harvey, Hay, Hemphill, Howard, Lamberton, Littleton, Minor, Patterson, D. W., Purviance, John N., Read, John R., Reynolds, Ross, Struthers and White, J. W. F.—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Collins, Craig, Cronmiller, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Green, Hall, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Cleane, M'Culloch, Mann, Mitchell, Niles, Patton, Porter, Pughe, Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Wetherill, J. M., Wherry, White, Harry, Woodward and Wright.

And the question again recurring,

Shall the article pass ?

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

Y E A S.

Messrs. Alricks, Baily, of Perry, Baker, Barclay, Beebe, Biddle, Bigler, Black, Charles A., Boyd, Brodhead, Cassidy, Church, Cochran, Corbett, Corson, Cuyler, De France, Dodd, Edwards, Ewing, Finney, Gibson, Guthrie, Hay, Hazzard, Hemphill, Hunsicker, Lamberton, Lilly, Littleton, Long, MacConnell, MacVeagh, M'Michael, M'Murray, Mantor, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Simpson, Smith, H. G., Stanton, Turrell, Wetherill, John Price, White, David N., and Worrell—52.

N A Y S.

Messrs. Bowman, Broomall, Darlington, Hanna, Howard, Lear, Minor, Newlin, Patterson, D. W., Purviance, John N., Reynolds, Ross, Struthers, White, J. W. F., and Walker, *President*—15.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Green, Hall, Harvey, Heverin, Horton, Kaine, Knight, Landis, Lawrence, M'Camant, M'Cleane, M'Culloch, Mann, Mitchell, Niles, Patton, Porter, Pughe, Reed, Andrew, Rooke, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, Woodward and Wright.

The hour of three o'clock having arrived,

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.

TUESDAY, OCTOBER 14, 1873.

Mr. Broomall asked and obtained leave of absence for himself from twelve o'clock for the balance of the day.

Mr. G. W. Palmer asked and obtained leave of absence for D. W. Patterson for to-day.

Mr. J. W. F. White asked and obtained leave of absence for Mr. Onslow, Sergeant-at-Arms, on account of sickness in his family.

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

Resolved, That the business of the Convention is in such a state of forwardness that it will be able to adjourn on or before the twenty-eighth inst., and the absent members are earnestly requested to give their constant attendance until the end of the session.

Laid on the table.

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

Resolved, That when the articles have passed third reading, and have been reported by the Committee on Revision and Adjustment, they be printed in Philadelphia, upon parchment, and that each sheet, after being reported as correctly printed by said committee, be publicly attested by the President and Chief Clerk of the Convention; and that the proposed Constitution be then signed in Convention by the delegates, in alphabetical order.

On motion of Mr. Hay,

Said resolution was laid on the table.

A motion was made by Mr. D. N. White,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Cities and City Charters.

Which was agreed to.

And on the question,

Will the Convention adopt said report?

It was determined in the affirmative.

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Corson,

That the Convention proceed to the third reading and consideration of the article.

Which was agreed to.

On the question,

Shall the article pass?

A motion was made by Mr. Guthrie,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the first section, by striking out in the first line, the words, "The Legislature shall pass general laws whereby a city," and inserting in lieu thereof the word "cities;" and by striking out in the second line, the word "established," and inserting in lieu thereof the word "chartered."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Charles A. Black in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Guthrie,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out sections two and three, and inserting in lieu thereof the following viz:

"SECTION 2. There shall be chosen by the electors of every city a mayor, who shall be the chief executive officer thereof, and who shall see that the duties of the several city officers are faithfully performed; he shall have power to investigate their acts, have access to all books and documents in their offices, and may examine them and their subordinates on oath, the evidence given by persons so examined shall not be used against them in any criminal proceedings; he shall have power to suspend or, with the concurrence of councils, remove such officers, whether they be elected or appointed, for misconduct in office, or neglect of duty, to be specified in the order of suspension or removal, but no such removal shall be made without reasonable notice to the officer complained of, and an opportunity afforded him to be heard in his defence.

"SECTION 3. All city officers, whose election or appointment is not provided for in this Constitution, shall be chosen by the electors of such cities; police officers shall be appointed by the respective mayors thereof; members of councils shall be chosen by the electors of each ward or district, on a basis of population; they shall not hold, at the same time, any other office under the city, county, State or United States.

"SECTION 4. The General Assembly shall pass such laws as may be necessary to give effect to the provisions of this article."

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Cochran,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding a new section as follows, viz:

"Three auditors shall be elected every third year in each city and borough where no controllers are elected at the time of holding municipal elections therein; and in the election of said auditors each qualified elector shall vote for no more than two persons, and the three persons highest in vote shall be elected. Said auditors shall annually examine and settle the accounts of all officers who receive or disburse the moneys of the municipality in which they shall be elected, in the same manner and with the same effect as the settlements made by county auditors of county affairs. Vacancies in the office of such municipal auditors, shall be filled in the same manner as vacancies in the office of county auditors."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Howard asked and obtained unanimous consent to amend the article in the fourth line of the first section, by striking out the words, "being established."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Corson,
That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out the third section.

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

The yeas and nays were required by Mr. Corson and Mr. Cuyler, and were as follow, viz :

YEAS.

Messrs. Baer, Broomall, Corson, Darlington, Dodd, Ewing, Guthrie and Hay—8.

NAYS.

Messrs. Alricks, Bailly, of Perry, Baker, Bannan, Bardsley, Beebe, Biddle, Black, Charles A., Bowman, Boyd, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Church, Corbett, Curry, Cuyler, Dallas, De France, Edwards, Finney, Funck, Gibson, Hanna, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lear, Lilly, Littleton, MacConnell, MacVeagh, M^cMichael, M^cMurray, Mantor, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam^l A. Read, John R., Rooke, Ross, Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—65.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bartholomew, Bigler, Brodhead, Bullitt, Cassidy, Clark, Cochran, Collins, Craig, Cronmiller, Curtin, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Green, Hall, Harvey, Heverin, Kaine, Lawrence, Long, M^cCamant, M^cClean, M^cCulloch, Mann, Minor, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Reynolds, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the first section the following words, viz :

"*Provided*, That the power to alter and amend existing city charters by special legislation, shall not be impaired by anything in this Constitution."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Hanna,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the second section, by inserting after the word "commission," in the second line, the words, "or city."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Alricks, Bardsley, Beebe, Brodhead, Cuyler, Darlington, Edwards, Ewing, Guthrie, Hanna, Hunsicker and Worrell—12.

NAYS.

Messrs. Baily, of Perry, Baker, Bannan, Barclay, Biddle, Bigler, Black, Bowman, Boyd, Broomall, Brown, Buckalew, Calvin, Campbell, Carey, Cassidy, Church, Corson, Curry, Dallas, De France, Finney, Funck, Gibson, Hay, Hazard, Horton, Knight, Lamberton, Landis, Lear, Lilly, Littleton, MacConnell, MacVeagh, M'Michael, M'Murray, Mantor, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Stanton, Struthers, Turrell, Wetherill, John Price, White, David N., White, J. W. F., Wright and Walker, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bear, Bailey, of Huntingdon, Bartholomew, Bullitt, Carter, Clark, Cochran, Collins, Corbett, Craig, Cronmiller, Curtin, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Howard, Kaine, Lawrence, Long, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Reynolds Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Woodward.

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section, to be numbered four, as follows, viz: "In every city and ward, representation shall be in proportion to population, the ratio to be fixed by law."

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Lilly,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding a new section as follows, viz:

"No street passenger railway shall be constructed within the limits of any city or borough without the consent of its local authorities."

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding a new section as follows, viz:

"The General Assembly may authorize cities and boroughs to make local improvements, (with the assent of a majority in interest of the property holders affected thereby,) by special assessments on the property benefitted."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Bardsley and Mr. Curry, and were as follow, viz:

YEAS.

Messrs. Barclay, Bardsley, Beebe, Carey, Carter, Corson, Curry, Edwards, Ewing, Guthrie, Hanna, Knight, Littleton, M'Michael, Mantor, Metzger, Minor, Parsons, Patterson, T. H. B., Purman, White, David N., and White, J. W. F.—22.

NAYS.

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Baker, Bannan, Biddle, Black, Bowman, Boyd, Brodhead, Brown, Buckalew, Cochran, Corbett, Curtin, Dallas, Darlington, De France, Dodd, Finney, Funck, Gibson, Green, Hay, Hazzard, Heverin, Horton, Howard, Hunsicker, Lamberton, Landis, Lear, Lilly, MacConnell, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Purviance, John N., Purviance, Sam'l A., Rooke, Stanton, Struthers, Turrell, Wetherill, John Price, Woodward, Worrell, Wright and Walker, *President*—51.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Bartholomew, Bigler, Broomall, Bullitt, Calvin, Campbell, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Harvey, Hemphill, Kaine, Lawrence, Long, MacVeagh, M'Camant, M'Clean, M'Culloch, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section, to be numbered four, as follows, viz:

"No city or other territory shall be consolidated with any city, unless a majority of the electors in the city or territory proposed to be annexed, vote in favor of such consolidation."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. MacVeagh,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Private Corporations.

Which was agreed to.

On the question,
Will the Convention adopt said report ?

It was determined in the affirmative, and the article was
Ordered, To be transcribed for a third reading.

A motion was made by Mr. Beebe,
That the Convention proceed to the third reading and consideration of said article.

Which was agreed to.

On the question,
Shall the article pass ?

A motion was made by Mr. Wright,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section five, and inserting in lieu thereof as follows, viz :

“ Nor foreign corporation shall do business in this State without having an authorized agent or agents residing within each county where their business is transacted, upon whom process may be served.”

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

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

Y E A S .

Messrs. Baer, Brown, Cochran, Corson, Darlington, Finney, Funck, Guthrie, Hanna, Lear, MacConnell, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Purviance, Sam'l A., Wetherill, John Price, and Wright—18.

N A Y S .

Messrs. Alricks, Baily, of Perry, Baker, Bannan, Barclay, Beebe, Biddle, Black, Bowman, Boyd, Brodhead, Buckalew, Calvin, Campbell, Cassidy, Corbett, Curry, Curtin, De France, Dodd, Edwards, Ewing, Gibson, Green, Hay, Hazzard, Hemp-hill, Heverin, Horton, Howard, Hunsicker, Lamberton, Lilly, MacVeagh, Man-tor, Metzger, Minor, Parsons, Patterson, T. H. B., Purman, Purviance, John N., Rooke, Stanton, Struthers, Turrell, White, David N., White, J. W. F., Wood-ward, Worrell and Walker, *President*—50.

So the question was determined in the negative.

ABSENT:—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Bardsley, Bartholomew, Bigler, Broomall, Bullitt, Carey, Carter, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Harvey, Kaine, Knight, Landis, Lawrence, Littleton, Long, M'Camant, M'Clean, M'Culloch, M'Michael, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wher-ry and White, Harry.

And the question recurring,
Shall the article pass ?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in section five, by striking out of the second line the words, “ known places of business, and an.”

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the ninth section the words, "and no bank shall be empowered to issue paper money, except such as shall be redeemable in the specie currency of the country."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Woodward and Mr. Church, and were as follow, viz:

Y E A S.

Messrs. Alricks, Baer, Baily, of Perry, Bannan, Black, Boyd, Brodhead, Buckalew, Carter, Cassidy, Church, Corbett, Corson, Curry, Dallas, De France, Ewing, Gibson, Guthrie, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Mott, Purman, Read, John R., Wetherill, John Price, Woodward and Worrell—30.

N A Y S.

Messrs. Ainey, Beebe, Biddle, Bowman, Brown, Calvin, Campbell, Carey, Cochran, Curtin, Darlington, Dodd, Edwards, Finney, Funck, Green, Hanna, Horton, Howard, Lamberton, Lilly, Littleton, MacConnell, MacVeagh, Mantor, Minor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Rooke, Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—39.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntington, Baker, Barclay, Bardsley, Bartholomew, Bigler, Broomall, Bullitt, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Harvey, Kaine, Knight, Landis, Lawrence, Lear, Long, M'Camant, M'Clean, M'Culloch, M'Michael, M'Murray, Mann, Metzger, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Dallas,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the second line of the second section, by inserting after the word "same," the words, "or pass any other general or special law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Edwards, and were as follow, viz:

Y E A S.

Messrs. Ainey, Baer, Baily, of Perry, Baker, Bannan, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Brown, Buckalew, Calvin, Campbell, Cassidy, Church, Dallas, Darlington, Dodd, Ewing, Finney, Guthrie, Hay, Hazzard, Hemphill, Heverin, Landis, MacConnell, Metzger, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, John N., Read, John R., Struthers, Turrell, Wetherill, John Price, White, David N., Woodward, Worrell and Wright—43.

N A Y S.

Messrs. Alricks, Barclay, Boyd, Carey, Cochran, Corbett, Corson, Curry, Curtin, Edwards, Funck, Gibson, Green, Horton, Howard, Hunsicker, Lamberton, Lilly, Littleton, Mac Veagh, Mantor, Minor, Mott, Purman, Purviance, Sam'l A., Reynolds, Stanton, White, J. W. F., and Walker, *President*—29.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Bardsley, Bartholomew, Broomall, Bullitt, Carter, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, De France, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Hanna, Harvey, Kaine, Knight, Lawrence, Lear, Long, M'Camant, M'Clean, M'Culloch, M'Michael, M'Murray, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry, W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Landis in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Corson,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting a new section, (to be numbered eight,) as follows, viz:

"Dwelling houses shall not be destroyed by the opening of streets or roads, until compensation therefor shall have first been ascertained."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Alricks,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out in the eight section, all after the word "destroyed," in the third line, to the end of the section.

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the first section, by striking out in the first line, the words, "existing" and "exclusive," and in the second line, by striking out the words, "*bona fide*," and inserting in lieu thereof the word "an."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the seventh section, by inserting after the word "for," in the first line, the words "labor done or to be done, or for," and by striking out the word "labor," in the second line; and by striking out the word "sixty," in the sixth line, and inserting in lieu thereof the word "thirty."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Landis, and were as follow, viz:

Y E A S .

Messrs. Ainey, Baer, Bigler, Black, Boyd, Brodhead, Brown, Buckalew, Cassidy, Corbett, Corson, Dallas, Darlington, Dodd, Ewing, Gibson, Green, Guthrie, Hemphill, Heverin, Horton, Howard, Hunsicker, Knight, Lamberton, Lilly, Littleton, Minor, Mott, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Stanton, Struthers, White, David N., White, J. W. F., Worrell and Walker, *President*—39.

N A Y S .

Messrs. Alricks, Baily, of Perry, Baker, Bannan, Barclay, Beebe, Biddle, Bowman, Calvin, Campbell, Carey, Cochran, Curry, De France, Edwards, Finney, Funck, Hay, Hazzard, Landis, MacConnell, MacVeagh, Mantor, Metzger, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Reynolds, Turrell, Wetherill, Jno. Price, Woodward and Wright—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntington, Bardsley, Bartholomew, Broomall, Bullitt, Carter, Church, Clark, Collins, Craig, Cronmiller, Curtin, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Hanna, Harvey, Kaine, Lawrence, Lear, Long, M'Camant, M'Clean, M'Culloch, M'Michael, M'Murray, Mann, Mitchell, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Ross, Runk Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M.; Wherry and White, Harry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Corbett in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the fourth section.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Beebe, Bowman, Darlington, Edwards, Ewing, Horton, Knight, Littleton, MacConnell, MacVeagh, Mantor, Minor, Purviance, John N., Purviance, Samuel A., Rooke, Stanton, Struthers, Turrell, White, David N., White, J. W. F., and Walker, *President*—21.

N A Y S .

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Baker, Bannan, Biddle, Bigler, Black, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Cochran, Corbett, Corson, Curry, Curtin, Dallas, De France, Dodd, Finney, Funck, Gibson, Green, Guthrie, Hay, Hazzard, Hemphill, Heverin, Howard,

Hunsicker, Lamberton, Landis, Lilly, M'Michael, Metzger, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Read, John R., Wetherill, Jno. Price, Woodward, Worrell and Wright—52.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Broomall, Bullitt, Carey, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Hanna, Harvey, Kaine, Lawrence, Lear, Long, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the third line of the third section, by striking out the words, "and franchises."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

Mr. Cochran asked and obtained unanimous consent to amend the article in the fourth line of the ninth section, by striking out the words, "State Treasurer," and inserting the words, "Auditor General."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Baer,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the eighth section the following words, viz: "The amount of compensation to be paid, the benefits resulting to the owner of the property from the improvement made, shall be considered."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

The previous question was called by Mr. Joseph Baily, seconded by Messrs. Baker Baer, Barclay, Bowman, Calvin, Curry, Funck, Guthrie, Hazzard, Heverin, D. N. White, Stanton, T. H. B. Patterson, Mantor, MacVeigh, MacConnell, Knight and Horton.

On the question,

Shall the main question be now put?

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

YEAS.

Messrs. Baer, Baily, of Perry, Baker, Bannan, Barclay, Bowman, Boyd, Calvin, Carey, Carter, Cassidy, Curry, De France, Funck, Guthrie, Hazzard, Heverin, Hunsicker, Knight, Landis, MacConnell, MacVeagh, Patterson, T. H. B., Rooke, Stanton, Wetherill, John Price, White, David N., Wright and Walker, *President*—29.

NAYS.

Messrs. Ainey, Alricks, Beebe, Biddle, Bigler, Black, Charles A., Brodhead, Brown, Buckalew, Campbell, Cochran, Corbett, Corson, Curtin, Darlington,

Dodd, Edwards, Ewing, Finney, Gibson, Green, Hay, Hemphill, Horton, Howard, Lamberton, Lilly, Littleton, M'Michael, M'Murray, Minor, Palmer, G. W., Palmer, H. W., Parsons, Purman, Purviance, John N., Purviance, Sam'l A., John R., Reed, Reynolds, Struthers, Turrell, White, J. W. F., Woodward, and Worrell—44.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Armstrong, Bailey, of Huntingdon, Bardsey, Bartholomew, Broomall, Bullitt, Church, Clark, Collins, Craig, Cronmiller, Cuyler, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Hall, Hanna, Harvey, Kaine, Lawrence, Lear, Long, M'Camant, M'Clean, M'Culloch, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Dodd and Mr. Ainey,

That the vote be re-considered by which the motion made by Mr. Brodhead to go into committee of the whole, for the purpose of amending section seven, was agreed to.

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

And the question recurring,

Will the Convention agree to resolve itself into committee of the whole, for the purpose of amending the article in section seven, by inserting after the word "for," in the first line, the words, "labor done or to be done, or for," and by striking out the word "labor," in the second line; and by striking out the word "sixty," in the sixth line.

It was determined in the negative.

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the tenth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Dodd and Mr. Darlington, and were as follow, viz:

Y E A S .

Messrs. Baily, of Perry, Beebe, Bigler, Black, Bowman, Brown, Buckalew, Campbell, Cassidy, Cochran, Corson, Darlington, Dodd, Finney, Gibson, Guthrie, Hay, Hazzard, Hemphill, Landis, MacConnell, M'Murray, Minor, Mott, Palmer, G. W., Palmer, H. W., Parsons, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Struthers, Worrell and Wright—34.

N A Y S .

Messrs. Alricks, Baer, Bannan, Biddle, Boyd, Brodhead, Calvin, Carey, Carter, Curry, Curtin, Cuyler, De France, Edwards, Ewing, Hanna, Horton, Howard, Hunsicker, Lamberton, Lilly, MacVeagh, M'Michael, Mantor, Patterson, T. H. B., Stanton, Turrell, Wetherill, John Price, White, David N., White, J. W. F., Woodward and Walker, *President*—32.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bartholomew, Broomall, Bullitt, Church, Clark, Collins, Corbett, Craig, Cronmiller, Dallas, Davis, Dunning, Elliott, Ellis, Fell, Fulton, Funck, Gilpin, Green, Hall, Harvey, Heverin, Kaine, Knight, Lawrence, Lear, Littleton, Long, M'Camant, M'Clean, M'Culloch, Mann, Metzger, Mitchell, Newlin, Niles, Patterson, D. W., Patton, Porter, Pughe, Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., Wherry and White, Harry.

It appearing that there was not a quorum of members present,

A motion was made by Mr. Stanton,

That the Convention adjourn for want of a quorum.

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.

WEDNESDAY, OCTOBER 15, 1873.

Mr. MacVeagh asked and obtained leave of absence for Mr. Cuyler for to-day.

Mr. Woodward, from the committee to whom was referred the subject, made a report, which was read as follows, viz:

To the Constitutional Convention:

The undersigned, members at large of the Convention, who were voted for by a majority of the same voters who voted for and elected Hon. J. S. Black, do hereby fill the vacancy occasioned by his resignation, by the appointment of James P. Barr, of the county of Allegheny, to be a member of the Convention.

GEO. W. WOODWARD,
R. A. LAMBERTON,
WM. BIGLER,
GEO. M. DALLAS,
WM. L. CORBETT,
S. C. T. DODD,
ANDREW A. PURMAN.
WM. J. BAER,
A. G. CURTIN.

Laid on the table.

A motion was made by Mr. Brodhead,

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table September 29th,) viz:

Resolved, That the Committee on State Institutions and Buildings be and are hereby instructed to report an article to prevent the erection of any building for holding the sessions of the Legislature of this State, until the project shall be approved by two successive Legislatures.

Which was not agreed to.

On motion of Mr. Mr. MacVeagh,

The Convention resumed the third reading and consideration of the article on Private Corporations.

And the question recurring,

Will the Convention agree to the motion of Mr. S. A. Purviance to go into committee of the whole, for the purpose of amending the article, by striking out section ten?

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

YEAS.

Messrs. Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Bigler, Black, Bowman, Brown, Buckalew, Campbell, Church, Clark, Cochran, Corbett, Curry, Davis, Dodd, Dunning, Elliott, Finney, Fulton, Funk, Gibson, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Hemphill, Horton, Kaine, Landis, Littleton, MacConnell, M'Murray, Mann, Metzger, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Van Reed, Wherry and Wright—61.

NAYS.

Messrs. Addicks, Armstrong, Baer, Bannan, Barclay, Bartholomew, Biddle, Boyd, Brodhead, Broomall, Calvin, Carey, Carter, Corson, Curtin, De France, Edwards, Ewing, Hunsicker, Lamberton, Lilly, MacVeagh, M'CLean, M'Culloch, M'Michael, Mantor, Reed, Andrew, Rooke, Stanton, Struthers, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, J. W. F., Woodward and Walker, *President*—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Ainey, Bardsley, Bullitt, Cassidy, Collins, Craig, Cronmiller, Cuyler, Dallas, Darlington, Ellis, Fell, Green, Harvey, Heverin, Howard, Knight, Lawrence, Lear, Long, M'Camant, Mitchell, Newlin, Porter, Pughe, Read, John R., Runk, Russell, Sharpe, Simpson, Temple, White, Harry, and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Cochran in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

Mr. Brodhead asked and obtained unanimous consent to amend the article in the seventh section, by inserting after the word "for," in the first line, the word "labor done or."

And the question again recurring,

Shall the article pass?

Mr. Darlington asked and obtained unanimous consent to amend the article in the ninth section, by striking out in the first line, the words, "any general," and inserting in lieu thereof the word "every."

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. Buckalew and Mr. MacVeagh,
That the vote be reconsidered by which the article on Impeachment and Removal from Office was passed.

Which was agreed to.

And the question again recurring,
Shall the article pass?

• A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in section four, by striking out all after the third line, and inserting in lieu thereof the following, viz:

“Removals from office of civil officers holding for fixed terms may be made by the Governor, upon conviction in courts of competent jurisdiction for removable offences; and the Governor may also remove such officers for reasonable cause upon address of two-thirds of the Senate, after due notice and full hearing of officers to be removed; but the Governor, Lieutenant Governor and judges of the Supreme Court shall be removable only by Senate, on conviction or impeachment; and other judges required to be learned in the law, only in the same manner, or upon address to the Governor of two-thirds of each house of the General Assembly; additional provision may be made by law for the removal of municipal or local officers, below the grade of city or county officers, for misconduct in office or the commission of any infamous crime.”

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

A motion was made by Mr. MacVeagh,

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

Which was agreed to.

A motion was made by Mr. Cochran,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Railroads and Canals.

Which was agreed to.

On the question,
Will the Convention adopt said report?

It was determined in the affirmative, and the article was
Ordered, To be transcribed for a third reading.

On motion of Mr. Dallas,
The Convention proceeded to the third reading and consideration of said article.

On the question,
Shall the article pass?

A motion was made by Mr. Carey,

That the Convention resolve itself into committee of the whole, for the purpose of general amendment.

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

The yeas and nays were required by Mr. J. W. F. White and Mr. Darlington, and were as follow, viz:

Y E A S.

Messrs. Addicks, Andrews, Armstrong, Baer, Bannan, Brodhead, Broomall, Carey, Clark, Corbett, Corson, Curry, Curtin, Dallas, Darlington, Edwards, El-

liott, Hall, Hanna, Hemphill, Knight, Lamberton, Littleton, MacVeagh, M^r-Michael, Mann, Niles, Palmer, H. W., Patton, Read, John R., Reed, Andrew, Rooke, Turrell, Wetherill, J. M., Wetherill, John Price, White, J. W. F., Woodward, Wright and Walker, *President*—39.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Beebe, Biddle, Bigler, Black, Bowman, Brown, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Davis, De France, Dodd, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hay, Hazzard, Horton, Howard, Hunsicker, Kaine, Landis, Lilly, MacConnell, M^cCullough, M^cMurray, Mantor, Minor, Palmer, G. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam^l A., Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Wherry and White, David N.—55.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Ainey, Barclay, Bardsley, Boyd, Bullitt, Cassidy, Collins, Craig, Cronmiller, Cuyler, Dunning, Ellis, Fell, Finney, Green, Harvey, Heverin, Lawrence, Lear, Long, M^cCamant, M^cClean, Metzger, Mitchell, Mott, Newlin, Porter, Pughe, Runk, Russell, Sharpe, Simpson, Struthers, Temple, Van Reed, White, Harry, and Worrell.

And the question recurring,

Shall the article pass ?

A motion was made by Mr. Bigler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section nine.

Which was not agreed to.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Carey,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section four.

On the question,

Will the Convention agree to the motion ?

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

Y E A S.

Messrs. Addicks, Ainey, Armstrong, Barclay, Boyd, Brodhead, Broomall, Carey, Clark, Corbett, Corson, Curry, Curtin, Dallas, Darlington, Davis, Edwards, Elliott, Fulton, Green, Hanna, Hemphill, Hunsicker, Knight, Lamberton, Lear, Lilly, Littleton, MacVeagh, M^cMichael, Mann, Minor, Niles, Palmer, H. W., Parsons, Patton, Read, John R., Rooke, Stanton, Stewart, Van Reed, Wetherill, J. M., Wetherill, John Price, and Walker, *President*—44.

N A Y S.

Messrs. Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Bartholomew, Beebe, Biddle, Bigler, Black, Bowman, Brown, Buckalew, Calvin, Campbell, Carter, Church, Cochran, De France, Dodd, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Horton, Howard, Kaine, Landis, MacConnell, M^cClean, M^cCulloch, Mantor, Metzger, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam^l A., Reynolds, Ross, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Wherry, White, David N., White, J. W. F., Woodward and Wright—57.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Alricks, Andrews, Bardsley, Bullit, Cassidy, Collins, Craig, Cronmiller, Cuyler, Dunning, Ellis, Fell, Heverin, Lawrence, Long, M'Camant, M'Murray, Mitchell, Newlin, Porter, Pughe, Reed, Andrew, Runk, Russell, Sharpe, Simpson, Smith, H. G., Temple, White, Harry, and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Dallas,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first section, by striking out from the word "tolls," in the fifth line, to and including the word "destination," in the eighth line; by striking out the fourth section: by striking out all after the word "excepted," in the third line of the eighth section, to the end of the section; by striking out the ninth section, and by inserting a new section to be numbered four, as follows, viz:

"No railroad, canal or transportation company shall ever make any unfair, unjust or unreasonable discrimination in their rates of charges for transportation of freight or passengers, or in any other manner or particular whatever."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Dallas and Mr. John Price Wetherill, and were as follow, viz:

Y E A S.

Messrs. Addicks, Boyd, Brodhead, Carey, Corbett, Corson, Dallas, Darlington, Davis, Edwards, Green, Knight, Lilly, Patton, Rooke, Stanton, Struthers, Wetherill, J. M., Wetherill, John Price, and Walker, *President*—20.

N A Y S.

Messrs. Alricks, Andrews, Armstrong, Bear, Baily, of Perry, Bailey, of Huntington, Baker, Bannan, Bartholomew, Beebe, Biddle, Bigler, Black, Bowman, Brown, Buckalew, Calvin, Campbell, Carter, Clark, Cochran, Curtin, De France, Dodd, Elliott, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Lambertson, Landis, Lear, MacConnell, MacVeagh, M'Culloch, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds Ross, Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, Wherry, White, David N., Woodward and Wright—72.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Ainey, Barclay, Bardsley, Broomall, Bullitt, Cassidy, Church, Collins, Craig, Cronmiller, Curry, Cuyler, Dunning, Ellis, Fell, Hanna, Heverin, Lawrence, Littleton, Long, M'Camant, M'Clean, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Porter, Pughe, Read, John R., Runk, Russell, Sharpe, Simpson, Smith, H. G., Temple, White, Harry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the second section, by striking out of the first line the words, "or doing business."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Green in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Andrew Reed,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section seven.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Andrew Reed and Mr. J. N. Purviance, and were as follow, viz:

Y E A S .

Messrs. Baer, Bailey, of Huntingdon, Boyd, Brodhead, Corbett, Corson, Darlington, Davis, Edwards, Fulton, Green, Lamberton, Lear, Lilly, Niles, Parsons, Patton, Purviance, John N., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Struthers and Wetherill, John Price—24.

N A Y S .

Messrs. Alricks, Andrews, Bailly, of Perry, Baker, Bannan, Beebe, Biddle, Bigler, Black, Bowman, Brown, Buckalew, Calvin, Campbell, Carter, Clark, Cochran, De France, Dodd, Dunning, Elliott, Ewing, Finney, Gilpin, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Landis, MacConnell, Mac Veagh, M'Clellan, M'Culloch, Mann, Mantor, Metzger, Minor, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, Samuel A., Read, John R., Reynolds, Rooke, Stanton, Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward Worrell and Walker, *President*—60.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Armstrong, Barclay, Bardsley, Bartholomew, Broomall, Bullitt, Carey, Cassidy, Church, Collins, Craig, Cronmiller, Curry, Curtin, Cuyler, Dallas, Ellis, Fell, Funck, Gibson, Hanna, Harvey, Heverin, Knight, Lawrence, Littleton, Long, M'Camant, M'Michael, M'Murray, Mitchell, Newlin, Palmer, H. W., Porter, Pugh, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Stewart, Temple, Van Reed, White, Harry, and Wright.

And the question again recurring,
Shall the article pass?

Mr. Boyd asked and obtained unanimous consent to amend the same in the seventh section, by inserting after the word "passengers," in the fourth line, the words, "as common carriers."

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hemphill,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section twelve.

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Guthrie,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section one, and inserting in lieu thereof as follows, viz:

ALLEGHENY COUNTY,
Law Library,
PITTSBURGH, PA.

"Railroad and canal companies may construct railroads and canals between any two points defined in their respective charters, and may intersect and connect with any other railroads and canals in such manner as to pass their cars or boats conveniently from the one to the other. And any railroad shall have the right to cross any other railroad at grade. Each railroad company shall receive the cars of every other railroad when offered, and haul them over its railroad at reasonable charges for the motive power, in case such cars are empty, and at the same rates for freights and passengers as it charges for other passengers and freights on its road, with proper allowance for the use of the cars, and shall pass the cars, passengers and freights so received over its road without discrimination in favor of other cars, passengers or freights on its road, or undue delay."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by making section seven read as follows, viz: "No officer, agent or employee of any railroad or canal company shall be a stockholder or officer of any transportation company doing business over such railroad or canal, or any railroad or canal leased by them, or be interested directly or indirectly in the business of a common carrier thereon."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. John Price Wetherill,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section two, and inserting in lieu thereof as follows, viz: "Every railroad or canal corporation shall keep for the inspection of any stockholder, bondholder or other creditor, a record containing the amount of its capital stock subscribed or paid in, and by whom, the names of the stockholders, and the amount owned by them, and the names and residences of its officers."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Woodward,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out all after the word "not," in the second line of the seventh section, and inserting in lieu thereof as follows, viz:

"Be permitted to form or belong to transportation companies or associations who engage in the transportation of freight or passengers over the works of any railroad owned or worked by the railroad company of which they are employees or officers."

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

The hour of three o'clock having arrived,
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, OCTOBER 16, 1873.

Mr. Barr, who was selected to fill the vacancy caused by the resignation of Mr. J. S. Black, appeared and was duly qualified.

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

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
HARRISBURG, October 15, 1873. }

Hon. JOHN H. WALKER,

President of the Constitutional Convention, Philadelphia:

SIR:—In obedience to the resolution of the Constitutional Convention of the ninth instant, I have the honor to enclose a tabular statement of the votes cast for Governor, in the several counties of the State of Pennsylvania, at the general election held on the second Tuesday of October, A. D. 1838.

As the act of the 29th of March, 1836, (P. L. 1835-'36, page 217,) directs the returns of the election for and against the amendments to be delivered to the Speaker of the Senate, they are not in this office, and the "duplicate certificate" therein spoken of, does not set forth the vote by counties. I have, however, had it copied from the Journal of the Senate, 1838-'39, Vol. 1, pages 36, 37, of course without official certificate, the records not being in this office.

With great respect your obedient servant,

JOHN B. LINN,

Deputy Secretary of the Commonwealth.

TABULAR STATEMENT of votes cast for Governor in the several counties of the State of Pennsylvania, at the general election held on the second Tuesday of October, A. D. 1838:

COUNTIES.	David R. Porter.	Jos. Ritner.
Adams	1,535	3,310
Allegheny.....	4,505	6,038
Armstrong.....	2,781	1,510
Beaver	1,931	2,457
Bedford	2,384	2,290
Berks	7,101	3,215
Bradford	2,420	2,219
Bucks	4,553	4,147
Butler	1,653	1,700
Cambria.....	844	762
Centre	2,589	1,467
Chester	4,527	4,971
Columbia	2,616	1,088
Clearfield.....	792	474
Crawford	2,304	1,957
Cumberland	2,743	2,316
Dauphin.....	1,944	2,843
Delaware.....	1,263	1,731
Erie	1,565	2,747
Fayette	2,788	1,984
Franklin	2,815	2,560
Greene	1,849	1,109
Huntingdon.....	2,761	3,687
Indiana.....	1,262	1,723
Jefferson	591	421

TABULAR STATEMENT—Continued.

COUNTIES.	David R. Porter.	Jos. Ritner.
Juniata.....	1,049	863
Lancaster.....	5,503	8,558
Lebanon.....	1,553	2,228
Lehigh.....	2,460	2,349
Luzerne.....	3,132	2,592
Lycoming.....	2,496	1,555
M'Kean.....	219	127
Mercer.....	2,326	2,935
Mifflin.....	1,177	1,109
Monroe.....	1,223	366
Montgomery.....	4,558	3,748
Northampton.....	3,634	2,566
Northumberland.....	2,144	1,164
Perry.....	1,916	883
Philadelphia city and county.....	8,041	13,485
Pike.....	526	117
Potter.....	276	68
Schuylkill.....	2,271	1,508
Somerset.....	883	2,244
Susquehanna.....	1,530	1,264
Tioga.....	1,448	594
Union.....	1,595	2,268
Venango.....	1,765	828
Warren.....	700	542
Washington.....	3,461	3,528
Wayne.....	1,062	538
Westmoreland.....	4,561	2,315
York.....	4,196	3,257
Total.....	127,821	122,325

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
HARRISBURG, October 11, A. D. 1873. }

PENNSYLVANIA, SS:

{ L. S. }

I do hereby certify that the foregoing and annexed is a full, true and correct statement of votes cast for Governor in the several counties of the State of Pennsylvania, at the general election held on the second Tuesday of October, Anno Domini one thousand eight hundred and thirty-eight, taken from returns and certificates on file in this office.

In testimony whereof I have hereunto set my hand and caused the seal of the Secretary's office to be affixed the day and year above written.

JOHN B. LINN,

Deputy Secretary of the Commonwealth.

TABULAR STATEMENT of votes cast in the several counties of Pennsylvania for and against the proposed amendments to the State Constitution, at the election held on the 9th day of October, A. D. 1833, taken from Senate Journal, 1833-8, vol. 1, pages 36 and 37.

COUNTIES.	For the amendm'ts.	Against amendm'ts.
Adams.....	300	4,420
Allegheny.....	4,460	5,049
Armstrong.....	2,597	949
Beaver.....	2,525	1,612
Bedford.....	1,072	2,786
Berks.....	5,823	3,883
Bradford.....	4,116	188
Bucks.....	4,095	3,362
Butler.....	2,383	712
Cambria.....	616	938
Centre.....	2,082	1,565
Chester.....	3,879	5,085
Columbia.....	1,556	1,506
Clearfield.....	987	199
Crawford.....	3,344	517
Cumberland.....	2,562	2,419
Dauphin.....	1,032	3,383
Delaware.....	1,299	1,459
Erie.....	3,175	454
Fayette.....	3,022	1,145
Franklin.....	1,728	3,315
Greene.....	2,399	74
Huntingdon.....	2,640	3,348
Indiana.....	1,248	1,471
Jefferson.....	593	356
Juniata.....	657	1,249
Lancaster.....	2,355	10,059
Lebanon.....	807	2,573
Lehigh.....	1,792	2,244
Luzerne.....	3,603	1,141
Lycoming.....	1,913	1,477
M'Kean.....	301	2
Mercer.....	3,364	1,475
Mifflin.....	1,069	1,153
Monroe.....	1,248	209
Montgomery.....	3,690	4,079
Northampton.....	1,641	3,577
Northumberland.....	867	2,144
Perry.....	1,216	1,418
Philadelphia city and county.....	8,347	12,429
Pike.....	588	3
Potter.....	328
Schuylkill.....	1,460	1,812
Somerset.....	556	2,029
Susquehanna.....	2,085	412
Tioga.....	1,974	16
Union.....	452	3,185
Venango.....	1,887	448
Warren.....	1,128	31
Washington.....	4,394	1,576
Wayne.....	1,380	98
Westmoreland.....	4,105	2,224
York.....	1,233	3,500
Total.....	113,971	112,759

Laid on the table.

Mr. John N. Purviance presented the following communication, which was read, viz:

To the Hon. the President and Members of the Constitutional Convention of the Commonwealth of Pennsylvania:

The undersigned, members of the bar and officers of the court of Armstrong county, beg leave to represent: That we did each sign our respective names to a petition for a separate judicial district for Armstrong county, as published on pages 529 and 530, of the proceedings of your honorable body, and that we severally signed the same with a full understanding of its contents and force, and without any *fraud or misrepresentation*, but because of the truth set forth therein.

JAMES B. GATES,
DR. PHELPS,
J. O. BARRETT,
F. MECHLING,
J. G. HENRY, *Prothonotary*,
BARCLAY NULTON,
JAMES C. GOLDEN,
A. J. MONTGOMERY,
EDWARD S. GOLDEN,
G. O. BROWN,
JNO. W. ROHRER,
HENRY J. HAYS,
JACKSON BOGGS,
JOHN G. PARR, *late Prothonotary*,
R. W. SMITH.

OCTOBER 10, 1873.

I signed the petition without any fraud or misrepresentation being used, but with a view to have separate judicial districts throughout the State for every county entitled to it by business and population.

JEFF. REYNOLDS.

Laid on the table.

Mr. Niles asked and obtained leave of absence for Mr. Metzger and Mr. Parsons for a few days from to-day.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for to-day and to-morrow.

Mr. John N. Purviance asked and obtained leave of absence for Mr. Dallas for to-day, on account of sickness.

Mr. Lamberton asked and obtained leave of absence for Monday.

Mr. Alricks asked and obtained leave of absence for Monday and Tuesday.

Mr. Beebe asked and obtained leave of absence for Mr. Corbett for next week; and also for himself for the balance of to-day after twelve o'clock.

Mr. D. N. White offered the following resolution, which was read, viz:

Resolved, That the debate on the article on Railroads and Canals shall close at eleven o'clock this day, and that the Convention will proceed to vote on any amendments offered, and subsequently on the article itself, without discussion.

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, considered and agreed to, viz:

Resolved, That the pay of each of the Transcribing Clerks be twenty-five hundred dollars, as reported by the Committee on Salaries.

Mr. Kaine offered the following, which was referred to the Committee on the Judiciary, viz :

AN ORDINANCE DECLARING THE BOUNDARIES OF THE STATE.

SECTION 1. The boundaries of this State are declared to be as follows, viz : Beginning in the middle of the channel of the river Delaware, at the intersection thereof with the forty-second line or beginning of the forty-third parallel of latitude, north from the equator ; thence due west, by said line as the same was fixed, run and marked by commissioners of the States of Pennsylvania and New York, in the years 1786 and 1787, to a point thereon in the meridian of the most westerly beat or inclination of Lake Ontario, and thence due north to Lake Erie, as said point and meridian, and line conforming therewith, were fixed, run and marked by Andrew Ellicott, by authority of the United States, and with the assent of Pennsylvania and New York, in the year 1790 ; thence south-westwardly by Lake Erie, including Presque Isle, to a point in said lake, where the said forty-second line of north latitude is intersected by a meridian line from the western terminus of the southern boundary of this State, as hereinafter described ; thence due south, by said meridian line, to said western terminus, as the same were fixed, run and marked by commissioners of the States of Pennsylvania and Virginia, and, as to part of the line, north of the river Ohio, by commissioners of this State, with the assent of the United States, in the years 1784, 1785 and 1786 ; thence due east, by the line commonly called " Mason and Dixon's line," as the same was fixed, run and marked by authority of the proprietaries of Pennsylvania and Maryland in the years 1765, 1766, 1767 and 1768, and by commissioners of the States of Pennsylvania and Virginia, in the year 1784, to a point therein, marked by a cut granite stone, about seven feet long, squaring sixteen by eighteen inches, set in the ground, having cut therein on the west and south sides, the letter M, and on the north and east sides the letter P, and under the letter P, on the north side, the figures 1849, deeply cut ; thence due south to another granite stone of prismatic shape, about seven feet long, and eighteen inches wide on each side, set in the ground, marked by having cut therein, the letters M, D, P, on the sides facing respectively the States of Maryland, Pennsylvania and Delaware, and having also on its north side, below the letter P, the letters, words and figures following, deeply cut, viz : " H. G. S. Key, of Md., J. P. Eyre, of Pa., G. R. Riddle of Del., Commissioners—1849," said stones being and continuing in the places where they were set by said commissioners of the States of Maryland, Pennsylvania and Delaware, under the guidance of Lieut. Col. James D. Graham, of the United States Corps of Topographical Engineers, in the year 1849 ; and from the said last described stone, northwardly and eastwardly, by a circular line, having a radius of twelve miles, horizontal measurement, from the centre of the steeple of the court house in New Castle, in the State of Delaware, as the same was in the year 1765, which circular line shall pass, at a point due east of the stone first aforesaid, four thousand and thirty-six feet therefrom—to the middle of the channel of the river Delaware ; and thence northwardly, by the middle of the channel of said river, including the islands called Little Tinicum Island, Hogg Island, Mud or Fort Island, League Island, Windmill Island, opposite Philadelphia, Byle's Island near Trenton, and all other islands, islets and dry lands nearest to the western shore of said river, to the place of beginning.

Mr. Hay offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the employment of John Switzer, as fireman, is hereby authorized ; and that he be paid for his services at the rate of three dollars and fifty cents per day from the sixteenth of September.

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

Resolved, That in deference to public sentiment, and from a desire to do something that will meet the hearty approval of the people of Pennsylvania, this Convention will adjourn *sine die* on the twenty-fourth instant.

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. Ainey,

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table, September 17th,) viz :

Resolved, That the Committee on Suffrage, Election and Representation be and are hereby instructed to prepare and report an ordinance for the submission of the new or amended Constitution to a vote of the people, on the —day of— next, which ordinance shall, with the other necessary provisions, contain a proviso, that but one ticket shall be voted on so much of the Constitution as shall be submitted as a whole, which ticket shall be headed "New or amended Constitution," and under this shall be printed consecutively the numerical designation of each article and such sections of each article as one-third of the Convention may ask to have voted on separately, in such convenient form that voters may readily cross or strike out with pen or pencil any article or any section of any article, and each and every article or section so marked shall be deemed, taken and held to be a vote against such article or section ; and the remaining articles and sections not so marked out shall be deemed, taken and held to be a vote in favor of the same.

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. Ainey,

That the same be referred to the Committee on Suffrage, Election and Representation.

Which was agreed to.

A motion was made by Mr. Joseph Bailly and Mr. Darlington,

That the vote be re-considered by which the article on the Judiciary was passed.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Joseph Bailly,

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

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Addicks, Ainey, Alricks, Bailly, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barr, Bartholomew, Bigler, Boyd, Brodhead, Buckalew, Calvin, Campbell, Carter, Cochran, Curtin, Darlington, Davis, Dunning, Ellis, Ewing, Fulton, Funck, Gibson, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, Lilly, Mac Veagh, M'Clellan, M'Culloch, M'Michael, Mann, Mantor, Patterson, D. W., Read, John R., Reed, Andrew, Reynolds, Rooke, Stanton, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, White, J. W. F., and Woodward—61.

N A Y S .

Messrs. Andrews, Armstrong, Baer, Barclay, Beebe, Biddle, Black, Bowman, Broomall, Brown, Church, Clark, Corbett, Corson, Curry, De France, Dodd, Edwards, Elliott, Finney, Hay, Kaine, MacConnell, Metzger, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patton, Purman, Purviance, Jno. N., Purviance, Samuel A., Runk, Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Wherry, White, David N., White, Harry, Wright and Walker, *President*—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Bardsley, Bullitt, Carey, Cassidy, Collins, Craig, Cronmiller, Cuyler, Dallas, Fell, Heverin, Littleton, Long, M'Camant, M'Murray, Mitchell, Mott, Newlin, Patterson, T. H. B., Porter, Pughe, Ross, Russell, Sharpe, Simpson, Smith, H. G., Temple and Worrell.

Mr. Knight, from the Committee on Revision and Adjustment, reported sections sixteen and seventeen of the article on the Legislature, revised as follows, viz :

"SECTION 16. The State shall be divided into fifty Senatorial districts of compact and contiguous territory, as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population, shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio: but no county shall form a separate district, unless it shall contain four-fifths of a ratio. The county of Delaware may be united with adjoining wards of Philadelphia to form a district; and no city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district."

"SECTION 17. The members of the House of Representatives shall be apportioned among the several counties on a ratio obtained by dividing the population of the State, as ascertained by the most recent United States census, by two hundred. Every county containing less than five ratios shall have one Representative for every full ratio, and an additional Representative when the surplus exceeds half a ratio; but each county shall have at least one Representative. Every county containing five ratios or more, shall have one Representative for every full ratio. Every city containing a population equal to a ratio, shall elect separately its proportion of the Representatives allotted to the county in which it is located. Every city entitled to more than four Representatives, and every county having over one hundred thousand inhabitants, shall be divided into districts of compact territory, each district to elect its proportion of Representatives according to its population, but no district shall elect more than four Representatives."

Laid on the table.

On motion of Mr. Buckalew,

The Convention resumed the third reading and consideration of the article on Railroads and Canals.

And the question recurring,

Will the Convention agree to the motion of Mr. Woodward?

To go into committee of the whole, for the purpose of amending the article in the seventh section, by striking out all after the word "not," in the second line, to the end of the section, and inserting in lieu thereof the following, viz: "be permitted to form or belong to transportation companies or associations who engage in the transportation of freight or passengers over the works of any railroad owned, leased or worked by the railroad company of which they are employees or officers."

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

YEAS.

Messrs. Addicks, Ainey, Alricks, Armstrong, Baer, Bannan, Barr, Beebe, Black, Bowman, Boyd, Brodhead, Broomall, Corson, Curry, Darlington, Davis, Dunning, Elliott, Fulton, Green, Guthrie, Hanna, Hunsicker, Lamberton, Lilly, Mann, Niles, Palmer, H. W., Parsons, Purviance, John N., Reed, Andrew, Rooke, Runk, Smith, Wm. H., Struthers, Wetherill, J. M., Wetherill, John Price, Wherry and Woodward—40.

NAYS.

Messrs. Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Bartholomew, Biddle, Bigler, Brown, Buckalew, Calvin, Campbell, Carter, Church, Clark, Cochran, Corbett, Curtin, De France, Dodd, Edwards, Ellis, Ewing, Finney, Funck, Gibson, Gilpin, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Kaine, Knight, Landis, Lawrence, Lear, MacConnell, MacVeagh, M'Clean, M'-

Culloch, M'Michael, M'Murray, Mantor, Metzger, Minor, Mott, Palmer, G. W., Patterson, D. W., Patton, Purviance, Samuel A., Reynolds, Smith, Henry W., Stanton, Stewart, Turrell, Van Reed, White, David N., Wright and Walker, *President*—61.

So the question was determined in the negative.

ABSENT—Messrs. Achenbach, Barclay, Bardsley, Bullitt, Carey, Cassidy, Collins, Craig, Cronmiller, Cuyler, Dallas, Fell, Heverin, Littleton, Long, M'Camant, Mitchell, Newlin, Patterson, T. H. B., Porter, Pughe, Purman, Read, John R., Ross, Russell, Sharpe, Simpson, Smith, H. G., Temple, White, Harry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Lilly,
That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the tenth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Lilly and Mr. Knight, and were as follow, viz:

YEAS.

Messrs. Andrews, Bannan, Bartholomew, Biddle, Curry, Cuyler, Dodd, Dunning, Elliott, Finney, Gilpin, Hanna, Hay, Hunsicker, Lilly, MacConnell, M'Michael, Niles, Reed, Andrew and Stanton—20.

NAYS.

Messrs. Ainey, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Barclay, Barr, Beebe, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Church, Clark, Cochran, Corbett, Corson, Curtin, Darlington, Davis, De France, Edwards, Ewing, Fell, Fulton, Funck, Gibson, Green, Guthrie, Hall, Harvey, Hazzard, Hemphill, Horton, Howard, Kaine, Knight, Lamberton, Landis, Lawrence, Lear, MacVeagh, M'Clean, M'Culloch, Mann, Mantor, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Runk, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., Woodward, Wright and Walker, *President*—83.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Alricks, Bardsley, Boyd, Bullitt, Cassidy, Collins, Craig, Cronmiller, Dallas, Ellis, Heverin, Littleton, Long, M'Camant, M'Murray, Metzger, Mitchell, Patterson, T. H. B., Porter, Pughe, Ross, Russell, Sharpe, Simpson, Temple, White, Harry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Stewart,
That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section nine, and inserting in lieu thereof as follows, viz:

"No railroad company, being a common carrier, shall discriminate between transportation, in the rates of freight or passengers over its road by abatement, drawback or otherwise."

On the question,

Will the Convention agree to the motion?
It was determined in the negative.

And the question again recurring,
Shall the article pass ?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the tenth section, by striking out all after the word "persons," in the second line, to the end of the section, and inserting in lieu thereof the following words, viz: "Holding or exercising any executive, legislative or judicial office within this Commonwealth."

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Hunsicker and Mr. Cochran, and were as follow, viz:

Y E A S .

Messrs. Ainey, Andrews, Bailey, of Huntingdon, Bannan, Bowman, Brown, Corbett, Davis, Dunning, Elliott, Finney, Fulton, Green, Hanna, Hazzard, Hunsicker, MacConnell, M'Michael, M'Murray, Niles, Palmer, G. W., Patterson, D. W., Purviance, Sam'l A., Reed, Andrew, Smith, Henry W., Smith, Wetherill, J. M., Woodward and Wright—28.

N A Y S .

Messrs. Addicks, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Barr, Beebe, Biddle, Bigler, Black, Boyd, Brodhead, Buckalew, Calvin, Campbell, Carey, Carter, Cassidy, Church, Cochran, Corson, Curry, Curtin, Cuyler, Darlington, De France, Dodd, Edwards, Ewing, Fell, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hemphill, Horton, Howard, Kaine, Knight, Lamberton, Landis, Lawrence, Lilly, Littleton, MacVeagh, M'CLean, Mann, Mantor, Minor, Mott, Newlin, Palmer, H. W., Patton, Purman, Purviance, John N., Read, John R., Reynolds, Rooke, Runk, Smith, H. G., Smith Wm. H., Stanton, Stewart, Struthers, Turrell, Van Reed, Wetherill, John Price, Wherry, White, David N., and Walker, *President*—74.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Barclay, Bardsley, Bartholomew, Broomall, Bullitt, Clark, Collins, Craig, Cronmiller, Dallas, Ellis, Heverin, Lear, Long, M'Camant, M'Culloch, Metzger, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Ross, Russell, Sharpe, Simpson, Temple, White, Harry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by adding to the end of the tenth section the following, viz: "And any violation of this section shall work a forfeiture of the charter of such company; and the person or officer, as well as the person receiving such free pass, shall be guilty of a misdemeanor, and fined and imprisoned."

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Baer,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section four, and inserting in lieu thereof the following, viz:

"Rates of fare, freight and tolls of the same class shall be the same to all; and the aggregate amount of charges for a shorter distance shall not be higher than for a longer distance in the same direction."

On the question,

Will the Convention agree to the motion?

It was determined in the negative.

And the question again recurring,

Shall the article pass?

Mr. Lamberton asked and obtained unanimous consent to amend the article in the thirteenth section, by inserting after the word "companies," the words, "except as to their accounts."

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding a new section as follows, viz:

"All the provisions of this article shall apply so far as they may be applicable to the organization and management of telegraph companies."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Addicks, Ainey, Baer, Baily, of Perry, Barr, Bigler, Boyd, Brodhead, Broomall, Carter, Cuyler, Darlington, Davis, Dunning, Elliott, Ewing, Gibson, Green, Hay, Hemphill, Heverin, Hunsicker, Lamberton, Lawrence, Lilly, M^r. Michael, Mann, Palmer, G. W., Parsons, Reynolds, Smith, Wm. H., Turrell, Wetherill, J. M., Wetherill, John Price, and Woodward—35.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Beebe, Biddle, Black, Bowman, Brown, Buckalew, Calvin, Campbell, Cassidy, Church, Clark, Cochran, Corson, Curry, De France, Dodd, Edwards, Fell, Finney, Fulton, Funck, Gilpin, Guthrie, Hall, Hazzard, Horton, Howard, Knight, Lear, Long, MacConnell, M^r. Clean, M^r. Culloch, Mantor, Minor, Mott, Palmer, H. W., Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Ross, Runk, Smith, Henry W., Stanton, Stewart, Struthers, Temple, Van Reed, White, David N., Worrell and Walker, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Bannan, Barclay, Bardsley, Bartholomew, Bullitt, Carey, Collins, Corbett, Craig, Cronmiller, Curtin, Dallas, Ellis, Hanna, Harvey, Kaine, Landis, Littleton, MacVeagh, M^r. Camant, M^r. Murray, Metzger, Mitchell, Newlin, Niles, Patterson, T. H. B., Porter, Pughe, Rooke, Russell, Sharpe, Simpson, Smith, H. G., Wherry, White, Harry, White, J. W. F., and Wright.

And the question again recurring,

Shall the article pass?

Mr. Lamberton asked and obtained unanimous consent to amend the article in the first section by striking out the word "individual," in the first line, and by inserting after the word "purpose," in the second line, the words, "or individuals."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, in the fourth section, by inserting after the word "distance," in the fifth line, the words, "in the same direction."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Curtin in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Andrew Reed,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section ten, and inserting in lieu thereof the following, viz :

"No railroad company shall grant free passes, or passes at a discount, to any member of the Legislature, or to any executive, judicial or municipal officer, or to any other person employed in the public business of the State, or of any city or county thereof, either for themselves or for the use of any other person ; and the Legislature shall prescribe proper penalties for the violation of this section."

On the question,

Will the Convention agree to the motion ?

It was determined in the affirmative.

And the question again recurring,

Shall the article pass ?

Mr. Stewart asked and obtained unanimous consent to amend the article in the third section, by striking out the word "forever," in the third line.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the tenth section, by striking out in the second line, the words, "except officers or employees of the company."

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Hemphill,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section six.

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

The previous question was called by Mr. Funk, seconded by Messrs. Howard, Van Reed, D. N. White, Boyd, H. W. Smith, Stanton, Baker, Temple, Church, M'Culloch, S. A. Purviance, MacConnell, Carter, John Price Wetherill, Lawrence, Finney, Wright and Reynolds.

On the question,

Shall the main question be now put ?

The yeas and nays were required by Mr. Hunsicker and Mr. Lnight, and were as follow, viz :

Y E A S.

Messrs. Ainey, Baily, of Perry, Baker, Beebe, Boyd, Carter, Church, Finney, Funk, Horton, Howard, Lawrence, MacConnell, M'Culloch, Purviance, Sam'l A., Reynolds, Smith, Henry W., Stanton, Struthers, Temple, Van Reed, Wetherill, Jno. Price, White, David N., Wright and Walker, *President*—25.

N A Y S.

Messrs. Alricks, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barr Biddle, Bigler, Black, Brodhead, Broomall, Buckalew, Calvin, Campbell, Clark, Cochran, Corson, Curry, Curtin, Darlington, Dodd, Elliott, Ellis, Ewing, Fell, Fulton, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Kaine, Knight, Lamberton, Landis, Lilly, Long, M'Clean, Mann, Mantor, Minor, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Stewart, Turrell, Wetherill, J. M., Wherry, White, Harry, Woodward and Worrell—63.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Barclay, Bardsley, Bartholomew, Bowman, Brown, Bullitt, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Cuyler, Dallas, Davis, De France, Dunning, Edwards, Green, Hanna, Heverin, Lear, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Mott, Newlin, Patterson, T. H. B., Porter, Pughe, Read, John R., Rooke, Russell, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., and White, J. W. F.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Calvin,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the fourth section, by striking out the fourth line and to the word "and," in the fifth line.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Calvin and Mr. Lilly, and were as follow, viz :

Y E A S.

Messrs. Baily, of Perry, Bailey, of Huntingdon, Beebe, Black, Brodhead, Calvin, Clark, Curry, Darlington, Davis, Edwards, Gilpin, Kaine, Landis, Lilly, Long, Minor, Palmer, G. W., Palmer, H. W., Purviance, John N., Purviance, Sam'l A., Smith, Wm. H., and Van Reed—23.

N A Y S.

Messrs. Ainey, Alricks, Armstrong, Baer, Baker, Barr, Biddle, Bigler, Bowman, Boyd, Broomall, Buckalew, Campbell, Cochran, Corson, Curtin, De France, Ellis, Ewing, Fell, Finney, Fulton, Gibson, Guthrie, Hay, Hazzard, Hemphill, Horton, Howard, Lamberton, Lawrence, M'Clean, M'Culloch, Mann, Mantor, Niles, Parsons, Patterson, D. W., Patton, Purman, Reed, Andrew, Reynolds, Rooke, Ross, Runk, Smith, Henry W., Stanton, Stewart, Struthers, Turrell, Wetherill, John Price, White, David N., White, Harry, Woodward and Walker, *President*—56.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Brown, Bullitt, Carey, Carter, Cassidy, Church, Collins, Corbett, Craig, Cronmiller, Cuyler, Dallas, Dodd, Dunning, Elliott, Funck, Green, Hall, Hanna, Harvey, Heverin, Hunsicker, Knight, Lear, Littleton, MacConnell, Mac Veagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Mott, Newlin, Patterson, T. H. B., Porter, Pughe, Read, John R., Russell, Sharpe, Simpson, Smith, H. G., Temple, Wetherill, J. M., Wherry, White, J. W. F., Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Stanton,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the tenth section the words, "and for charitable purposes."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Stanton and Mr. Harvey, and were as follow, viz:

Y E A S .

Messrs. Alricks, Armstrong, Baker, Beebe, Black, Broomall, Corson, Ewing, Gibson, Harvey, Hazzard, Hunsicker, Kaine, Lamberton, Lilly, Long, M'Clean, Mantor, Minor, Niles, Parsons, Purviance, John N., Rooke, Ross, Runk, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, White, Harry, Woodward, Worrell and Wright—34.

N A Y S .

Messrs. Ainey, Baer, Baily, of Perry, Bailey, of Huntingdon, Barr, Bartholomew, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Church, Clark, Cochran, Curry, Curtin, Cuyler, Davis, De France, Dodd, Edwards, Elliott, Fell, Finney, Fulton, Funck, Gilpin, Guthrie, Hay, Hemphill, Howard, Knight, Landis, Lawrence, Mac Veagh, M'Culloch, Mann, Mott, Palmer, G. W., Palmer, H. W., Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Smith, Wm. H., Stewart, Wetherill, John Price, White, David N., and Walker, *President*—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Biddle, Bigler, Bowman, Bullitt, Carey, Carter, Cassidy, Collins, Corbett, Craig, Cronmiller, Dallas, Darlington, Dunning, Ellis, Green, Hall, Hanna, Heverin, Horton, Lear, Littleton, MacConnell, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Read, John R., Russell, Sharpe, Simpson, Smith, H. G., Temple, Wetherill, J. M., Wherry, and White, J. W. F.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fifth section, by striking out all after the word "line," in the seventh line.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Bannan, Barr, Bartholomew, Bigler, Boyd, Brodhead, Brown, Buckalew, Corson, Curry, Darlington, Davis, Dodd, Dunning, Edwards, Elliott, Gilpin,

Harvey, Kaine, Knight, Lamberton, Lilly, Mann, Palmer, H. W., Parsons, Reed, Andrew, Runk, Stanton, Stewart, Wetherill, John Price, Wherry, White, David N., Woodward, Worrell and Walker, *President*—34.

N A Y S.

Messrs. Alricks, Andrews, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Black, Bowman, Calvin, Campbell, Carter, Church, Clark, Cochran, De France, Ewing, Fulton, Funck, Gibson, Guthrie, Hay, Hazzard, Hemp-hill, Horton, Howard, Hunsicker, Landis, Lawrence, Long, M'CLean, M'Culloch, Mantor, Minor, Mott, Niles, Palmer, G. W., Purviance, John N., Purviance, Samuel A., Reynolds, Rooke, Ross, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Wetherill, J. M., and White, Harry—50.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Armstrong, Barclay, Bardsley, Broomall, Bullitt, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Curtin, Cuyler, Dallas, Ellis, Fell, Finney, Green, Hall, Hanna, Heverin, Lear, Littleton, MacConnell, Mac Veagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Russell, Sharpe, Simpson, Smith, H. G., Temple, White, J. W. F., and Wright.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Lilly,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the tenth section, by inserting after the word "except," in the second line, the word "stockholder."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Stewart,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the tenth section, by striking out the word "passes," wherever it occurs, and inserting in lieu thereof the word "transportation."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Howard,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the tenth section, by striking out the words, "passes at a discount," and inserting in lieu thereof the words, "free transportation."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the tenth section, by striking out all after the word "discount," in the second line.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Andrews, Bailey, of Huntingdon, Barr, Bartholomew, Bowman, Campbell, Corbett, Corson, Cuyler, Davis, Dunning, Edwards, Elliott, Finney, Hanna, Hay, Hemphill, Hunsicker, Lilly, Littleton, MacConnell, Mann, Niles, Parsons, Stanton, Wetherill, John Price, and White, Harry—26.

N A Y S .

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Bannan, Beebe, Biddle, Bigler, Black, Boyd, Brown, Buckalew, Calvin, Carter, Cochran, Darlington, De France, Dodd, Ewing, Fell, Gibson, Green, Guthrie, Hall, Harvey, Hazzard, Horton, Howard, Kaine, Knight, Lamberton, Landis, Lawrence, Long, MacVeagh, M'Clean, M'Culloch, Mantor, Minor, Mott, Palmer, G. W., Palmer, H. W., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Runk, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward, and Walker, *President*—61.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Barclay, Bardsley, Brodhead, Broomall, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Dallas, Ellis, Fulton, Funck, Gilpin, Heverin, Lear, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Rooke, Russell, Sharpe, Simpson, Stewart, Temple, White, J. W. F., Worrell and Wright.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hunsicker,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the tenth section the following, viz: "And any violation of this section by any person issuing such free passes, or permitting free transportation of persons, as well as the person receiving the same, shall be guilty of a misdemeanor, and punished by fine and imprisonment."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. Niles, and were as follow, viz:

Y E A S .

Messrs. Bartholomew, Bowman, Cuyler, Edwards, Elliott, Ewing, Finney, Hanna, Hemphill, Howard, Hunsicker, MacConnell, Mann, Niles, Parsons, Reed, Andrew, and White, Harry—17.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Bigler, Black, Boyd, Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Corson, Curtin, Darlington, Davis, De France, Dodd, Fell, Gibson, Green, Guthrie, Hay, Hazzard, Horton, Kaine, Knight, Landis, Lawrence, Lear, Lilly, Long, M'Clean, M'Culloch, Mantor, Minor, Mott, Palmer, G. W., Palmer, H. W., Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., and Walker, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Bannan, Barclay, Bardsley, Barr, Brodhead, Broomall, Bullitt, Carey, Cassidy, Church, Clark, Collins, Corbett, Craig, Cronmiller, Curry, Dallas, Dunning, Ellis, Fulton, Funck, Gilpin, Hall, Harvey, Heverin, Lamberton, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Patterson, D. W., Patterson, T. H. B.,

Patton, Porter, Pughe, Purman, Read, John R., Rooke, Runk, Russell, Sharpe, Simpson, Stanton, Stewart, Temple, Wetherill, John Price, White, J. W. F., Woodward, Worrell and Wright.

And the question again recurring,

Shall the article pass ?

Mr. Calvin called the previous question, which was seconded by Messrs. Horton, Howard, Lear, M'Culloch, S. A. Purviance, H. W. Smith, Wm. H. Smith, Stanton, J. M. Wetherill, Baker, Beebe, Boyd, Carter, Davis, Edwards, Knight, Fell and Guthrie.

On the question,

Shall the main question be now put ?

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

Y E A S .

Messrs. Achenbach, Baer, Baily, of Perry, Baker, Barr, Beebe, Boyd, Calvin, Campbell, Carter, Corson, Davis, De France, Edwards, Elliott, Fell, Guthrie, Horton, Howard, Lawrence, Lilly, Long, MacConnell, M'Culloch, Mann, Mantor, Minor, Mott, Niles, Purviance, John N., Purviance, Sam'l A., Reynolds, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, David N., and Walker, *President*—43.

N A Y S .

Messrs. Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Biddle, Bigler, Black, Bowman, Brodhead, Brown, Buckalew, Corbett, Cuyler, Darlington, Dunning, Ellis, Finney, Gibson, Green, Hall, Harvey, Hay, Hazzard, Hemphill, Hunsicker, Kaine, Landis, M'CLean, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Reed, Andrew, Ross, Turrell, White, Harry, and Woodward—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsley, Bartholomew, Broomall, Bullitt, Carey, Cassidy, Church, Clark, Cochran, Collins, Craig, Crommiller, Curry, Curtin, Dallas, Dodd, Ewing, Fulton, Funck, Gilpin, Hanna, Heverin, Knight, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Rooke, Runk, Russell, Sharpe, Simpson, Stewart, Temple, White, J. W. F., Worrell and Wright.

And the question again recurring,

Shall the article pass ?

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

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barr, Bartholomew, Beebe, Biddle, Black, Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Corson, De France, Dodd, Dunning, Ewing, Finney, Gibson, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, Long, MacConnell, M'Culloch, Mantor, Metzger, Mott, Palmer, G. W., Palmer, H. W., Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Wherry, White, David N., White, Harry, and Woodward—57.

N A Y S .

Messrs. Bowman, Boyd, Corbett, Cuyler, Darlington, Davis, Edwards, Elliott, Ellis, Fell, Green, Hunsicker, Kaine, Knight, Lear, Lilly, M'CLean, Mann, Niles, Parsons, Stanton, Struthers, Wetherill, J. M., Wetherill, John Price, and Walker, *President*—25.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsey, Bigler, Brodhead, Broomall, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Dallas, Fulton, Funck, Gilpin, Hanna, Harvey, Heverin, Lamberton, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Minor, Mitchell, Newlin, Patterson, D. W., Patton, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Rooke, Runk, Russell, Sharpe, Simpson, Stewart, Temple, White, J. W. F., Worrell and Wright.

A motion was made by Mr. Buckalew and Mr. Hay,

That the vote just taken be re-considered.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Andrews, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barr, Bartholomew, Beebe, Bowman, Brown, Buckalew, Corson, Cuyler, Darlington, Dunning, Elliott, Ellis, Fell, Finney, Green, Hay, Hemphill, Hunsicker, Kaine, Knight, Landis, Lawrence, Lear, Lilly, M'Clean, Mann, Niles, Palmer, G. W., Palmer, H. W., Purviance, John N., Reed, Andrew, Smith, Wm. H., Stanton, Turrell, Wetherill, J. M., Woodward and Wright—45.

N A Y S .

Messrs. Baily, of Perry, Baker, Biddle, Boyd, Calvin, Campbell, Carter, Cochran, Corbett, De France, Dodd, Edwards, Ewing, Gibson, Guthrie, Harvey, Hazard, Horton, Howard, Long, MacConnell, M'Culloch, Manter, Minor, Mott, Patterson, D. W., Purviance, Samuel A., Reynolds, Smith, H. G., Smith, Henry W., Struthers, Van Reed, Wherry, White, David N., White, Harry, and Walker, *President*—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Barclay, Bardsley, Bigler, Black, Brodhead, Broomall, Bullitt, Carey, Cassidy, Church, Clark, Collins, Craig, Cronmiller, Curry, Curtin, Dallas, Davis, Fulton, Funck, Gilpin, Hall, Hanna, Heverin, Lamberton, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Rooke, Ross, Runk, Russell, Sharpe, Simpson, Stewart, Temple, Wetherill, Jno. Price, White, J. W. F., and Worrell.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by making section seven read as follows, viz:

"SECTION 7. No president, director, officer, agent or employee of any railroad or canal company shall be interested directly or indirectly, otherwise than as a stockholder in such company, in the business or transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company."

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived,

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.

FRIDAY, OCTOBER 17, 1873.

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

HON. JOHN H. WALKER,

President of the Constitutional Convention:

Under the settlements heretofore made of my accounts as printer for the Convention, and the construction of law which has been applied to my contract, I suffer, as I have heretofore represented, considerable loss. Having on hand sixteen hundred sets of the Debates of the Convention printed on my own account, I respectfully request the Convention to order them to be supplied to the members for distribution, bound in the same manner as those heretofore supplied, at the price of one dollar and thirty cents per volume, which would barely compensate me therefor, and in case said order is made, I accept the same as a final and conclusive settlement and equitable adjustment of any claim I may have or claim to have against the Convention or Commonwealth, for any greater sum than that I have received or may receive under the settlement of my accounts in accordance with the rules, principles and construction which have controlled the settlement of my accounts heretofore rendered.

BN. SINGERLY, *Printer.*

PHILADELPHIA, October 17, 1873.

A motion was made by Mr. Darlington,

That the foregoing proposition be referred to the Committee on Accounts and Expenditures of the Convention.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. D. N. White,

To amend the motion by striking out all after the word "proposition," in the first line, and inserting in lieu thereof, the words, "be accepted."

On the question,

Will the Convention agree so to amend?

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

Y E A S .

Messrs. Alricks, Andrews, Baily, of Perry, Baker, Barclay, Barr, Beebe, Bigler, Bowman, Buckalew, Carey, Carter, Church, Clark, Curry, Curtin, Cuyler, Dallas, De France, Dunning, Edwards, Ewing, Fulton, Gibson, Green, Guthrie, Hanna, Hay, Hemphill, Horton, Howard, Kaine, Lamberton, Lilly, MacConnell, M'Michael, M'Murray, Mann, Mantor, Niles, Patterson, D. W., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Smith, Wm. H., Stanton, Stewart, Wetherill, J. M., Wherry, White, David N., White, Harry, and Walker, *President*—53.

N A Y S .

Messrs. Achenbach, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Biddle, Black, Boyd, Brodhead, Broomall, Brown, Calvin, Campbell, Cochran, Corbett, Cronmiller, Darlington, Davis, Dodd, Elliott, Ellis, Gilpin, Hall, Hunsicker, Knight, Landis, Lawrence, M'Culloch, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Struthers, Wetherill, John Price, Woodward and Wright—46.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Bullitt, Cassidy, Collins, Corson, Craig, Fell, Finney, Funck, Harvey, Hazzard, Heverin, Lear, Littleton,

Long, MacVeagh, M'Camant, M'Clean, Metzger, Mitchell, Parsons, Patterson, T. H. B., Pughe, Runk, Russell, Sharpe, Simpson, Temple, Turrell, Van Reed, White, J. W. F., and Worrell.

On the question,

Will the Convention agree to the motion as amended?

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

YEAS.

Messrs. Alricks, Andrews, Armstrong, Bailly, of Perry, Baker, Barclay, Barr, Beebe, Bigler, Bowman, Carey, Carter, Clark, Curry, Curtin, Cuyler, De France, Dunning, Edwards, Ellis, Ewing, Fulton, Funck, Gibson, Green, Guthrie, Hanna, Hay, Hemphill, Horton, Howard, Kaine, Knight, Lamberton, Lilly, Long, MacConnell, M'Michael, M'Murray, Mann, Mantor, Niles, Patterson, D. W., Patton, Porter, Purviance, John N., Purviance, Samuel A., Smith, Wm. H., Stanton, Stewart, Wetherill, J. M., Wherry, White, David N., White, Harry, and Walker, *President*—55.

NAYS.

Messrs. Achenbach, Ainey, Baer, Bailey, of Huntingdon, Bannan, Biddle, Black, Boyd, Brodhead, Broomall, Brown, Calvin, Campbell, Church, Cochran, Corbett, Corson, Cronmiller, Darlington, Davis, Dodd, Elliott, Gilpin, Hall, Hunsicker, Landis, M'Cullough, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Purman, Read, John B., Reed, Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Struthers, Wetherill, John Price, Woodward, and Wright—44.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Buckalew, Bulitt, Cassidy, Collins, Craig, Dallas, Fell, Finney, Harvey, Hazzard, Heverin, Lawrence, Lear, Littleton, MacVeagh, M'Camant, M'Clean, Metzger, Mitchell, Parsons, Patterson, T. H. B., Pughe, Runk, Russell, Sharpe, Simpson, Temple, Turrell, Van Reed, White, J. W. F., and Worrell.

Mr. Purman asked and obtained leave of absence for Mr. Hall for a few days from Monday..

Mr. Baer asked and obtained leave of absence for Mr. S. A. Purviance for a few days from to-day.

Mr. Wherry asked and obtained leave of absence for a few days from to-day.

Mr. Corson asked and obtained leave of absence for Monday.

Mr. Harry White asked and obtained leave of absence for Mr. Struthers for a for a few days from Monday.

Mr. Elliot asked and obtained leave of absence for Mr. Church for Monday and Tuesday.

Mr. H. W. Smith asked and obtained leave of absence for Monday and a day or two after.

Mr. M'Murray asked and obtained leave of absence for Monday and Tuesday..

Mr. Curtin asked and obtained leave of absence for Monday.

Mr. D. N. White asked and obtained leave of absence for Monday.

Mr. Curry asked and obtained leave of absence for Mr. H. W. Palmer for Monday.

A motion was made by Mr. Broomall and Mr. S. A. Purviance, that the vote be re-considered by which the article on New Counties was passed.

On the question;

Will the Convention agree to the motion?

A motion was made by Mr. Broomall,

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

On the question;

Will the Convention agree to the motion?

A motion was made by Mr. Corbett,

To amend the same, by striking out the words, "for the present," and inserting in lieu thereof the word "indefinitely."

On the question;

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Church and Mr. Niles, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Baer, Baker, Barclay, Barr, Boyd, Brown, Calvin, Church, Corbett, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Ewing, Gilpin, Guthrie, Hall, Horton, Hunsicker, Landis, MacConnell, Mann, Mantor, Niles, Palmer, H. W., Patterson, D. W., Patton, Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, White, David N., Wright and Walker, *President*—42.

N A Y S.

Messrs. Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bannan, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Buckalew, Campbell, Carter, Clark, Corson, Curtin, Darlington, Davis, De France, Dunning, Edwards, Ellis, Fulton, Funck, Gibson, Green, Hanna, Hemphill, Howard, Kaine, Knight, Lamberton, Lawrence, Lilly, Long, M'Clean, M'Culloch, M'Michael, M'Murray, Minor, Mott, Newlin, Palmer, G. W., Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Rooke, Wetherill, J. M., Wetherill, John Price, White, Harry, and Woodward—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Bullit, Carey, Cassidy, Cochran, Collins, Craig, Curry, Fell, Finney, Harvey, Hay, Hazzard, Heverin, Lear, Littleton, MacVeagh, M'Camant, Metzger, Mitchell, Parsons, Patterson, T. H. B., Porter, Pughe, Runk, Russell, Sharpe, Simpson, Temple, Van Reed, Wherry, White, J. W. F., and Worrell.

And the question recurring,

Will the Convention agree to the motion to postpone for the present?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the motion to re-consider?

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

Y E A S.

Messrs. Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Buckalew, Campbell, Carter, Cochran, Corson, Cronmiller, Curtin, Darlington, Davis, De France, Dunning, Edwards, Ewing, Funck, Gibson, Green, Guthrie, Hanna, Howard, Kaine, Knight, Lamberton, Lawrence, Lilly, Long, M'Culloch, M'Michael, M'Murray, Minor, Newlin, Palmer, G. W., Palmer, H. W., Porter, Purviance, John N., Purviance, Sam'l A., Rooke, Wetherill, J. M., Wetherill, John Price, White, Harry, Woodward and Wright—53.

N A Y S.

Messrs. Achenbach, Ainey, Bear, Baker, Barclay, Barr, Boyd, Brown, Calvin, Church, Clark, Corbett, Dallas, Dodd, Elliott, Gilpin, Hall, Horton, Hunsicker, MacConnell, M'CLean, Mann, Mantor, Niles, Patterson, D. W., Patton, Reynolds, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Turrell, White, David N., and Walker, *President*—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bannan, Bardsley, Bartholomew, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Cuyler, Ellis, Fell, Finney, Fulton, Harvey, Hay, Hazzard, Hemphill, Heverin, Landis, Lear, Littleton, MacVeagh, M'Camant, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Purman, Read, John R., Reed, Andrew, Runk, Russell, Sharpe, Simpson, Temple, Van Reed, Wherry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. H. W. Palmer,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the second section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. Niles, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Ainey, Andrews, Armstrong, Bailly, of Perry, Barr, Bartholomew, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Buckalew, Calvin, Campbell, Carter, Cochran, Corson, Curtin, Dallas, Davis, De France, Dunning, Edwards, Ewing, Funck, Gibson, Green, Guthrie, Hanna, Hazzard, Howard, Kaine, Lawrence, Lilly, Long, MacConnell, M'Michael, Minor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Smith, Wm. H., Stewart, Wetherill, J. M., Wetherill, Jno. Price, White, Harry, and Woodward—56.

N A Y S.

Messrs. Alricks, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Boyd, Brown, Church, Clark, Corbett, Cronmiller, Darlington, Dodd, Elliott, Ellis, Fulton, Gilpin, Hemphill, Horton, Hunsicker, Knight, Landis, M'CLean, M'Culloch, Mann, Mantor, Niles, Patton, Reed, Andrew, Reynolds, Ross, Smith, H. G., Smith, Henry W., Stanton, Struthers, Turrell, Wright and Walker, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bardsley, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Cuyler, Fell, Finney, Hall, Harvey, Hay, Heverin, Lambertson, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Rooke, Runk, Russell, Sharpe, Simpson, Temple, Van Reed, Wherry, White, David N., White, J. W. F., and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. G. W. Palmer in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

It was determined in the affirmative.

Mr. Brodhead offered the following preamble and resolution, which was referred to the Committee on Private Corporations, viz :

WHEREAS, This Convention has provided for the general and free construction of railroads and canals, and also for the organization of mining, manufacturing and other companies by general law :

And whereas, None of the articles thus far reported provide for the free and general construction of telegraph lines ; therefore,

Resolved, That the Committee on Corporations are requested to inquire into and report to this Convention, as to the propriety of adopting the following article, as a part of the new Constitution :

SECTION 1. Any individual, partnership or corporation organized for the purpose, shall have the right to construct and operate telegraph lines between any two points in this State.

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

Resolved, That the Committee on Printing and Binding be instructed to report what disposition ought to be made of the Debates acquired under the agreement with the State Printer.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Newlin.

To amend the same, by striking out all after the word "That," and inserting in lieu thereof the words, "the State Printer be directed to distribute twelve copies of the Debates to each member of the Convention."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Howard offered the following resolution, which was referred to the Committee on Private Corporations, viz :

Resolved, That all persons, or incorporated companies, doing business in this Commonwealth as bankers, or that shall make it a part of their business to receive on deposit the money of other persons or institutions, are prohibited from buying or dealing, directly or indirectly, in the stocks, bonds or obligations of private corporations (except those engaged exclusively in manufacturing or mining) in any way, except as agents for the sale of the same ; and a violation of this section shall be a criminal offence, punishable as the General Assembly shall by law direct.

Mr. Bowman offered the following resolution, which was read as follows, viz :

Resolved, That this Convention will hold a session to-morrow from half-past nine o'clock A. M., until one 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. Hemphill and Mr. Howard, and were as follow, viz :

YEAS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Baily, of Perry, Barclay, Barr, Beebe, Black, Bowman, Brown, Buckalew, Campbell, Carter, Cochran, Corbett, Cronmiller, De France, Edwards, Fulton, Guthrie, Hay, Lawrence, Lilly, MacConnell, McCulloch, Niles, Palmer, H. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Rooke, Smith, H. G., Smith, Wm. H., Struthers, Wetherill, Jno. Price, White, David N., Wright and Walker, *President*—41.

NAYS.

Messrs. Armstrong, Bailey, of Huntingdon, Baker, Bannan, Biddle, Boyd, Brodhead, Broomall, Calvin, Church, Clark, Corson, Curtin, Dallas, Darlington,

Davis, Funck, Gibson, Gilpin, Green, Hanna, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Long, M'CLean, M'Michael, M'Murray, Mann, Mantor, Minor, Newlin, Palmer, G. W., Patterson, D. W., Porter, Read, John R., Reed, Andrew, Reynolds, Ross, Smith, Henry W., Stanton, Stewart, Turrell, Wetherill, J. M., White, Harry, and Woodward—51.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Bigler, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Cuyler, Dodd, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Hall, Harvey, Hazzard, Heverin, Lear, Littleton, Mac Veagh, M'Camant, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Runk, Russell, Sharpe, Simpson, Temple, Van Reed, Wherry, White, J. W. F., and Worrell.

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

Resolved, That a committee of one from each Senatorial district be appointed to present the result of the labors of this Convention to the people of the State, by issuing an address to accompany the new Constitution, and the use of such other means as may be necessary to secure a proper consideration of the same by the voters of the Commonwealth.

On the question,

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

It was determined in the negative.

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

Resolved, That this Convention approves the proposed amendment to the Constitution of the United States, passed by the Senate of the United States in 1869, by which power to regulate the manner of choosing electors of President and Vice President was to be conferred upon Congress, and by which the choice of electors by State Legislatures was forbidden.

Laid on the table.

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

Resolved, That a session of the Convention be authorized for Monday evening next, commencing at half-past seven o'clock, at which debate only shall be in order, without limitation under the ten minute rule.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Joseph Baily,

To amend the same, by adding to the end thereof the following words, viz: "And that the speeches made at that session be furnished in manuscript to the stenographers."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Ainey and Mr. Edwards, and were as follow, viz:

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Bailey, of Huntingdon, Barclay, Beebe, Bigler, Black, Bowman, Boyd, Brodhead, Brown, Buckalew, Campbell, Carter, Church, Clark, Cochran, Corbett, Corson, Cronmiller, Cuyler, De France, Dodd, Elliott, Ellis, Gibson, Green, Guthrie, Hay, Kaine, Knight, Landis, Lawrence, Long, M'CLean, M'Michael, Palmer, G. W., Palmer, H. W., Patton, Purman, Purviance, Sam'l A., Read, John R., Rooke, Ross, Smith, Wm. H., Stanton, Stewart, Turrell, Wetherill, Jno. Price, White, Harry, Woodward and Wright—53.

N A Y S.

Messrs. Ainey, Andrews, Baer, Baily, of Perry, Baker, Bannan, Biddle, Calvin, Curtin, Dallas, Darlington, Davis, Edwards, Ewing, Fulton, Funck, Gilpin, Hall, Hanna, Hemphill, Horton, Howard, Hunsicker, Lilly, MacConnell, M'Culloch, Mantor, Minor, Newlin, Niles, Patterson, D. W., Porter, Purviance, John N., Reed, Andrew Reynolds, Smith, Henry W., Struthers, White, David N., and Walker, *President*—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bardsley, Barr, Bartholomew, Broomall, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Dunning, Fell, Finney, Harvey, Hazzard, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Mann, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Runk, Russell, Sharpe, Simpson, Smith, H. G., Temple, Van Reed, Wetherill, J. M., Wherry, White, J. W. F., and Worrell.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Railroads and Canals.

And the question recurring,

Will the Convention agree to the motion made by Mr. Buckalew, to resolve itself into committee of the whole, for the purpose of amending the article, by striking out the seventh section, and inserting in lieu thereof as follows, viz: "No president, director, officer, agent or employee of any railroad or canal company, shall be interested, directly or indirectly, otherwise than as a stockholder in such company in the business of transportation as a common carrier of freight or passengers, over the works loaned, leased, controlled or worked by such company."

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. John R. Read in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported that the amendment had been made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Bigler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the eighth section, by striking out all after the word "void," in the seventh line.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Armstrong, Barr, Bigler, Black, Brodhead, Broomall, Buckalew, Clark, Corbett, Corson, Curtin, Darlington, Dunning, Edwards, Ellis, Fulton, Green, Hall, Hanna, Hunsicker, Kaine, Knight, Lilly, M'Michael, Mann, Niles, Patterson, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Smith, Wm. H., Stanton, Stewart, Wetherill, John Price, and Walker, *President*—38.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Beebe, Biddle, Bowman, Calvin, Campbell, Carter, Church

Cochran, Cronmiller, Davis, De France, Funck, Gibson, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, Long, MacConnell, M'Clean, M'Culloch, Mantor, Minor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Purviance, Sam'l A., Reynolds, Smith, Henry W., Struthers, Turrell, Wetherill, J. M., White, David N., Woodward and Wright—49.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Barclay, Bardsey, Bartholomew, Boyd, Brown, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Cuyler, Dallas, Dodd, Elliott, Ewing, Fell, Finney, Harvey, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Rooke, Runk, Russell, Sharpe, Simpson, Smith, H. G., Temple, Van Reed, Wherry, White, Harry, White, J. W. F., and Worrell.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. J. M. Bailey and Mr. Davis,

That the vote be re-considered by which the motion made by Mr. Lilly was negatived, viz: That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section ten.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. M. Bailey and Mr. Davis, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Bannan, Biddle, Bowman, Broomall, Corbett, Davis, Elliott, Gibson, Gilpin, Hanna, Hay, Hemphill, Howard, Hunsicker, Kaine, Lilly, Long, MacConnell, M'Michael, Niles, Porter, Reed, Andrew, Stanton, Turrell, Wetherill, J. M., Wetherill, John Price, White, Harry, and Wright—31.

NAYS.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Baker, Barr, Bigler, Black, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Church, Clark, Cochran, Corson, Cronmiller, Curtin, Larlington, De France, Edwards, Ewing, Finney, Fulton, Funck, Guthrie, Hall, Horton, Knight, Landis, Lawrence, M'Clean, M'Culloch, Mann, Mantor, Minor, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry, W., Smith, Wm. H., Stewart, Struthers, Temple, White, David N., Woodward and Walker, *President*—60.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Barclay, Bardsley, Bartholomew, Beebe, Bullitt, Carey, Collins, Craig, Curry, Cuyler, Dallas, Dodd, Dunning, Ellis, Fell, Green, Harvey, Hazzard, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Read, John R., Runk, Russell, Sharpe, Simpson, Van Reed, Wherry, White, J. W. F., and Worrell.

And the question again recurring,

Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the second section, by striking out from the word "bondholder," in the third line, to the word "in," in the fourth line.

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hemphill,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding a new section, to be numbered fourteen, as follows, viz:

"The General Assembly shall enforce by appropriate legislation the provisions of this article."

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Black, Boyd, Brodhead, Brown, Calvin, Campbell, Cassidy, Church, Cochran, Corson, Curtin, Ellis, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Hall, Hemphill, Horton, Howard, Hunsicker, Landis, Lawrence, M'Clean, M'Culloch, Newlin, Patterson, D. W., Patton, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Ross, Smith, Henry W., Struthers, White, David N., and White, Harry—45.

N A Y S .

Messrs. Achenbach, Armstrong, Bannan, Barr, Beebe, Biddle, Bowman, Brookmall, Buckalew, Clark, Corbett, Cronmiller, Cuyler, Darlington, Davis, De France, Edwards, Elliott, Fulton, Hanna, Hay, Hazzard, Kaine, Knight, Lilly, Long, MacConnell, Mann, Manter, Niles, Palmer, G. W., Porter, Purman, Reed, Andrew, Rooke, Smith, Wm. H., Stanton, Stewart, Turrell, Woodward and Walker, *President*—41.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Barclay, Bardsley, Bartholomew, Bigler, Bullitt, Carey, Carter, Collins, Craig, Curry, Dallas, Dodd, Dunning, Fell, Green, Harvey, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Patterson, T. H. B., Fughe, Bunk, Russell, Sharpe, Simpson, Smith, H. G., Temple, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Wherry, White, J. W. F., Worrell and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Barr in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported that the section had been added in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Cochran,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the fourth section, by inserting after the word "distance," in the eighth line, the words, "from points of shipment," and by striking out the word "fifty," in the eighth line, and inserting the word "thirty."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

The previous question was called by Mr. Howard, seconded by Messrs. Joseph Baily, Horton, Baker, MacConnell, Barr, Mantor, Newlin, Carter, Church, S. A. Purviance, Cochran, Davis, Funck, Stanton, Struthers, Rooke, Reynolds and Guthrie.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Corbett and Mr. Hemphill, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Baily, of Perry, Baker, Barr, Beebe, Bowman, Calvin, Campbell, Carter, Church, Cochran, Davis, Finney, Funck, Guthrie, Hall, Hazzard, Horton, Howard, MacConnell, M'Culloch, Mann, Mantor, Newlin, Purviance, Sam'l A., Reynolds, Rooke, Smith, Wm. H., Stanton, Struthers, White, David N., and Woodward—32.

N A Y S.

Messrs. Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Biddle, Bigler, Black, Boyd, Brodhead, Broomall, Brown, Buckalew, Cassidy, Clark, Corbett, Corson, Cronmiller, Curtin, Dallas, Darlington, Dunning, Elliott, Ellis, Ewing, Fulton, Gibson, Gilpin, Hanna, Hay, Hemphill, Hunsicker, Kaine, Knight, Landis, Lawrence, Lilly, Long, M'CLean, Minor, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Smith, H. G., Smith, Henry W., Stewart, Turrell, Wetherill, Jno. Price, White, Harry, Wright and Walker, *President*—58.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Bullitt, Carey, Collins, Craig, Curry, Cuyler, De France, Dodd, Edwards, Fell, Green, Harvey, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Pughe, Runk, Russell, Sharpe, Simpson, Temple, Van Reed, Wetherill, J. M., Wherry, White, J. W. F., and Worrell.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Corbett,

That the article be referred for revision and modification to a select committee of seven, to be appointed by the President.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Andrews, Armstrong, Barr, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Cassidy, Clark, Corbett, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Davis, Dunning, Edwards, Elliott, Ellis, Hall, Hanna, Hemphill, Hunsicker, Kaine, Knight, Lilly, Long, M'CLean, Mann, Niles, Palmer, G. W., Palmer, H. W., Patton, Purman, Purviance, John N., Read, John R., Reed, Andrew, Smith, Wm. H., Stanton, Turrell, Wetherill, John Price, and Walker, *President*—48.

N A Y S.

Messrs. Alricks, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Calvin, Campbell, Carter, Church, Cochran, Corson, De France, Dodd, Ewing, Finney, Fulton, Funck, Gilpin, Guthrie, Hay, Hazzard, Horton, Howard, Lawrence, MacConnell, M'Culloch, Mantor, Minor, Newlin, Patterson, D. W., Purviance, Samuel A., Reynolds, Ross, Smith, H. G., Smith, Henry W., Struthers, White, David N., White, Harry, Woodward and Wright—40.

So the question was determined in the affirmative.

ABSENT—Messrs. Achenbach, Addicks, Baer, Baker, Bannau, Barclay, Bardsley, Bartholomew, Bullitt, Carey, Collins, Craig, Curry, Fell, Gibson, Green, Harvey, Heverin, Lamberton, Landis, Lear, Littleton, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Mott, Parsons, Patterson, T. H. B., Porter, Pughe, Rooke, Runk, Russell, Sharpe, Simpson, Stewart, Temple, Van Reed, Wetherill, J. M., Wherry, White, J. W. F., and Worrell.

Ordered, That Messrs. Corbett, Broomall, Buckalew, Turrell, Bigler, Armstrong and Brodhead be said committee.

A motion was made by Mr. S. A. Parviance,

That the committee to whom the article on Railroads and Canals was referred be directed to report said article, with the changes proposed, to the Convention, on Tuesday morning next.

Which was agreed to.

A motion was made by Mr. Buckalew,

That the Convention proceed to the report of the Committee of Revision and Adjustment, on the article (No. 23) reported from the Committee on the Legislature.

Which was agreed to.

On motion of Mr. D. W. Patterson,

The report was adopted, and the article was
Ordered, To be transcribed for a third reading.

On motion of Mr. Edwards,

The Convention proceeded to the third reading and consideration of said article.

On the question,
Shall the article pass?

A motion was made by Mr. J. M. Bailey,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the first and only section, by striking out the word "present," in the first line, and the words, "at Harrisburg," in the second line, and after the word "electors," in the third line, insert the words, "of the Commonwealth."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. C. A. Black in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the section amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. Buckalew,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment, on the article (No. 25) reported from the Committee on Commissions, &c.

Which was agreed to.

On motion of Mr. D. N. White,

The report was adopted, and the article was
Ordered, To be transcribed for a third reading.

On motion of Mr. Kaine,

The Convention proceeded to the third reading and consideration of said article.

On the question,

Shall the article pass ?

It was determined in the affirmative.

A motion was made by Mr. Buckalew,

That the Convention proceed to the consideration of the report of the Committee of Revision and Adjustment on the article on Future Amendments.

Which was agreed to.

On motion of Mr. Knight,

The report was adopted, and the article

Ordered, To be transcribed for a third reading.

On motion of Mr. De France,

The Convention proceeded to the third reading and consideration of the same.

On the question,

Shall the article pass ?

A motion was made by Mr. Hay,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the first and only section, by striking out the word "State," in the twelfth line, and inserting in lieu thereof the word "Commonwealth."

Which was not agreed to.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the first and only section, by striking out the words, "amendments or," wherever they occur.

Which was not agreed to.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, in the first and only section, by striking out the word "three," in the sixth line, and inserting the word "two."

Which was not agreed to.

And the question again recurring,

Shall the article pass ?

It was determined in the affirmative.

On leave given,

Mr. H. W. Palmer asked and obtained unanimous consent to amend the article on Legislation, in the seventh section, by striking out after the word "lines," in the seventeenth line, the following words, viz: "Except in counties containing not less than one hundred and sixty thousand inhabitants and an area of not less than twelve hundred miles, but no county included in this exception shall be divided without the express assent of such county indicated by a vote of the electors thereof."

On motion of Mr. Ainey,

The Convention resumed the third reading and consideration of the article on the Legislature.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the sixteenth section and inserting in lieu thereof as follows, viz: "The Senate shall consist of not less than fifty members. Every county containing more than one-sixth of the population of the State, as ascertained by the last preceding United States census, shall constitute a district, and shall elect eight members. The population of the remainder of the State, divided by the remainder of the minimum number of Senators, shall constitute the ratio of representation for such remainder. Every county thereof containing more than three-fifths of the ratio shall constitute a district, except as hereinafter provided. Counties of less population, where contiguous and sufficient, shall be made into districts, each containing less than a ratio and two-fifths, and not less than three-fifths of a ratio. The remaining counties shall be severally incorporated with adjoining districts. Every district shall be entitled to one Senator, and an additional Senator for every full ratio of its population above three-fifths of a ratio. Counties shall be so united in forming districts, that there shall be in every case the smallest excess of population over that necessary for one, two or more Senators, as the case may be."

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Ewing,

To postpone the question, together with the further consideration of the article, for the present, and that the amendment offered by Mr. Broomall be printed for the use of the Convention.

Which was agreed to.

The hour of three o'clock having arrived,

The President adjourned the Convention until Monday morning at nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

MONDAY, OCTOBER 20, 1873.

Mr. Lilly asked and obtained leave of absence for Mr. John Price Wetherill for a few days from to-day.

Mr. Stanton presented a communication from George L. Harrison, President of the Board of Public Charities, which was read as follows, viz:

BOARD OF PUBLIC CHARITIES,
OFFICE OF EXECUTIVE COMMITTEE,
237 Walnut Street, Philadelphia, October 20, 1873. }

M. HALL STANTON, ESQ:

DEAR SIR:—I beg to call your attention to what I suppose will be the effect of sections eighteen and nineteen of the article on Legislation, section two of the article on Education, and section five of that on Revenue, Taxation and Finance, if finally passed by the Convention, and accepted by the people.

1. That, under section nineteen, (Legislation,) the State is not precluded from making appropriations for a purely ecclesiastical or religious purpose, as, for instance, the building of a church or paying the salary of a clergyman of any denomination, but may not aid in the education of her own outcast children in a school established and supported by such a denomination.

2. That, under section eighteen of the same article, the State may not aid in the education of these outcast children, excepting by a "two-thirds" vote of all the members elected to the Legislature. That, therefore, the indigent and "neglected" children of the State will be denied a share of the State's appropriations in behalf of "universal" education; for such children cannot at all enter the "common" school by reason of their abject condition, needing the reforming and subduing influences of active private effort and benevolence, to train them while receiving school instruction, and, oftentimes, food and clothing; that the Legislature will not regard educational aid, under such circumstances, other than a "charity," and that it will consider that such help has been denounced by the Convention.

3. That, under section five of the article on Revenue, Taxation and Finance, municipalities being forbidden to make appropriations "to any private corporation, or any person or community whatever," none of the cities or counties of the State may tax themselves for the rescue and amendment and instruction of these abandoned children, nor aid, as in all the past, the institutions for the education of the blind, the deaf, mute and the imbecile, or "appropriate money" to the Houses of Refuge, because all these are "private corporations." Heretofore the city of Philadelphia has borne one-half of the cost of maintaining the "House of Refuge," and the counties of the western judicial district fully two-thirds of the expenses of the Allegheny "School of Reform."

That, therefore, these communities, as well as the State herself, must leave these orphan or more than orphan outcast children sternly "to their fate," and that the grand asylums above enumerated will be denied altogether pecuniary aid from the separate municipalities, (cities, counties, &c.,) and must struggle at every term of the Legislature for an overwhelming majority, in order to obtain means for their support. That there is not the remotest probability that the State will expend the many millions of dollars which would be required to purchase these "private" institutions or to build others, that she may "absolutely control" them, and that she cannot, if she choose, by the wisest official effort, conduct institutions for the *defective classes* as economically or successfully as is done with the co-operation of the warm humanity of personal, private beneficence and philanthropy.

Believing that these "unfortunates" of the children of the State have a *right* to State aid in their education, which, under the present action of the Convention, is practically denied to them, and that "*charity*" is not involved at all in its consideration, the Board of Public Charities, with great diffidence and respect, proposed to the Convention certain modifications of sections eighteen and nineteen of the article on Legislation, intended to abate, in some degree, the evil effect of the several provisions above noticed, as that board understands them. The suggested changes are here set forth, beside the sections as passed in Convention,

in order that the views herein expressed may be clearly understood. It is not believed that in such a work as that herein referred to, the utilization of private benevolence and economy, in the manner suggested, for the public good, need compromise any doctrine or principle of any citizen or any party in the State nor excite the "antagonism" of any person or community whatever. But looking from the standpoint from which this board is bound to survey the subject, viz: In its relations to human degradation, pauperism and crime, it is believed that great danger is threatened to the State in reducing still further than at present the opportunities of education and improvement of the neglected classes of her children; and that both to these and to the other "unfortunates" referred to, a wrong will be done, and will be perpetuated, until full and *practicable* legislation is effected to rescue them from the fetters which even now restrain, and which may still further restrain their moral and mental improvement.

Respectfully,

GEO. L. HARRISON, *President*.

Laid on the table.

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

Resolved, That the resolution passed Friday, October seventeen, fixing a session for Monday evening, the twentieth instant, be and is hereby rescinded.

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. Kaine, and were as follow, viz:

YEAS:

Messrs. Baer, Baily, of Perry, Baker, Beebe, Biddle, Bowman, Broomall, Calvin, Cochran, Dallas, Darlington, Edwards, Ewing, Fulton, Hay, Hazzard, Hemphill, Howard, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Culloch, Mantor, Minor, Mott, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Reed, Andrew, Reynolds, Russell, Simpson, Struthers, Van Reed, Wetherill, J. M., White, Harry, Woodward and Walker, *P. resident*—41.

NAYS.

Messrs. Achenbach, Armstrong, Barclay, Barr, Bigler, Black, Boyd, Brodhead, Brown, Carey, Corbett, Cronmiller, Curry, De France, Dodd, Elliott, Gilpin, Guthrie, Hanna, Hunsicker, Kaine, Knight, Long, M'Clean, M'Michael, Mann, Niles, Purman, Ross, Smith, Wm. H., and Wright—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Buckalew, Bullitt, Campbell, Carter, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Feli, Finney, Funck, Gibson, Green, Hall, Harvey, Heverin, Horton, Lamberton, Landis, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, Jno. N., Purviance, Samuel A., Read, John R., Rooke, Runk, Sharpe, Smith, H. G., Smith, Henry W., Stanton, Stewart, Temple, Turrell, Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Worrell.

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 all after the word "That," and inserting in lieu thereof the following, viz: "Hereafter, until final adjournment, there shall be a session every evening, except Saturday, commencing at seven and a-half o'clock."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Brodhead,

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. Brodhead and Mr. Kaine, and were as follow, viz :

Y E A S .

Messrs. Barr, Biddle, Bigler, Boyd, Brodhead, Calvin, Carey, Corbett, De France, Dodd, Gilpin, Hanna, Kaine, Landis, Long, M'Clean, M'Michael, Mott, Newlin, Patton, Ross and Woodward—22.

N A Y S .

Messrs. Achenbach, Armstrong, Baer, Baily, of Perry, Baker, Barclay, Beebe, Black, Bowman, Broomall, Brown, Cochran, Cronmiller, Curry, Dallas, Darlington, Edwards, Elliott, Ewing, Fulton, Guthrie, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Knight, Lawrence, Lear, Lilly, Littleton, MacConnell, Mann, Mantor, Minor, Niles, Patterson, D. W., Patterson, T. H. B., Porter, Purman, Reed, Andrew, Reynolds, Russell, Simpson, Smith, Wm. H., Stanton, Van Reed, Wetherill, J. M., White, Harry, and Walker, *President*—52.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Buckalew, Bullitt, Campbell, Carter, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Funk, Gibson, Green, Hall, Harvey, Heverin, Lamberton, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Runk, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Struthers, Temple, Turrell, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Worrell and Wright.

And the question recurring,

Will the Convention agree so to amend ?

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

Y E A S .

Messrs. Achenbach, Baer, Baily, of Perry, Black, Bowman, Boyd, Calvin, Campbell, Carter, Cochran, Cronmiller, Curry, Dallas, De France, Edwards, Elliott, Fulton, Guthrie, Hay, Hazzard, Horton, Hunsicker, Knight, Landis, Lawrence, Littleton, MacConnell, Mann, Niles, Patterson, T. H. B., Purman, Purviance, Sam'l A., Rooke, Russell, Smith, H. G., Smith, Wm. H., White, Harry, and Wright—38.

N A Y S .

Messrs. Armstrong, Baker, Barclay, Barr, Beebe, Biddle, Bigler, Brodhead, Broomall, Carey, Corbett, Darlington, Dodd, Ewing, Gilpin, Hanna, Hemphill, Howard, Kaine, Lear, Lilly, Long, M'Clean, M'Culloch, M'Michael, Mantor, Minor, Mott, Newlin, Patterson, D. W., Patton, Porter, Reed, Andrew, Reynolds, Ross, Simpson, Stanton, Van Reed, Wetherill, J. M., Woodward, and Walker, *President*—41.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brown, Buckalew, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Funck, Gibson, Green, Hall, Harvey, Heverin, Lamberton, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, John N., Read, John R., Runk, Sharpe, Smith, Henry W., Stewart, Struthers, Temple, Turrell, Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Worrell.

And the question again recurring,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Achenbach, Andrews, Baer, Baily, of Perry, Baker, Beebe, Biddle, Calvin, Campbell, Cochran, Darlington, Edwards, Ewing, Fulton, Hanna, Hay, Hazzard, Hemphill, Horton, Howard, Lawrence, Lear, Lilly, MacConnell, Mantor, Minor, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Simpson, Stanton, Temple, Van Reed, White, Harry, Woodward and Walker, *President*—40.

NAYS.

Messrs. Barr, Black, Boyd, Brown, Buckalew, Bullitt, Carey, Cassidy, Cronmiller, Curry, Dallas, De France, Dodd, Elliott, Gilpin, Guthrie, Hunsicker, Kaine, Knight, Landis, Long, M'Clean, M'Culloch, M'Michael, Mann, Mott, Newlin, Niles, Patton, Purman, Rooke, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H. Wetherill, J. M., Worrell and Wright—38.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Bowman, Brodhead, Broomall, Carter, Church, Clark, Collins, Corbett, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Funck, Gibson, Green, Hall, Harvey, Heverin, Lamberton, Littleton, MacVeagh, M'Camant, M'Murray, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, John N., Read, John R., Runk, Sharpe, Stewart, Struthers, Turrell, Wetherill, John Price, Wherry, White, David N., and White, J. W. F.

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

Resolved, That on and after Wednesday, the twenty-second instant, the Convention will hold evening sessions, commencing at seven o'clock and closing at nine o'clock.

Laid on the table.

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

Resolved, That a committee of one delegate from each Senatorial district be appointed to present the result of the labors of this Convention to the people of the State, by issuing an address to accompany the new Constitution, and the use of such other means as may be necessary to secure a proper consideration of the same by the voters of the Commonwealth, and that such committee make report to the Convention as soon as practicable.

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 third reading and consideration of the article on Legislature.

And the question recurring,

Will the Convention agree to the motion made by Mr. Broomall, to resolve itself into committee of the whole, for the purpose of amending the same, by striking out the sixteenth section, and inserting in lieu thereof as follows, viz:

"The Senate shall consist of not less than fifty members. Every county containing more than one-sixth of the population of the State, as ascertained by the last preceding United States census, shall constitute a district, and shall elect eight members. The population of the remainder of the State divided by the remainder of the minimum number of Senators, shall constitute the ratio of representation for such remainder. Every county thereof containing more than three-fifths of the ratio shall constitute a district, except as hereinafter provided. Counties of less population, where contiguous and sufficient, shall be made into districts, each containing less than a ratio and two-fifths, and not less than three-fifths of a ratio. The remaining counties shall be severally incorporated with adjoining districts. Every district shall be entitled to one Senator, and an additional Senator for every full ratio of its population above three-fifths of a ratio. Counties shall be so united in forming districts that there shall be in every case the smallest excess of population over that necessary for one, two, or more Senators, as the case may be."

It was determined in the negative.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the sixteenth section, by inserting after the word "ratio," in the seventh line, the word "except;" and by striking out of the seventh and eighth lines, the words, "may be united with adjoining wards of Philadelphia to form a district," and inserting in lieu thereof the words, "which shall be a separate district."

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. Baily, of Perry, Barr, Black, Bowman, Boyd, Broomall, Bullitt, Carey Darlington, De France, Ewing, Hemphill, Horton, Hunsicker, Knight, M^r. Michael, Mann, Ross, Runk and Walker, *President*—20.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Andrews, Baker, Barclay, Beebe, Biddle, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Cochran, Cronmiller, Curry, Dallas, Dodd, Edwards, Elliott, Guthrie, Hanna, Harvey, Hay, Hazzard, Howard, Landis, Lawrence, Lilly, Long, MacConnell, M^r. Clean, M^r. Culloch, Mantor, Minor, Mott, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, J. M., White, Harry, Woodward and Wright—60.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Bigler, Brodhead, Church, Clark, Collins, Corbett, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Heverin, Kaine, Lamberton, Lear, Littleton, MacVeagh, M^r. Camant, M^r. Murray, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Purviance, John N., Read, John R., Sharpe, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Buckalew.

That the Convention resolve itself into committee of the whole, for the purpose of amending the sixteenth section, by inserting after the word "surplus," in the fifth line, the word "of;" in the seventh line, after the word "ratio," insert the words, "and no county shall be divided, unless entitled to two or more Senators;" and in the ninth line strike out the word "and."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Boyd in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the sixteenth section, by striking out from the word "Senators," in the seventh line, to the word "no," in the ninth line.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Baker, Barclay, Barr, Biddle, Black, Bowman, Broomall, Brown, Carey, Cronmiller, Curry, Darlington, De France, Edwards, Ewing, Fell, Fulton, Hanna, Hemphill, Horton, Hunsicker, Knight, M'Clean, M'Michael, Mann, Minor, Niles, Patton, Porter, Reynolds, Rooke, Runk, Simpson, Smith, Henry W., Turrell, Van Reed, White, Harry, Woodward and Wright—39.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Andrews, Baer, Baily, of Perry, Beebe, Bigler, Boyd, Calvin, Campbell, Carter, Cassidy, Cochran, Dallas, Elliott, Guthrie, Harvey, Hay, Hazzard, Howard, Kaine, Landis, Lawrence, Lilly, Long, MacConnell, M'Culloch, Mantor, Newlin, Patterson, T. H. B., Purman, Purviance, Samuel A., Reed, Andrew, Ross, Russell, Smith, H. G., Smith, Wm. H., Stanton, Wetherill, J. M., Worrell and Walker, *President*—42.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Brodhead, Buckalew, Bullitt, Church, Clark, Collins, Corbett, Corson, Craig, Curtin, Cuyler, Davis, Dodd, Dunning, Ellis, Finney, Funck, Gibson, Gilpin, Green, Hall, Heverin, Lamberton, Lear, Littleton, Mac Veagh, M'Camant, M'Murray, Metzger, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Purviance, John N., Read, John R., Sharpe, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., and White, J. W. F.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Harry White,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the sixteenth section and inserting in lieu thereof as follows, viz :

"The State shall be divided into fifty Senatorial districts of compact and contiguous territory, as nearly equal in population as may be, and each district shall elect one Senator. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. The ratio for Senatorial representation, outside of Philadelphia, shall be obtained by dividing the whole population of the State, omitting Philadelphia, by five-sixths of the whole number of Senators. Each county shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district, unless it shall contain four-fifths of a ratio. No ward, borough or township shall be divided in the formation of a district, nor shall any county be divided, unless entitled to two or more Senators."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Addicks, Andrews, Beebe, Bowman, Broomall, Carey, Curry, Darlington, DeFrance, Edwards, Ewing, Fulton, Hanna, Hazzard, Horton, Knight, Lawrence, Lear, Lilly, Long, M^cMichael, Mann, Mantor, Minor, Niles, Porter, Runk, Russell, Simpson, Turrell, White, Harry, and Walker, *President*—32.

N A Y S.

Messrs. Achenbach, Alricks, Armstrong, Baer, Baily, of Perry, Baker, Barclay, Barr, Biddle, Bigler, Black, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Corbett, Cronmiller, Cuyler, Dallas, Dodd, Elliott, Guthrie, Harvey, Hay, Hemphill, Howard, Hunsicker, Kaine, MacConnell, M^cClean, M^cCulloch, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Van Reed, Wetherill, J. M., Woodward and Worrell—55.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Davis, Dunning, Ellis, Fell, Finney, Funck, Gibson, Gilpin, Green, Hall, Heverin, Lamber-ton, Landis, Littleton, MacVeagh, M^cCamant, M^cMurray, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Purviance, John N., Read, John R., Sharpe, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the sixteenth section, by striking out from the word "ratio," in the fifth line, to and including the word "ratio," in the sixth line.

Which was not agreed to.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the sixteenth section, by striking out from the word "ratio," in the sixth line, to the word "no," in the ninth line, and by adding to the end of the section the words, "and no county shall be divided, except where necessary to equalize representation."

Which was not agreed to.

And the question again recurring.

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out all after the word "Senator," in the third line, and adding to the end of the section, the following words, viz: "And no city or county shall be entitled to separate representation, exceeding one-sixth of the whole number of Senators.

Which was not agreed to.

And the question again recurring.

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the sixteenth section, and inserting in lieu thereof as follows, viz:

"The Senate shall consist of not less than fifty members. Every county containing more than one-sixth of the population of the State, as ascertained by the last preceding United States census, and shall elect eight members. The population of the residue of the State, divided by the remainder of the minimum number of Senators, shall constitute the ratio of representation for such residue. Every county thereof containing more than three-fifths of the ratio shall constitute a district, except as hereinafter provided. Counties of less population, where contiguous and sufficient, shall be made into districts, each containing less than a ratio and two-fifths, and not less than three-fifths of a ratio. The remaining counties shall be severally incorporated with adjoining districts. Every district shall be entitled to one Senator, and an additional Senator for every full ratio of its population above three-fifths of a ratio. Counties shall be so united in forming districts, that there shall be in every case the smallest excess of population over that necessary for one, two or more Senators, as the case may be. No county shall be divided in forming districts unless entitled to two or more Senators."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Broomall and Mr. Lilly, and were as follow, viz:

Y E A S .

Messrs. Broomall, Darlington, De France, Lilly, Littleton, MacVeagh, Mann, Niles, Runk and Walker, *President*—10.

N A Y S .

Messrs. Addicks, Alricks, Andrews, Baily, of Perry, Baker, Barclay, Barr, Beebe, Biddle, Black, Bowman, Boyd, Buckalew, Calvin, Campbell, Carter, Cronmiller, Curry, Dallas, Dodd, Edwards, Fulton, Funck, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Landis, Lawrence, Long, MacConnell, M'CLean, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, White, Harry, Worrell, and Wright—60.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Bigler, Brodhead, Brown, BuMitt, Carey, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Gibson, Green, Hall, Horton, Knight, Lamberton, Lear, M'Camant, M'Culloch, M'Michael, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Read, John R., Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Woodward.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the sixteenth section, by striking out the word "fifty," in the first line, and inserting in lieu thereof the word "sixty;" by striking out the word "four-fifths," in the seventh line, and inserting the word "three-fifths," and by striking out from the word "ratio," in the seventh line, to the word "and," in the ninth line.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Broomall and Mr. De France, and were as follow, viz:

Y E A S.

Messrs. Beebe, Bowman, Broomall, Darlington, De France, Horton, Lilly, MacVeagh, Mann, Patton, Runk, and Walker, *President*—12.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Barr, Biddle, Black, Boyd, Buckalew, Calvin, Campbell, Carey, Carter, Cochran, Corbett, Cronmiller, Curry, Dallas, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Landis, Lawrence, Littleton, Long, MacConnell, M'Clean, M'Culloch, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, J. M., White, Harry, Worrell and Wright—68.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baer, Bannan, Bardsley, Bartholomew, Bigler, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Gibson, Green, Hall, Knight, Lamberton, Lear, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Pughe, Purviance, John N., Read, John R., Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, David N., White, J. W. F., and Woodward.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the sixteenth section, and inserting in lieu thereof as follows, viz:

"The State shall be divided into fifty Senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. No county shall be divided in the formation of a district unless entitled to two or more Senators, and no city or county shall be entitled to more than one-sixth of the whole number of Senators."

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

Y E A S.

Messrs. Andrews, Baker, Bowman, Broomall, Carey, Darlington, Ewing, Fulton, Hanna, Horton, Lawrence, Lilly, Littleton, Mann, Niles, Reynolds, Rooke, Runk, Russell, Simpson, Turrell, White, Harry, and Walker, *President*—23.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Barr, Beebe, Biddle, Black, Boyd, Buckalew, Calvin, Campbell, Carter, Cochran, Corbett, Cronmiller, Curry, Cuyler, Dodd, Edwards, Elliott, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Landis, Long, MacConnell, M'CLean, M'Culloch, Mantor, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew, Ross, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Van Reed, Wetherill, J. M., and Worrell—55.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Bear, Bannan, Bardsley, Bartholomew, Bigler, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Dallas, Davis, De France, Dunning, Ellis, Fell, Finney, Funck, Green, Hall, Knight, Lamberton, Lear, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Read, John R., Sharpe, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward and Wright.

And the question again recurring,

Shall the article pass?

The previous question was called by Mr. Stanton, seconded by Messrs. Campbell, Heverin, Funk, Howard, Hanna, Addicks, Worrell, Calvin, Boyd, A. Reed, Edwards, Newlin, Carter, MacConnell, Horton, Barr, W. H. Smith and Baker.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Broomall and Mr. Hemphill, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Addicks, Andrews, Bailly, of Perry, Baker, Barr, Beebe, Calvin, Campbell, Carey, Carter, Cochran, Cronmiller, Curry, Edwards, Funck, Guthrie, Harvey, Hazzard, Heverin, Horton, Howard, Hunsicker, Littleton, Long, MacConnell, MacVeagh, M'CLean, Mantor, Mott, Newlin, Patterson, T. H. B., Purman, Purviance, Sam'l A., Reed, Andrew Reynolds, Russell, Smith, Wm. H., Stanton, Worrell and Wright—41.

N A Y S.

Messrs. Alricks, Bailey, of Huntingdon, Black, Bowman, Boyd, Broomall, Buckalew, Corbett, Dallas, Darlington, DeFrance, Ewing, Fulton, Gilpin, Hanna, Hay, Hemphill, Kaine, Lear, Lilly, M'Culloch, Mann, Patterson, D. W., Patton, Ross, Runk, Smith, Henry W., Turrell, Van Reed, Wetherill, J. M., White, Harry, and Walker, *President*—32.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Armstrong, Baer, Bannan, Barclay, Bardsley, Bartholomew, Biddle, Bigler, Brodhead, Brown, Bullitt, Cassidy, Church, Clark, Collins, Corson, Craig, Curtin, Cuyler, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Finney, Gibson, Green, Hall, Knight, Lamberton, Landis, Lawrence, M'Camant, M'Michael, M'Murray, Metzger, Minor, Mitchell, Niles, Palmer, G. W., Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Rooke, Sharpe, Simpson, Smith, H. G., Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, David N., White, J. W. F., and Woodward.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh and Mr. Andrew Reed,

That the vote just taken be reconsidered.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Alricks, Bailey, of Huntingdon, Biddle, Bigler, Black, Carey, Dodd, Ewing, Fulton, Funck, Gilpin, Lear, MacVeagh, M'Culloch, Minor, Reed, Andrew, Reynolds, Runk, Turrell, Van Reed, Wetherill, J. M., White, and Harry—22.

NAYS.

Messrs. Achenbach, Addicks, Andrews, Baily, of Perry, Baker, Barr, Beebe, Bowman, Broomall, Buckalew, Calvin, Carter, Corbett, Curry, Darlington, De France, Edwards, Elliott, Gibson, Guthrie, Hanna, Harvey, Hay, Hemphill, Horton, Howard, Hunsicker, Lilly, Littleton, Long, MacConnell, M'CLean, Mann, Mantor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Sam'l A., Ross, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Worrell, Wright and Walker, *President*—52.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baer, Bannan, Barclay, Bardsley, Bartholomew, Boyd, Brodhead, Brown, Bullit, Campbell, Cassidy, Church, Clark, Cochran, Collins, Corson, Craig, Cronmiller, Curtin, Cuyler, Dallas, Davis, Dunning, Ellis, Fell, Finney, Green, Hall, Hazzard, Heverin, Kaine, Knight, Lamberton, Landis, Lawrence, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., White, J. W. F., and Woodward.

And the question again recurring,

Shall the article pass?

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

YEAS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barr, Beebe, Bigler, Bowman, Boyd, Brodhead, Buckalew, Calvin, Carter, Curry, Dallas, De France, Edwards, Elliott, Ewing, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Landis, Lawrence, Littleton, Long, MacConnell, Mann, Mantor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Ross, Russell, Smith, H. G., Smith, Wm. H., Stanton, Turrell, Van Reed, White, Harry, and Wright—60.

NAYS.

Messrs. Biddle, Black, Broomall, Campbell, Cochran, Corbett, Darlington, Dodd, Fulton, Funck, Gilpin, Lear, Lilly, MacVeagh, M'CLean, M'Culloch, Minor, Reed, Andrew, Reynolds, Runk, Smith, Henry W., Wetherill, J. M., and Walker, *President*—23.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Bannan, Barclay, Bardsley, Bartholomew, Brown, Bullitt, Carey, Cassidy, Church, Clark, Collins, Corson, Craig, Cronmiller, Curtin, Cuyler, Davis, Dunning, Ellis, Fell, Finney, Green, Hall, Heverin, Knight, Lamberton, M'Camant, M'Michael, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Porter, Pughe, Purviance, John N., Read, John R., Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, David N., White, J. W. F., Woodward and Worrell.

A motion was made by Mr. Mann and Mr. Hunsicker,
That the vote just taken be reconsidered.

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

It was determined in the negative.

On motion of Mr. Buckalew,

The Convention resumed the third reading and consideration of the article on
Impeachment and Removal from Office.

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

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose
of amending the article, by striking out all after the third line in section four,
and inserting in lieu thereof as follows, viz :

" Removals from office of civil officers holding for fixed terms may be made by
the Governor, upon conviction in courts of competent jurisdiction for removable
offences, and the Governor may also remove such officers, for reasonable cause,
upon address of two-thirds of the Senate, after due notice to, and full hearing of
officers to be removed; but the Governor, Lieutenant Governor and judges of the
Supreme Court, shall be removable only by the Senate upon conviction on im-
peachment, and other judges required to be learned in the law, only in the same
manner, or upon address to the Governor by two-thirds of each House of the
General Assembly.

" Additional provision may be made by law for the removal of municipal or
local officers, below the grade of city or county officers, for misconduct in office,
or the commission of any infamous crime."

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

It was determined in the negative.

And the question again recurring,
Shall the article pass ?

Mr. Biddle asked and obtained unanimous consent to amend the article in
the fourth section, by inserting after the word " record," in the seventh line, the
words, " learned in the law."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose
of amending the article in the sixth line of the fourth section, by striking out the
words, " elected by the people."

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Buckalew asked and obtained unanimous consent to amend the article in
the fourth section, by inserting after the word " record," in the fourth line, the
words, " and the Superintendent of Public Instruction."

And the question again recurring,
Shall the article pass ?

It was determined in the affirmative.

The hour of three o'clock having arrived,

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.

TUESDAY, OCTOBER 21, 1873.

A motion was made by Mr. Ewing,

That the Convention proceed to the second reading and consideration of the following resolution, (laid on the table October twentieth,) viz:

"*Resolved*, That on and after Wednesday, the twenty-second instant, the Convention will hold evening sessions, commencing at seven o'clock, and closing at nine o'clock."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Purman, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Black, Bowman, Calvin, Campbell, Carter, Cochran, Cronmiller, Curry, Dallas, De France, Edwards, Ewing, Fulton, Funk, Hay, Hazzard, Horton, Hunsicker, Knight, Lawrence, Long, MacConnell, Mantor, Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Rooke, Russell, Smith, Wm. H., Van Reed, White, David N., White, Harry, and Wright—39.

N A Y S.

Messrs. Andrews, Armstrong, Baker, Barr, Beebe, Biddle, Bigler, Brodhead, Broomall, Clark, Corbett, Corson, Curtin, Darlington, Davis, Dodd, Dunning, Ellis, Gibson, Gilpin, Guthrie, Harvey, Hemphill, Howard, Kaine, Lear, Lilly, MacVeagh, M'CLean, M'Culloch, M'Michael, Mann, Minor, Mott, Palmer, G. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Reed, Andrew, Reynolds, Ross, Smith, Henry W., Stanton, Turrell, Wetherill, J. M., and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsley, Bartholomew, Boyd, Brown, Buckalew, Bullitt, Carey, Cassidy, Church, Collins, Craig, Cuyler, Elliott, Fell, Finney, Green, Hall, Hanna, Heverin, Lamberton, Landis, Littleton, M'Camant, M'Murray, Metzger, Mitchell, Newlin, Niles, Palmer, H. W., Read, John R., Runk, Sharpe, Simpson, Smith, H. G., Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, J. W. F., Woodward and Worrell.

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

Resolved, That a committee of one delegate from each Senatorial district be appointed to present the result of the labors of this Convention to the people of the State, by issuing an address to accompany the new Constitution, and the use of such other means as may be necessary to secure a proper consideration of the same by the voters of the Commonwealth, and that such committee make report to the Convention as soon as practicable.

On the question,

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

The yeas and nays were required by Mr. Howard and Mr. Carter, and were as follow, viz:

Y E A S.

Messrs. Andrews, Armstrong, Bailey, of Huntingdon, Beebe, Bigler, Black, Bowman, Brodhead, Brown, Calvin, Campbell, Carey, Carter, Corson, Curry, Cuyler, Davis, De France, Edwards, Fulton, Funck, Gibson, Hay, Hazzard, Kaine, Knight, Lamberton, Lawrence, Lilly, Long, MacVeagh, M'Culloch, Mann, Mantor, Minor, Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Russell, Turrell, Wetherill, J. M., White, Harry, and Walker, *President*—47.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Baker, Barclay, Barr, Bidle, Boyd, Buckalew, Clark, Corbett, Curtin, Dallas, Darlington, Dodd, Dunning, Elliott, Ellis, Ewing, Gilpin, Guthrie, Hanna, Harvey, Hemphill, Horton, Howard, Hunsicker, Lear, MacConnell, M'CLean, M'Michael, Mott, Newlin, Palmer, G. W., Patton, Ross, Smith, Henry W., Smith, Wm. H., Stanton, Van Reed, White, David N., and Wright—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Bardsley, Bartholomew, Broomall, Bullitt, Cullitt, Church, Cochran, Collins, Craig, Cronmiller, Fell, Finney, Green, Hall, Heverin, Landis, Littleton, M'Camant, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Porter, Purman, Read, John R., Reynolds, Rooke, Runk, Sharpe, Simpson, Smith, H. G., Stewart, Struthers, Temple, Wetherill, John Price, Wherry, White, J. W. F. Woodward and Worrell.

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

Which was agreed to.

Mr. Beebe offered the following resolution, which was referred to the Committee on Schedule, viz:

Resolved, That it is the sense of this Convention that the Committee on Schedule be instructed to report a submission of the new Constitution to a popular vote, as early as possible, and before the first day of January next, and that an election to fill the new offices created thereby be held at the same time.

Mr. Corbett, from the committee to whom was referred the article on Railroads and Canals, made a report, which was read as follows, viz:

That they have amended the article so as to make it read as follows, viz:

"SECTION 1. All railroad and canal companies shall be common carriers. Any association or corporation organized for the purpose shall have the right, subject to such regulations as are or shall be prescribed by law, to construct and operate a railroad within this State, and to connect at the State line with railroads of other States.

"SECTION 2. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad, and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

"SECTION 3. All individuals, associations and corporations shall have equal right to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in charges for or in facilities

for transportation of freight or passengers within the State or coming from or going to any other State. Persons and property transported over any railroad shall be delivered at intermediate stations within the State at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station. But excursion and commutation tickets may be issued at special rates.

"SECTION 4. No discrimination between transportation companies or parties engaged in the business of transportation shall be made, either by abatement, drawback or otherwise, and no railroad or canal company, nor any lessee or manager thereof, shall make any preferences in furnishing cars or motive power.

"SECTION 5. No railroad company shall, directly or indirectly, consolidate with or hold a controlling interest in the stock or bonds of any other railroad corporation, owning, operating or controlling a competing line of railroad, and the question of such competition shall, when demanded by the party complainant be tried by a jury.

"SECTION 6. Every railroad or canal corporation organized in this State shall maintain an office therein, where transfers of its stock shall be made, and where its books shall be kept.

"SECTION 7. No president, director, officer, agent or employee of any railroad or canal company shall be interested, directly or indirectly, otherwise than as a stockholder in such railroad or canal company, in the business of transportation as a common carrier of freight or passengers over the roads owned, leased, controlled or operated by such company.

"SECTION 8. Railroad and canal companies shall not engage in any other business than that of common carriers, except in such manufactures and productions as are necessary to the equipment, maintenance and operations of their works, nor shall they hold lands, freehold or leasehold, except such as are necessary for the same purposes. But mining and manufacturing companies may construct and operate railroads not exceeding thirty miles in length.

"SECTION 9. No street passenger railway shall be constructed within the limits of any city or borough, without the consent of the local government.

"SECTION 10. No railroad, canal or other transportation company, in existence at the time of the adoption of this article, shall have the benefit of any future legislation by general or special laws, except on condition of express acceptance of the provisions of this article.

"SECTION 11. The Legislature shall, by general law of uniform operation, provide reasonable regulations to give full effect to this article."

The committee also recommend that the following section be inserted in the schedule.

"SECTION —. The existing powers and duties of the Auditor General in regard to railroads, canals and other transportation companies, except as to their accounts, are hereby transferred to the Secretary of Internal Affairs, who shall have a general supervision over them, 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."

They also recommend the following section, to be added to the article on Corporations."

"SECTION —. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party."

Laid on the table.

A motion was made by Mr. Hunsicker and Mr. Stanton,

That the vote be re-considered by which the article (No. 14) on County, Township and Borough Officers was passed.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Achenbach, Andrews, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Baker, Barr, Beebe, Biddle, Bigler, Black, Bowman, Boyd, Brodhead,

Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Corbett, Corson, Cronmiller, Curry, Cuyler, Dallas, Darlington, Davis, DeFrance, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Gibson, Gilpin, Hanna, Harvey, Hay, Hazzard, Hemphill, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lawrence, Lilly, Long, MacConnell, M'Culloch, M'Michael, Mann, Manter, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Rooke, Runk, Russell, Simpson, Stanton, Turrell, Wetherill, J. M., White, Harry, Woodward, Wright and Walker, *President*—80.

N A Y S .

Messrs. Alricks, Baer, Carey, Cochran, Ewing, Fulton, Funck, Guthrie, Horton, M'Clean, Parsons, Reed, Andrew, Ross, Smith, Henry W., Smith, Wm. H., Van Reed and White, David N.—17.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Barclay, Bardsley, Bartholomew, Bullitt, Cassidy, Church, Clark, Collins, Craig, Curtin, Finney, Green, Hall, Heverin, Lear, Littleton, MacVeagh, M'Canant, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Patterson, T. H. B., Sharpe, Smith, H. G., Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, J. W. F., and Worrell.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Hunsicker,
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. Corbett,
That the Convention resume the third reading and consideration of the article on Railroads and Canals.

It was determined in the affirmative.

On the question,
Shall the article pass ?

Mr. Cochran submitted the following point of order, viz :
That the subject matter properly before the Convention was the article on Railroads, as it was pending at the time the same was referred to the select committee.

The President decided that the article before the Convention was that reported from the select committee.

From which an appeal was taken as follows :

The undersigned hereby appeal from the decision of the Chair in this, that the Chair decided the report of the special committee to be under consideration.

(Signed)

THOS. E. COCHRAN,
J. W. M. NEWLIN.

On the question,

Shall the decision of the President stand as the judgment of the Convention ?

The yeas and nays were required by Mr. Newlin and Mr. Howard, and were as follow, viz :

Y E A S .

Messrs. Andrews, Armstrong, Baer, Baker, Barclay, Barr, Biddle, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Carey, Clark, Corbett, Cronmiller, Curry, Cuyler, Dallas, Darlington, Davis, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Fulton, Guthrie, Hanna, Hemphill, Hunsicker, Kaine, Lamberton, Landis, Lear, Lilly, Long, M'Clean, M'Michael, Mann, Man-

tor, Parsons, Patton, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Rooke, Runk, Simpson, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Wetherill, J. M., White, David N., White Harry, and Wright—64.

N A Y S.

Messrs. Achenbach, Alricks, Baily, of Perry, Bailey, of Huntingdon, Beebe, Calvin, Campbell, Carter, Church, Cochran, Curtin, De France, Ewing, Funck, Gibson, Gilpin, Harvey, Hay, Hazzard, Horton, Howard, Knight, Lawrence, Littleton, MacConnell, MacVeagh, M'Culloch, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Samuel A., Reynolds, Ross, Russell, Smith, H. G., Van Reed and Woodward—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Bannan, Bardsley, Bartholomew, Bullitt, Cassidy, Collins, Corson, Craig, Finney, Green, Hall, Heverin, M'Camant, M' Murray, Metzger, Mitchell, Mott, Niles, Palmer, H. W., Sharpe, Stewart, Struthers, Wetherill, John Price, Wherry, White, J. W. F., Worrell and Walker, *President*.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Temple,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the whole article, and inserting in lieu thereof as follows, viz:

"SECTION 1. Any individual, and any partnership or corporation organized for the purpose, shall have the right to construct and operate a railroad or canal between any two points in this State; any railroad may intersect and connect with any other railroad, and may pass its cars, empty or loaded, over such other railroad, and no discrimination shall be made in passenger or freight tolls, and tariffs on persons and property passing from one railroad to another, and no unnecessary delay interposed in the forwarding of such passengers and property to their destination; the General Assembly shall, by general law prescribing reasonable regulations, give full effect to these powers and rights.

"SECTION 2. Every railroad or canal corporation organized in this State shall maintain an office therein, where transfers of its stock shall be made, and books kept for inspection by any stock or bondholder, or any other person having any pecuniary interest in such corporation, 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.

"SECTION 3. The property of railroad and canal corporations, or other corporations of a similar character, doing business in this State, and of other joint stock companies now existing or hereafter created, shall be liable 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 4. 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, of the same class, between or against the people thereof; and no special rates or drawbacks shall, either directly or indirectly, be allowed, excepting for excursion and commutation tickets. Reasonable extra rates within the limits of the charter of a company may be made in charges for any distance from the place of shipment not exceeding thirty miles.

"SECTION 5. 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 the question whether railroads or canals are parallel or competing lines, shall always be decided by a jury in a trial in open court, as in other civil issues.

"SECTION 6. No incorporated company, doing the business of a common carrier, shall, directly or indirectly, prosecute or engage in mining or manufacturing

articles for transportation over its works; 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 or manufacturing company may carry the products of its mines and manufactories on its railroad or canal, not exceeding fifty miles in length.

"SECTION 7. No president, director, officer, agent or employee of any railroad or canal company shall be interested, directly or indirectly, in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company.

"SECTION 8. All railroads and canals are declared public highways, and all individuals, partnerships and corporations shall have equal right to have persons and property transported thereon, except as above excepted, 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.

"SECTION 9. All discriminations made by railroad companies, being common carriers, in their rates of freights or passage over their roads, in favor of transportation companies, or others engaged in transportation, by abatement, drawback or otherwise, are hereby prohibited; and all contracts made with any transportation company, or others engaged in the business of transportation, for carrying freights or passengers over any railroad within the State, at higher rates than those agreed upon by and between said railroad companies and transporters are hereby declared void.

"SECTION 10. No railroad company shall grant free passes, or passes at a discount, to any person except officers or employees of the company.

"SECTION 11. No street passenger railway shall be constructed within the limits of any city, borough or township, without the consent of its local authorities.

"SECTION 12. No railroad, canal or other transportation company, in existence at the time of the adoption of this article, shall have the benefit of any legislation by general or special laws, except on condition of complete acceptance of all the provisions of this article.

"SECTION 13. The existing powers and duties of the Auditor General in regard to railroads, canals and other transportation companies, except as to their accounts, are hereby transferred to the Secretary of Internal Affairs, who shall have a general supervision over them, 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.

"SECTION 14. The General Assembly shall enforce, by appropriate legislation, the provisions of this article."

On the question,

Will the Convention agree to the motion?

The hour of three o'clock having arrived,

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.

WEDNESDAY, OCTOBER 22, 1873.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Railroads and Canals.

And the question recurring,

Will the Convention resolve itself into committee of the whole, for the purpose of amending the article as proposed by Mr. Temple?

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

Y E A S.

Messrs. Achenbach, Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Brown, Calvin, Campbell, Carter, Church, Cochran, Corsor, De France, Dodd, Ewing, Finney, Fulton, Funk, Gibson, Guthrie, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, MacConnell, MacVeagh, M'Camant, M'Culloch, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Henry W., Temple, Van Reed, White, David N., White, Harry, Worrell and Wright—59.

N A Y S.

Messrs. Addicks, Andrews, Armstrong, Bannan, Barclay, Barr, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Buckalew, Carey, Clark, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, Dunning, Edwards, Elliott, Ellis, Fell, Green, Hanna, Heverin, Hunsicker, Kaine, Lamberton, Lear, Lilly, Littleton, M'Clean, M'Michael, Mann, Parsons, Patton, Pughe, Reed, Andrew, Runk, Simpson, Smith, Wm. H., Stanton, Turrell, Wetherill, J. M., White, J. W. F., and Walker, *President*—51.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bardsley, Bartholomew, Bullitt, Cassidy, Collins, Craig, Cuyler, Gilpin, Hall, Knight, Long, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Read, John R., Sharpe, Stewart, Struthers, Wetherill, Jno. Price, Wherry, and Woodward.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Green in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the first section and inserting in lieu thereof as follows, viz:

“All railroads and canals shall be public highways, and all railroad and canal companies shall be common carriers; . any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States.

"Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad, and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination."

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Achenbach, Ainey, Alricks, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Barr, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Carey, Carter, Clark, Cochran, Corbett, Corson, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, Dodd, Elliott, Ewing, Finney, Fulton, Funck, Gulpin, Green, Harvey, Hazzard, Heverin, Horton, Howard, Hunsicker, Lamberton, Landis, Lawrence, MacVeagh, Mann, Mantor, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Turrell, Van Reed, White, Harry, White, J. W. F., Woodward, Worrell and Walker. *President*—76.

NAYS.

Messrs. Addicks, Baer, Boyd, Cassidy, Cuyler, Ellis, Guthrie, Hanna, Hay, Hemphill, Lilly, Littleton, MacConnell, M'Camant, M'Cullough, Mott, Parsons, Smith, Henry W., Stanton and Temple—20.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Baker, Barclay, Bartholomew, Bullitt, Campbell, Church, Collins, Craig, De France, Dunning, Edwards, Fell, Gibson, Hall, Kaine, Knight, Lear, Long, M'Clean, M'Michael, M'Murray, Metzger, Mitchell, Niles, Palmer, H. W., Pughe, Read, John R., Reynolds, Sharpe, Stewart, Struthers, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Russell in the Chair, for the purpose indicated.

After some time the President resumed the chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by inserting after the word "railroad," in the next to last line of the first section, the following words, viz: "Subject to such regulations as may be prescribed by law."

Which was not agreed to.

And the question again recurring,

Shall the article pass?

Mr. Buckalew asked and obtained unanimous consent to amend the article in the second section, by striking out in the third line the word "books," and inserting in lieu thereof the words, "where its books shall be," and by striking out all after the word "stock," in the third line, to and including the word "in," where it first occurs in the fourth line.

And the question again recurring,

Shall the article pass ?

Mr. Broomall asked and obtained unanimous consent to amend the article, by striking out the third section and inserting in lieu thereof the following, viz: "The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party."

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the fifth section, by striking out all after the word "line," in the seventh line, to the end of the section, and inserting in lieu thereof the following words, viz: "And the question of such competition shall, when demanded by the party complainant, be tried by jury."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Landis in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass ?

The hour of three o'clock having arrived, 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, OCTOBER 23, 1873.

Mr. G. W. Palmer, from the Committee on Schedule, made a report, which was read as follows, viz:

SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of the Commonwealth, and in order to carry the same into complete operation, it is hereby declared that:

SECTION 1. This Constitution or such article or articles thereof as shall receive a majority of the votes of electors of this Commonwealth, shall take effect and go into operation immediately upon the proclamation of the Governor declaring the same to have received a majority of the votes of said electors.

SECTION 2. All laws in force in this Commonwealth at the time of the adoption of this Constitution, or any part thereof, not inconsistent therewith, and all rights, actions, prosecutions and contracts shall continue and remain in force and effect until altered or repealed by the General Assembly.

SECTION 3. That all fines, taxes, penalties and forfeitures due and owing to the Commonwealth under the present Constitution and laws, shall inure to the said Commonwealth under this Constitution.

SECTION 4. Recognizances, bonds, obligations and all other instruments entered into or executed before the adoption of this Constitution, to the Commonwealth of Pennsylvania, to any State or county officer or public body, shall remain binding and valid, and rights and liabilities upon the same shall continue.

SENATORS AND REPRESENTATIVES.

SECTION 5. Senators and Representatives under this Constitution shall be elected as follows:

The General Assembly shall divide the Commonwealth into fifty Senatorial districts numbered consecutively. Senators from even numbered districts shall be elected in the year 1875 for two years, and Senators from odd numbered districts in the year 1875 for four years.

SECTION 6. Senators and Representatives elected in the year 1874 shall serve for one year; and thereafter Representatives shall be elected for two years, and all unexpired Senatorial terms shall terminate on the first day of December, 1875.

SECTION 7. The first election of Governor and Lieutenant Governor under this Constitution shall be in the year 1875.

SECTION 8. Nothing contained in this Constitution shall be construed to render the Governor and Auditor General, now filling those offices, ineligible for election to the same respectively at the first election under this Constitution.

JUDICIARY.

SECTION 9. The judges of the Supreme Court who shall be in office when this Constitution shall take effect, shall continue until their commissions shall severally expire. Two judges, in addition to the number now composing the said court, shall be elected at the first general election after the adoption of this Constitution, whose term of office shall begin on the first Monday of January next succeeding their election.

SECTION 10. All courts of record and all existing courts which are not in this Constitution specifically enumerated, and not inconsistent therewith, shall continue in existence and exercise their present jurisdiction, until otherwise provided by law.

SECTION 11. The register's courts now in existence shall be abolished on the first day of January next succeeding the adoption of this Constitution.

SECTION 12. The Legislature shall, at the next session after the adoption of this Constitution, designate the several judicial districts provided for under this Constitution, and the number of judges learned in the law who shall be at the then succeeding general election elected in such several districts; and the judges at present in commission shall continue during their unexpired terms judges of the new districts in which they reside.

SECTION 13. The Legislature shall, at the next succeeding session after each decennial census, and not oftener, designate the several judicial districts provided for under this Constitution.

SECTION 14. Judges learned in the law of any court of record in this Commonwealth, holding commissions in force at the adoption of this Constitution, shall hold their respective offices until the expiration of the terms for which they were elected and commissioned. The office of associate judge, not learned in the law, is abolished, excepting in counties not forming separate districts, but such associate judges in office when this Constitution shall be adopted shall serve for their unexpired terms.

COURTS OF PHILADELPHIA AND ALLEGHENY.

SECTION 15. The courts of common pleas in the county of Philadelphia, and in the county of Allegheny, shall be composed of the present judges of the district court and court of common pleas of said counties until their commissions shall severally expire, and of such other judges as may from time to time be selected.

For the purpose of first organization in Philadelphia, the judges of the court number one, shall be judges Allison, Pierce and Paxson; of the court number two, Judges Hare, Lynd and Mitchell; of the court number three, Judges Ludlow, Finletter, and one other judge to be elected; and of the court number four, Judges Thayer, Briggs, and one other judge to be elected.

The judge first named shall be the president judge of said courts respectively, and thereafter the president judge shall be the judge oldest in commission.

The additional judge for courts numbers three and four shall be elected at the first general election after the adoption of this Constitution, and their term of office shall commence on the first Monday of January, 1875.

SECTION 16. In the county of Allegheny, for the purpose of first organization, the judges of the court number one shall be the judges of the court of common pleas as organized at the time of the adoption of this Constitution; and the judges of the court number two, shall be the judges of the district court, as organized at the time of the adoption of this Constitution.

The president judge of the common pleas and district court shall be president judge of said courts number one and two, respectively, until their commissions shall expire; and thereafter the judge oldest in commission shall be president judge.

SECTION 17. The organization of the court of common pleas for the counties of Philadelphia and Allegheny, shall take effect on the first Monday of January, 1875.

SECTION 18. The causes and proceedings pending in the court of *nisi prius* common pleas and district court in Philadelphia, shall be tried and disposed of in the court of common pleas.

The records and dockets of said courts shall be transferred to the prothonotary's office of said county.

SECTION 19. The causes and proceedings pending in the court of common pleas in the county of Allegheny, shall be tried and disposed of in the court number one, and the causes and proceedings pending in the district court, shall be tried and disposed of in the court number two.

SECTION 20. The prothonotary of the court of common pleas of Philadelphia shall be first appointed by the judges of said court, on the first Monday of December, 1875, and the present prothonotary of the district court in said county, shall be the prothonotary of the said court of common pleas, until said date when his commission shall expire.

ALDERMEN.

SECTION 21. In cities containing over fifty thousand inhabitants, all aldermen in office at the time of the adoption of this Constitution, shall continue in office until the first Monday in April, 1875; at the election for city and ward officers, except Philadelphia, in that year, one alderman shall be elected in each ward as provided in this Constitution.

SECTION 22. In Philadelphia, "magistrates," in lieu of aldermen, to be elected under this Constitution, shall be chosen at the election in said city for city and ward officers in the year 1875; their term of office shall commence on the first Monday of April succeeding their election.

The term of office of aldermen in said city, holding commissions at the time of the adoption of this Constitution, shall not be affected hereby.

SECTION 23. All persons in office in this Commonwealth at the time of the adoption of this Constitution, or any part thereof, shall continue and hold their respective offices until the term for which they have been elected or appointed shall expire, unless otherwise provided in this Constitution, or necessary to carry into effect its provisions.

SECTION 24. County commissioners and county auditors shall be elected under this Constitution, at the general election in the year 1875, and such officers in office at the time of the adoption of this Constitution shall continue until their successors are duly qualified, at which period the terms of those in office shall expire.

SECTION 25. The "Secretary of Internal Affairs" shall be elected at the first general election after the adoption of this Constitution, and when the said officer is duly elected and qualified, the office of Surveyor General shall be abolished, and the Surveyor General in office at the time of the adoption of this Constitution, shall continue in office until his said present office shall be abolished, and no longer.

SECTION 26. Whenever the "Superintendent of Public Instruction" shall be duly qualified, then the office of Superintendent of Common Schools shall cease and terminate.

SECTION 27. All judicial, State and county officers, in this Commonwealth, in office at the time of the first election of their successors under this Constitution, shall continue in office until their successors are duly elected and qualified, unless otherwise provided in this Constitution.

SECTION 28. All city, ward, borough and township officers, at the time of the adoption of this Constitution, and at the first election under it, shall continue in office until their successors shall be duly elected and qualified, unless inconsistent with this Constitution.

SECTION 29. All State, county, city, ward, borough and township officers in office at the time of the adoption of this Constitution, whose compensation is provided for by fees, and not by salaries, shall continue to receive the fees allowed them by law, until the expiration of their respective terms of office.

SECTION 30. All State and judicial officers heretofore sworn, and whose terms shall extend to the date at which this Constitution shall be adopted, shall severally, within one month after such adoption, take and subscribe an oath (or affirmation) to support this Constitution, and all other officers within the State shall be firmly bound by its provisions.

SECTION 31. The General Assembly, at its first session, or as soon as may be after the adoption of this Constitution, or any part thereof, shall pass such laws as may be necessary to carry the same into full force and effect.

SECTION 32. After the adoption of this Constitution no municipal or other corporation whatever, shall, by virtue of its charter or the laws heretofore passed, possess or exercise any powers repugnant to the provisions of this Constitution.

Laid on the table.

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

Resolved, That the Committee on Revision and Adjustment be directed to strike out of the first section of the article on Taxation and Revenue, the words, "except from the special assessments herein provided for," the same having been rendered useless and unmeaning by the failure of the section to which they referred.

Mr. Stanton presented the following communication, which was read, viz :

OFFICE OF THE NATIONAL PRISON ASSOCIATION, }
320 BROADWAY, NEW YORK, }
October 20, 1873. }

MY DEAR MR. HARRISON :

I thank you most sincerely for the copy of your excellent memorial in behalf of "neglected and destitute children," lately submitted to the Constitutional Convention of Pennsylvania, which you were kind enough to send me. I cannot but hope that an argument so cogent, so thoroughly unanswerable indeed, as your paper embodies, will have its effect upon so enlightened a body as that to which it is addressed. It is only to-day that I received a letter from Mr. Carleton Tuffnell, inspector of the pauper schools of England, in which he speaks of the excellent fruits of these institutions. Among other things he says : "There are, in the pauper schools of London alone, eight thousand children, *all of the lowest class*, who, under the system now pursued, are not only saved from a life of vice and crime, but turn out among the most valuable and productive members of society. These schools are strictly industrial, on the half-time system, and are under the supervision of the local government board."

To me it seems the most natural thing in the world that your Constitutional Convention should not only encourage but welcome the co-operation, and especially initiative, of private benevolence, in the work of removing from the body politic the terrible plague-spot which you have so clearly and forcibly called to its notice, and recommended to its consideration. If the Convention fail to take the action suggested by you, or some action equivalent, such failure can, it appears to me, be attributed only to a want of a thorough grasp and comprehension of the question.

It is really the question of the healthy and vigorous action, if not indeed, in the end of the very existence, of republican institutions. The instinct of self-preservation, it would seem, should lead the Convention in the direction indicated by your memorial.

May God help you in this work, is the wish and prayer of

Yours, truly and faithfully,

E. C. WINES.

Laid on the table.

A motion was made by Mr. D. W. Patterson,

That the report from the Committee on Schedule be re-committed to said committee.

Which was agreed to.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Railroads and Canals.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Broomall,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section five, and inserting in lieu thereof as follows, viz: "No railroad company shall, directly or indirectly, consolidate with, or hold a controlling interest in the stock or bonds of any other railroad corporation owning, operating or controlling a competing line of railroad; and the question of such competition shall, when demanded by the party complainant, be tried by a jury.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Armstrong, Bowman, Brodhead, Broomall, Carey, Curry, Cuyler, Darlington, Davis, Dunning, Ellis, Green, Kaine, Knight, Lilly, M'Michael, Parsons, Runk, Stanton and Turrell—20.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Barr, Beebe, Biddle, Black, Brown, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Collins, Corson, Cronmiller, Curtin, Dallas, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lawrence, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Russell, Smith, Henry W., Smith, Wm. H., Stewart, Temple, Van Reed, White, David N., White, Harry, White, J. W. F., Woodward and Walker, *President*—77.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Barclay, Bartholomew, Bigler, Boyd, Bullitt, Cassidy, Clark, Corbett, Craig, Fell, Finney, Gibson, Gilpin, Heverin, Lear, Littleton, Long, M'Camant, Metzger, Mitchell, Palmer, H. W., Patton, Porter, Pughe, Read, John R., Rooke, Sharpe, Simpson, Smith, H. G., Struthers, Wetherill, J. M., Wetherill, John Price, Wherry, Worrell and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. J. N. Purviance and Mr. Kaine,

That the vote be re-considered by which the amendment offered by Mr. Buckalew was adopted, as follows, viz:

To strike out in the fifth section, all after the word "line," in seventh line, to the end of the section, and inserting in lieu thereof, "and the question of such competition shall, when demanded by the party complainant, be tried by jury."

• On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Cuyler and Mr. Knight, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Baker, Bannan, Barr, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Brown, Carey, Cassidy, Corson, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Dunning, Edwards, Ellis, Fulton, Green, Hall, Hanna, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Lilly, M'Camant, M'Clean, M'Michael, Minor, Niles, Parsons, Patterson, T. H. B., Pughe, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Runk, Smith, Wm. H., Stanton, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., Woodward, Wright and Walker, *President*—59.

N A Y S .

Messrs. Andrews, Bailey, of Huntingdon, Bardsley, Beebe, Biddle, Buckalew, Calvin, Campbell, Church, Cochran, Collins, De France, Dodd, Ewing, Funck, Gilpin, Guthrie, Harvey, Hazzard, Hemphill, Landis, Lawrence, MacConnell, MacVeagh, M'Culloch, M'Murray, Mann, Mantor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Purman, Purviance, Sam'l A., Reynolds, Ross, Russell, Smith, Henry W., and Turrell—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Barclay, Bartholomew, Bullitt, Carter, Clark, Corbett, Craig, Dallas, Elliott, Fell, Finney, Gibson, Hay, Heverin, Lear, Littleton, Long, Metzger, Mitchell, Palmer, H. W., Patton, Porter, Sharpe, Simpson, Smith, H. G., Stewart, Struthers, Temple, Wetherill, Jno. Price, Wherry, White, Harry, and Worrell.

And the question again recurring,

Will the Convention agree to the motion ?

Mr. Buckalew asked and obtained unanimous consent to withdraw the amendment.

And the question again recurring,

Shall the article pass ?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fifth section, by striking out all after the word "line," in the sixth line, to the end of the section.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Armstrong, Baker, Bannan, Barr, Bigler, Bowman, Boyd, Brodhead, Broomall, Buckalew, Carey, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, Dunning, Ellis, Fell, Green, Hall, Hanna, Harvey, Hunsicker, Kaine, Knight, Lamberton, Lear, Lilly, Littleton, M'Camant, M'Michael, Parsons, Purviance, John N., Reed, Andrew, Runk, Smith, Wm. H., Stanton, Wetherill, J. M., White, J. W. F., Woodward and Walker, *President*—48.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Black, Brown, Calvin, Campbell, Carter, Church, Cochran, Collins, Corson, De France, Dodd, Edwards, Elliott, Ewing, Fulton, Funck, Gilpin,

Guthrie, Hay, Hazzard, Horton, Howard, Landis, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Reynolds, Ross, Russell, Smith, H. G., Smith, Henry W., Turrell, Van Reed, White, David N., White, Harry, and Wright—56.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Baer, Barclay, Bardsley, Bartholomew, Bullitt, Cassidy, Clark, Corbett, Craig, Dallas, Finney, Gibson, Hemphill, Heverin, Lawrence, Long, Metzger, Minor, Mitchell, Palmer, H. W., Porter, Pughe, Read, John R., Rooke, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, and Worrell.

And the question again recurring,
Shall the article pass?

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

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding to the end of the section, the following words, viz: "with right of writ of error for review as in other cases."

Which was not agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the fifth section, by striking out the word "always," in the eighth line, and inserting in lieu thereof the following, viz: when demanded by the party complainant."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cuyler and Mr. T. H. B. Patterson, and were as follow, viz:

YEAS.

Messrs. Achenbach, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Biddle, Bigler, Black, Brodhead, Buckalew, Campbell, Carter, Church, Clark, Cochran, Collins, Corson, Davis, De France, Edwards, Elliott, Ewing, Gilpin, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Kaine, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Ross, Russell, Smith, H. G., Smith, Wm. H., White, Harry, White, J. W. F., Wright and Walker, *President*—64.

NAYS.

Messrs. Alricks, Andrews, Bannan, Barr, Bowman, Boyd, Broomall, Calvin, Carey, Cronmiller, Curtin, Cuyler, Darlington, Dodd, Ellis, Funck, Howard, Knight, Lamberton, Lear, M'Michael, Minor, Niles, Parsons, Pughe, Runk, Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., White, David N., and Woodward—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Baker, Bardsey, Bartholomew, Brown, Bullitt, Cassidy, Corbett, Craig, Curry, Dallas, Dunning, Fell, Finney, Fulton, Gibson, Heverin, Hunsicker, Littleton, Long, Metzger, Mitchell, Mott, Palmer, H. W., Porter, Read, John R., Reed, Andrew, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. S. A. Purviance in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the fourth section and inserting in lieu thereof as follows, viz :

"SECTION —. No corporation engaged in the transportation of freight or passengers, shall make any discrimination in charges for transportation of either freight or passengers of the same class larger in amount than is proportioned to the expense of such transportation, and no special rates shall either directly or indirectly be allowed, excepting for excursion or commutation tickets ; but persons and property transported over any railroad shall be delivered at any station within the State, at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station."

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Baker, Bannan, Bowman, Broomall, Brown, Calvin, Carter, Clark, Elliott, Fulton, Guthrie, Hazzard, Horton, Hunsicker, Lawrence, Littleton, MacConnell, MacVeagh, M'Michael, Mann, Niles, Palmer, G. W., Patterson, T. H. B., Porter, Russell, Smith, H. G., Smith, Wm. H., White, Harry, White, J. W. F., and Walker, *President*—34.

N A Y S .

Messrs. Andrews, Baer, Bailey, of Huntingdon, Barr, Biddle, Bigler, Black, Boyd, Brodhead, Buckalew, Campbell, Carey, Cassidy, Church, Cochran, Corson, Cronmiller, Curtin, Cuyler, Darlington, De France, Dunning, Edwards, Ellis, Ewing, Funck, Gilpin, Harvey, Hay, Hemphill, Howard, Kaine, Knight, Landis, Lilly, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Mott, Newlin, Parsons, Patterson, D. W., Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reynolds, Rooke, Ross, Runk, Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., White, David N., Woodward, Worrill and Wright—62.

So the question was determined in the negative.

ABSENT. — Messrs. Achenbach, Addicks, Barclay, Bardsley, Bartholomew, Beebe, Bullitt, Collins, Corbett, Craig, Curry, Dallas, Davis, Dodd, Fell, Finney, Gibson, Green, Hall, Hanna, Heverin, Lamberton, Lear, Long, Metzger, Mitchell, Palmer, H. W., Patton, Pughe, Reed, Andrew, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, and Wherry.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Rooke,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section four, and inserting in lieu thereof, as follows, viz :

"No corporation engaged in the transportation of freight or passengers in or through this State, shall make any unreasonable or unjust discrimination in charges for the carriage of either freight or passengers, between or against the people thereof, and no special rates or drawbacks, shall, either directly or indirectly be allowed to one that is not allowed to all, and the Legislature shall pass laws to correct abuses."

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Armstrong, Baker, Bannan, Barclay, Barr, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Carey, Cassidy, Clark, Corson, Cronmiller, Curtin, Cuyler, Darlington, Dunning, Edwards, Elliott, Hunsicker, Kaine, Knight, Lilly, Littleton, M'CLean, M'Michael, Mann, Niles, Parsons, Porter, Pughe, Read, John R., Rooke, Runk, Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, J. M., White, J. W. F., Woodward, Worrell and Walker, *President*—47.

N A Y S.

Messrs. Achenbach, Alricks, Andrews, Baer, Bailly, of Perry, Bailey, of Huntingdon, Beebe, Biddle, Brown, Buckalew, Calvin, Campbell, Carter, Church, Cochran, De France, Dodd, Ewing, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, MacConnell, Mac Veagh, M'Camant, M'Culloch, M'Murray, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Russell, Smith, H. G., Smith, Henry W., White, David N., White, Harry, and Wright—54.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Bullitt, Collins, Corbett, Craig, Curry, Dallas, Davis, Ellis, Fell, Finney, Green, Hanna, Heverin, Lamberton, Lear, Long, Metzger, Mitchell, Palmer, H. W., Patton, Reed, Andrew, Ross, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, John Price, and Wherry,

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Bigler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section four, and inserting in lieu thereof as follows, viz:

"The charges for transporting freight and passengers of the same class, shipped from and consigned to the same stations, shall be alike to all, and so also between all intermediate and terminal stations; and no railroad company transporting freight from other States into, through or out of this State, shall make any undue or unreasonable discrimination in its charges between such freight and that local to the State, nor charge a greater sum for a shorter than a longer distance, including such shorter distance. But nothing herein contained shall prevent the granting of excursion or commutation tickets at special rates."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Bigler and Mr. Buckalew, and were as follow, viz:

Y E A S.

Messrs. Armstrong, Baer, Barclay, Barr, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Buckalew, Carey, Curtin, Cuyler, Darlington, Dunning, Edwards, Elliott, Hall, Harvey, Hunsicker, Kaine, Knight, Lamberton, Lilly, M'Camant, M'CLean, Mann, Niles, Parsons, Porter, Pughe, Purman, Read, John

R., Runk, Smith, Wm. H., Turrell, Wetherill, J. M., White, J. W. F., Woodward, Worrell and Walker, *President*—42.

N A Y S.

Messrs. Ainey, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bannan, Beebe, Biddle, Brown, Calvin, Campbell, Carter, Church, Cochran, De France, Dodd, Fulton, Funk, Gibson, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Horton, Howard, Landis, Lawrence, MacConnell, MacVeagh, McCulloch, M'Murray, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N. Purviance, Samuel A., Reynolds, Russell, Smith, H. G., Smith, Henry W., Van Reed, White, David N., and White, Harry—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baker, Bardsley, Bartholomew, Bullitt, Cassidy, Clark, Collins, Corbett, Corson, Craig, Cronmiller, Curry, Dallas, Davis, Ellis, Ewing, Fell, Finney, Green, Hanna, Heverin, Lear, Littleton, Long, M'Michael, Metzger, Mitchell, Palmer, H. W., Patton, Reed, Andrew, Rooke, Ross, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Wetherill, John Price, Wherry and Wright.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the fourth section and inserting in lieu thereof as follows, viz:

"SECTION 4. All individuals, associations and corporations shall have equal right to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in charges for or in facilities for transportation of freight or passengers within the State, or common from or going to any other State. Persons and property transported over any railroad shall be delivered at any station within the State at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station. But excursion and commutation tickets may be issued at special rates.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Armstrong, Baer, Bannan, Barclay, Barr, Bigler, Black, Bowman, Boyd, Broomall, Buckalew, Carey, Curry, Curtin, Cuyler, Darlington, Dodd, Edwards, Elliott, Green, Hall, Horton, Hunsicker, Kaine, Knight, Lamberton, Lilly, MacVeagh, M'CLean, Mann, Niles, Parsons, Patterson, D. W., Porter, Pughe, Read, John R., Reed, Andrew, Runk, Smith, Wm. H., Turrell, Wetherill, J. M., White, J. W. F., Woodward, Worrell and Walker, *President*—46.

N A Y S.

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Calvin, Campbell, Carter, Church, Cochran, De France, Ewing, Fulton, Funk, Gibson, Gilpin, Guthrie, Hay, Hemphill, Howard, Landis, Lawrence, MacConnell, McCulloch, M'Murray, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Smith, Henry W., White, David N., and White, Harry—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Brodhead, Brown, Bullitt, Cassidy, Clark, Collins, Corbett, Corson, Craig, Cronmiller, Dallas, Davis, Dun-

ning, Ellis, Fell, Finney, Hanna, Harvey, Hazzard, Heverin, Lear, Littleton, Long, M'Camant, M'Michael, Metzger, Mitchell, Palmer, H. W., Patton, Rooke, Ross, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Van Reed, Wetherill, Jno. Price, Wherry and Wright.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. J. W. F. White in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

The hour of three o'clock having arrived,

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.

FRIDAY, OCTOBER 24, 1873.

Mr. Patton presented a communication from Wm. Patton, of Towanda, remonstrating against the action of the Convention upon the usury question.

Which was laid on the table.

Mr. Newlin asked and obtained unanimous consent to amend the resolution which was agreed to on the seventeenth instant, providing for the distribution of the Debates under the proposition of the State Printer, by striking out the word "twelve," and inserting in lieu thereof the word "ten."

Mr. Hay asked and obtained leave of absence for a few days from Monday.

Mr. Baer asked and obtained leave of absence for a few days from Monday.

Mr. Brodhead asked and obtained leave of absence for a few days from Monday.

Mr. Niles asked and obtained leave of absence for Mr. Bowman until Wednesday morning.

Mr. Henry W. Smith asked and obtained leave of absence for Monday, and a day or two after, if necessary.

Mr. Hall asked and obtained leave of absence for Mr. Fulton for a few days from Monday.

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

Resolved, That this Convention will hold a session from half-past nine A. M. until three P. M. to-morrow, (Saturday, October the twenty-fifth.)

On the question,

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

The yeas and nays were required by Mr. W. H. Smith and Mr. De France, and were as follow, viz:

YEAS.

Messrs. Achenbach, Ainey, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bardsley, Barr, Beebe, Bigler, Black, Campbell, Carter, Collins, Corbett, Cronmiller, Curry, Darlington, De France, Edwards, Guthrie, Hall, Hay, Hazzard, Landis, Lawrence, MacConnell, M'Murray, Mantor, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Simpson, Smith, Wm. H., Turrell, White, David N., Wright and Walker, *President*—45.

NAYS.

Messrs. Bear, Baker, Bannan, Boyd, Brodhead, Broomall, Brown, Calvin, Church, Curtin, Cuyler, Dallas, Davis, Dodd, Ewing, Finney, Funck, Gibson, Hanna, Harvey, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Lamberton, Lilly, Long, MacVeagh, M'Culloch, M'Michael, Minor, Mott, Newlin, Parsons, Patterson, D. W., Reed, Andrew, Rooke, Runk, Smith, Henry W., Van Reed, Wetherill, J. M., White, Harry, and White, J. W. F.—45.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Armstrong, Bartholomew, Biddle, Bowman, Buckalew, Bullitt, Carey, Cassidy, Clark, Cochran, Corson, Craig, Dunning, Elliott, Ellis, Fell, Fulton, Gilpin, Green, Heverin, Lear, Littleton, M'Camant, M'Clean, Mann, Metzger, Mitchell, Palmer, H. W., Pughe, Read, John R., Reynolds, Ross, Sharpe, Smith, H. G., Stanton, Stewart, Struthers, Temple, Wetherill, John Price, Wherry, Woodward and Worrell.

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

Resolved, That if any article upon Railroads and Canals shall pass finally, it will be separately submitted to a vote of the electors.

Laid on the table.

Mr. S. A. Purviance offered the following resolution, which was read, viz :

Resolved, That the Convention will hold a session on to-morrow, until one o'clock, for the exclusive purpose of considering the schedule and ordinance of submission.

On the question,

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

The yeas and nays were required by Mr. De France and Mr. Corbett, and were as follow, viz :

YEAS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Black, Brown, Buckalew, Cochran, Collins, Corbett, Cronmiller, Curry, De France, Dodd, Fell, Guthrie, Hall, Hay, Hazzard, Landis, Lawrence, MacConnell, M'Murray, Mantor, Mott, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Simpson, Smith, Wm. H., White, David N., and Wright—40.

NAYS.

Messrs. Ainey, Baer, Baker, Bannan, Barr, Beebe, Biddle, Bigler, Boyd, Brodhead, Broomall, Calvin, Campbell, Church, Clark, Corson, Curtin, Cuyler, Dallas, Darlington, Davis, Edwards, Elliott, Ewing, Finney, Fulton, Funck, Gibson, Hanna, Harvey, Hemphill, Horton, Howard, Hunsicker, Kaine, Lamberton, Lilly, Long, MacVeagh, M'Culloch, M'Michael, Minor, Niles, Parsons, Patterson, D. W., Reed, Andrew, Reynolds, Rooke, Runk, Smith, Henry W., Turrell, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., Woodward and Walker, *President*—57.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Barclay, Bartholomew, Bowman, Bullitt, Carey, Carter, Cassidy, Craig, Dunning, Ellis, Gilpin, Green, Heverin, Knight, Lear,

Littleton, M'Camant, M'Clean, Mann, Metzger, Mitchell, Newlin, Palmer, H. W., Pughe, Read, John R., Ross, Sharpe, Smith, H. G., Stanton, Stewart, Struthers, Temple, Wetherill, John Price, Wherry and Worrell.

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

Resolved, That the Convention will hold a session to-morrow, from ten o'clock A. M. to two 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. J. N. Purviance and Mr. Bigler, and were as follow, viz:

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bailey, of Huntingdon, Bardsley, Barr, Black, Brown, Buckalew, Carter, Collins, Corbett, Cronmiller, Curry, De France, Dodd, Edwards, Elliott, Fell, Guthrie, Hall, Hay, Hazzard, Knight, Landis, Lawrence, MacConnell, M'Murray, Mantor, Niles, Palmer, G. W., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Simpson, Smith, Wm. H., White, David N., and Wright—42.

N A Y S .

Messrs. Ainey, Armstrong, Baker, Bannan, Beebe, Biddle, Bigler, Boyd, Brodhead, Broomall, Calvin, Campbell, Carey, Church, Clark, Corson, Curtin, Cuyler, Dallas, Darlington, Davis, Ewing, Finney, Fulton, Funk, Gibson, Gilpin, Hanna, Harvey, Hemphill, Horton, Howard, Hunsicker, Kaine, Lamberton, Lilly, Long, MacVeagh, M'Camant, M'Culloch, M'Michael, Minor, Mott, Parsons, Patterson, D. W., Patterson, T. H. B., Reed, Andrew, Reynolds, Rooke, Runk, Smith, Henry W., Stanton, Turrell, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., Woodward and Walker, *President*—59.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bartholomew, Bowman, Bullitt, Cassidy, Cochran, Craig, Dunning, Ellis, Green, Heverin, Lear, Littleton, M'Clean, Mann, Metzger, Mitchell, Newlin, Palmer, H. W., Pughe, Read, John R., Ross, Sharpe, Smith, H. G., Stewart, Struthers, Temple, Wetherill, John Price, Wherry and Worrell.

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

Resolved, That the Committee on Revision and Adjustment are directed to strike out the third section of the article on Education, which allows women to be school directors.

Laid on the table.

A motion was made by Mr. Joseph Baily,

That the Convention resume the consideration of the motion to re-consider the vote by which the article on the Judiciary was passed.

On the question,

Will the Convention agree to the motion?

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

To postpone the motion, together with the further consideration of the subject, for the present.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. N. Purviance and Mr. Boyd, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Andrews, Armstrong, Baer, Barr, Boyd, Broomall, Brown, Clark, Corbett, Corson, Curtin, Cuyler, Dallas, Darlington, Davis, De France, Edwards, Elliott, Gibson, Hall, Harvey, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lilly, Littleton, Long, MacConnell, MacVeagh, M'Camant, M'Clean, M'Michael, M'Murray, Mantor, Minor, Niles, Parsons, Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Runk, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Turrell, Van Reed, Wetherill, J. M., White, Harry, White, J. W. F., and Woodward—58.

NAYS.

Messrs. Achenbach, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Bigler, Black, Brodhead, Buckalew, Calvin, Campbell, Carter, Church, Collins, Cronmiller, Curry, Ewing, Finney, Fulton, Funck, Gilpin, Guthrie, Hanna, Hay, Hazzard, Hemphill, Horton, Lawrence, M'Culloch, Mann, Mott, Newlin, Patterson, D. W., Purman, Reed, Andrew, Rooke, Russell, Simpson, White, David N., Worrell, Wright and Walker, *President*—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Bannan, Bartholomew, Beebe, Biddle, Bowman, Bullitt, Carey, Cassidy, Cochran, Craig, Dodd, Dunning, Ellis, Fell, Green, Heverin, Lear, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Pughe, Read, John R., Reynolds, Ross, Sharpe, Stewart, Struthers, Temple, Wetherill, Jno. Price, and Wherry.

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:

1. That there have been submitted for its consideration the following accounts for stationery:

W. F. Murphy's Sons, for.....	\$1,358 50
Claxton, Remsen & Haffelfinger, for.....	402 17

These bills have been carefully examined. The Chief Clerk has certified that they are correct. It is, therefore, believed that the articles charged for therein were furnished by the parties rendering them, upon the order or by the authority of the Chief Clerk, whose function it exclusively was to purchase such stationery as was necessarily required for the proper and convenient transaction of the business of the Convention; and that the prices charged are the usual and ordinary prices for similar articles purchased in similar quantities in Philadelphia, and that the articles mentioned in the accounts are mainly of such a character as were proper to have been procured for the use of the officers and committees of the Convention.

It is, therefore, believed that the Convention is bound for the payment of these bills. They are, however, in the opinion of the committee, in many particulars, in excess of the actual requirements of the body for its legitimate uses; and while reporting that these bills should be paid, the committee is not to be understood as approving their entire character and extent.

2. That there is now due to the Official Reporter of the Convention for his services from the 15th of July last, the date to which the last settlement for reporting was made, up to and including the 15th of October, the sum of thirty-two hundred and seventy-two dollars and twenty-seven cents.

The following resolutions are accordingly reported for the action of the Convention:

Resolved, That warrants be drawn upon the State Treasurer in favor of Wm. F. Murphy's Sons for \$1,358 50, and Claxton, Remsen & Haffelfinger for \$402 17, in payment of their respective accounts, mentioned in the foregoing report.

Resolved, That a warrant be drawn upon the State Treasurer in favor of D. F. Murphy, Official Reporter, for the sum of \$3,272 27, in full payment for his services up to and including the 15th day of October, instant.

On motion of Mr. Hay,

Said resolutions were twice read, considered and agreed to.

Mr. Woodward from the Committee on Private Corporations, made a report, which was read as follows, viz:

Your Committee on Private Corporations, to whom was referred the resolution of Mr. Howard, to wit:

"*Resolved*, That all persons or incorporated companies, doing business in this Commonwealth as bankers, or that shall make it a part of their business to receive on deposit the money of other persons or institutions, are prohibited from buying or dealing, directly or indirectly, in the stocks, bonds or obligations of private corporations, (except those engaged exclusively in manufacturing or mining,) in any way, except as agents for the sale of the same, and a violation of this section shall be a criminal offence, punishable as the General Assembly shall by law direct."

Having fully considered the subject matter of said resolution deem it inexpedient to recommend the incorporation into the Constitution of any provision of such a nature.

Upon consideration of the resolution of Mr. Brodhead, to wit:

"Any individual, partnership or corporation organized for the purpose, shall have the right to construct and operate telegraph lines between any two points in this State."

Your committee offer the following section, to be incorporated into the article on Private Corporations, as section thirteen, to wit:

"SECTION 13. Any association or corporation organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State and to connect the same with other lines, and the General Assembly shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with, or hold a controlling interest in the stock or bonds of any other telegraph company, or acquire by purchase or otherwise, any other line of telegraph."

Laid on the table.

Agreeably to order,

The Convention resumed the third reading and consideration of the article on Railroads and Canals.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. MacVeagh,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fourth section, by striking out in the fifth line the words, "within the State."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Armstrong in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

A motion was made by Mr. Bigler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the eighth and ninth sections, and inserting in lieu thereof as follows, viz:

"No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either, by abatement, drawback or otherwise; and no railroad or canal company, nor any lessee, manager or employee thereof, shall make any preferences in furnishing cars or motive power."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Kaine in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Brodhead,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by inserting in the seventh section, after the word "indirectly," in the second line, the words, "in the furnishing of material or supplies to such company or."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Boyd in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Knight,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out section ten, and inserting in lieu thereof as follows, viz:

"No railroad or railway company shall grant free passes, or passes at a discount, to any person except officers or employees of the company, unless by a unanimous vote of its board of directors."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cuyler and Mr. Knight, and were as follow, viz:

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Baer, Bail, of Perry, Baker, Barclay, Barr, Beebe, Biddle, Bigler, Black, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Church, Clark, Cochran, Collins, Cronmiller, Curtin, Dallas, Davis, De France, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Knight, Landis, Lawrence, Long, MacConnell, M'CLean, M'Murray, Mann, Mantor, Minor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, White, David N., Woodward, Worrell, Wright and Walker, *President*—76.

N A Y S.

Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Corbett, Cuyler, Darlington, Dodd, Dunning, Edwards, Elliott, Ewing, Hanna, Hunsicker, Lilly, Mott, Niles, Pughe, Runk, Simpson, Stanton, Van Reed, Wetherill, J. M., White, Harry, and White, J. W. F.—24.

So the question was determined in the affirmative.

ABSENT—Messrs. Addicks, Bannan, Bardsley, Bartholomew, Bowman, Bullitt, Carey, Cassidy, Corson, Craig, Curry, Ellis, Green, Heverin, Kaine, Lamberton,

Lear, Littleton, MacVeagh, M'Camant, M'Culloch, M'Michael, Metzger, Mitchell, Palmer, H. W., Parsons, Ross, Sharpe, Stewart, Struthers, Temple, Wetherill, John Price, and Wherry.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Wm. H. Smith in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Ewing,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article in the tenth section, by striking out the word "or," in the first line, and by inserting in the same line, after the word "railway," the words, "or other transportation."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Barclay in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendment made in accordance with the instructions of the Convention.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Hunsicker,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the tenth section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Hunsicker and Mr. J. N. Purviance, and were as follow, viz:

Y E A S.

Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Bannan, Biddle, Broomall, Church, Clark, Corbett, Corson, Cuyler, Darlington, Davis, Elliott, Fulton, Hay, Hazzard, Hemphill, Hunsicker, Lilly, Littleton, MacConnell, Niles, Pughe, Runk, Simpson, Wetherill, J. M., White Harry, and White, J. W. F.—29.

N A Y S.

Messrs. Achenbach, Alricks, Baer, Baily, of Perry, Barclay, Barr, Beebe, Bigler, Black, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cochran, Collins, Cronmiller, Curtin, Dallas, De France, Edwards, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Hall, Harvey, Horton, Howard, Kaine, Knight, Landis, Lawrence, Long, M'Culloch, Mann, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Van Reed, White, David N., Woodward, Worrell, Wright and Walker, *President*—64.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Andrews, Baker, Bardsley, Bartholomew, Bowman, Boyd, Bullitt, Carey, Cassidy, Craig, Curry, Dodd, Dunning, Ellis, Fell, Green, Hanna, Heverin, Lamberton, Lear, MacVeagh, M'Camant, M'Clean, M'Michael, M'Murray, Metzger, Mitchell, Palmer, H. W., Parsons, Read, John R., Ross, Sharpe, Stanton, Stewart, Struthers, Temple, Turrell, Wetherill, John Price, and Wherry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Minor,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the tenth section, by striking out all after the word "transportation," in the first line, and inserting in lieu thereof as follows, viz:

"Company, association or person owning or operating a railroad shall, directly or indirectly, grant free passes, or passes at a discount, to any member of the Legislature, or any executive, judicial or municipal officer, or to any other person employed in the public business of the State, or of any city or county thereof, either for themselves or for the use of any other person."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Cuyler and Mr. Hunsicker, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Bailey, of Huntingdon, Barr, Brodhead, Broomall, Clark, Corbett, Corson, Cuyler, Darlington, Davis, Elliott, Ewing, Gibson, Hazard, Hemphill, Howard, Hunsicker, Lilly, Long, Minor, Niles, Patterson, T. H. B., Pughe, Read, John R., Reed, Andrew, Stanton, Wetherill, J. M., and White, Harry—30.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Baer, Baily, of Perry, Baker, Bannan, Barclay, Biddle, Brown, Buckalew, Calvin, Carter, Cochran, Cronmiller, Dallas, De France, Edwards, Fell, Funck, Gilpin, Guthrie, Hall, Kaine, Knight, Landis, Lawrence, Littleton, M'Culloch, M'Murray, Mann, Mantor, Mott, Palmer, G. W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Rooke, Runk, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, White, David N., White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bardsley, Bartholomew, Beebe, Bigler, Black, Bowman, Boyd, Bullitt, Campbell, Carey, Cassidy, Church, Collins, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Finney, Fulton, Green, Hanna, Harvey, Hay, Heverin, Horton, Lamberton, Lear, MacConnell, MacVeagh, M'Camant, M'Clean, M'Michael, Metzger, Mitchell, Newlin, Palmer, H. W., Parsons, Reynolds, Ross, Sharpe, Simpson, Stewart, Struthers, Temple, Wetherill, Jno. Price, and Wherry.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Cuyler,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out the tenth section, and inserting in lieu thereof as follows, viz:

"No railroad, railway or transportation company shall grant free passes, or passes at a discount, except to officers or employees of railroad, railway or transportation companies."

Which was agreed to.

And the question again recurring,
Shall the article pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out the thirteenth section.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Howard and Mr. Buckalew, and were as follow, viz :

Y E A S .

Messrs. Armstrong, Barr, Brodhead, Broomall, Brown, Buckalew, Church, Corbett, Corson, Cronmiller, Curtin, Cuyler, Dallas, Darlington, De France, Edwards, Fulton, Hunsicker, Kaine, Lilly, Long, Mann, Niles, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Runk, Smith, Wm. H., Turrell, Wetherill, J. M., White, David N., Worrell and Walker, *President*—38.

N A Y S .

Messrs. Ainey, Alricks, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Calvin, Campbell, Carter, Clark, Cochran, Ewing, Finney, Funck, Gibson, Gilpin, Hunsicker, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Knight, Landis, Lawrence, MacConnell, M'Culloch, M'Murray, Mantor, Minor, Patterson, T. H. B., Purviance, John N., Purviance, Sam'l A., Reynolds, Russell, Smith, H. G., Smith, Henry W., Van Reed, White, Harry, White, J. W. F., Woodward and Wright—45.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Andrews, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Black, Bowman, Boyd, Bullitt, Carey, Cassidy, Collins, Craig, Curry, Davis, Dodd, Dunning, Elliott, Ellis, Fell, Green, Hall, Hanna, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Michael, Metzger, Mitchell, Mott, Newlin, Palmer, H. W., Parsons, Rooke, Ross, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Wetherill, John Price, and Wherry.

And the question again recurring,

Shall the article pass ?

The previous question was called by Mr. Barclay, seconded by Messrs. Wm. H. Smith, Horton, Henry W. Smith, Corson, Edwards, Hunsicker, Van Reed, Funck, Calvin, Finney, Russell, M'Culloch, Guthrie, S. A. Purviance, Clark, Porter, M'Connell and Church.

On the question,

Shall the main question be now put ?

The yeas and nays were required by Mr. Corbett and Mr. Cuyler, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baer, Baily, of Perry, Baker, Barclay, Barr, Beebe, Calvin, Campbell, Carter, Church, Clark, Corson, De France, Edwards, Elliott, Ewing, Finney, Funck, Guthrie, Hazzard, Horton, Howard, Hunsicker, Knight, Lawrence, Lilly, Long, MacConnell, M'Culloch, M'Murray, Mann, Mantor, Minor, Niles, Palmer, G. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Russell, Smith, Henry W., Smith, Wm. H., Van Reed, White, David N., and Walker, *President*—50.

N A Y S .

Messrs. Alricks, Armstrong, Bailey, of Huntingdon, Biddle, Brodhead, Broomall, Brown, Buckalew, Corbett, Curtin, Cuyler, Dallas, Darlington, Fulton, Gibson, Gilpin, Harvey, Hemphill, Kaine, Landis, Read, John R., Runk, Smith, H. G., Turrell, Wetherill, J. M., White, Harry, White, J. W. F., Woodward, Worrell and Wright—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Bannan, Bardsley, Bartholomew, Bigler, Black, Bowman, Boyd, Bullitt, Carey, Cassidy, Cochran, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Green, Hall, Hanna, Hay, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Michael, Metzger, Mitchell, Mott, Newlin, Palmer, H. W., Parsons, Patterson, D. W., Patton, Rooke, Ross, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Wetherill, Jno. Price, and Wherry.

And the question again recurring,
Shall the article pass ?

The yeas and nays were required by Mr. Edwards and Mr. Cuyler, and were as follow, viz :

Y E A S .

Messrs. Ainey, Ahicks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Baker, Barclay, Barr, Beebe, Biddle, Brown, Buckalew, Calvin, Campbell, Carter, Church, Clark, Cochran, Corson, Curtin, Dallas, De France, Edwards, Ewing, Finney, Fulton, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Knight, Landis, Lawrence, Long, MacConnell, M'Culloch, M'Murray, Mann, Manter, Minor, Mott, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, White, David N., White, Harry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—76.

N A Y S .

Messrs. Brodhead, Broomall, Corbett, Cuyler, Darlington, Elliott, Lilly, Niles, Pughe, Runk and Wetherill, J. M.—11.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Bannan, Bardsley, Bartholomew, Bigler, Black, Bowman, Boyd, Bullitt, Carey, Cassidy, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Green, Hall, Hanna, Heverin, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Michael, Metzger, Mitchell, Palmer, H. W., Parsons, Rooke, Ross, Sharpe, Simpson, Stanton, Stewart, Struthers, Temple, Wetherill, Jno. Price, and Wherry.

A motion was made by Mr. Hunsicker,

That the Convention resume the third reading and consideration of the article (No. 14) on County Officers.

Which was agreed to.

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Hunsicker,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same by striking out section five, and inserting in lieu thereof as follows, viz :

“The compensation of county officers shall be regulated by law, and all county officers who are or may be salaried shall pay all fees which they may be authorized to receive into the treasury of the county or State as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants all county officers shall be paid by salary, and the salary of no such officer shall exceed the aggregate of fees of such office received and accounted for in the preceding year.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Brodhead,

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. Brodhead, and were as follow, viz:

YEAS.

Messrs. Alricks, Bailey, of Huntingdon, Baker, Brodhead, Corbett, Corson, Curtin, Cuyler, De France, Ewing, Finney, Gilpin, Hazzard, Kaine, Landis, Reed, Andrew, Smith, Henry W., White, David N., White, Harry, Worrell and Walker, *President*—21.

NAYS.

Messrs. Ainey, Andrews, Armstrong, Baily, of Perry, Barclay, Barr, Broomall, Brown, Buckalew, Campbell, Church, Clark, Cochran, Dallas, Darlington, Edwards, Elliott, Fulton, Guthrie, Hall, Hay, Hemphill, Horton, Howard, Hunsicker, Lawrence, Lilly, Long, MacConnell, Mann, Mantor, Minor, Mott, Niles, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Runk, Russell, Smith, Wm. H., Turrell and White, J. W. F.—48.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Bannan, Bardsley, Bartholomew, Beebe, Biddle, Bigler, Black, Bowman, Boyd, Bullitt, Calvin, Carey, Carter, Cassidy, Collins, Craig, Cronmiller, Curry, Davis, Dodd, Dunning, Ellis, Fell, Funck, Gibson, Green, Hanna, Harvey, Heverin, Knight, Lamberton, Lear, Littleton, MacVeagh, M'Camant, M'Clean, M'Cullough, M'Michael, M'Murray, Metzger, Mitchell, Newlin, Palmer, H. W., Parsons, Porter, Read, John R., Rooke, Ross, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward and Wright.

And the question again recurring,

Will the Convention agree to the motion to resolve itself into committee of the whole for the purpose of making the amendment offered by Mr. Hunsicker?

The hour of three o'clock having arrived,

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, OCTOBER 27, 1873.

Mr. De France asked and obtained leave of absence for Mr. Edwards for a few days on account of sickness.

Mr. Alricks asked and obtained leave of absence for Mr. Brown for a few days from to-day.

Mr. Biddle asked and obtained leave of absence for Mr. Turrell for a few days from to-day, on account of sickness in his family.

Mr. MacVeagh asked and obtained leave of absence for himself for a few days after Wednesday.

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

Resolved, That this Convention will close its present session on or before Friday next, at two o'clock P. M., and that in order to accomplish this object, sessions be held on Tuesday, Wednesday, and Thursday evenings, commencing at seven, and adjourning at or before ten o'clock.

On the question,

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 "that," in the first line, and including the word "accomplish," in the fourth line, and inserting in lieu thereof the following, viz : "we will proceed with all due diligence to complete our labors, and adjourn at the earliest day practicable, and for."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Purman,

To amend the amendment by inserting before the word "Tuesday," the word "Monday."

Which was agreed to.

On the question,

Will the Convention agree to the amendment as amended ?

The yeas and nays were required by Mr. Lilly and Mr. Purman and were as follow, viz :

Y E A S.

Messrs. Achenbach, Alricks, Baily, of Perry, Barr, Biddle, Black, Calvin, Campbell, Carey, Carter, Curtin, Darlington, Ewing, Guthrie, Hall, Hay, Hazzard, Horton, Hunsicker, Knight, Lilly, Littleton, MacConnell, M'Clean, M'Culloch, M'Michael, M'Murray, Patterson, T. H. B., Patton, Purman, Struthers, and White, J. W. F.—22.

N A Y S.

Messrs. Andrews, Bardsley, Boyd, Brodhead, Broomall, Church, Clark, Cochran, Collins, Corbett, Cronmiller, Cuyler, De France, Dodd, Hanna, Howard, Kaine, Landis, Lawrence, MacVeagh, Minor, Mott, Newlin, Niles, Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Ross, Russell, Smith, Wm. H., Stanton, Wetherill, J. M., White, David N., Woodward, Wright and Walker, *President*—37.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Bigler, Bowman, Brown, Buckalew, Bullitt, Cassidy, Corson, Craig, Curry, Dallas, Davis, Dunning, Edwards, Elliott, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hemp-hill, Heverin, Lamberton, Lear, Long, M'Camant, Mann, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Read, John R., Reed, Andrew, Rooke, Runk, Sharpe, Simpson, Smith, H. G., mith, Henry W., Stewart, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, Harry, and Worrell.

•And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Russell,

To amend the same, by inserting before the word "Tuesday," the word "Monday."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

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

Y E A S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Bardsley, Barr, Boyd, Calvin, Campbell, Carey, Carter, Cochran, Collins, Corbett, Cronmiller, Curry, De France, Elliott, Ewing, Hall, Hay, Hazzard, Horton, Hunsicker, Kaine, Landis, Lawrence, Lear, Littleton, MacConnell, MacVeagh, M'Michael, M'Murray, Newlin, Niles, Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Russell, Smith, H. G., Smith, Wm. H., White, David N., White, Harry, White, J. W. F., Woodward, Wright and Walker, *President*—50.

N A Y S .

Messrs. Biddle, Black, Brodhead, Broomall, Church, Clark, Curtin, Cuyler, Darlington, Guthrie, Hanna, Howard, Knight, Lilly, M'Clean, M'Culloch, Minor, Mott, Reed, And'w, Reynolds, Ross, Stanton, Struthers, and Wetherill, J. M.—24.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bartholomew, Beebe, Bigler, Bowman, Brown, Buakalew, Bullitt, Cassidy, Corson, Craig, Dallas, Davis, Dodd, Dunning, Edwards, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hemphill, Heverin, Lamberton, Long, M'Camant, Mann, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Pughe, Read, John R., Rooke, Runk, Sharpe, Simpson, Smith, Henry W., Stewart, Temple, Turrell, Van Reed, Wetherill, Jno. Price, Wherry and Worrell.

Mr. S. A. Purviance offered the following resolution, which was twice read, viz :

Resolved, That when this Convention adjourns, it will adjourn to meet the second Tuesday after the day fixed for the election, for the purpose of examining the returns of votes polled for and against the new Constitution, before proclamation shall be made by the Governor, and for the purpose of taking cognizance and disposing of frauds, if any shall be practiced at said election, and transacting such other business as may be deemed necessary and proper.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Littleton,

To postpone the question, together with the further consideration of the resolution for the present, and that the same be printed for the use of the Convention.

Which was agreed to.

Mr. Carter offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That when a motion be made for the submission of any article to a separate vote of the people, the same be decided without debate.

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

Resolved, That a committee of seven be appointed to investigate the matters referred to in the articles just read by Mr. White, with power to send for persons and papers, and make report to this body.

On the question,

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

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

Y E A S.

Messrs. Achenbach, Alricks, Andrews, Baker, Bardsley, Barr, Biddle, Black, Boyd, Brodhead, Broomall, Buckalew, Campbell, Carey, Clark, Corbett, Cronmiller, Curry, Curtin, Cuyler, Dallas, Darlington, De France, Dodd, Elliott, Hanna, Hay, Hunsicker, Kaine, Knight, Lawrence, Lilly, Littleton, MacVeagh, M'Clean, M'Michael, Newlin, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Ross, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Wetherill, J. M., White, David N., Woodward, Worrell, Wright and Walker, *President*—59.

N A Y S.

Messrs. Bailly, of Perry, Calvin, Carter, Church, Cochran, Collins, Ewing, Guthrie, Hazzard, Horton, Landis, MacConnell, M'Culloch, M'Murray, Purviance, Sam'l A., Reynolds, White, Harry, and White, J. W. F.—18.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Beebe, Bigler, Bowman, Brown, Bullitt, Cassidy, Corson, Craig, Davis, Dunning, Edwards, Ellis, Fell, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hall, Harvey, Hemphill, Heverin, Howard, Lamberton, Lear, Long, M'Camant, Mann, Mantor, Metzger, Minor, Mitchell, Mott, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Read, John R., Rooke, Runk, Sharpe, Smith, Henry W., Stewart, Turrell, Van Reed, Wetherill, Jno. Price and Wherry.

And the resolution was read a second time.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Cochran,

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. Curtin and Mr. Stanton, and were as follow, viz :

Y E A S.

Messrs. Andrews, Bailly, of Perry, Bardsley, Beebe, Biddle, Black, Broomall, Calvin, Carey, Carter, Church, Cochran, Collins, Dodd, Elliott, Ewing, Fell, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Howard, Landis, Lilly, MacConnell, M'Murray, Minor, Patterson, D. W., Patterson, T. H. B., Purviance, Sam'l A., Reynolds, Russell, Struthers and White, Harry—36.

N A Y S.

Messrs. Achenbach, Alricks, Baker, Barr, Boyd, Brodhead, Buckalew, Campbell, Cassidy, Clark, Corbett, Corson, Cronmiller, Curry, Curtin, Cuyler, Darlington, De France, Hunsicker, Kaine, Knight, Lamberton, Lawrence, Lear, Littleton, MacVeagh, M'Clean, M'Culloch, M'Michael, Mott, Newlin, Niles, Patton, Porter, Purman, Purviance, John N., Ross, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Temple, Wetherill, J. M., White, David N., Woodward, Worrell, Wright and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Bigler, Bowman, Brown, Bullitt, Craig, Dallas, Davis, Dunning, Edwards, Ellis, Finney, Fulton, Funck, Gibson, Gilpin, Green, Harvey, Hemphill, Heverin, Long, M'Camant, Mann, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Read, John R., Reed, Andrew, Rooke, Runk, Sharpe, Smith, Henry W., Stewart, Turrell, Van Reed, Wetherill, John Price, Wherry and White, J. W. F.

The resolution was then agreed to.

Ordered, That Messrs. Boyd, Lawrence, Andrew Reed, Struthers, Kaine, Porter and Stanton be said committee.

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

Resolved, That the Committee on Revision be and they are hereby directed to prepare and submit to the Convention, a concise statement of the amendments made to the Constitution, in the form of an address to the people.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Stanton,

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 resolution?

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

Y E A S.

Messrs. Achenbach, Alricks, Baily, of Perry, Baker, Bardsley, Beebe, Biddle, Brodhead, Buckalew, Calvin, Carey, Carter, Cassidy, Collins, Corson, Cronmiller, Curry, Curtin, Cuyler, De France, Dodd, Guthrie, Hay, Hazzard, Horton, Howard, Hunsicker, Kaine, Landis, MacVeagh, M'Culloch, M'Murray, Minor, Mott, Newlin, Niles, Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Reynolds, Runk, Simpson, Smith, H. G., Wetherill, J. M., Woodward and Worrell—48.

N A Y S.

Messrs. Andrews, Barr, Black, Boyd, Broomall, Campbell, Church, Clark, Cochran, Corbett, Darlington, Elliott, Ewing, Fell, Hall, Lamberton, Lawrence, Lilly, MacConnell, M'Clean, M'Michael, Patterson, D. W., Porter, Reed, Andrew, Ross, Russell, Smith, Wm. H., Stanton, Struthers, Temple, White, David N., White, Harry, White, J. W. F., and Walker, *President*—34.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bartholomew, Bigler, Bowman, Brown, Bullitt, Craig, Dallas, Davis, Dunning, Edwards, Ellis, Finney, Fulton, Funck, Gibson, Gilpin, Green, Hanna, Harvey, Hemphill, Heverin, Knight, Lear, Littleton, Long, M'Camant, Mann, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Read, John R., Rooké, Sharpe, Smith, Henry W., Stewart, Turrell, Van Reed, Wetherill, Jno. Price, Wherry and Wright.

Mr. Curtin offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That James P. Barr, having been elected to fill the place of Hon. Jeremiah S. Black, be placed on the committees of which his predecessor was a member.

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

Resolved, That the Committee on Revision and Adjustment be directed to strike out of the article on Legislation the words: "The county of Delaware may be united with adjoining wards of Philadelphia to form a district," in the sixteenth section, and insert in lieu thereof the words, "except when the adjoining counties have each at least one ratio of population."

Laid on the table.

On motion of Mr. Woodward,

The Convention resolved itself into committee of the whole, Mr. Hunsicker in the Chair, on article reported from the Committee on Private Corporations on Friday last.

After some time the President resumed the Chair, and the chairman reported the article amended as follows, viz :

By inserting in the first line, after the word "corporation," the word "organized;" and in the sixth line, after the word "company," the words, "owning a competing line;" and in the same line, after the word "other" the word "competing."

On motion of Mr. Woodward,

The convention proceeded to the second reading and consideration of the same.

And on the question,

Will the Convention agree to the first and only section ?

A motion was made by Mr. Campbell.

To amend the same, by striking out in the sixth line, after the word "company," the words, "owning a competing line;" and in the same line, after the word "other," the word "competing."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Campbell and Mr. Newlin, and were as follow, viz :

Y E A S .

Messrs. Andrews, Baily, of Perry, Baker, Campbell, Clark, Cochran, Collins, Newlin, White, David N., and Woodward—10.

N A Y S .

Messrs. Achenbach, Alricks, Barr, Beebe, Biddle, Black, Boyd, Brodhead, Broomall, Buckalew, Calvin, Cassidy, Church, Corbett, Corson, Cronmiller, Curry, Cuyler, Darlington, De France, Elliott, Ewing, Guthrie, Hall, Hay, Hazzard, Hemphill, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lilly, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Michael, M'Murray, Minor, Mott, Niles, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Runk, Russell, Simpson, Smith, Wm. H., Stanton, Struthers, Wetherill, J. M., White, Harry, White, J. W. F., Worrell, Wright and Walker, *President*—66.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bannan, Barclay, Bardsley, Bartholomew, Bigler, Bowman, Brown, Bullitt, Carey, Carter, Craig, Curtin, Dallas, Davis, Dodd, Dunning, Edwards, Ellis, Fell, Finney, Fulton, Funk, Gibson, Gilpin, Green, Hanna, Harvey, Heverin, Knight, Lear, Littleton, Long, M'Camant, Mann, Mantor, Metzger, Mitchell, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Read, John R., Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Stewart, Temple, Turrell, Van Reed, Wetherill, John Price, and Wherry.

And the question recurring,

Will the Convention agree to the first and only section ?

It was determined in the affirmative.

On motion of Mr. Woodward,

The rules were dispensed with, and the Convention proceeded to the third reading and consideration of the article.

And on the question.

Shall the article pass?

It was determined in the affirmative.

A motion was made by Mr. Woodward,

The the Committee on Revision and Adjustment be directed to insert the section just passed in the article on Private Corporations, to be numbered twelve.

On motion of Mr. Hunsicker,

The Convention resumed the third reading and consideration of the article (No. 14) on County Officers.

And the question recurring,

Will the Convention agree to the motion made by Mr. Hunsicker, viz:?

That the Convention resolve itself into committee of the whole, for the purpose of amending the article, by striking out section five, and inserting in lieu thereof as follows, viz:

"The compensation of county officers shall be regulated by law, and all county officers who are or may be salaried shall pay all fees which they may be authorized to receive, into the Treasury of the county or State, as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants, all county officers shall be paid by salary, and the salary of no such officer shall exceed the aggregate of fees of such office received and accounted for in the preceding year."

Mr. Hunsicker asked and obtained unanimous consent to modify the amendment so as to make it read as follows, viz:

"The compensation of county officers shall be regulated by law, and all county officers who are or may be salaried, shall pay all fees which they may be authorized to receive, into the treasury of the county or State, as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants, all county officers shall be paid by salary, and the salary of such officer and his clerks, heretofore paid by fees, shall not exceed the aggregate amount of fees earned during his term, and collected by or for him."

And the question again recurring,

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

It was determined in the affirmative.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. J. M. Wetherill in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the article amended in accordance with the instructions of the Convention.

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

On leave given,

Mr. D. W. Patterson, from the Committee on Schedule, to whom the report of said committee had been re-committed, reported the same with amendments.

On motion of Mr. MacVeagh,

The Convention resolved itself into committee of the whole, Mr. Cassidy in the Chair, on the article reported from the Committee on Schedule.

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 evening at seven o'clock was named and agreed upon.

A motion was made by Mr. Lilly,
That the Convention take a recess until this evening at seven o'clock.

Which was agreed to.

Whereupon,
The President announced a recess until that hour.

EVENING SESSION.

On motion of Mr. MacVeagh,
The Convention resolved itself into committee of the whole, Mr. Cassidy in the Chair, on the article reported from the Committee on Schedule.

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 half-past nine o'clock.

D. L. IMBRIE,
Clerk.

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

TUESDAY, OCTOBER 28, 1873.

Mr. John M. Railey asked and obtained leave of absence for Mr. Gilpin for a few days from to-day.

A motion was made by Mr. Wright and Mr. Horton,

That the vote be re-considered by which the resolution of investigation, offered by Mr. Boyd on yesterday, was agreed to.

On the question,

Will the Convention agree to the motion?

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

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Black, Calvin, Church, Cochran, Finney, Funck, Gibson, Guthrie, Hemphill, Horton, M'Murray, Mann, Minor, Patterson, D. W., Patterson, T. H. B., Purviance, Samuel A., Rooke, White, Harry, and Wright—25.

N A Y S .

Messrs. Achenbach, Andrews, Armstrong, Barclay, Barr, Biddle, Boyd, Brodhead, Broomall, Campbell, Clark, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, DeFrance, Elliott, Green, Hall, Hanna, Harvey, Hay, Hunsicker, Kaime, Lamberton, Lawrence, Lear, Lilly, Long, M'Culloch, Mantor, Mott, Niles, Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Russell, Smith, Wm. H., Stanton, Van Reed, Wetherill, J. M., White, David N., White, J. W. F., and Walker, *President*—51.

So the question was determined in the negative.

ABSENT. — Messrs. Addicks, Baer, Bannan, Bardsley, Bartholomew, Bigler, Bowman, Brown, Buckalew, Bullitt, Carey, Carter, Cassidy, Collins, Corbett, Corson, Craig, Cuyler, Dodd, Dunning, Edwards, Ellis, Ewing, Fell, Fulton, Gilpin, Hazzard, Heverin, Howard, Knight, Landis, Littleton, MacConnell, MacVeagh, M'Camant, M'Clean, M'Michael, Metzger, Mitchell, Newlin, Palmer, G. W., Palmer, H. W., Parsons, Pughe, Reynolds, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Stewart, Struthers, Temple, Turrell, Wetherill, John Price, Wherry, Woodward and Worrell.

A motion was made by Mr. Hay,

That the Convention resume the second reading and consideration of the resolution laid on the table October 14, as follows, viz:

Resolved, That when the articles have passed third reading, and have been reported by the Committee on Revision and Adjustment, they be printed in Philadelphia, upon parchment; and that each sheet after being reported as correctly printed by said committee, be publicly attested by the President and Chief Clerk of the Convention; and that the proposed Constitution be then signed in Convention by the delegates in alphabetical order.

On the question,

Will the Convention agree to the resolution?

It was determined in the affirmative.

A motion was made by Mr. Broomall,

That the Convention proceed to the second reading and consideration of the resolution laid on the table yesterday, as follows, viz:

Resolved, That the Committee on Revision and Adjustment be directed to strike out of the article on Legislature the words, "The county of Delaware may be

united with adjoining wards of Philadelphia to form a district," in the sixteenth section, and insert in lieu thereof the words, "except where the adjoining counties have at least one ratio of population."

Which was agreed to.

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. D. N. White and Mr. Stanton, and were as follow, viz:

YEAS.

Messrs. Ainey, Armstrong, Baily, of Perry, Baker, Barr, Beebe, Biddle, Boyd, Brodhead, Broomall, Church, Clark, Collins, Corson, Curry, Curtin, Cuyler, Darlington, Davis, De France, Ewing, Finney, Funck, Gibson, Green, Hemphill, Horton, Howard, Lamberton, Lawrence, Lear, Lilly, Littleton, MacVeagh, M^cCulloch, Mann, Niles, Palmer, G. W., Patton, Porter, Purviance, John N., Purviance, Sam^l A., Reynolds, Rooke, Runk, Smith, H. G., Struthers, Van Reed, White, Harry, White, J. W. F., and Walker, *President*—51.

NAYS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Barclay, Black, Buckalew, Calvin, Campbell, Carter, Cassidy, Cochran, Corbett, Cronmiller, Dallas, Elliott, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Kaine, Landis, Long, MacConnell, M^cClean, M^cMurray, Mantor, Mott, Newlin, Patterson, T. H. B., Purman, Read, John R., Reed, Andrew, Ross, Russell, Simpson, Smith, Wm. H., Stanton, Temple, Wetherill, J. M., White, David N., Worrell and Wright—45.

So the question was determined in the affirmative.

ABSENT.—Messrs. Baer, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Bigler, Bowman, Brown, Bullit, Carey, Craig, Dodd, Dunning, Edwards, Ellis, Fell, Fulton, Gilpin, Heverin, Hunsicker, Knight, M^cCamant, M^cMichael, Metzger, Minor, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Sharpe, Smith, Henry W., Stewart, Turrell, Wetherill, John Price, Wherry and Woodward.

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

Resolved, That the Committee on Revision and Adjustment be directed to strike out of the fourth section of the article on Railroads and Canals, the words, "un-due and unreasonable."

On the question,

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

Mr. Hunsicker rose to a question of order, viz:

That it was not in order to amend an article by resolution, after it had passed third reading.

The President submitted the question to the Convention for decision,

And on the question,

Is the point of order well taken?

The yeas and nays were required by Mr. Hunsicker and Mr. Cochran, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baily, Perry, Bannan, Barclay, Barr, Black, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carey, Carter, Cassidy, Clark, Corbett, Curry, Curtin, Cuyler, Dal^l Davis, De France, Dodd, Elliott, Ellis, Ewing, Green, Guthrie, Hall, Har

Harvey, Hazzard, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lear, Littleton, Long, MacConnell, MacVeagh, M'CLean, M'Michael, M'Murray, Mann, Mantor, Minor, Mott, Niles, Porter, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Rooke, Ross, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., White, David N., White, Harry, Woodward, Worrell and Wright—80.

N A Y S.

Messrs. Bailey, of Huntingdon, Beebe, Biddle, Broomall, Church, Cochran, Collins, Corson, Cronmiller, Darlington, Finney, Gibson, Hay, Hemphill, Kaine, Lilly, M'Culloch, Newlin, Palmer, G. W., Patterson, T. H. B., Patton, Reynolds, Runk, White, J. W. F., and Walker, *President*—26.

So the question was determined in the affirmative.

ABSENT.—Messrs. Baer, Baker, Bardsey, Bartholomew, Bigler, Bowman, Bullitt, Craig, Dunning, Edwards, Fell, Fulton, Funck, Gilpin, Heverin, M'Camant, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Pughe, Sharpe, Smith, Henry W., Stewart, Turrell, Wetherill, John Price, and Wherry.

A motion was made by Mr. Lamberton and Mr. Lawrence,

That the vote be re-considered by which the resolution offered by Mr. Broomall was agreed to.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Broomall and Mr. Darlington, and were as follow, viz :

Y E A S.

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Bailey, of Huntingdon, Bannan, Barr, Biddle, Black, Brodhead, Brown, Buckalew, Calvin, Campbell, Carter, Cassidy, Clark, Corbett, Cronmiller, Curry, Cuyler, Dallas, Davis, Dodd, Elliott, Funck, Green, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Howard, Kaine, Knight, Lamberton, Landis, Lawrence, Long, MacConnell, M'CLean, M'Murray, Mantor, Minor, Mott, Newlin, Palmer, G. W., Patterson, T. H. B., Pughe, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Reed, Andrew, Ross, Russell, Simpson, Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., White, David N., Worrell and Wright—68.

N A Y S.

Messrs. Baily, of Perry, Baker, Barclay, Beebe, Boyd, Broomall, Carey, Church, Cochran, Collins, Corson, Darlington, De France, Ewing, Finney, Hemphill, Horton, Lilly, Littleton, MacVeagh, M'Michael, Mann, Niles, Patton, Porter, Reynolds, Rooke, Runk, Smith, H. G., White, Harry, White, J. W. F., Woodward and Walker, *President*—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Armstrong, Baer, Bardsley, Bartholomew, Bigler, Bowman, Bullitt, Craig, Curtin, Dunning, Edwards, Ellis, Fell, Fulton, Gibson, Gilpin, Heverin, Hunsicker, Lear, M'Camant, M'Culloch, Metzger, Mitchell, Palmer, H. W., Parsons, Patterson, D. W., Sharpe, Smith, Henry W., Stewart, Turrell, Wetherill, John Price and Wherry.

And the question recurring,

Will the Convention agree to the resolution ?

Mr. Lamberton raised the point of order that the resolution was not in order.

Which was sustained by the Chair.

Mr. Broomall offered the following resolution, which was referred to the Committee on the Legislature :

Resolved, That in the article on Legislature the words, "The County of Delaware may be united with adjoining wards of Philadelphia to form a district," in the sixteenth section, be stricken out, and in lieu thereof the words, "except where the adjoining counties have each at least one ratio of population," be inserted.

A motion was made by Mr. Joseph Baily,

That the Convention resume the consideration of the motion to re-consider the vote by which the article on the Judiciary was passed.

Which was agreed to.

On the question,

Will the Convention agree to the motion to re-consider?

The yeas and nays were required by Mr. Joseph Baily and Mr. Corson, and were as follow, viz:

Y E A S.

Messrs. Ainey, Baily, of Perry, Bailey, of Huntingdon, Brodhead, Buckalew, Calvin, Carey, Collins, Cronmiller, Curtin, Cuyler, Ewing, Funck, Gibson, Hanna, Harvey, Hazzard, Hemphill, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, MacVeagh, M'CLean, M'Michael, Patterson, D. W., Reed, Andrew, Reynolds, Rooke, Ross, White, J. W. F., and Woodward—34.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baker, Bannan, Barclay, Barr, Beebe, Biddle, Black, Boyd, Campbell, Carter, Cassidy, Church, Clark, Corbett, Corson, Curry, Dallas, Darlington, Davis, De France, Elliott, Ellis, Finney, Green, Guthrie, Hall, Hay, Horton, Howard, Hunsicker, Kaine, Long, MacConnell, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., White, David N., White, Harry, Worrell, Wright and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Bardsley, Bartholomew, Bigler, Bowman, Broomall, Brown, Bullitt, Cochran, Craig, Dodd, Dunning, Edwards, Fell, Fulton, Gilpin, Heverin, Knight, M'Camant, M'Culloch, Metzger, Mitchell, Palmer, H. W., Parsons, Pughe, Sharpe, Smith, Henry W., Stewart, Turrell, Wetherill, John Price, and Wherry.

Mr. Buckalew presented an ordinance providing for a submission of the Constitution to a vote of the people, which was read as follows, viz:

AN ORDINANCE FOR SUBMITTING THE AMENDED CONSTITUTION OF PENNSYLVANIA TO A VOTE OF THE ELECTORS THEREOF.

Be it ordained by the Constitutional Convention of the Commonwealth of Pennsylvania, as follows:

1. That the amended Constitution, prepared by this Convention, be submitted to the qualified electors of the Commonwealth for their adoption or rejection, at an election to be held on the second Tuesday of December next; except as hereinafter ordered and directed, the said election shall be held and conducted by the regular election officers in the several election districts throughout the Commonwealth, under all the regulations and provisions of existing laws relating to general elections.

2. That at said election, separate votes shall be taken upon the following parts of said amended Constitution, to wit:

First. Upon sections sixteen, seventeen and eighteen of the article entitled "The Legislature," relating to the re-organization of the General Assembly and apportionment of the members thereof.

Second. Upon the article entitled "Railroads and Canals."

3. The Secretary of the Commonwealth shall, at least twenty days before the said election, furnish to the county commissioners of each county, properly prepared, printed ballots for the said election, the number of ballots so printed shall be three times the number of voters in such county, and the said ballots shall be accompanied by a printed circular of instructions, directing the form of all necessary blanks, tally-lists and returns.

4. The county commissioners of the several counties shall, immediately after the receipt of the said circular of instructions, cause all blanks, tally-lists and forms of returns to be properly prepared and printed, and at least five days before said election cause to be fairly distributed to the several election boards in each election district in their respective counties, the ballots, blanks, tally-lists and returns hereinbefore provided for.

5. At the said election the ballots shall be in the following form for all persons giving affirmative votes:

NEW CONSTITUTION.

For the new Constitution and for each of the several propositions separately submitted, not struck out with pen or pencil, and against all those struck out.

1. For increased representation in the Legislature.

2. For article entitled "Railroads and Canals."

6. Each of the said ballots shall be counted as a vote cast for that portion of the new Constitution not separately submitted, and for each separate proposition thereon not struck out with ink or pencil, and against each separate proposition so struck out. Persons voting against the new Constitution or any part thereof, separately submitted, may use a ballot with the same heading and general form, in which the word "against" shall be substituted for the word "for," in such place or places upon the ballot as the voter may choose, and the said ballot shall be counted "for" or "against" that portion of the amended Constitution not separately submitted, or for or against the proposition separately submitted, as the ballots may indicate respectively.

7. If it shall appear that a majority of the votes polled are for the new Constitution, then so much of the same as was not separately submitted, shall be the Constitution of the Commonwealth of Pennsylvania, on and after the first day of January, in the year of our Lord one thousand eight hundred and seventy-four, but if it shall appear that a majority of the votes polled were against the new Constitution, then so much thereof as was not separately submitted, shall be rejected and be null and void; if it shall appear that a majority of the votes polled are for the several propositions separately submitted, or for any of them, then the several articles, sections or parts of sections embraced in such propositions separately submitted, or such of them as shall receive a majority of the votes polled as aforesaid, shall be a part of the Constitution of this Commonwealth.

In the event of the rejection of sections sixteen, seventeen and eighteen of the article entitled "The Legislature," embraced in separate propositions number one, then sections numbers four, six and seven of the first article of the present Constitution shall remain in full force and be inserted in lieu thereof.

In the event of the rejection of separate proposition number two, then the article entitled "Railroads and Canals" shall be struck out and be null and void.

8. Five commissioners of election shall be appointed by a vote of this Convention, who shall have direction of the election upon this amended Constitution in the city of Philadelphia. The said commissioners shall be persons of good repute and qualified electors of said city, and shall be duly sworn or affirmed to perform their duties with impartiality and fidelity.

It shall be the duty of said commissioners, or a majority of them, and they shall have authority to revise the registration of voters for the several wards or election divisions of said city, to correct the same, and to furnish the said corrected lists to the election officers of each precinct or division thereof; to distribute the tickets for said city provided for by this ordinance to be used at the election; to appoint a judge and two inspectors for each election division, by whom the election therein shall be held and conducted, and to give all necessary instructions to the election officers regarding their duties in holding the election and in making returns thereof.

The general return of the election in the said city shall be opened, computed and certified before them, and with their approval—which approval shall be endorsed upon the return. They shall make report, directed to the President of this Convention, of their official action under this ordinance, and concerning the fairness of the said election within the said city.

The judges and inspectors aforesaid shall conduct the election in all respects conformably to the general election laws of this Commonwealth, and with like powers and duties to those of ordinary election officers. Each inspector shall appoint one clerk to assist the board in the performance of its duties, and all the election officers shall be duly sworn or affirmed according to law, and shall possess all the qualifications required by law of election officers in this Commonwealth. At said election any duly qualified elector, who shall be unregistered, shall be permitted to vote upon making proof of his right to the election officers, according to the general election laws of this Commonwealth. Return inspectors and their clerks shall be dispensed with, but overseers of election may be selected for any precinct by said election commissioners, or appointed therefor by the court of common pleas of said city, whose duties and powers shall be the same as those of overseers of election in said city, under existing election laws applicable thereto.

Returns of the election shall be made in said city as in the case of an election for Governor, but a triplicate general return for said city shall be made out and forwarded to the President of the Convention, at Harrisburg, as is hereinafter provided in case of county returns.

9. In each of the counties of the Commonwealth, (except Philadelphia,) returns of the election shall be made as in the case of an election for Governor, but the return judges in each county shall make out a triplicate county return, and transmit the same, within five days after the election, to the President of this Convention, at Harrisburg.

On motion of Mr. Buckalew,

Said ordinance was referred to the committee on Suffrage, Election and Representation, and ordered to be printed.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Cassidy in the Chair, on the article reported from the Committee on Schedule.

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 evening at seven o'clock was named and agreed upon.

The hour of three o'clock having arrived, the President announced a recess until seven o'clock this evening.

EVENING SESSION.

Mr. Curtin, from the Committee on the Executive Department, reported the following section, viz:

"The Governor shall have power to convene the Senate in extraordinary session, by proclamation, for executive business."

Laid on the table.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Cassidy in the Chair, on the article reported from the Committee on Schedule.

After some time the President resumed the Chair, and the chairman reported the article amended so as to make it read as follows, viz:

"That no inconvenience may arise from the changes in the Constitution of the Commonwealth, and in order to carry the same into complete operation, it is hereby declared, that:

"SECTION 1. This Constitution, or such article or articles and sections thereof as shall receive a majority of the votes polled at the election appointed for the adoption or rejection thereof, shall take effect and go into operation on the first day of January, 1874, for all purposes not otherwise provided in said Constitution.

"SECTION 2. All laws in force in this Commonwealth at the time of the adoption of this Constitution, or any part thereof, not inconsistent therewith, and all rights, actions, prosecutions and contracts shall continue and remain in force and effect until altered or repealed by the General Assembly.

"SENATORS AND REPRESENTATIVES.

"SECTION 3. The General Assembly of 1874 shall divide the State into fifty Senatorial districts, as provided in this article on the Legislature, numbered consecutively, and Senators shall be elected first therein at the general election of 1874, from even numbered districts, to serve two years, and from odd numbered districts to serve four years.

"SECTION 4. Senators whose terms shall be unexpired in 1874 shall continue Senators for the districts in which they may reside until the first day of December of that year.

"EXECUTIVE AND OTHER STATE OFFICERS.

"SECTION 5. The first election of Governor under this Constitution shall be at the general election of 1875, when a Governor shall be elected for three years, and the term of the Governor elected in 1878 and those thereafter elected shall be for four years, according to the provisions of this Constitution.

"SECTION 6. At the general election in 1874, a Lieutenant Governor shall be elected according to the provisions of this Constitution.

"SECTION 7. The "Secretary of Internal Affairs" shall be elected at the first general election after the adoption of this Constitution, and when the said officer is duly elected and qualified, the office of Surveyor General shall be abolished, and the Surveyor General in office at the time of the adoption of this Constitution, shall continue in office until his said present office shall be abolished, and no longer.

"SECTION 8. Whenever the "Superintendent of Public Instruction" shall be duly qualified, then the office of Superintendent of Common Schools shall cease and terminate.

"SECTION 9. Nothing contained in this Constitution shall be construed to render any person now in office ineligible for election to the same at the end of his present term.

"JUDICIARY.

"SECTION 10. The judges of the Supreme Court who shall be in office when this Constitution shall take effect, shall continue until their commissions shall severally expire. Two judges in addition to the number now composing the said court shall be elected at the first general election after the adoption of this Constitution.

"SECTION 11. All courts of record and all existing courts which are not specified in this Constitution shall continue in existence until the first day of December, 1875, without abridgement of their present jurisdiction, but no longer, except the court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin, which is hereby abolished.

"SECTION 12. The register's courts now in existence shall be abolished on the first day of January next succeeding the adoption of this Constitution.

"SECTION 13. The Legislature shall, at the next session after the adoption of this Constitution, designate the several judicial districts provided for under this Constitution, and the number of judges learned in the law who shall be at the then succeeding general election elected in such several districts; and the judges at present in commission shall continue during their unexpired terms judges of the new districts in which they reside.

"SECTION 14. The Legislature shall, at the next succeeding session after each decennial census, and not oftener, designate the several judicial districts provided for under this Constitution.

"SECTION 15. Judges learned in the law of any court of record in this Commonwealth holding commissions in force at the adoption of this Constitution, shall hold their respective offices until the expiration of the terms for which they were elected and commissioned, and until their successors are duly qualified, except the present judge of the court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin, whose office as judge of said court shall expire at the time of the adoption of this Constitution, and the Governor shall commission the said judge as a judge of the court of common pleas of Schuylkill county, for the unexpired time of his office.

"SECTION 16. After the expiration of the term of any president judge of any court of common pleas in commission at the adoption of this Constitution, the judge of such court learned in the law and oldest in commission shall be the president judge thereof, and when two or more judges are elected at the same time in any judicial district, they shall decide by lot which shall be president judge.

"SECTION 17. The General Assembly at the first session after the adoption of this Constitution, shall fix and determine the compensation of the judges of the Supreme Court, and of the several judicial districts of the Commonwealth, and the provisions of the fifteenth section of the article on Legislation shall not be deemed inconsistent herewith. Nothing contained in this Constitution shall be held to reduce the compensation now paid to any law judge of this Commonwealth.

COURTS OF PHILADELPHIA AND ALLEGHENY.

"SECTION 18. The courts of common pleas in the counties of Philadelphia and Allegheny, shall be composed of the present judges of the district court and court of common pleas of said counties until their commissions shall severally expire, and of such other judges as may from time to time be selected.

"For the purpose of first organization in Philadelphia, the judges of the court number one, shall be Judges Allison, Pierce and Paxson; of the court number two, Judges Hare, Mitchell, and one other judge to be elected; of the court number three, Judges Ludlow, Finletter and Loyd; and of the court number four, Judges Thayer, Briggs, and one other judge to be elected.

"The judge first named shall be the president judge of said courts respectively, and thereafter the president judge shall be the judge oldest in commission.

"The additional judges for courts numbers two and four shall be voted for and elected at the first general election after the adoption of this Constitution, in the same manner as the two additional judges of the Supreme Court, and they shall decide by lot to which court they shall belong. Their term of office shall commence on the first Monday of January, 1875.

"SECTION 19. In the county of Allegheny, for the purpose of first organization, under this Constitution, the judges of the court of common pleas shall be the judges of the court number one, and the judges of the district court shall be the judges of the common pleas number two.

"The president judges of the common pleas and district court shall be president judge of said courts number one and two, respectively, until their commissions shall expire; and thereafter the judge oldest in commission shall be president judge.

"SECTION 20. The organization of the court of common pleas under this Constitution, for the counties of Philadelphia and Allegheny, shall take effect on the first Monday of January, 1875, and existing courts in said counties shall continue with their present powers and jurisdictions until that date, but no new suits shall be instituted in the courts of *nisi prius* after the adoption of this Constitution.

"SECTION 21. The causes and proceedings pending in the court of *nisi prius*, common pleas and district court in Philadelphia, shall be tried and disposed of in the court of common pleas.

"The records and dockets of said courts shall be transferred to the prothonotary's office of said county.

"SECTION 22. The causes and proceedings pending in the court of common pleas in the county of Allegheny, shall be tried and disposed of in the court number one; and the causes and proceedings pending in the district court, shall be tried and disposed of in the court number two.

"SECTION 23. The prothonotary of the court of common pleas of Philadelphia, shall be first appointed by the judges of said court, on the first Monday of December, 1875, and the present prothonotary of the district court in said county, shall be the prothonotary of the said court of common pleas, until said date when

his commission shall expire, and the present clerk of the court of oyer and terminer and quarter sessions of the peace in Philadelphia, shall be the clerk of such court until the expiration of his present commission on the first Monday of December, 1875.

ALDERMEN AND MAGISTRATES.

"SECTION 24. In cities containing over fifty thousand inhabitants, except Philadelphia, all aldermen in office at the time of the adoption of this Constitution, shall continue in office until the expiration of their commissions, and as their terms of office shall expire, one alderman shall be elected in each ward as provided in this Constitution.

"SECTION 25. In Philadelphia, "magistrates," in lieu of aldermen, to be elected under this Constitution, shall be chosen at the election in said city for city and ward officers in the year 1875; their term of office shall commence on the first Monday of April succeeding their election.

"The term of office of aldermen in said city, holding or entitled to commissions at the time of the adoption of this Constitution, shall not be affected hereby.

GENERAL PROVISIONS.

"SECTION 26. All persons in office in this Commonwealth at the time of the adoption of this Constitution, or any part thereof, shall hold their respective offices until the term for which they have been elected or appointed shall expire, unless otherwise provided in this Constitution, or necessary to carry into effect its provisions.

"SECTION 27. The seventh article of this Constitution, prescribing an oath of office, shall take effect on and after the first day of January, 1875.

"SECTION 28. County commissioners and county auditors shall be elected, under this Constitution, at the general election in the year 1875; and such officers in office at the time of the adoption of this Constitution, shall continue until their successors are duly qualified, at which period the terms of those in office shall expire.

"SECTION 29. All judicial, State, county, city, ward, borough and township officers, at the time of the adoption of this Constitution, and at the first election under it, shall continue in office until their successors shall be duly elected and qualified, unless inconsistent with this Constitution.

"SECTION 30. All State, county, city, ward, borough and township officers in office at the time of the adoption of this Constitution, whose compensation is not provided for by salaries alone, shall continue to receive the compensation allowed them by law, until the expiration of their respective terms of office.

"SECTION 31. All State and judicial officers heretofore sworn or affirmed, and in office when this Constitution shall take effect, shall severally, within one month after such adoption, take and subscribe an oath (or affirmation) to support this Constitution.

"SECTION 32. The General Assembly at its first session, or as soon as may be after the adoption of this Constitution, or any part thereof, shall pass such laws as may be necessary to carry the same into full force and effect."

On motion of Mr. Curtin,

The Convention resolved itself into committee of the whole, Mr. Green in the Chair, on the following section, viz:

"The Governor shall have power to convene the Senate in extraordinary session, by proclamation, for Executive business."

After some time the President resumed the Chair, and the chairman reported the section without amendment.

On motion of Mr. Curtin,

The rules were dispensed with, and said section was read a second and third time and passed.

On motion of Mr. Curtin,

Ordered, That the Committee on Revision and Adjustment be directed to insert the foregoing section in the article on the Executive, as section —.

Mr. Hay, from the Committee on Accounts and Expenditures of the Convention, made a report, which was read, viz:

The Committee on Accounts and Expenditures of the Convention respectfully reports:

That the Convention having fixed the date of its adjournment on Friday, the 31st of the present month, the committee has prepared a statement showing the amounts of salary due to the members and officers for the remainder of the sessions of this body. In determining the amounts due to the members who have, at different times, occupied the same seats, the committee has apportioned between them the one salary fixed by the Convention, according to the time during which they were respectively members, considering the whole duration of the Convention as one year.

The committee also reports, that the present members occupying the seats of members who have died or resigned, are entitled to be paid each the sum of fifty dollars for postage, stationery and contingencies, under the provisions of the act of Assembly, approved April 11, 1872; and that James P. Barr is entitled to mileage for one session at Philadelphia, amounting to seventy-one dollars.

The following resolutions are reported for the action of the Convention:

Resolved, That warrants be drawn upon the State Treasurer in favor of the different members and officers named in the statement appended to the foregoing report, for the amounts placed opposite their respective names.

Resolved, That warrants be drawn in favor of James P. Barr for one hundred and twenty-one dollars for his mileage, postage, stationery and contingencies; and in favor of William Bigler, John C. Bullitt, Samuel Calvin, Henry Green, Lewis Z. Mitchell and Morton M'Michael, for the sum of fifty dollars each, for their postage, stationery and contingencies.

SALARY DUE MEMBERS.

Achenbach, George A.....	\$1,000 00	Curry, James W.....	\$1,000 00
Addicks, John E.....	1,000 00	Curtin, Andrew G.....	1,000 00
Ainey, William H.....	1,000 00	Cuyler, Theodore.....	1,000 00
Alricks, Hamilton.....	1,000 00	Dallas, George M.....	1,000 00
Andrews, George W.....	1,000 00	Darlington, William.....	1,000 00
Armstrong, William H.....	1,000 00	Davis, William.....	1,000 00
Baer, William J.....	1,000 00	De France, Robert M.....	1,000 00
Baily, Joseph.....	1,000 00	Dimmick, Samuel E.....	643 83
Bailey, John M.....	1,000 00	Dodd, S. C. T.....	1,000 00
Baker, William D.....	1,000 00	Dunning, A. B.....	1,000 00
Bannan, Thomas R.....	1,000 00	Edwards, Matthew.....	1,000 00
Barclay, George G.....	1,000 00	Elliott, M. F.....	1,000 00
Bardsley, John.....	1,000 00	Ellis, James.....	1,000 00
Barr, James P.....	205 48	Ewing, Thomas.....	1,000 00
Bartholomew, Lin.....	1,000 00	Fell, J. Gillingham.....	1,000 00
Beebe, Manly C.....	1,000 00	Finney, A. C.....	1,000 00
Biddle, George W.....	1,000 00	Fulton, A. M.....	1,000 00
Bigler, William.....	1,431 50	Funck, Josiah.....	1,000 00
Black, Charles A.....	1,000 00	Gibson, John.....	1,000 00
Black, Jeremiah S.....	794 52	Gilpin, John.....	1,000 00
Bowman, Charles O.....	1,000 00	Gowen, Franklin B.....	1,390 04
Boyd, James.....	1,000 00	Green, Henry.....	1,856 17
Brodhead, Charles.....	1,000 00	Guthrie, John B.....	1,000 00
Broomall, John M.....	1,000 00	Hall, John G.....	1,000 00
Brown, Russelas.....	1,000 00	Hanna, William B.....	1,000 00
Buckalew, Charles R.....	1,000 00	Harvey, Edward.....	1,000 00
Bullitt, John C.....	1,109 96	Hay, Malcolm.....	1,000 00
Calvin, Samuel.....	1,308 22	Hazzard, Thomas R.....	1,000 00
Campbell, John H.....	1,000 00	Hemphill, Joseph.....	1,000 00
Carey, Henry C.....	1,000 00	Heverin, James H.....	1,000 00
Carter, Henry.....	1,000 00	Hopkins, Wm., legal represen-	
Cassidy, Lewis C.....	1,000 00	tatives.....	775 34
Church, Pearson.....	1,000 00	Horton, George F.....	1,000 00
Clark, Silas M.....	1,000 00	Howard, Thomas.....	1,000 00
Cochran, Thomas E.....	1,000 00	Hunsicker, Charles.....	1,000 00
Collins, John.....	1,000 00	Kaine, Daniel.....	1,000 00
Corbett, William L.....	1,000 00	Knight, Edward C.....	1,000 00
Corson, George N.....	1,000 00	Lamberton, Robert A.....	1,000 00
Craig, David.....	1,000 00	Mandis, A. S.....	1,000 00
Cronmiller, John P.....	1,000 00	Lawrence, George V.....	1,000 00

Lear, George.....	\$1,000 00	Reed, Andrew.....	\$1,000 00
Lilly, William.....	1,000 00	Reynolds, J. L.....	1,000 00
Littleton, William E.....	1,000 00	Reynolds, S. H.....	1,068 50
Long, Zach. H.....	1,000 00	Rooke, Levi.....	1,000 00
MacConnell, Thomas.....	1,000 00	Ross, George.....	1,000 00
MacVeagh, Wayne.....	1,000 00	Runk, C. M.....	1,000 00
M'Allister, Hugh N., legal rep-		Russell, S. L.....	1,000 00
resentatives.....	1,191 78	Sharpe, J. M'D.....	1,000 00
M'Camant, Joel B.....	1,000 00	Simpson, J. Alex.....	1,000 00
M'Clean, William.....	1,000 00	Smith, H. G.....	1,000 00
M'Culloch, John.....	1,000 00	Smith, H. W.....	1,000 00
M'Michael, Morton.....	595 90	Smith, Wm. H.....	1,000 00
M'Murray, John.....	1,000 00	Stanton, M. Hall.....	1,000 00
Mann, John S.....	1,000 00	Stewart, John.....	1,000 00
Mantor, Frank.....	1,000 00	Struthers, Thomas.....	1,000 00
Metzger, John J.....	1,000 00	Temple, B. L.....	1,000 00
Minor, Samuel.....	1,000 00	Turrell, William J.....	1,000 00
Mitchell, Lewis Z.....	1,724 66	Van Reed, Henry.....	1,000 00
Mott, Henry S.....	1,000 00	Wetherill, J. M.....	1,000 00
Newlin, James W. M.....	1,000 00	Wetherill, John Price.....	1,000 00
Niles, Jerome B.....	1,000 00	Wherry, Samuel M.....	1,000 00
Palmer, G. W.....	1,000 00	White, David N.....	1,000 00
Palmer, Henry W.....	1,000 00	White, Harry.....	1,000 00
Parsons, Henry C.....	1,000 00	White, J. W. F.....	1,000 00
Patterson, D. W.....	1,000 00	Woodward, George W.....	1,000 00
Patterson, T. H. B.....	1,000 00	Worrell, E. R.....	1,000 00
Patton, Joseph G.....	1,000 00	Wright, Caleb E.....	1,000 00
Porter, D. S.....	1,000 00	Meredith, Wm. M., legal repre-	
Pughe, Lewis.....	1,000 00	sentatives.....	404 10
Purman, Andrew A.....	1,000 00	Walker, John H.....	1,000 00
Purviance, John N.....	1,000 00		
Purviance, Samuel A.....	1,000 00		
Read, John R.....	1,000 00		
			<u>140,500 00</u>

UNPAID SALARIES OF OFFICERS.

D. L. Imbrie, Chief Clerk.....	\$275 00
Lucius Rogers, Assistant Clerk.....	275 00
A. D. Harlan, Assistant Clerk.....	275 00
J. L. Linton, Transcribing Clerk.....	700 00
A. T. Parker, Transcribing Clerk.....	700 00
James Onslow, Sergeant-at-Arms.....	200 00
C. M. Brown, Assistant Sergeant-at-Arms.....	180 00
Clement Evans, Doorkeeper.....	180 00
Frank Bentley, Assistant Doorkeeper.....	180 00
Henry B. Price, Postmaster.....	180 00
B. Frank Major, Assistant Postmaster.....	180 00
	<u>3,325 00</u>

Said resolutions were twice read, considered and agreed to.

Mr. Hay, also from the same committee, made a report, which was read as follows, viz:

The Committee on Accounts and Expenditures of the Convention, respectfully reports:

That the following accounts have been presented and examined, viz:

1. Wolbert & Brother, for twenty-one tons coal, and putting in.....	\$153 00
2. J. E. Walraven, for draping the Hall of Convention in September, and materials therefor.....	81 90
3. James H. Orne, Son & Co., carpet for stairs.....	33 50
4. John M'Kinley, for repairing furniture.....	36 50
5. Smith & Campion, for repairing furniture.....	25 75
6. John A. Shermer, for introducing water from street, pipe and plumbing work.....	179 40
7. Sheppard & Arrison, shades and lambrequins for the President's room,.....	78 00
8. E. C. Markley, printing done for Committee on House.....	2 00
9. Philadelphia gas works, for gas used from July 19th to September 24th, 1873.....	16 56

10. Philadelphia gas works, for gas used from September 24th to October 25th, 1873.....	81 88
11. J. P. Lanning, for towels for use of Convention.....	11 71
12. T. F. Bradley, for soap.....	10 90
	<hr/>
	711 10

The last two of these bills are certified to be correct by the Chief Clerk; the others, excepting the gas bills, by the Committee on House. They are, therefore, reported for payment. The articles mentioned in the bill of Sheppard & Arrison were furnished about the time of the commencement of the session of the Convention in Philadelphia, under the direction of members of the Committee on House, and as necessary to the complete furnishing of this hall and its rooms, should have been paid by the city of Philadelphia, under the terms of its invitation. This not having been done, and the bill being for articles supplied for the use of this body, it has been presented here, and is believed to be correct.

The committee also reports that at the time of the adjournment of this body there will be in its use and possession various articles purchased on its account, which should be disposed of to the best advantage, for the benefit of the Commonwealth.

The following resolutions are accordingly reported for the action of the Convention:

Resolved, That the accounts mentioned in the foregoing report, together amounting to the sum of \$711 10, are hereby approved, and that a warrant for said sum be drawn in favor of the Chief Clerk for the payment of the same.

Resolved, That when this Convention adjourns the Chief Clerk make a correct and complete inventory of all the property in the use of the Convention, belonging to the Commonwealth, excepting such books and papers as it may be necessary to preserve, and immediately thereafter sell the same to the best advantage, and pay the proceeds into the treasury of the Commonwealth.

Said resolutions were twice read, considered and 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 nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

WEDNESDAY, OCTOBER 29, 1873.

Mr. D. N. White, from the Committee on the Legislature, to whom was referred the following resolution, viz:

Resolved, That in the Article on Legislature, the words, "the county of Delaware may be united with adjoining wards of Philadelphia, to form a district," in the sixteenth section, be stricken out; and in lieu thereof the words, "except where the adjoining counties have each at least one ratio of population," be inserted,

Made a report, which was read as follows, viz:

That having carefully considered the matter, recommend that after the word "ratio," in the seventh line of the sixteenth section, the following be inserted, to wit: "except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than four-fifths of a ratio."

The committee also recommend that the following words be stricken out, to wit: "the county of Delaware may be united with adjoining wards of Philadelphia to form a district."

The section as amended by your committee will read as follows, viz:

"The State shall be divided into fifty Senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio; but no county shall form a separate district unless it shall contain four-fifths of a ratio except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than four-fifths of a ratio, and no county shall be divided unless entitled to two or more Senators. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district."

Laid on the table.

A motion was made by Mr. Broomall,

That the Convention proceed to the consideration of the sixteenth section of the article on the Legislature, as amended.

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Lamberton in the Chair, on said section.

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 negative.

A motion was made by Mr. Lilly,

That the Convention proceed to the second reading and consideration of the section.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Buckalew,

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

On the question,

Will the Convention agree to the motion to postpone?

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

Y E A S.

Messrs. Achenbach, Andrews, Bailey, of Huntingdon, Barclay, Barr, Black, Buckalew, Campbell, Clark, Corbett, Cronmiller, Curtin, Cuyler, Dallas, Dunning, Ellis, Gilpin, Guthrie, Hall, Hay, Hunsicker, Kaine, Lamberton, Long, M'Camant, M'Clean, M'Murray, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purman, Reed, Andrew, Ross, Smith, H. G., Smith, Wm. H., Wetherill, J. M., Wherry, Woodward, Worrell and Wright—41.

N A Y S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Baker, Bannan, Bardsley, Beebe, Biddle, Bowman, Boyd, Brodhead, Broomall, Brown, Calvin, Carey, Carter, Church, Cochran, Collins, Curry, Darlington, Davis, De France, Edwards, Elliott, Ewing, Funck, Gibson, Hemphill, Horton, Howard, Landis, Lawrence, Lilly, MacConnell, M'Culloch, M'Michael, Mann, Mantor, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patton, Porter, Purviance, John N., Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Smith, Henry W., Stanton, Struthers, Temple, Van Reed, White, David N., White, Harry, White, J. W. F., and Walker, *President*—61.

So the question was determined in the negative.

ABSENT—Messrs. Addicks, Baer, Bartholomew, Bigler, Bullitt, Cassidy, Corson, Craig, Dodd, Fell, Finney, Fulton, Green, Hanna, Harvey, Hazzard, Heverin, Knight, Lear, Littleton, MacVeagh, Metzger, Mitchell, Parsons, Pughe, Read, John R., Sharpe, Simpson, Stewart, Turrell, and Wetherill, John Price.

And the question recurring,

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

It was determined in the affirmative.

Whereupon,

The section was read a second time.

On the question,

Will the Convention agree to the section?

A motion was made by Mr. Lilly,

To amend the same, by inserting after the word "ratio," in the fifteenth line, the words, "and exceeding one-half."

On the question,

Will the Convention agree so to the amend?

A motion was made by Mr. Buckalew,

To amend the amendment by striking out the word "one-half," and inserting in lieu thereof the word "three-fifths."

Which was not agreed to.

The amendment was then agreed to.

On the question,

Will the Convention agree to the section as amended?

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

Y E A S .

Messrs. Ainey, Alricks, Armstrong, Baily, of Perry, Baker, Bannan, Beebe, Biddle, Bowman, Boyd, Broomall, Calvin, Carey, Cochran, Collins, Curry, Cuyler, Darlington, Davis, De France, Edwards, Ewing, Funck, Gibson, Gilpin, Green, Hanna, Hazzard, Hemphill, Horton, Howard, Hunsicker, Lamberton, Landis, Lawrence, Lilly, M'Michael, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, Samuel A., Reynolds, Rooke, Runk, Russell, Stanton, Struthers, Van Reed, White, David N., White, Harry, White, J. W. F., and Walker, *President*—59.

N A Y S .

Messrs. Achenbach, Andrews, Bailey, of Huntingdon, Bardsley, Barr, Black, Brown, Buckalew, Clark, Corbett, Cronmiller, Dallas, Dodd, Dunning, Elliott, Ellis, Guthrie, Hall, Hay, Kaine, Knight, Long, MacConnell, M'Clean, M'Cul-

loch, M'Murray, Mott, Purman, Purviance, John N., Reed, Andrew, Smith, Henry W., Smith, Wm. H., Temple, Wetherill, J. M., Wherry, Woodward and Worrell—37.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Baer, Barclay, Bartholomew, Bigler, Brodhead, Bullitt, Campbell, Carter, Cassidy, Church, Corson, Craig, Curtin, Fell, Finney, Fulton, Harvey, Heverin, Lear, Littleton, MacVeagh, M'Camant, Metzger, Mitchell, Palmer, G. W., Parsons, Pughe, Read, John R., Ross, Sharpe, Simpson, Smith, H. G., Stewart, Turrell, Wetherill, Jno. Price, and Wright.

A motion was made by Mr. Broomall,

That the section be transcribed for a third reading?

Which was agreed to.

A motion was made by Mr. Darlington,

That the Convention proceed to the third reading and consideration of the same.

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Buckalew,

To postpone the question, together with the further consideration of the section, for the present, and that the same be printed for the use of the Convention.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barclay, Barr, Black, Brodhead, Brown, Buckalew, Campbell, Clark, Corbett, Cronmiller, Curry, Cuyler, Dallas, De France, Dodd, Dunning, Elliott, Ellis, Gilpin, Guthrie, Hall, Hay, Hazzard, Kaine, Landis, Long, M'Camant, M'Clean, M'Culloch, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Smith, Wm. H., Temple, Wetherill, J. M., Wherry, Woodward, Worrell and Wright—52.

NAYS.

Messrs. Baker, Bannan, Bardsley, Beebe, Biddle, Bowman, Boyd, Broomall, Calvin, Carey, Carter, Cochran, Collins, Darlington, Davis, Edwards, Ewing, Funck, Gibson, Green, Hanna, Hemphill, Horton, Howard, Hunsicker, Lambertson, Lawrence, Lilly, Littleton, MacConnell, M'Michael, M'Murray, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Patton, Porter, Pughe, Purviance, Sam'l A., Reynolds, Rooke, Runk, Russell, Smith, Henry W., Stanton, Struthers, Van Reed, White, David N., White, Harry, White, J. W. F., and Walker, *President*—54.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Baer, Bartholomew, Bigler, Bullitt, Cassidy, Church, Corson, Craig, Curtin, Fell, Finney, Fulton, Harvey, Heverin, Knight, Lear, MacVeagh, Metzger, Mitchell, Parsons, Sharpe, Simpson, Smith, H. G., Stewart, Turrell and Wetherill, John Price.

And the question recurring,

Will the Convention proceed to the third reading and consideration of the section.

It was determined in the affirmative.

On the question,
Shall the section pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the section, by adding to the end thereof a proviso, as follows, viz: "Provided, The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Carter in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the section amended in accordance with the instructions of the Convention.

And the question recurring,

Shall the section pass?

It was determined in the affirmative.

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

That the Convention proceed to the second reading and consideration of the resolution laid on the table October twenty-seventh, as follows, viz:

Resolved, That when this Convention adjourns, it will adjourn to meet the second Tuesday after the day fixed for the election for the purpose of examining the returns of votes polled for and against the new Constitution, before proclamation shall be made by the Governor, and for the purpose of taking cognizance and disposing of frauds, if any shall be practised at such election, and transacting such other business as may be deemed necessary and proper.

Which was agreed to.

And the 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 "when," in the first line, and inserting in lieu thereof, as follows, viz: "The labors of this Convention are at an end, it will adjourn *sine die*."

On the question,

Will the Convention agree so to amend?

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

YEAS.

Messrs. Bardsley, Boyd, Ewing, Gibson, Hanna, Lawrence, Mann, Smith, Henry W., Stanton, White, David N., and White, Harry—11.

NAYS.

Messrs. Achenbach, Addicks, Ainey, Alricks, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Barr, Beebe, Biddle, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Campbell, Carey, Carter, Church, Clark, Cochran, Collins, Corbett, Cronmiller, Curry, Curtin, Dallas, Darlington, Davis, De France, Dunning, Edwards, Elliott, Finney, Funck, Gilpin, Green, Guthrie, Hall, Hay, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purman, Pur-

viance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Smith, H. G., Smith, Wm. H., Struthers, Temple, Van Reed, Wetherill, J. A., Wherry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—90.

So the question was determined in the negative.

ABSENT.—Messrs. Baer, Bartholomew, Bigler, Bullitt, Calvin, Cassidy, Corson, Craig, Cuyler, Dodd, Ellis, Fell, Fulton, Harvey, Hazzard, Hemphill, Knight, Lear, MacVeagh, M'Michael, Metzger, Mitchell, Mott, Parsons, Pughe, Read, John R., Ross, Sharpe, Simpson, Stewart, Turrell and Wetherill, John Price.

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 all after the word "Constitution," in the third line, to and including the word "election," in the fifth line.

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Lamberton,

To amend the same by inserting after the word "meet," in the first line, the words, "at Harrisburg."

Which was agreed to.

And the question recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Buckalew,

To amend the same, by striking out in the first and second lines the words, "second Tuesday after the day fixed for," and inserting in lieu thereof as follows, viz: "Wednesday of the week following."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Clark,

To amend the same, by striking out, in the first line, the word "adjourns," and by inserting in lieu thereof as follows, viz: "Its present sessions in Philadelphia."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

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

Y E A S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Bardsley, Barr, Beebe, Biddle, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Campbell, Carter, Church, Clark, Cochran, Collins, Cronmiller, Curry, Curtin, Cuyler, Dallas, Darlington, Davis, Dunning, Elliott, Finney, Funck, Gilpin, Green, Guthrie, Hall, Hay, Hemphill, Heverin, Horton, Howard, Hunsicker, Kaine, Lamberton, Landis, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Michael, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Purviance,

Sam'l A., Reed, Andrew, Reynolds, Ross, Runk, Russell, Smith, H. G., Smith, Wm. H., Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—88.

N A Y S.

Messrs. Boyd, Ewing, Gibson, Hanna, Lawrence, Littleton, McCulloch, Mann, Smith, Henry W., Stanton, White, David N., and White, Harry—12.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Baer, Bartholomew, Bigler, Bullitt, Carey, Cassidy, Corbett, Corson, Craig, De France, Dodd, Edwards, Ellis, Fell, Fulton, Harvey, Hazzard, Knight, Lear, MacVeagh, McMurray, Metzger, Mitchell, Parsons, Porter, Read, John R., Rooke, Sharpe, Simpson, Stewart, Turrell and Wetherill, John Price.

Mr. Buckalew, from the Committee on Suffrage, Election and Representation, reported the following ordinance for the submission of the amended Constitution to a vote of the people, viz:

"Be it ordained by the Constitutional Convention of the Commonwealth of Pennsylvania, as follows:

"I. That the amended Constitution, prepared by this Convention, be submitted to the qualified electors of the Commonwealth for their adoption or rejection, at an election to be held on the second Tuesday of December next; except as hereinafter ordered and directed, the said election shall be held and conducted by the regular election officers in the several election districts throughout the Commonwealth, under all the regulations and provisions of existing laws relating to general elections.

"II. That at said election, separate votes shall be taken upon the following parts of said amended Constitution, to wit:

1. Upon the article entitled "the Judiciary."

1. Upon the article entitled "Railroads and Canals."

"III. The Secretary of the Commonwealth shall at least twenty days before the said election, furnish to the county commissioners of each county, properly prepared printed ballots for the said election, the number of ballots so printed shall be three times the number of voters in such county, and the said ballots shall be accompanied by a printed circular of instructions, directing the form of all necessary blanks, tally-lists and returns.

"IV. The county commissioners of the several counties shall, immediately after the receipt of the said circular of instructions, cause all blanks, tally-lists and forms of returns to be properly prepared and printed, and at least five days before said election, cause to be fairly distributed to the several election boards in each election district in their respective counties, the ballots, blanks, tally-lists and returns hereinbefore provided for.

"V. At the said election the ballots shall be in the following form, for persons giving affirmative votes:

"NEW CONSTITUTION.

"For the new Constitution and for each of the several propositions separately submitted, not struck out with pen or pencil, and against all those struck out."

1. For the article entitled "Judiciary."

2. For the article entitled "Railroads and Canals."

"VI. Each of the said ballots shall be counted as a vote cast for that portion of the new Constitution not separately submitted, and for each separate proposition thereon not struck out with ink or pencil, and against such separate proposition so struck out. Persons voting against the new Constitution or any part thereof, separately submitted, may use a ballot with the same heading and general form, in which the word 'against,' shall be substituted for the word 'for,' in such place or places upon the ballot as the voter may choose, and the said ballot shall be counted 'for' or 'against' that portion of the amended Constitution not separately submitted, or for or against the proposition separately submitted, as the ballots may indicate respectively.

"VII. If it shall appear that a majority of the votes polled are for the new Constitution, then so much of the same as was not separately submitted shall be the Constitution of the Commonwealth of Pennsylvania, on and after the first

day of January, in the year of our Lord one thousand eight hundred and seventy-four, but if it shall appear that a majority of the votes polled were against the new Constitution, then so much thereof as was not separately submitted shall be rejected and be null and void; if it shall appear that a majority of the votes polled are for the several propositions, separately submitted, or for any of them, then the several articles, sections or parts of sections embraced in such propositions separately submitted, or such of them as shall receive a majority of the votes polled as aforesaid, shall be a part of the Constitution of this Commonwealth.

"In the event of the rejection of the article upon the Judiciary, embraced in separate proposition number one, then the fifth article of the present Constitution, entitled 'Of the Judiciary,' shall remain in full force and be substituted therefor.

"In the event of the rejection of separate proposition number two, then the article entitled 'Railroads and Canals,' shall be struck out and be null and void.

"VIII. Five commissioners of elections shall be appointed by a vote of this Convention, who shall have direction of the election upon this amended Constitution in the city of Philadelphia. The said commissioners shall be persons of good repute and qualified electors of said city, and shall be duly sworn or affirmed to perform their duties with impartiality and fidelity.

"It shall be the duty of said commissioners, or a majority of them, and they shall have authority to revise the registration of voters for the several wards or election divisions of said city, to correct the same, and to furnish the said corrected lists to the election officers of each precinct or division thereof; to distribute the tickets for said city provided for by this ordinance to be used at the election; to appoint a judge and two inspectors for each election division, by whom the election therein shall be held and conducted, and to give all necessary instructions to the election officers regarding their duties in holding the election and in making returns thereof.

"The general return of the election in the said city shall be opened, computed and certified before them, and with their approval—which approval shall be endorsed upon the return. They shall make report, directed to the President of this Convention, of their official action under this ordinance and concerning the fairness of the said election within the said city.

"The judges and inspectors aforesaid shall conduct the election in all respects conformably to the general election laws of this Commonwealth, and with like powers and duties to those of ordinary election officers. Each inspector shall appoint one clerk to assist the board in the performance of its duties, and all the election officers shall be duly sworn or affirmed according to law, and shall possess all the qualifications required by law of election officers in this Commonwealth. At said election, any duly qualified elector, who shall be unregistered, shall be permitted to vote upon making proof of his right to the election officers, according to the general election laws of this Commonwealth. Return inspectors and their clerks shall be dispensed with, but overseers of elections may be selected for any precinct by said election commissioners, or appointed therefor by the court of common pleas of said city, whose duties and powers shall be the same as those of overseers of elections in said city, under existing election laws applicable thereto.

"Returns of the election shall be made in said city as in the case of an election for Governor, but a triplicate general return for said city shall be made out and forwarded to the President of the Convention, at Harrisburg, as is hereinafter provided in case of county returns.

"IX. In each of the counties of the Commonwealth, (except Philadelphia,) returns of the election shall be made as in the case of an election for Governor, but the return judges in each county shall make out a triplicate county return, and transmit the same within five days after the election to the President of this Convention at Harrisburg."

Laid on the table.

Agreeably to order,

The Convention proceeded to the second reading and consideration of the article on reported from the Committee on Schedule.

And 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 "Constitution," in the first line, to and including the word "operation," in the third line, and inserting in lieu thereof as follows, viz: "If adopted shall take effect."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Darlington,

To further amend the same, by striking out in the fourth line, "in said constitution," and inserting in lieu thereof the word "therein."

Which was agreed to.

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. Buckalew,

To amend the same, by striking out in the second line, the words, "or any part thereof."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Wherry,

To further amend the same, by striking out all after the word "shall," in the third line, to the end of the section, and insert in lieu thereof as follows, viz: "as if the Constitution had not been adopted."

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. Harry White,

To amend the same, by striking out the section, and inserting in lieu thereof as follows, viz:

"At the general election in the years 1874 and 1875, Senators shall be elected in all districts where there shall be vacancies. Those elected in 1874 shall serve two years, and those elected in 1875, shall serve for one year. Senators now elected and those whose terms are unexpired shall represent the districts in which they may reside until the end of the terms for which they were elected."

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Addicks, Ainey, Andrews, Armstrong, Baily, of Perry, Bailey, of Huntington, Baker, Bannan, Beebe, Bowman, Broomall, Calvin, Carter, Cochran, Collins, Cronmiller, Curry, Curtin, Davis, Edwards, Ewing, Finney, Funck, Green, Horton, Howard, Landis, Lawrence, Littleton, MacConnell, M^cCamant, M^cCulloch, M^cMichael, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Purviance, John N., Purviance, Sam^l A., Reed, Andrew, Reynolds, Ross, Runk, Russell, Stanton, Struthers, White, David N., White, Harry, White, J. W. F., and Walker, *President*—54.

N A Y S.

Messrs. Achenbach, Alricks, Barr, Biddle, Black, Boyd, Brodhead, Brown, Buckalew, Campbell, Church, Clark, Corbett, Dallas, Darlington, De France, Dodd, Dunning, Elliott, Ellis, Gibson, Gilpin, Guthrie, Hall, Hay, Hemphill, Hunsicker, Kaine, Lamberton, Lilly, Long, M'CLean, M'Murray, Mott, Palmer, G. W., Patton, Purman, Read, John R., Smith, H. G., Smith, Henry W., Smith, Wm. H., Van Reed, Wetherill, J. M., Wherry, Woodward, Worrell and Wright—47.

So the question was determined in the affirmative.

ABSENT.—Messrs. Baer, Barclay, Bardsley, Bartholomew, Bigler, Bullitt, Carey, Cassidy, Corson, Craig, Cuyler, Fell, Fulton, Hanna, Harvey, Hazzard, Heverin, Knight, Lear, MacVeagh, Metzger, Mitchell, Parsons, Porter, Pughe, Rooke, Sharpe, Simpson, Stewart, Turrell, Temple and Wetherill, Jno. Price.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fourth section?

A motion was made by Mr. Harry White,

To amend the same, by striking out the section and inserting in lieu thereof as follows, viz:

“At the general election in 1876, Senators shall be elected from even numbered districts, to serve for two years, and from odd numbered districts, to serve for four years.”

Which was agreed to.

The fifth section was then agreed to.

On the question,

Will the Convention agree to the sixth section?

A motion was made by Mr. Cochran,

To amend the same, by striking out the section and inserting in lieu thereof as follows, viz:

“A Lieutenant Governor and Secretary of Internal Affairs shall be elected on the same day on which the qualified electors of this Commonwealth shall vote on the question of adopting this Constitution, and serve for four years from the third Tuesday of January, A. D. 1875, should this Constitution be adopted by a majority of the votes given on that question.”

On the question,

Will the Convention agree so to amend?

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

Y E A S.

Messrs. Andrews, Bailly, of Perry, Baker, Beebe, Black, Calvin, Campbell, Carter, Cochran, Curry, Curtin, De France, Dodd, Funck, Gibson, Guthrie, Hay, Horton, Howard, Landis, Long, Mann, Mantor, Minor, Mott, Palmer, G. W., Palmer, H. W., Purviance, Samuel A., Reynolds, Russell, Struthers and White, Harry—32.

N A Y S.

Messrs. Achenbach, Addicks, Alricks, Armstrong, Bailey, of Huntingdon, Bannan, Barr, Biddle, Bowman, Boyd, Broomall, Brown, Buckalew, Church, Collins, Corbett, Dallas, Darlington, Edwards, Elliott, Ellis, Ewing, Hall, Hanna, Kaine, Lawrence, Lilly, Littleton, MacConnell, M'CLean, M'Michael, Niles, Patterson, D. W., Patterson, T. H. B., Purman, Purviance, John N., Read, John

R., Reed, Andrew, Ross, Runk, Smith, Henry W., Smith, Wm. H., Wherry, White, David N., White, J. W. F., Woodward, Worrell and Walker, *President*—48.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Baer, Barclay, Bardsley, Bartholomew, Bigler, Brodhead, Bullitt, Carey, Cassidy, Clark, Corson, Craig, Cronmiller, Cuyler, Davis, Dunning, Fell, Finney, Fulton, Gilpin, Green, Harvey, Hazzard, Hemphill, Heverin, Hunsicker, Knight, Lamberton, Lear, MacVeagh, M'Camant, M'Culloch, M'Murray, Metzger, Mitchell, Newlin, Parsons, Patton, Porter, Pughe, Rooke, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, and Wright.

And the question recurring,

Will the Convention agree to the section?

The hour of three o'clock having arrived, the President announced a recess until seven o'clock this evening.

Mr. D. W. Patterson, from the Committee on Schedule, reported the following ordinance, viz:

"AN ORDINANCE FOR SUBMITTING THE NEW OR AMENDED CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA TO A VOTE OF THE QUALIFIED ELECTORS THEREOF:

"It is hereby Ordained by the Constitutional Convention of the said Commonwealth, sitting in Philadelphia, as follows:

"SECTION 1. This Constitution shall be submitted to the people of the Commonwealth of Pennsylvania, for *adoption or rejection*, at an election to be held on the second Tuesday of December, 1873, and to be voted for as a whole, and also in the manner following, to wit: And the following articles shall be submitted at said election, to be voted on *together*, to wit:

- Article No. 1.—Declaration of Rights.
- Article No. 2.—Legislation.
- Article No. 3.—Legislature.
- Article No. 4.—Executive.
- Article No. 6.—Impeachment.
- Article No. 11.—Militia.
- Article No. 13.—New Counties.
- Article No. 18.—Future Amendments.

The following *Articles* shall be submitted at said election to be voted on *separately*, to wit:

- Article No. 5.—Judiciary.
- Article No. 7.—Oaths of Office.
- Article No. 8.—Suffrage and Election.
- Article No. 9.—Taxation and Finance.
- Article No. 10.—Education.
- Article No. 12.—Public Officers.
- Article No. 14.—County Officers.
- Article No. 15.—Cities and City Charters.
- Article No. 16.—Private Corporations.
- Article No. 17.—Of Railroads and Canals.

The following *Sections* shall be submitted at said election, to be voted on *separately*, to wit:

- Section 3d of Article No. 8, of Suffrage and Election.
- Section 4th of Article No. 8, of Suffrage and Election.
- Section 3d of Article No. 10, Education.
- Section 7th of Article No. 14, County Officers.

"SECTION 2. Every person entitled to vote at the election held for adoption or rejection of this Constitution, shall be entitled to vote *for* or *against* the Constitution as a whole, and also *for* and *against* the following articles, together and without separation, to wit: Nos. 1, 2, 3, 4, 6, 11, 13 and 18.

"SECTION 3. And the persons entitled to vote as aforesaid, shall be entitled to vote *for* or *against* the following articles and sections of articles, separately and singly, to wit:

"SECTION 4. Articles Nos. 5, 7, 8, 9, 10, 12, 14, 17, 16 and 17, and sections 3d and 4th of article 8, and section 3d of article 10, and section 7th of article 14. The electors of the Commonwealth shall vote at the usual places of voting throughout the State, for holding general elections, and the said election shall be held by the regular election officers in the several election districts throughout the Commonwealth, subject to the laws regulating the same, (except in the city of Philadelphia, which is herein otherwise provided for,) and shall make returns thereof according to existing laws, except when otherwise herein provided for.

"SECTION 5. In each of the counties of the Commonwealth, (except Philadelphia,) the returns of the election shall be made as in the case of an election for Governor, but the return judges in each county shall make out a triplicate county return, and transmit the same, in a sealed envelope, within five days after the election, directed to the President (Hon. John H. Walker) of this Convention, at Harrisburg."

"SECTION 6. The Secretary of State shall, at least twenty days before said election, deliver, or cause to be delivered, to the county commissioners of each county, blank poll-books, tally-lists and forms of returns necessary, and three times the number of printed ballots for said election than there are voters in such county, in the form prescribed in this schedule, the expense whereof shall be audited and paid as other public printing ordered by the Secretary of State is by law required to be audited and paid.

"SECTION 7. The county commissioners of the several counties (except Philadelphia) shall, after the receipt of the poll-books, tally-lists, forms of return, and printed ballots, as aforesaid, cause the same to be fairly distributed and delivered to the election officers of the several election districts in their respective counties, at least five days before said election, and the election officers, clerks, return judges, and other expenses incurred by reason of said election, shall be paid by the several counties, as is now provided by law for conducting general elections.

"SECTION 8. If it shall appear that a majority of the votes polled are *for* the new Constitution, or any part or parts of it, then so much of it as shall have such majority of votes, shall be the Constitution of the Commonwealth of Pennsylvania to that extent, on and after the first day of January, 1874, but if it shall appear that a majority of votes polled were *against* the new Constitution, or any part or parts of it, then so much thereof shall be rejected, and be null and void.

"SECTION 9. For conducting the said election in the city of Philadelphia, the following five persons, to wit:

Edwin H. Fitler, Edward Browning, John P. Verree, Henry S. Hagert and John O. James, are hereby appointed a Board of Commissioners, who shall have the direction and supervision of said election, and shall have power to appoint the election boards within the county of Philadelphia, with power to fill vacancies in their own boards, as well as vacancies in the several said election boards, and shall be duly sworn (or affirmed) to perform their duties with impartiality and fidelity.

"SECTION 10. It shall be the duty of said commissioners, or a majority of them, and they shall have authority to revise the registration of voters for the several wards or election divisions of said city, to connect the same, and to furnish the said corrected lists to the election officers of each precinct or division thereof; to distribute the tickets for said city provided for by this ordinance to be used at the election; to appoint a judge and two inspectors for each election division, by whom the election therein shall be held and conducted, and to give all necessary instructions to the election officers regarding their duties in holding the election and in making returns thereof.

"The general return of the election in the said city shall be opened, computed and certified before them, and with their approval, which approval shall be endorsed upon the return. They shall make report, directed to the President of this Convention, of their official action under this ordinance, and concerning the fairness of the said election within the said city.

"The judges and inspectors aforesaid shall conduct the election in all respects conformably to the general election laws of this Commonwealth, and with like pow-

ers and duties to those of ordinary election officers. Each inspector shall appoint one clerk to assist the board in the performance of its duties, and all the election qualifications requested by law of election officers in this Commonwealth. At said election any duly qualified elector, who shall be unregistered, shall be permitted to vote upon making proof of his right to the election officers, according to the general election laws of this Commonwealth. Return inspectors and their clerks shall be dispensed with, but overseers of election may be selected for any precinct by said election commissioners, or appointed therefor by the court of common pleas of said city, whose duties and powers shall be the same as those of overseers of election in said city, under existing election laws applicable thereto.

"Returns of the election shall be made in said city as in the case of an election for Governor, but a triplicate general return for said city shall be made out and forwarded to the President of the Convention at Harrisburg, as is hereinafter provided in case of county returns.

"SECTION 11. At the said election the ballots shall be in the following form :

NEW CONSTITUTION.

"For the new Constitution, and for all the *articles* and *sections* which are not cancelled with *ink* or *pencil*, on the following ticket; and *against* the new Constitution and such *articles* and *sections* as are so cancelled therein, viz: "

1. For new Constitution.
2. For Article No. 17.—Entitled Railroads and Canals.
3. For Article No. 1.—Entitled Bill of Rights.
 - Article No. 2.—Legislation.
 - Article No. 3.—Legislature.
 - Article No. 4.—Executive.
 - Article No. 6.—Impeachment.
 - Article No. 11.—Militia.
 - Article No. 13.—New Counties.
 - Article No. 18.—Future Amendments.
4. For Article No. 5.—Judiciary.
5. For Article No. 6.—Oaths of Office.
6. For Article No. 8.—Suffrage and Election.
7. For Article No. 9.—Taxation and Finance,
8. For Article No. 10.—Education.
9. For Article No. 12.—Public Offices.
10. For Article No. 14.—County Officers.
11. For Article No. 15.—Cities and City Charters.
12. For Article No. 16.—Private Corporations.
13. For Section 3, Article No. 8.—Changing time of township Elections.
14. For Section 4, Article No. 8.—Provides for Numbering Tickets.
15. For Section 3, Article No. 10.—Make Women Eligible for School Directors.
16. For Section 7, Article No. 14.—Allows Minority Voting for County Commissioners and County Auditors.

"SECTION 12. The parts of said tickets which are *not* cancelled by the electors shall be counted and returned by the officers of the election as cast for this Constitution and for the articles submitted *together*, and for the articles and sections *separately* submitted on said ticket; but the parts of said ticket that are cancelled as aforesaid shall be counted and returned as cast *against* such articles and sections as are submitted *together* and *separately* on said ballot.

"The provisions of this ordinance shall take effect and be in force immediately.

"Done in Convention, at Philadelphia, on the — day of October, in the year of our Lord 1873."

Laid on the table.

Agreeably to order,

The Convention resumed the second reading and consideration of the article reported from the Committee on Schedule.

And the question recurring,

Will the Convention agree to the sixth section?

It was determined in the affirmative.

The seventh section was agreed to.

On the question,

Will the Convention agree to the eighth section ?

A motion was made by Mr. Kaine,

To amend the same, in the second line, by striking out the word "then."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Armstrong.

To further amend the same, by striking out in the same line, the words, "and terminate."

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. Buckalew,

To amend the same, by striking out, in the second line, all after the word "now," and inserting in lieu thereof, "holding any State office for a first official term ineligible for re-election at the end of such term."

Which was agreed to.

The section as amended was then agreed to.

The tenth, eleventh and twelfth sections were then agreed to.

On the question,

Will the Convention agree to the thirteenth section ?

A motion was made by Mr. Armstrong,

To amend the same, by striking out in the second line the words, "provided for under," and inserting in lieu thereof as follows, viz: "As required by," and by striking out the third line, and the fourth line to the word "the," and also in the fourth line, strike out the words, "at present," and insert in lieu thereof the word "then."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the fourteenth section ?

A motion was made by Mr. Armstrong,

To amend the same, by striking out in the second line the words, "provided for under," and insert "as required by."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

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

YEAS.

Messrs. Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barclay, Barr, Black, Boyd, Buckalew, Calvin, Carter, Cassidy, Cochran, Cronmiller, Curry, Curtin, Dallas, De France, Dunning, Edwards, Ellis, Ewing, Fin-

ney, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Knight, Lamberton, Landis, Lilly, Littleton, Long, M'Camant, M'Culloch, M'Michael, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Purman, Reed, Andrew, Reynolds, Rooke, Runk, Smith, Henry W., Smith, Wm. H., Temple, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Walker, *President*—64.

N A Y S.

Messrs. Alricks, Andrews, Beebe, Bowman, Corbett, Elliott, Howard, Kaine, Lawrence, M'CLean, M'Murray, Mann, Purviance, John N., Purviance, Sam'l A., Struthers, White, Harry, Woodward, Worrell and Wright—19.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Ainey, Baer, Bardsley, Bartholomew, Biddle, Bigler, Brodhead, Broomall, Brown, Bullitt, Campbell, Carey, Church, Clark, Collins, Corson, Craig, Cuyler, Darlington, Davis, Dodd, Fell, Fulton, Green, Harvey, Hemphill, Heverin, Hunsicker, Lear, MacConnell, MacVeagh, Metzger, Mitchell, Parsons, Patton, Porter, Pughe, Read, John R., Ross, Russell, Sharpe, Simpson, Smith, H. G., Stanton, Stewart, Turrell, Van Reed, and Wetherill, Jno. Price.

On the question,

Will the Convention agree to the fifteenth section ?

A motion was made by Mr. Armstrong,

To amend the same, in the first line, by striking out the words, "in this Commonwealth;" and in the third line the words, "elected and;" and strike out from the word "qualified," in the fourth line, to and including the word "and," in the seventh line, and also, by striking out in the same line, the word "said," and inserting in lieu thereof the word "president," and after the word "judge," insert the words, "of the court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the sixteenth section ?

A motion was made by Mr. J. W. F. White,

To amend the same, in the fourth line, by striking out the word "and," and by adding to the end thereof the words, "but when the president judge of a court shall be re-elected, he shall continue the president judge of that court."

Which was agreed to.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Kaine,

To amend the same, by adding to the end thereof the words, "associate judges not learned in the law, elected after the adoption of this Constitution, shall be commissioned to hold their offices for the term of five years from the first day of January after their election."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the seventeenth section ?

A motion was made by Mr. Andrew Reed,

To amend the same, by adding to the end of the section the words, "or prevent the same from being increased by law."

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Andrew Reed and Mr. Armstrong, and were as follow, viz:

Y E A S .

Messrs. Addicks, Armstrong, Beebe, Biddle, Bowman, Boyd, Bullitt, Calvin, Cassidy, Ellis, Fell, Hall, Hanna, Lamberton, Landis, Lilly, Littleton, M'Camant, M'Michael, Newlin, Niles, Palmer, H. W., Patterson, D. W., Porter, Purman, Purviance, Sam'l A., Read, John R., Reed, Andrew, Reynolds, Runk, Stanton, Struthers, Woodward, Worrell and Wright—35.

N A Y S .

Messrs. Achenbach, Alricks, Andrews, Baily, of Perry, Baker, Bannan, Barclay, Black, Buckalew, Carter, Cochran, Corbett, Cronmiller, Curry, Curtin, Dallas, De France, Dodd, Dunning, Edwards, Elliott, Finney, Funck, Guthrie, Hay, Hazzard, Horton, Howard, Kaine, Knight, Lawrence, Long, M'CLean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Palmer, G. W., Patterson, T. H. B., Purviance, John N., Rooke, Russell, Smith, Henry W., Temple, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., and Walker, *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Baer, Bailey, of Huntingdon, Bardsley, Barr, Bartholomew, Bigler, Brodhead, Broomall, Brown, Campbell, Carey, Church, Clark, Collins, Corson, Craig, Cuyler, Darlington, Davis, Ewing, Fulton, Gibson, Gilpin, Green, Harvey, Hemphill, Heverin, Hunsicker, Lear, MacConnell, MacVeagh, Metzger, Mitchell, Parsons, Patton, Pughe, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed and Wetherill, John Price.

And the question recurring,

Will the Convention agree to the section?

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

To amend the same, by striking out the fifth and sixth lines.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. J. N. Purviance and Mr. H. W. Smith, and were as follow, viz:

Y E A S .

Messrs. Alricks, Baily, of Perry, Cochran, De France, Funck, Hazzard, Kaine, Lawrence, Lilly, M'CLean, M'Culloch, M'Murray, Mann, Minor, Purviance, John N., Reynolds, Russell and Smith, Henry W.—18.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Baker, Bannan, Barclay, Beebe, Biddle, Black, Bowman, Boyd, Buckalew, Calvin, Carter, Cassidy, Corbett, Cronmiller, Curry, Curtin, Cuyler, Dallas, Dodd, Dunning, Edwards, Elliott, Ellis, Fell, Finney, Guthrie, Hall, Hanna, Hay, Horton, Knight, Lamberton, Landis, Littleton, M'Camant, M'Michael, Mantor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purman, Purviance, Samuel A., Read, John R., Rooke, Runk, Stanton, Struthers, Temple, Wetherill, J. M., Wherry, White, David N., White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Armstrong, Baer, Bailey, of Huntingdon, Bardsley, Barr, Bartholomew, Bigler, Brodhead, Broomall, Brown, Bullitt, Campbell, Ca-

rey, Church, Clark, Collins, Corson, Craig, Darlington, Davis, Ewing, Fulton, Gibson, Gilpin, Green, Harvey, Hemphill, Heverin, Howard, Hunsicker, Lear, Long, MacConnell, MacVeagh, Metzger, Mitchell, Niles, Parsons, Patton, Pughe, Reed, Andrew, Ross, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, John Price, and White, Harry.

The section was then agreed to.

On the question,

Will the Convention agree to the eighteenth section ?

A motion was made by Mr. J. W. F. White,

To amend the same, by adding to the end of the eleventh line the words, "but any president judge re-elected in the same court or district shall continue to be president judge thereof."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Littleton,

To amend the same in the twelfth line, by striking out the words, "voted for and," and by striking out all after the word "Constitution," in the thirteenth line, to the word "their," in the fifteenth line, and by inserting the word "and," before the word "their," in the fifteenth line.

On the question,

Will the Convention agree to the motion ?

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

YEAS.

Messrs. Addicks, Beebe, Edwards, Finney, Hanna, Knight, Lawrence, Littleton, Mantor, Minor, Newlin, Niles, Palmer, H. W., Patterson, D. W., Purviance, John N., Reynolds, Stanton, Struthers, White, David N., White, Harry, and Walker, *President*—21.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baily, of Perry, Baker, Banan, Biddle, Black, Buckalew, Calvin, Cassidy, Cochran, Corbett, Cronmiller, Curtin, Cuyler, De France, Dodd, Dunning, Elliott, Ellis, Fell, Funck, Guthrie, Hall, Hay, Hazzard, Horton, Kaine, Lamberton, Landis, Lilly, Long, M'Camant, M'Murray, Mann, Mott, Palmer, G. W., Patterson, T. H. B., Purman, Purviance, Sam'l A., Read, John R., Rooke, Runk, Russell, Temple, Wherry, Woodward, Worrell and Wright—51.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bear, Bailey, of Huntingdon, Barclay, Bardsley, Barr, Bartholomew, Bigler, Bowman, Boyd, Brodhead, Broomall, Brown, Bullitt, Campbell, Carey, Carter, Church, Clark, Collins, Corson, Craig, Curry, Dallas, Darlington, Davis, Ewing, Fulton, Gibson, Gilpin, Green, Harvey, Hemphill, Heverin, Howard, Hunsicker, Lear, MacConnell, MacVeagh, M'Clean, M'Culloch, M'Michael, Metzger, Mitchell, Parsons, Patton, Porter, Pughe, Reed, Andrew, Ross, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, and White, J. W. F.

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. D. W. Patterson,

To amend the same, in the second line, by inserting after the word "pleas," the words, "at the time of the adoption of this Constitution;" and in the third line, after the word "court," the words, "at the same date."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. J. W. F. White,

To amend the same, by adding to the end of the section the words, "but any president judge re-elected in the same court or district shall continue to be president judge thereof."

Which was agreed to.

The section as amended was then agreed to.

The twentieth, twenty-first, twenty-second and twenty-third sections were then agreed to.

On the question,

Will the Convention agree to the twenty-fourth section?

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

To amend the same, by striking out the section, and inserting in lieu thereof as follows, viz:

"In cities containing over fifty-thousand inhabitants, (except Philadelphia,) all aldermen in office at the time of the adoption of this Constitution, shall continue in office until the expiration of their commissions, and at the election for city and ward officers in the year 1875, one alderman shall be elected in each ward as provided in this Constitution."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twenty-fifth section?

A motion was made by Mr. John R. Read,

To amend the same, in the first line, by striking out the words, "in lieu of aldermen."

Which was not agreed to.

The section was then agreed to.

The twenty-sixth and twenty-seventh sections were agreed to.

On the question,

Will the Convention agree to the twenty-eighth section?

A motion was made by Mr. Buckalew,

To amend the same, by striking out the section and inserting in lieu thereof as follows, viz:

"The terms of office of county commissioners and county auditors chosen prior to 1875, which shall not have expired before the first Monday of January 1876, shall expire on that day; and on and after the said first Monday of January, 1876, the office of jury commissioners shall be abolished, and all the duties and powers of jury commissioners shall devolve upon the board of county commissioners, subject to future regulations by law."

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

The hour of three o'clock having arrived,
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, OCTOBER 30, 1873.

The President laid before the Convention the following communication, which was read, as follows, viz :

UNION LEAGUE HOUSE,
PHILADELPHIA, October 29, 1873. }

HON. JOHN H. WALKER,

President of the Constitutional Convention :

DEAR SIR :—The officers and members of the Convention are respectfully invited to the Art Reception, now open at the Union League House, Broad street.
Very respectfully yours,

JAMES L. CLAGHORN,
Chairman of Committee.

On motion of Mr. Newlin,
The invitation was accepted with the thanks of the Convention.

Mr. Armstrong offered the following resolution, which was twice read, viz :
Resolved, That the Convention take a recess to-day, from one to two o'clock P. M., and from five to seven o'clock P. M., and that the evening session be continued without limit.

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 "one," and inserting in lieu thereof "half-past one."

Which was not agreed to.

The resolution was then agreed to.

Mr. Harry White offered the following resolution, which was referred to the Committee on the Declaration of Rights, viz :

Resolved, That the following be added as an additional section to the article entitled Declaration of Rights :

That no law shall be made or enforced within this Commonwealth that discriminates in favor of any class of persons by reason of color or race, and all public institutions, educational or otherwise, all places of public amusement or for accommodation of travelers, shall be open to and enjoyed by all persons on equal terms.

Mr. Knight offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That a copy of the Constitution as ordered to be printed on parchment, and to be signed by the members of the Convention, be presented to the Historical Society of Pennsylvania to be preserved among its archives.

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

Resolved, That in the opinion of this Convention, it is very important that the Constitution adopted by it, should be published in more than two newspapers in each county, and that the Secretary of the Commonwealth be requested to have it published not more than in three consecutive issues of any newspapers in the State, for such reasonable charge for the service as he may first establish for each class of papers.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Littleton,

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

Which was agreed to.

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

Resolved, That the compensation of Powell De France, for services in the coat room, be increased two hundred dollars.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Darlington,

That the same be referred to the Committee on Accounts and Expenditures 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. Littleton,

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

Which was agreed to.

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

Resolved, That the article entitled Legislation, and designated as number three, be submitted for a separate and distinct vote at the same time the amended Constitution is submitted.

Laid on the table.

A motion was made by Mr. Buckalew,

That the Convention proceed to the second reading and consideration of the resolution (laid on the table September 17th,) which was read as follows, viz:

Resolved, That the forty-third rule of the Convention be amended.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Barr, Biddle, Black, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carey,

Carter, Church, Cochran, Corbett, Curry, Curtin, Cuyler, Dallas, Davis, De France, Dunning, Ellis, Gibson, Gilpin, Guthrie, Hall, Hay, Hazzard, Hunsicker, Kaine, Lawrence, Lear, Lilly, Long, M'Clean, M'Murray, Mott, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Sharpe, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward, Worrell and Wright—67.

Y A Y S.

Messrs. Addicks, Ainey, Alricks, Andrews, Bannan, Barclay, Beebe, Bowman, Cassidy, Clark, Collins, Cronmiller, Darlington, Dodd, Edwards, Elliott, Ewing, Fulton, Hanna, Harvey, Hemphill, Horton, Howard, Knight, Lamberton, Littleton, MacConnell, M'Camant, M'Michael, Mann, Mantor, Minor, Niles, Patterson, D. W., Porter, Reynolds, Stanton, Struthers, Turrell, White, Harry, White, J. W. F., and Walker, *President*—42.

So the question was determined in the affirmative.

ABSENT. — Messrs. Baer, Bardsley, Bartholomew, Bigler, Broomall, Bullit, Corson, Craig, Fell, Finney, Funck, Green, Heverin, Landis, MacVeagh, M'Culloch, Metzger, Mitchell, Palmer, G. W., Patton, Pughe, Purviance, Samuel A., Stewart and Wetherill, John Price.

And the resolution was read a second time.

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, as follows, viz: "and that questions of separate submission of parts of the Constitution be considered upon the readings of the ordinance of submission of the Constitution.

. On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Littleton,

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

Which was not agreed to.

And the question recurring,

Will the Convention agree so to amend ?

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

Y E A S.

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barr, Biddle, Black, Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Collins, Corbett, Curtin, Cuyler, Dallas, De France, Elliott, Finney, Gibson, Gilpin, Guthrie, Hall, Hay, Hazzard, Heverin, Hunsicker, Kaine, Lamberton, Lawrence, Lilly, M'Murray, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Reed, Andrew, Rooke, Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Temple, Wetherill, J. M., Wherry, White, David N., Woodward, Worrell and Wright—55.

N A Y S.

Messrs. Addicks, Ainey, Alricks, Andrews, Baker, Bannan, Beebe, Bowman, Clark, Cronmiller, Curry, Darlington, Davis, Dodd, Edwards, Ewing, Funck, Hanna, Harvey, Hemphill, Horton, Howard, Knight, Littleton, MacConnell, M'Clean, M'Michael, Mann, Mantor, Minor, Newlin, Niles, Palmer, H. W., Pat-

terson, D. W., Porter, Pughe, Purviance, John N., Reynolds, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, White, Harry, White, J. W. F., and Walker, *President*—49.

So the question was determined in the affirmative.

ABSENT.—Messrs. Baer, Barclay, Bardsley, Bartholomew, Bigler, Broomall, Carey, Cassidy, Cochran, Corson, Craig, Dunning, Ellis, Fell, Fulton, Green, Landis, Lear, Long, MacVeagh, M'Camant, M'Culloch, Metzger, Mitchell, Patton, Purman, Purviance, Samuel A., Read, John R., and Wetherill, John Price.

On the question,

Will the Convention agree to the resolution as amended ?

A motion was made by Mr. Carter,

To amend the same, by adding to the end thereof as follows, viz: "*Provided*, That no amendment be submitted by a vote of less than forty-five members."

Which was agreed to.

On the question,

Will the Convention agree to the resolution as amended ?

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

YEAS.

Messrs. Achenbach, Alricks, Armstrong, Baily, of Perry, Barclay, Barr, Biddle, Black, Boyd, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Church, Cochran, Corbett, Curtin, Dallas, De France, Elliott, Fulton, Gibson, Guthrie, Hall, Hay, Hazzard, Heverin, Hunsicker, Kaine, Lamberton, Lawrence, Lear, Lilly, Long, M'Camant, M'Murray, Mott, Palmer, G. W., Parsons, Patterson, T. H. B., Read, John R., Ross, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Wetherill, J. M., Wherry, White, David N., Woodward, Worrell and Wright—56.

NAYS.

Messrs. Addicks, Ainey, Andrews, Bailey, of Huntingdon, Baker, Bannan, Bowman, Clark, Collins, Cronmiller, Curry, Darlington, Davis, Dodd, Edwards, Ewing, Funck, Gilpin, Hanna, Harvey, Hemphill, Horton, Howard, Knight, Littleton, MacConnell, M'Clean, M'Michael, Mann, Mantor, Minor, Niles, Palmer, H. W., Patterson, D. W., Porter, Pughe, Purviance, John N., Purviance, Sam'l A., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Simpson, Stanton, Stewart, Struthers, Turrell, Van Reed, White, Harry, White, J. W. F., and Walker, *President*—52.

So the question was determined in the negative; two-thirds not having voted in the affirmative.

ABSENT.—Messrs. Baer, Bardsley, Bartholomew, Beebe, Bigler, Broomall, Cassidy, Corson, Craig, Cnyler, Dunning, Ellis, Fell, Finney, Green, Landis, MacVeagh, M'Culloch, Metzger, Mitchell, Newlin, Patton, Purman, Temple and Wetherill, John Price.

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

Resolved, That an executive committee of fourteen members be appointed by the Chair to take such measures as may be proper to give due publicity to the provisions of the new Constitution; *Provided*, No expense be incurred without the order of the Convention.

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 "fourteen," and inserting in lieu thereof the word "thirty-three;" and by inserting after the word "Constitution," the words, "and such other business as may be necessary."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Wherry.

To amend the amendment, by striking out all after the word "That," to and including the word "chair," and inserting in lieu thereof the words, "the chairman of the standing committees be a committee."

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. Darlington and Mr. Bardsley, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Ainey, Andrews, Armstrong, Bannan, Barr, Boyd, Brown, Clark, Collins, Corbett, Cronmiller, Darlington, Dunning, Edwards, Elliott, Ellis, Ewing, Fulton, Hall, Hanna, Hazzard, Hemphill, Howard, Hunsicker, Lamberton, Long, MacConnell, M'Camant, M'Clean, Mann, Minor, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Ross, Runk, Russell, Simpson, Smith, Henry W., Struthers, Turrell, Wherry, White, David N., and Walker, *President*—55.

NAYS.

Messrs. Alricks, Bailly, of Perry, Bailey, of Huntingdon, Baker, Barclay, Bardsley, Beebe, Biddle, Black, Bowman, Brodhead, Buckalew, Calvin, Campbell, Carter, Church, Cochran, Curry, Dallas, De France, Funck, Gibson, Gilpin, Guthrie, Hay, Horton, Knight, Lawrence, Lilly, Littleton, M'Michael, M'Murray, Mantor, Newlin, Patton, Pughe, Purman, Sharpe, Smith, Wm. H., Stewart, Temple, Van Reed, Wetherill, J. M., White, Harry, Woodward, Worrell and Wright—47.

So the question was determined in the affirmative.

ABSENT.—Messrs. Baer, Bartholomew, Bigler, Broomall, Bullitt, Carey, Cassidy, Corson, Craig, Curtin, Cuyler, Davis, Dodd, Fell, Finney, Green, Harvey, Heverin, Kaine, Landis, Lear, MacVeagh, M'Culloch, Metzger, Mitchell, Niles, Read, John R., Smith, H. G., Stanton, Wetherill, John Price, and White, J. W. F.

Agreeably to order,

The Convention resumed the second reading and consideration of the article on the Schedule.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Buckalew, to strike out the twenty-eighth section, and insert in lieu thereof as follows, viz:

"The terms of office of county commissioners and county auditors chosen prior to 1875, which shall not have expired before the first Monday of January, 1876,

shall expire on that day ; and on and after the first Monday of January, 1876, the office of jury commissioners shall be abolished, and all the duties and powers of jury commissioners shall devolve upon the boards of county commissioners, subject to future regulation by law."

Mr. Buckalew called for a division of the question, the first division to end with the word "day," in the third line.

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 ?

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

Y E A S .

Messrs. Beebe, Boyd, Brodhead, Buckalew, Corbett, Hay, Kaine, Mann, Smith, Wm. H., and Stewart—10.

N A Y S .

Messrs. Ainey, Alricks, Andrews, Armstrong, Bailey, of Huntingdon, Baker, Bannan, Biddle, Black, Bowman, Broomall, Brown, Bullitt, Calvin, Carey, Church, Clark, Cochran, Collins, Cronmiller, Curry, Curtin, Darlington, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ewing, Finney, Fulton, Funk, Gibson, Gilpin, Green, Guthrie, Hall, Hazzard, Heverin, Horton, Howard, Hunsicker, Knight, Lamberton, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mantor, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Reed, Andrew, Reynolds, Rooke, Runk, Russell, Sharpe, Simpson, Smith, Henry W., Stanton, Struthers, Turrell, Van Reed, Wetherill, J. M., Wherry, White, Harry, White, J. W. F., Woodward, Worrell Wright and Walker, *President*—86.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Addicks, Baer, Baily, of Perry, Barclay, Bardsley, Barr, Bartholomew, Bigler, Campbell, Carter, Cassidy, Corson, Craig, Cuyler, Dallas, Ellis, Fell, Hanna, Harvey, Hemphill, Landis, MacVeagh, M'Michael, Metzger, Minor, Mitchell, Mott, Newlin, Niles, Patton, Read, John R., Ross, Smith, H. G., Temple, Wetherill, John Price, and White, David N.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the twenty-ninth section ?

It was determined in the negative.

The thirtieth section was then agreed to.

On the question,

Will the Convention agree to the thirty-first section ?

A motion was made by Mr. Andrew Reed,

To amend the same, in the first line, by inserting after the word "heretofore," the word "elected;" and by striking out the word "or," and the word "and," where it occurs the second time in the same line.

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Convention agree to the thirty-second and last section ?

A motion was made by Mr. Broomall.

To amend the same, in the second line, by striking out the words, "or any part thereof."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Shall the article be transcribed for a third reading ?

Mr. Hay asked and obtained unanimous consent to amend the twenty sixth section, by striking out, in the second line, the words, "or any part thereof," and inserting in lieu thereof the words, "and at the first election under it;" and in the third line insert after the word "expire," the words, "and until their successors shall be duly qualified."

And the question recurring,

Shall the article be transcribed for a third reading ?

Mr. H. W. Palmer asked and obtained unanimous consent to amend the twenty-sixth section, by striking out all after the word "Constitution," in the fourth line.

And the question again recurring,

Shall the article be transcribed for a third reading ?

Mr. Armstrong asked and obtained unanimous consent to amend the thirteenth section, by striking out the word "then," in the fourth line, and inserting in lieu thereof the words, "when such designation shall be made."

And the question again recurring,

Shall the article be transcribed for a third reading ?

It was determined in the affirmative.

A motion was made by Mr. Hunsicker,

That the Convention proceed to the third reading and consideration of said article.

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Buckalew,

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

Which was agreed to.

The hour of one o'clock having arrived, the President announced a recess until this afternoon at two o'clock.

AFTERNOON SESSION.

Mr. D. W. Patterson, from the Committee on Schedule, reported a form of a ballot for the ordinance reported yesterday, as follows, viz:

"SECTION 11. At said election the ballots shall be in the following form :

NEW CONSTITUTION.

1. For—New Constitution.

1. Against—New Constitution.

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| 2. For. | { | Art. No. 1.—Declaration of Rights. |
| | | Art. No. 2.—Legislation. |
| | | Art. No. 3.—Legislature. |
| | | Art. No. 4.—Executive. |
| | | Art. No. 6.—Impeachment. |
| | | Art. No. 11.—Militia. |
| | | Art. No. 13.—New Counties. |
| | | Art. No. 18.—Future Amendments. |

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|-------------|---|------------------------------------|
| 2. Against. | { | Art. No. 1.—Declaration of Rights. |
| | | Art. No. 2.—Legislation. |
| | | Art. No. 3.—Legislature. |
| | | Art. No. 4.—Executive. |
| | | Art. No. 6.—Impeachment. |
| | | Art. No. 11.—Militia. |
| | | Art. No. 13.—New Counties. |
| | | Art. No. 18.—Future Amendments. |

3. For : Art. No. 5.—Judiciary.
3. Against : Art. No. 5.—Judiciary.
4. For : Art. No. 7.—Oaths of Office.
4. Against : Art. No. 7.—Oaths of Office.
5. For : Art. No. 8.—Suffrage and Election.
5. Against : Art. No. 8.—Suffrage and Election.
6. For : Art. No. 9.—Taxation and Finance.
6. Against : Art. No. 9.—Taxation and Finance.
7. For : Art. No. 10.—Education.
7. Against : Art. No. 10.—Education.
8. For : Art. No. 12.—Public Officers.
8. Against : Art. No. 12.—Public Officers.
9. For : Art. 14.—County Officers.
9. Against : Art. No. 14.—County Officers.
10. For : Art. No. 15.—Cities and City Charters.
10. Against : Art. No. 15.—Cities and City Charters.
11. For : Art. No. 16.—Private Corporations.
11. Against : Art. No. 16.—Private Corporations.
12. For : Art. No. 17.—Of Railroads and Canals.
12. Against : Art. No. 17.—Of Railroads and Canals.
13. For : Section 3d of Art. No. 8.—Changing time of township and municipal elections.
13. Against : Section 3d of Art. No. 8.—Changing time of township and municipal elections.
14. For : Section 4th of Art. No. 8.—Provides for numbering tickets of voters.
14. Against : Section 4th of Art. No. 8.—Provides for numbering tickets of voters.
15. For : Section 3d of Art. No. 10.—Makes women eligible for school directors.
15. Against : Section 3d of Art. No. 10.—Makes women eligible for school directors.
16. For : Section 7th of Art. No. 14.—Allows minority voting for county commissioners and auditors.
16. Against : Section 7th of Art. No. 14.—Allows minority voting for county commissioners and auditors."

"SECTION 12. The elector who votes for the "new Constitution" as a whole, will cancel, with ink or pencil, the word "against," opposite to the words "new Constitution," on the said ballot, and the elector who votes against the "new Constitution" as a whole, will cancel in the same way the word "for," opposite to the words, "new Constitution;" and in the same manner will the voter cancel the word "against" or "for," opposite the articles to be voted on without separation, and the several articles and sections to be voted on separately, as the voter may wish to vote for or against the said articles and sections, as contained on said ballot."

On motion of Mr. Buckalew,

The Convention resolved itself into committee of the whole, Mr. Purman in the Chair, on the ordinance 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-day was named and agreed upon.

On leave given,

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

Resolved, That it be referred to the delegates who reside in the city of Philadelphia, to nominate five commissioners to execute the ordinance under consideration in the city of Philadelphia, and that the Sergeant-at-Arms be instructed to give said delegates notice to meet this evening at half-past six o'clock, in the President's room, to consider said nominations.

On motion of Mr. Buckalew,

The Convention again resolved itself into committee of the whole, Mr. Purman in the Chair, on the ordinance 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 ?

This evening was named and agreed upon.

The hour of three o'clock having arrived, the President announced a recess until seven o'clock this evening.

EVENING SESSION.

Agreeably to order,

The Convention again resolved itself into committee of the whole, Mr. Purman in the chair, on the ordinance 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. Lilly,
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.

FRIDAY, OCTOBER 31, 1873.

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

Resolved, That the sum of one hundred dollars be paid to Rev. James W. Curry, out of the Convention fund, as a testimonial of respect for his voluntary services as Chaplain of the Convention.

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

Resolved, That fourteen thousand copies of the new Constitution be printed in pamphlet form for distribution by the delegates.

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

A motion was made by Mr. Knight,
To amend the same, by striking out the words, "fourteen thousand," and inserting in lieu thereof the words, "twenty-one thousand."

Which was agreed to.

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

The yeas and nays were required by Mr. H. W. Palmer and Mr. Baer, and were as follow, viz :

Y E A S .

Messrs. Andrews, Armstrong, Baily, of Perry, Bannan, Barr, Beebe, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Calvin, Clark, Corbett, Curry, Curtin, Darlington, Elliott, Ellis, Ewing, Finney, Fulton, Gibson, Green, Hall, Harvey, Hay, Hemphill, Horton, Howard, Kaine, Knight, Lamberton, Lawrence, Lilly, Littleton, Long, M'Clean, Mantor, Newlin, Niles, Parsons, Patterson, T. H. B., Patton, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stewart, Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, White, David N., White, Harry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—66.

N A Y S .

Messrs. Ainey, Alricks, Baer, Baker, Barclay, Biddle, Carter, Church, Cochran, Collins, Cronmiller, Davis, De France, Dodd, Dunning, Edwards, Guthrie, Hazzard, Hunsicker, MacConnell, M'Camant, M'Culloch, M'Michael, M'Murray, Mott, Palmer, G. W., Palmer, H. W., Patterson, D. W., Porter, Pughe, Reed, Andrew, Rooke, Ross, Russell, Simpson and Turrell—36.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Bailey, of Huntingdon, Bardsley, Bartholomew, Boyd, Bullitt, Campbell, Carey, Cassidy, Corson, Craig, Cuyler, Dallas, Fell, Funck, Gilpin, Hanna, Heverin, Landis, Lear, MacVeagh, Mann, Metzger, Minor, Mitchell, Furman, Reynolds, Smith, H. G., Stanton, and Wetherill, John Price.

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

Resolved, That an executive committee of sixteen members be appointed by the chair, to secure due publicity for the work of the Convention : *Provided*, No expense be incurred without the order 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. Darlington offered the following resolution, which was twice read, viz :

Resolved, That the time for closing this session of the Convention be postponed until Monday next.

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 inserting in lieu thereof as follows, viz : " That the resolution passed last Monday, providing for the closing of this session of this Convention to-day, at two P. M., be and the same is hereby rescinded."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Armstrong,

To amend the amendment, so as to make it read as follows, viz :

" *Resolved*, That the Convention will take a recess to-day, from one o'clock to two o'clock P. M., and from five o'clock to seven o'clock P. M., and that the evening session shall be without limitation, and all orders inconsistent with this be rescinded."

Which was agreed to.

The amendment as amended and resolution as amended, were then agreed to.

Mr. Knight offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That three hundred dollars be paid to L. Rogers, as clerk of the Committee of Revision and Adjustment.

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

Resolved, That the Committee on Printing and Binding shall have printed, in sheet form, the new Constitution, with the same type as that used for our Journal ; that one copy for each subscriber, they respectively have, be furnished to the different newspapers of the State for distribution, and that each of such newspapers be allowed for distributing the same among their subscribers, at the rate of ten dollars per thousand circulation ; that the accounts of such papers be settled by the Auditor General in the usual way.

On the question,

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

It was determined in the negative.

Mr. Howard offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That a committee of thirty-three, to be selected by the delegates representing the Senatorial districts of the State, who shall, from the body of the Convention, select an executive committee of five, whose duty it shall be to attend to the publication of the Constitution, and any other matter in relation to the submission of the same, and to report to the Convention at Harrisburg.

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

Resolved, That the Committee on Printing and Binding be authorized to have prepared a suitable index to the Journal.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Ainey,

To amend the same, by adding to the end thereof as follows, viz: "and that the same be bound in two volumes."

Which was not agreed to.

The resolution was then agreed to.

A motion was made by Mr. Wm. H. Smith,

That when the Convention adjourns to-night it will adjourn to meet to-morrow morning at nine and a-half o'clock.

Which was agreed to.

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

Resolved, That in addition to the bound volumes of Debates already provided for the Official Reporter, he be allowed five.

Mr. MacConnell, from the Committee on Declaration of Rights, made a report, which was read as follows, viz:

The Committee on the Declaration of Rights, to whom was referred the following:

Resolved, That the following be added as an additional section to the article, entitled Declaration of Rights.

"That no law shall be made or enforced within this Commonwealth that discriminates in favor of any class of persons, by reason of color or race, and all public institutions, educational or otherwise, all places for public amusement or for accommodation of travelers shall be open to and enjoyed by all persons on equal terms."

Respectfully report that such a section, in their opinion, is unnecessary; the principle embodied therein being sufficiently declared, not only in the fourteenth amendment to the Constitution of the United States, but in the article entitled the Declaration of Rights, in the amended Constitution.

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 earnestly dissents from the report of the majority of the Committee on the Bill of Rights, which denies equal civil rights to all citizens, and recommends that the new section proposed by Gen. White be adopted, so that all citizens may be equal before the law.

Laid on the table.

A motion was made by Mr. Harry White,

That the Convention proceed to consideration of the foregoing report.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Ainey, Andrews, Armstrong, Baily, of Perry, Baker, Beebe, Bowman, Broomall, Campbell, Cassidy, Cochran, Curtin, Darlington, Davis, Edwards, Finney, Fulton, Green, Hazzard, Horton, Howard, Lawrence, Lilly, Littleton, M'Michael, Mann, Mantor, Newlin, Niles, Palmer, H. W., Parsons, Patterson, D. W., Porter, Purviance, John N., Purviance, Sam'l A., Rooke, Runk, Russell, Simpson, Stanton, Stewart, Turrell, White, David N., White, Harry, White, J. W. F., and Wright—46.

N A Y S .

Messrs. Addicks, Alricks, Baer, Barclay, Barr, Biddle, Bigler, Boyd, Brodhead, Brown, Church, Clark, Collins, Corbett, Cronmiller, Curry, Cuyler, Dallas, De France, Dodd, Dunning, Ellis, Ewing, Gibson, Guthrie, Hall, Hanna, Harvey, Hay, Hemphill, Hunsicker, Kaine, Lamberton, Landis, Long, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Metzger, Mott, Patterson, T. H. B., Patton, Pughe, Purman, Read, John R., Reed, Andrew, Ross, Sharpe, Smith, Henry W., Smith, Wm. H., Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, Woodward, Worrell, and Walker, *President*—60.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Bailey, of Huntingdon, Bannan, Bardsley, Bartholomew, Black, Buckalew, Bullitt, Calvin, Carey, Carter, Corson, Craig, Elliott, Fell, Funck, Gilpin, Heverin, Knight, Lear, MacVeagh, Minor, Mitchell, Palmer, G. W., Reynolds, Smith, H. G., and Wetherill, John Price.

A motion was made by Mr. Cochran,

That the Convention resume the second reading and consideration of the following resolution, (laid on the table yesterday,) viz :

Resolved, That in the opinion of this Convention, it is very important that this Constitution adopted by it, should be published in more than two newspapers in each county, and that the Secretary of the Commonwealth be requested to have it published not more than in three consecutive issues of every newspaper in the State, for such reasonable charge for the service as he may first establish for each class of papers.

Which was agreed to.

And on the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Curtin,

To amend the same, by striking out all after the word "county."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Howard,

To amend the same, by striking out all after the word "resolved," and inserting in lieu thereof as follows, viz :

"That the Secretary of the Commonwealth be requested, in addition to the two newspapers mentioned in the act of Assembly, to cause the proposed Constitution to be published in three additional daily newspapers of the largest circula-

tion in the cities of Philadelphia and Pittsburg, once a week for four weeks preceding the time of voting upon said Constitution, and once a week for four weeks preceding the election, in the other daily newspapers of the State."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Temple,

To amend the amendment by striking out the words, "Philadelphia and."

On the question,

Will the Convention agree so to amend?

A motion was made by Mr. Hanna,

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. D. W. Patterson, and were as follow, viz:

YEAS.

Messrs. Addicks, Ainey, Baker, Bannan, Barr, Biddle, Bowman, Broomall, Brown, Buckalew, Bullitt, Carter, Church, Corbett, Cronmiller, Curtin, Darlington, De France, Dodd, Edwards, Ellis, Ewing, Gibson, Green, Hall, Hanna, Hazard, Hemphill, Horton, Hunsicker, Kaine, Knight, Landis, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Murray, Metzger, Minor, Niles, Palmer, H. W., Parsons, Pughe, Reed, Andrew, Rooke, Ross, Russell, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., Wherry, White, David N., White, J. W. F., and Walker, *President*—63.

NAYS.

Messrs. Achenbach, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Beebe, Bigler, Brodhead, Campbell, Cassidy, Cochran, Curry, Cuyler, Dallas, Davis, Finney, Funck, Guthrie, Hay, Heverin, Howard, M'Culloch, M'Michael, Mann, Mantor, Mott, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Purman, Purviance, John N., Purviance, Samuel A., Reynolds, Sharpe, Simpson, Woodward and Worrell—39.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bailey, of Huntingdon, Barclay, Bardsley, Bartholomew, Black, Boyd, Calvin, Carey, Clark, Collins, Corson, Craig, Dunning, Elliott, Fell, Fulton, Gilpin, Harvey, Lamberton, MacVeagh, Mitchell, Newlin, Porter, Read, John R., Runk, Smith, H. G., Stewart, Van Reed, Wetherill, Jno. Price White, Harry, and Wright.

Mr. Ewing asked and obtained unanimous consent to amend the article on the Judiciary, by inserting in the seventeenth line, of section five, after the word "aforesaid," the words, "in Philadelphia," and by adding to the end of the section the words, "in Allegheny county, each court shall have exclusive jurisdiction of all proceedings at law and in equity commenced therein, subject to change of venue as hereinafter provided."

Mr. Buckalew offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Accounts and Expenditures be authorized to report a reasonable allowance to the reporter of the Convention, for corrections and condensation of manuscript, in reports of debates and proceedings of the Convention, not exceeding five per cent.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Littleton,

To postpone the question, together with the further consideration of the subject, 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. Ainey,

That the resolution be referred to the Committee on Accounts and Expenditures of the Convention.

On the question,

Will the Convention agree to the motion ?

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. Buckalew and Mr. J. M. Bailey, and were as follow, viz :

Y E A S .

Messrs. Addicks, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Beebe, Biddle, Boyd, Buckalew, Campbell, Church, Corson, Cronmiller, Curtin, Dallas, Gibson, Green, Heverin, Horton, Knight, Lawrence, M'Camant, M'Clean, M'Michael, Metzger, Newlin, Palmer, H. W., Patterson, D. W., Patton, Pughe, Purman, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Ross, Runk, Sharpe, Simpson, Stanton, Stewart, Struthers, Wetherill, J. M., Woodward and Worrell—46.

N A Y S .

Messrs. Ainey, Andrews, Baer, Bannan, Bowman, Broomall, Brown, Bullitt, Carey, Carter, Cochran, Corbett, Darlington, Davis, Dodd, Edwards, Finney, Funck, Gilpin, Guthrie, Hall, Hay, Howard, Hunsicker, Kaine, Landis, Lilly, Littleton, Long, MacConnell, M'Culloch, Mann, Mott, Niles, Patterson, T. H. B., Reynolds, Smith, H. G., Smith, Henry W., Turrell, Van Reed, Wherry, White, David N., and Walker, *President*—43.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Barclay, Bardsley, Barr, Bartholomew, Bigler, Black, Brodhead, Calvin, Cassidy, Clark, Collins, Craig, Curry, Cuyler, De France, Dunning, Elliott, Ellis, Ewing, Fell, Fulton, Hanna, Harvey, Hazzard, Hempill, Lamberton, Lear, MacVeagh, M'Murray, Manter, Minor, Mitchell, Palmer, G. W., Parsons, Porter, Reed, Andrew, Russell, Smith, Wm. H., Temple, Wetherill, Jno. Price, White, Harry, White, J. W. F., and Wright.

A motion was made by Mr. Buckalew,

That the Convention resume the second reading and consideration of the ordinance of submission.

Which was agreed to.

And the question recurring,

Will the Convention agree to the first section ?

A motion was made by Mr. Littleton,

To amend the same, by striking out the words, "Tuesday of December," and inserting in lieu thereof the words, "Friday of March."

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Ainey and Mr. Littleton, and were as follow, viz:

Y E A S .

Messrs. Ainey, Barclay, Boyd, Calvin, Corson, Curtin, Cuyler, Edwards, Ellis, Fell, Funck, Hanna, Knight, Lawrence, Lear, Littleton, M'Michael, Mann, Patterson, D. W., Purviance, John N., Purviance, Sam'l A., Smith, Henry W., Stanton, Struthers and Wetherill, J. M.—25.

N A Y S .

Messrs. Achenbach, Addicks, Alricks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Bardsley, Barr, Beebe, Biddle, Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Carey, Carter, Cassidy, Church, Clark, Cochran, Collins, Cronmiller, Dallas, Darlington, Davis, De France, Ewing, Finney, Fulton, Gibson, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Heverin, Horton, Howard, Hunsicker, Landis, Lilly, Long, MacConnell, M'Camant, M'Clean, M'Culloch, Mantor, Metzger, Minor, Mott, Newlin, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Simpson, Smith, H. G., Smith, Wm. H., Temple, Turrell, Van Reed, Wherry, White, David N., White, Harry, White, J. W. F., Woodward, Worrell, Wright and Walker, *President*—85.

So the question was determined in the negative.

ABSENT—Messrs. Andrews, Baily, of Perry, Bartholomew, Bigler, Black, Campbell, Corbett, Craig, Curry, Dodd, Dunning, Elliott, Hemphill, Kaine, Lambertson, MacVeagh, M'Murray, Mitchell, Niles, Parsons, Russell, Stewart and Wetherill, John Price.

And the question again recurring,

Will the Convention agree to the section ?

The hour of one o'clock having arrived, the President announced a recess until this afternoon at three o'clock.

AFTERNOON SESSION.

Mr. Boyd, from the committee of investigation, made a report, which was read as follows, viz :

Your committee appointed to investigate charges and imputations of corruption, or the use of improper means to control the action of the members of this body on the article on Railroads, made in the *Pittsburg Evening Telegraph* of the twentieth and twenty-fourth instant, submit the following brief report :

Supposing the editors would be willing to aid us to discover the improper influences to which their correspondents referred in the private letter quoted, and also in the communication signed "Anti-monopoly," our first act was to ask them for the name of their correspondent, and to request their personal attendance. The telegram on this subject, and answer, are here inserted :

PHILADELPHIA, October 27, 1873.

To the Editors *Pittsburgh Evening Telegraph* :

Please furnish, for the use of the committee of investigation, the name of the person who signed "Anti-monopoly" to the communication published in your paper of last Friday; and also the names of the persons who wrote the letters quoted in the editorials of your issue of October 20, 1873. We also request your appearance before the committee. Please come on at once.

JAMES BOYD,

Chairman Committee Constitutional Convention.

AND A RESPONSE.

To James Boyd, Esq., Chairman Committee of Constitutional Convention :

The *Evening Telegraph* declines to give the names of its correspondents, and fails to recognize any authority in your committee to require the presence of any person connected with it. The evidence of the railroad influence in the Convention was sufficiently apparent from its proceedings, and the reinstatement of the original article, after the attack made by the *Telegraph*, is a sufficient vindication of the propriety and effect of all it published.

H. B. SWOOPE,

President Evening Telegraph Publishing Company.

By which it is shown they declined to accede to our request, and failed to recognize our authority to require the name of their correspondent, or to require their personal attendance.

We cannot now (almost in the last hours of our session) enter into an argument to controvert the position the editors assume in reference to the power of this body in the premises. It is sufficient to know that this avenue to their knowledge of the charges was closed. The Convention must draw their own inferences from this refusal to afford the committee the information requested.

We believe that their correspondent, signing himself "Anti-monopoly," did gross and inexcusable injustice to this body and its members, and that there has not been a shadow of justification for the charges and insinuations contained in the article.

We have called before us and examined publicly, under oath, the following members of this Convention :

1. D. N. White.
2. S. A. Purviance.
3. John H. Campbell.
4. T. H. B. Patterson.
5. Thomas Howard.
6. Thomas E. Cochran.
7. John M. Broomall.
8. R. A. Lamberton.
9. Edward C. Knight.
10. Charles R. Buckalew.
11. Wm. L. Corbett.
12. Wm. H. Armstrong.
13. John Bardsley.
14. Thomas MacConnell.
15. J. W. F. White.
16. Matthew Edwards.
17. Theo. Cuyler.
18. John H. Walker.
19. W. J. Turrell.

We believed them most familiar with all that was done in committee and on the floor of the Convention, on this article. This list includes all the members of the select committee (that were present) to whom the original article was committed, and some of the members of the original committee who reported the original article and also the name of William J. Howard, Esq., connected with the legal department of the Pennsylvania railroad company, and whose name was mentioned in the article referred to as being on the floor for an improper purpose.

The testimony of Wm. J. Howard, Esq., and that of Messrs. Cuyler and Lamberton, refutes fully and entirely the charges or intimations in the article published in the *Telegraph* of the twenty-fourth, and that of Mr. Walker, President of the body, in connection with that of the gentlemen composing the committee of seven, shows how utterly groundless were the charges of collusion in the appointment of the committee; and we may reasonably infer all the intimations or insinuations made, may be considered in the same light. All the witnesses, in the most positive and unequivocal manner, deny any knowledge of improper influences being used, and assert their unhesitating belief that none such was attempted or thought of, and that there was not a shadow of evidence to sustain the charges—no official of the corporations, or any one, was ever known to approach any member improperly.

The testimony taken is hereunto appended, and to it we invite attention, including that of two of the reporters for city papers on the floor.

It is gratifying to your committee to know that these gentlemen, some of them among the most able members of the body, and honored citizens of the State, bear this testimony to the purity and integrity of the members of this Convention, as it is in full accord with our own.

While it is natural that there should be different opinions on the best method of restraining the powers of railroad companies, and protecting the interests of the people, and at the same time not interfere with the legitimate privileges and future usefulness of these corporations, your committee is fully impressed with the belief that every member was anxious to perform this duty according to his own judgment of what was proper, and with a sincere desire that what was done would be approved by the people, and tend to the further development of the wealth and power of the State.

While your committee does not deny the right of the public press to criticise all the public acts of this body, and would not (if they could) restrain it, it is a source of regret that the integrity or honor of this body or any member thereof should be assailed by any public journal without even a scintilla of evidence to sustain it.

It is proper to add, that after the testimony in this case was all in, and the report prepared, a letter was received from C. Cathcart Taylor, Esq., who is referred to in the testimony of one of the witnesses, asserting that he knew nothing of the author of the articles referred to in the *Pittsburg Telegraph*, and had no information on the subject.

JAMES BOYD,
G. V. LAWRENCE,
T. STRUTHERS,
M. HALL STANTON,
ANDREW REED,
DAN. S. PORTER,
D. KAINE,
Committee.

OCTOBER 31, 1873.

The report, together with the accompanying testimony, was laid on the table.

On motion of Mr. Lawrence,

The committee was discharged from the further consideration of the subject.

A motion was made by Mr. Lawrence and Mr. Horton,

That the vote be re-considered by which the following resolution was adopted, viz:

Resolved, That the Committee on Accounts and Expenditures be authorized to report a reasonable allowance to the Reporter of the Convention for corrections and condensation of manuscript in reports of the Debates and proceedings of the Convention, not exceeding five per cent.

On the question,

Will the Convention agree to the motion?

It was determined in the affirmative.

And the question recurring,

Will the Convention agree to the resolution?

It was determined in the negative.

A motion was made by Mr. Temple,

That the Convention resume the second reading and consideration of the ordinance of submission.

Which was agreed to.

And the question recurring,

Will the Convention agree to the first section?

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

To amend the same, by striking out "third Tuesday," and inserting in lieu thereof "twenty-sixth."

Which was not agreed to.

The section was then agreed to.

On the question,

Will the Convention agree to the second section ?

A motion was made by Mr. Lamberton,

To amend the same, by adding to the end thereof as follows, viz : "Except as to the article upon the Judiciary, which shall be submitted separately."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Lilly,

To amend the amendment, by inserting after the word "judiciary," the words, "and railroads and canals."

On the question,

Will the Convention agree so to amend the amendment ?

The yeas and nays were required by Mr. Lilly and Mr. Pugh, and were as follow, viz :

Y E A S.

Messrs. Addicks, Ainey, Alricks, Bailey, of Huntingdon, Baker, Barclay, Broomall, Buckalew, Cassidy, Church, Darlington, Davis, Edwards, Ellis, Fulton, Gilpin, Hanna, Hemphill, Knight, Lamberton, Lilly, Mantor, Metzger, Palmer, H. W., Patterson, D. W., Porter, Pughe, Purviance, John N., Read, John R., Reed, Andrew, Simpson, Struthers, Wetherill, J. M., White, Harry, White, J. W. F., and Worrell—36.

N A Y S.

Messrs. Achenbach, Andrews, Baer, Bailly, of Perry, Bannan, Barr, Beebe, Biddle, Bigler, Black, Bowman, Boyd, Brown, Calvin, Campbell, Carter, Cochran, Collins, Corbett, Corson, Cronmiller, Curtin, Dallas, De France, Dodd, Elliott, Ewing, Finney, Funck, Gibson, Guthrie, Harvey, Hay, Heverin, Horton, Howard, Hunsicker, Kaine, Landis, Lawrence, Lear, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Mott, Newlin, Niles, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Purviance, Samuel A., Reynolds, Rooke, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell Van Reed, Wherry, White, David N., Woodward, Wright and Walker, *President*—74.

So the question was determined in the negative.

ABSENT.—Messrs. Armstrong, Bardsley, Bartholomew, Brodhead, Bullitt, Carey, Clark, Craig, Curry, Cuyler, Dunning, Fell, Green, Hall, Hazzard, MacVeagh, M'Cullough, M'Michael, Minor, Mitchell, Purman, Smith, H. G., and Wetherill, John Price.

And the question recurring,

Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,

To amend the amendment, by inserting after the word "judiciary," the words, "and sections sixteen, seventeen and eighteen of the article on the Legislature and the article on Legislation."

On the question,

Will the Convention agree so to amend the amendment ?

Mr. John M. Bailey called for a division of the question.

On the question,

Will the Convention agree to the first division, to end with the word "Legislature?"

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

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Baker, Beebe, Black, Broomall, Buckalew, Cassidy, Cochran, Cronmiller, Darlington, Edwards, Ewing, Fulton, Funck, Gilpin, Hanna, Heverin, Knight, Lamberton, Lilly, M'CLean, Mantor, Porter, Pughe, Reed, Andrew, Reynolds, Simpson, Struthers, Wetherill, J. M., White Harry, and White, J. W. F.—33.

NAYS.

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Barr, Biddle, Biger, Bowman, Boyd, Brown, Calvin, Campbell, Carter, Church, Collins, Corbett, Corson, Curtin, Dallas, Davis, De France, Dodd, Elliott, Finney, Gibson, Green, Guthrie, Hall, Harvey, Hay, Hemphill, Horton, Howard, Hunsicker, Kaine, Landis, Lear, Littleton, Long, MacConnell, M'Camant, M'Culloch, M'Murray, Mann, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Purviance, John N., Purviance, Samuel A., Read, John R., Rooke, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wherry, White, David N., Worrell, Wright and Walker, *President*—76.

So the question was determined in the negative.

ABSENT.—Messrs. Barclay, Bardsley, Bartholomew, Brodhead, Bullitt, Carey, Clark, Craig, Curry, Cuyler, Dunning, Ellis, Fell, Hazzard, Lawrence, MacVeagh, M'Michael, Metzger, Minor, Mitchell, Purman, Smith, H. G., Wetherill, John Price, and Woodward.

On the question,

Will the Convention agree to the second division and last?

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

YEAS.

Messrs. Ainey, Alricks, Baker, Broomall, Cassidy, Cronmiller, Curry, Cuyler, Edwards, Ewing, Funck, Hanna, Heverin, Knight, Lamberton, Mantor, Purviance, John N., Simpson, Struthers, Wetherill, J. M., White, Harry and White, J. W. F.—22.

NAYS.

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barr, Beebe, Biddle, Black, Boyd, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Church, Cochran, Collins, Corbett, Corson, Curtin, Dallas, Darlington, Davis, De France, Dodd, Elliott, Finney, Fulton, Gibson, Gilpin, Green, Guthrie, Harvey, Hay, Hemphill, Horton, Hunsicker, Kaine, Landis, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'Camant, M'CLean, M'Culloch, M'Murray, Mann, Metzger, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wherry, White, David N., Worrell Wright and Walker, *President*—88.

So the question was determined in the negative.

ABSENT.—Messrs. Barclay, Bardsley, Bartholomew, Bigler, Bowman, Brodhead, Carey, Clark, Craig, Dunning, Ellis, Fell, Hall, Hazzard, Howard, MacVeagh, M'Michael, Minor, Mitchell, Russell, Smith, H. G., Wetherill, Jno. Price, and Woodward.

And the question recurring,

Will the Convention agree to the amendment offered by Mr. Lamberton,

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

Y E A S .

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Baker, Barclay, Black, Broomall, Cassidy, Church, Cochran, Cronmiller, Curry, Cuyler, Darlington, Ewing, Fulton, Funck, Gilpin, Hanna, Harvey, Hemphill, Heverin, Knight, Lamberton, Landis, Lilly, Long, M'CLean, M'Murray, Mantor, Metzger, Mott, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Purman, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Struthers, Wetherill, J. M., White, David N., White, Harry, White, J. W. F., Woodward and Worrell—51.

N A Y S .

Messrs. Achenbach, Addicks, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Barr, Beebe, Biddle, Bigler, Bowman, Boyd, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Clark, Corbett, Corson, Dallas, Davis, De France, Dodd, Dunning, Edwards, Elliott, Ellis, Finney, Green, Guthrie, Hall, Hay, Horton, Howard, Hunsicker, Kaine, Lawrence, Lear, Littleton, MacConnell, M'Camant, M'Culloch, Mann, Newlin, Niles, Palmer, G. W., Patton, Purviance, Samuel A., Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wherry, Wright and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Bardsley, Bartholomew, Brodhead, Carey, Collins, Craig, Curtin, Fell, Gibson, Hazzard, MacVeagh, M'Michael, Minor, Mitchell, Porter, Read, John R., Smith, H. G., Stewart and Wetherill, John Price.

And the question again recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Struthers,

To amend the same, by adding to the end of the section as follows, viz : " Except that sections and parts of sections relating to cumulative and limited voting shall be submitted separately.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Struthers and Mr. Darlington, and were as follow, viz :

Y E A S .

Messrs. Addicks, Alricks, Andrews, Baer, Barclay, Beebe, Boyd, Broomall, Collins, Cuyler, Darlington, Davis, Edwards, Ewing, Funck, Gibson, Hanna, Horton, Knight, M'CLean, Mantor, Minor, Niles, Patterson, D. W., Pughe, Purviance, John N., Reynolds, Ross, Simpson, Struthers, Wetherill, J. M., White, Harry, White, J. W. F., and Walker, *President*—34.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barr, Biddle, Bigler, Black, Brown, Buckalew, Bullitt, Calvin, Campbell, Carter, Cassidy, Church, Clark, Cochran, Corbett, Cronmiller, Curry, Curtin, Dallas, De France, Dodd, Dunning, Elliott, Ellis, Finney, Fulton, Gilpin, Green, Guthrie, Hall, Harvey, Hay, Hazzard, Hemphill, Heverin, Hunsicker, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, Long, MacConnell, M'

Camant, M'Culloch, M'Murray, Mann, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, T. H. B., Patton, Purman, Purviance, Samuel A., Read, John R., Reed, Andrew, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wherry, White, David N., Woodward, Worrell and Wright—79.

So the question was determined in the negative.

ABSENT.—Messrs. Ainey, Bardsley, Bartholomew, Bowman, Brodhead, Carey, Corson, Craig, Fell, Howard, MacVeagh, M'Michael, Metzger, Mitchell, Newlin, Porter, Rooke, Smith, H. G., Stewart and Wetherill, John Price.

And the question recurring,

Will the Convention agree to the section ?

A motion was made by Mr. Broomall,

To amend the same, by adding to the end thereof as follows, viz : " Except in those cases, if any, in which one-third of all the members of the Convention demand a separate vote."

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Lamberton,

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

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Addicks, Ainey, Alricks, Bailey, of Huntingdon, Barclay, Broomall, Cassidy, Church, Darlington, Edwards, Ewing, Fulton, Gibson, Gilpin, Hanna, Harvey, Hemphill, Heverin, Howard, Hunsicker, Knight, Lamberton, Lilly, Littleton, M'Clean, Mann, Mantor, Metzger, Minor, Palmer, H. W., Parsons, Patterson, D. W., Patterson, T. H. B., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, Stewart, Wetherill, J. M., White, Harry, White, J. W. F., and Woodward—43.

N A Y S .

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Baker, Bannan, Barr, Beebe, Biddle, Black, Bowman, Boyd, Brown, Buckalew, Bullitt, Campbell, Clark, Cochran, Collins, Corbett, Corson, Cronmiller, Curry, Curtin, Dallas, Davis, De France, Dodd, Dunning, Elliott, Ellis, Finney, Funck, Green, Guthrie, Hall, Hay, Hazzard, Horton, Kaine, Landis, Lawrence, Lear, Long, MacConnell, M'Culloch, Mott, Newlin, Niles, Palmer, G. W., Patton, Purman, Purviance, John N., Purviance, Sam'l A., Read, John R., Runk, Sharpe, Smith, Henry W., Smith, Wm. H., Struthers, Temple Turrell, Van Reed, Wherry, White, David N., Worrell and Walker, *President*—68.

So the question was determined in the negative.

ABSENT.—Messrs. Bardsley, Bartholomew, Bigler, Brodhead, Calvin, Carey, Carter, Craig, Cuyler, Fell, MacVeagh, M'Camant, M'Michael, M'Murray, Mitchell, Porter, Pughe, Russell, Smith, H. G., Stanton, Wetherill, John Price and Wright.

And the question 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 ?

The hour of five o'clock having arrived, the President announced a recess until seven o'clock this evening.

— EVENING SESSION.

Agreeably to order,

The Convention resumed the second reading and consideration of the ordinance of submission.

And the question again recurring,

Will the Convention agree to the second section ?

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

Y E A S .

Messrs. Andrews, Armstrong, Baily, of Perry, Barr, Bigler, Bowman, Boyd, Brown, Calvin, Campbell, Carter, Cochran, Corson, Curtin, Dallas, Davis, De France, Elliott, Ellis, Finney, Guthrie, Hay, Hazzard, Howard, Lawrence, Lear, Long, M'Camant, M'Culloch, Newlin, Niles, Patterson, T. H. B., Purman, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stewart, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., and Walker, *President*—46.

N A Y S .

Messrs. Achenbach, Addicks, Ainey, Alricks, Baer, Bailey, of Huntingdon, Baker, Bannan, Barclay, Beebe, Black, Buckalew, Church, Clark, Curry, Darlington, Edwards, Ewing, Funck, Gibson, Gilpin, Hall, Harvey, Hemphill, Horton, Kaine, Knight, Lamberton, Lilly, Littleton, M'Clean, Mantor, Metzger, Minor, Mott, Palmer, G. W., Palmer, H. W., Parsons, Patterson, D. W., Patton, Porter, Pughe, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Ross, Smipson, Stanton, Struthers, Temple, White, Harry, Woodward and Worrell—54.

So the question was determined in the negative.

ABSENT.—Messrs. Bardsley, Bartholomew, Biddle, Brodhead, Broomall, Bullitt, Carey, Cassidy, Collins, Corbett, Craig, Cronmiller, Cuyler, Dodd, Dunning, Fell, Fulton, Green, Hanna, Heverin, Hunsicker, Landis, MacConnell, MacVeagh, M'Michael, M'Murray, Mann, Mitchell, Purviance, Sam'l A., Read, John R., Smith, Henry W., White, J. W. F., and Wright.

On the question,

Will the Convention agree to the third section ?

Mr. Lamberton offered a new section, to be numbered two, as follows, viz :

"The article on the Judiciary shall be submitted separately and distinctly to a popular vote."

On the question,

Will the Convention agree to the motion ?

Mr. Buckalew submitted the point of order, that the same proposition having been offered and negatived since the Convention commenced the second reading of the ordinance, it was not in order to offer it at this time.

The President decided that the point of order was well taken.

And the question recurring,

Will the Convention agree to the third section ?

A motion was made by Mr. Biddle,

To amend the third paragraph so as to make it read as follows, viz: "The ballots shall be printed or written in the following form: on the outside the words, "new Constitution," in the inside, for all persons giving affirmative votes, the words, "for the new Constitution," and for all persons giving negative votes the words, "against the new Constitution."

Which was agreed to.

On the question,

Will the Convention agree to the third section as amended?

A motion was made by Mr. Wherry,

To amend the same, in the second paragraph, by striking out in the fourth line, the words, "election wards in each," and to insert after the word "ballots," in the same line, the word "and."

Which was agreed to.

And the question recurring,

Will the Convention agree to the third section as amended?

A motion was made by Mr. J. M. Bailey,

To amend the same, in the second paragraph, by inserting after the word "ballots," in the first line, the words, "of affirmative votes;" in the second line, before the word "three," insert the words, "at least," and in the same line, by striking out the words, "of both affirmative and," and inserting the words, "and the same number of."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the third section as amended?

A motion was made by Mr. Struthers,

To amend the same, by striking out the word "county," where it occurs in the second line of the first paragraph, and the first line of the second paragraph.

Which was agreed to.

The section as amended and the fourth section were agreed to.

On the question,

Will the Convention agree to the fifth section?

A motion was made by Mr. Dallas,

To amend the same so as to make it read as follows, viz:

"8. There shall be five commissioners of election for the city of Philadelphia, viz: Edwin H. Fidler, Edward Browning, John P. Verree, Henry S. Hagert and John O. James. Said commissioners shall be sworn or affirmed to perform their duties with impartiality and fidelity.

"The duties and powers of said commissioners shall be as follows:

"1. They shall distribute the tickets for said city provided by this ordinance.

"2. They shall appoint a judge and two inspectors for each election division, by whom the election therein shall be held and conducted; and they shall also appoint two clerks to assist said election officers in the performance of their duties. Return inspectors shall be dispensed with.

"3. Upon the requirement of any two of said commissioners, an overseer of election shall be appointed by them for any election division or divisions.

"4. Said commissioners shall give all necessary instructions to the election officers, clerks and overseers, and shall furnish them with copies of the last registry of voters for their respective divisions, corrected and revised by said commissioners in any case upon proper evidence submitted to them, and with all necessary books, papers and other articles for use in the performance of their duties.

"5. Said election commissioners shall have power to fill vacancies in their own body, and to make new appointments to fill the place of any election officer, clerk

or overseer, which from any cause, may become vacant, and to revoke any appointment made by said commissioners; but, in filling vacancies in their own body, or in any place that may become vacant amongst the election officers, clerks or overseers, the new appointee shall, in every case, be chosen from the same political party as that of the person whose place is to be filled.

"The judge and one inspector and one clerk shall, in all cases, be selected from the political party which polled the majority of legal votes in the election division for which they may be appointed at the next preceding general election, and one inspector, and one clerk shall, in all cases, be selected from the political party which polled the next highest number of votes in the said division, at the said election, and no overseer who may be appointed, shall be of the same political party as the judge in the same division.

"The election officers aforesaid and the clerks and overseers shall be sworn or affirmed according to law, and shall possess all the qualifications now required by law for election officers, but no person in official position, trust or employment, whether as principal or subordinate under the United States, this State, or the said city or any ward thereof shall be appointed an election officer, clerk or overseer, and the election shall be conducted in conformity with the general election laws of this Commonwealth, so far as they may be consistent with this ordinance; but no announcement of the state of the vote shall be made at any division until after the final closing of the polls. The duties and powers of overseers of said election in said city shall be the same as under existing laws applicable thereto.

"At said election the copy of the registry, to be furnished by said election commissioners as aforesaid, shall be presumptive, but not conclusive, evidence upon all questions of the right of any person offering to vote; but any duly qualified elector shall be permitted to vote, notwithstanding his name may not appear upon said copy of registry, upon making proof of his right to do so according to the general election laws of this Commonwealth.

"The general returns of the election in the said city shall be opened, computed and certified before the said commissioners of election, at such time and place, and in such manner as they shall direct, and their approval or disapproval thereof shall be endorsed thereon, or annexed thereto, together (in case of disapproval) with a statement of their reasons for disapproving the same; and said general return, for said city, shall be made out and transmitted, as is herein provided in case of other county returns."

On the question,

Will the Convention agree so to amend?

The yeas and nays were required by Mr. Dallas and Mr. Ross, and resulted as follows, viz: Yeas, 51; nays, 54.

So the question was determined in the negative.*

And the question recurring,

Will the Convention agree to the fifth section?

A motion was made by Mr. Turrell,

To amend the same, in the first paragraph, by striking out the words, "shall be persons of good repute, and qualified electors of the city."

Which was agreed to.

On the question,

Will the Convention agree to the section as amended?

A motion was made by Mr. Addicks,

To amend the same, by adding to the end of the first paragraph the words, "They shall have power to fill any vacancy that may occur in their body: *Provided*, That the person selected shall be of the same political party."

* The reason why the names are not recorded in the foregoing vote, and others that follow in this session, is, because this portion of this day's Journal was burned in the fire which destroyed the State Printing Office, and it was found necessary to make the Journal up from the minute book, kept by myself, and the Debates, neither of which contained the yeas and nays in detail.

On the question,

Will the Convention agree so to amend ?

The yeas and nays were required by Mr. Addicks and Mr. Hanna, and resulted as follows, viz: Yeas, 35; nays, 65.

And the question recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Hanna,

To amend the same, by adding to the end of the first paragraph these words: "They shall also have power to fill vacancies in their own number."

Which was 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 third paragraph in the last line, by striking out the word "fairness," and inserting in lieu thereof the word "conduct."

Which was 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 fourth division in the fourth line, by inserting after the word "clerks," the words, "and hourly count."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. Dallas,

To amend the same, in the fourth paragraph, by striking out the words, "or appointed thereto by the court of common pleas of said city."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

A motion was made by Mr. John Price Wetherill,

To amend the same, by adding to the end of the second paragraph the words, "No person shall serve as an election officer who would be disqualified under section 15 of article 8 of this Constitution."

Which was agreed to.

And the question again recurring,

Will the Convention agree to the section as amended ?

The yeas and nays were required by Mr. Buckalew and Mr. Harry White, and resulted as follow, viz: Yeas 94, nays 15.

So the question was determined in the affirmative.

The sixth and last section and title were agreed to,

And the Ordinance of Submission was ordered to be transcribed for a third reading.

* Mr. Hazzard offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the clerk be instructed to prepare the parchment for the signatures of the members, to be attached the Constitution when printed.

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 nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

SATURDAY, NOVEMBER 1, 1873.

Mr. Biddle asked and obtained leave of absence for Mr. S. A. Purviance for the balance of the session.

Mr. Beebe asked and obtained leave of absence for Mr. Dodd for the balance of the session.

Mr. Lilly offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the State Printer be and he is hereby directed to mail to the members and officers, to their homes, the sheets of Debates and Journals, to complete desk files, as soon as practicable, after they are printed.

Mr. Alricks offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the thanks of this Convention is due to the city authorities of Philadelphia for their kindness and liberality, in furnishing the Convention with this commodious hall, and we assure them of our high appreciation of their civility and uniform kindness.

The following named delegates were announced as the committee of thirty-three, having been selected by the delegates representing the several Senatorial districts of the State:

FRANK MANTOR,
C. M. RUNK,
JOHN N. PURVIANCE,
CHARLES BRODHEAD,
WM. DARLINGTON,
JAS. W. M. NEWLIN,
M. EDWARDS,
JOHN GILPIN,
LEWIS PUGHE,
HENRY S. MOTT,
JOSEPH BAILY,
HENRY W. SMITH,
W. B. HANNA,
JOHN GIBSON,
SAMUEL CALVIN,
GEORGE A. ACHENBACH,
THOS. HOWARD,

JOHN M. BAILEY,
JOHN S. MANN,
EDWARD R. WORRELL,
JAMES P. BARR,
JOSIAH FUNCK,
D. W. PATTERSON,
M. C. BEEBE,
T. STRUTHERS,
SILAS M. CLARK,
CHAS. R. BUCKALEW,
JAMES BOYD,
J. M'DOWELL SHARPE,
M. HALL STANTON,
CHAS. A. BLACK,
W. J. TURREL,
J. M. WETHERILL.

A motion was made by Mr. Harry White,

That the Convention proceed to the consideration of the report made yesterday by the Committee on Declaration of Rights.

Which was not agreed to.

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

Resolved, That the Committee on Printing and Binding, shall have printed in sheet form the new Constitution, and that as many copies be furnished to the different newspapers of the State which will circulate the same as they each have subscribers; and that each of such papers be allowed at the rate of ten dollars per thousand circulation for distribution, and that the account of such newspapers be settled by the Auditor General in the usual way.

On the question,

Will the Convention agree to the resolution ?

A motion was made by Mr. Mantor

To postpone the question, together with the further consideration of the resolution, until twelve o'clock to-day.

On the question,

Will the Convention agree to the motion ?

It was determined in the negative.

And the question recurring,

Will the Convention agree to the resolution?

A motion was made by Mr. D. N. White,

To amend the same so as to make it read as follows, viz :

Resolved, That in lieu of publishing the Constitution in two newspapers in each county, as provided in the act of Assembly, the Secretary of the Commonwealth shall cause to be printed in sheet form, the amended Constitution and accompanied by the address, as supplements to as many of the newspapers in the State as will agree to circulate the same in one daily and one weekly issue of their papers for the sum of ten dollars per thousand.

On the question,

Will the Convention agree so to amend ?

A motion was made by Mr. Harry White,

That the resolution, together with the amendment, be referred to a committee of five, to be appointed by the Chair.

Which was agreed to.

Ordered, That Messrs. Harry White, H. G. Smith, Cochran, Barr and D. N. White, be said committee,

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 :

1. That there is due to the Official Reporter of the Convention, for his services from the date of the last settlement (to the end of the seventh volume of the Debates) up to and including page 446 of the eighth volume, the sum of seventeen hundred and thirty-eight dollars and sixty-four cents; for the payment of which a warrant should be drawn.

2. That an account of Wm. T. Murphy's Sons, for stationery, ink-stands, &c., amounting to one hundred and thirty-six dollars and eighty-five cents, has been presented to the committee; and it appearing from the certificate of the Chief Clerk thereto attached, that the same is correct, and that the articles mentioned therein were ordered by him for the Convention, and that the prices charged therefor are correct, it is reported that the same should be paid.

3. That an account of D. F. Murphy, for reporting and transcribing testimony taken by the select committee of investigation, amounting to two hundred dollars, has been presented; and it appearing from a certificate of the chairman of said committee that said bill is correct, and that Mr. Murphy was employed by the committee to do said reporting, it is reported that the same should be paid.

The following resolutions are accordingly reported for the action of the Convention:

Resolved, That the above mentioned accounts are hereby approved, and that warrants be drawn upon the State Treasurer in favor of Wm. F. Murphy's Sons, for one hundred and thirty-six dollars and eighty-five cents, and D. F. Murphy, for two hundred dollars; for the payment thereof.

Resolved, That a warrant be drawn upon the State Treasurer in favor of D. F. Murphy, official reporter of the Convention, for the sum of one thousand seven hundred and thirty-eight dollars and sixty-four cents, in full payment for his services up to and including the 28th day of October, 1873.

Said resolutions were twice read, considered and agreed to.

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

Resolved, That there be a separate and distinct submission of the article on the Judiciary to a popular vote.

On the question,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Bannan, Barclay, Black, Church, Cronmiller, Darlington, Edwards, Ewing, Gilpin, Hanna, Harvey, Hemphill, Heverin, Horton, Lamberton, Landis, Lilly, M'CLean, M'Michael, M'Murray, Mantor, Minor, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Reed, Andrew, Rooke, Ross, Simpson, Struthers, White, Harry, Woodward and Worrell—38.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Bear, Baily, of Perry, Barr, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Calvin, Campbell, Clark, Corbett, Curry, Curtin, Dallas, Davis, De France, Dunning, Elliott, Ellis, Gibson, Guthrie, Hall, Hay, Hazzard, Kaine, Lawrence, Lear, Littleton, MacConnell, M'Camant, M'Culloch, Mann, Mott, Newlin, Niles, Palmer, G. W., Patton, Pughe, Purman, Read, John R., Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, David N., Wright and Walker, *President*—61.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Bartholomew, Beebe, Broomall, Buckalew, Bullitt, Carey, Carter, Cassidy, Cochran, Collins, Corson, Craig, Cuyler, Dodd, Fell, Finney, Fulton, Funck, Green, Howard, Hunsicker, Knight, Long, MacVeagh, Metzger, Mitchell, Parsons, Purviance, Sam'l A., Reynolds, Wetherill, J. M., and White, J. W. F.

Mr. D. W. Patterson offered the following resolution, which was twice read, viz:

Resolved, (under Rule No. 43,) That article 9th of "Taxation and Finance" be submitted to the people, to be voted upon separately.

On the question,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Ainey, Alricks, Barclay, Darlington; Ewing, Mantor, Patterson, D. W., Reynolds, Simpson and White, Harry—10.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barr, Beebe, Biddle, Bigler, Black, Bowman, Boyd, Brodhead, Brown, Calvin, Campbell, Church, Cochran, Corbett, Cronmiller, Curry, Curtin, Dallas, Davis, De France, Dunning, Edwards, Elliott, Ellis, Funck, Gibson, Gilpin, Guthrie, Hall, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Cleane, M'Culloch, M'Murray, Mann, Mott, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Stewart, Struthers, Temple, Turrell, Van Reed, Wetherill, Jno. Price, Wherry, White, David N., Woodward, Worrell, Wright and Walker, *President*—87.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Bartholomew, Broomall, Buckalew, Bullitt, Carey, Carter, Cassidy, Clark, Collins, Corson, Craig, Cuyler, Dodd, Fell, Finney, Fulton, Green, Hunsicker, Knight, Long, MacVeagh, M'Camant, M'Michael, Metzger, Minor, Mitchell, Palmer, H. W., Parsons, Purviance, Sam'l A., Rooke, Smith, H. G., Wetherill, J. M., and White, J. W. F.

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

Resolved, That article 17, on "Railroads and Canals," be submitted to a separate vote of the people.

On the question,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Barclay, Black, Cuyler, Edwards, Ewing, Gilpin, Hanna, Hemphill, Howard, Lilly, Pattesson, D. W., Patterson, T. H. B., Purviance, John N., Reynolds, Rooke, Simpson, Stanton, Wetherill, J. M., and White, Harry—22.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Bannan, Barr, Beebe, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Cochran, Corbett, Cronmiller, Curtin, Dallas, Darlington, De France, Dunning, Elliott, Ellis, Funck, Gibson, Guthrie, Hall, Harvey, Hay, Hazzard, Heverin, Horton, Kaine, Landis, Lawrence, Lear, Littleton, MacConnell, M'Camant, M'Cleane, M'Culloch, M'Murray, Mann, Mantor, Newlin, Niles, Palmer, G. W., Patton, Porter, Purman, Read, John R., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Struthers, Turrell, Van Reed, Wetherill, Jno. Price, Wherry, White, David N., Woodward, Worrell, Wright and Walker, *President*—72.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bardsley, Bartholomew, Broomall, Bullitt, Carey, Carter, Cassidy, Church, Clark, Collins, Corson, Craig, Curry, Davis, Dodd, Fell, Finney, Fulton, Green, Hunsicker, Knight, Lamberton, Long, MacVeagh, M'Michael, Metzger, Minor, Mitchell, Mott, Palmer, H. W., Parsons, Pughe, Purviance, Sam'l A., Smith, H. G., Stewart, Temple, and White, J. W. F.

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

Resolved, That section 27 of the article on the Judiciary be submitted to a separate vote of the electors.

On the question,

Will the Convention agree to the resolution ?

The yeas and nays were required by Mr. Joseph Baily and Mr. Newlin, and were as follow, viz :

Y E A S .

Messrs. Ainey, Alricks, Baily, of Perry, Bailey, of Huntingdon, Barclay, Beebe, Black, Buckalew, Calvin, Church, Cronmiller, Darlington, Fell, Funck, Gilpin, Hanna, Lamberton, Landis, Lilly, Littleton, M'Clean, Mantor, Palmer, H. W., Patterson, D. W., Patterson, T. H. B., Reed, Andrew, Reynolds, Rooke, Ross, Simpson, White Harry, and Woodward—32.

N A Y S .

Messrs. Achenbach, Andrews, Armstrong, Baer, Bannan, Bardsley, Barr, Bidle, Bigler, Bowman, Boyd, Brodhead, Brown, Campbell, Carey, Clark, Cochran, Corbett, Curry, Cuyler, Dallas, Davis, De France, Dunning, Elliott, Ellis, Ewing, Gibson, Guthrie, Hall, Harvey, Hay, Hemphill, Heverin, Horton, Kaine, Lawrence, Lear, MacConnell, M'Camant, M'Culloch, M'Murray, Mann, Mott, Newlin, Niles, Palmer, G. W., Patton, Porter, Pughe, Purman, Purviance, John N., Runk, Russell, Sharpe, Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, David N., Worrell, Wright and Walker, *President*—68.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Baker, Bartholomew, Broomall, Bullitt, Carter, Cassidy, Collins, Corson, Craig, Curtin, Dodd, Edwards, Finney, Fulton, Green, Hazzard, Howard, Hunsicker, Knight, Long, MacVeagh, M'Michael, Metzger, Minor, Mitchell, Parsons, Purviance, Samuel A., Read, John R., Smith, H. G., Stewart, Wetherill, J. M., and White, J. W. F.

Mr. D. W. Patterson offered the following resolution, which was twice read, viz :

Resolved, That section three of article number 8, on "Suffrage and Election," be submitted to the people, to be voted upon separately ; and be so placed on the ballot provided for by the ordinance.

On the question,

Will the Convention agree to the resolution ?

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

Y E A S .

Messrs. Addicks, Ainey, Alricks, Barclay, Bardsley, Carey, Fell, Patterson, D. W., Reynolds, Simpson and White, Harry—11.

N A Y S .

Messrs. Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Barr, Beebe, Biddle, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Bullitt, Campbell, Clark, Cochran, Corbett, Cronmiller, Curry, Curtin, Cuyler, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ellis, Ewing, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Kaine, Landis, Lawrence, Lilly, Littleton, MacConnell, M'Camant, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Mott, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W. Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward, Worrell, Wright and Walker, *President*—88.

So the question was determined in the negative.

ABSENT.—Messrs. Achenbach, Baker, Bartholomew, Broomall, Calvin, Carter, Cassidy, Church, Collins, Corson, Craig, Dallas, Dodd, Finney, Fulton, Green, Hall, Hanna, Hunsicker, Knight, Lamberton, Lear, Long, MacVeagh, M'Michael, Metzger, Mitchell, Palmer, H. W., Parsons, Purviance, Samuel A., Rooke, Stewart, Wetherill, John Price, and White, J. W. F.

A motion was made by Mr. Lawrence,

To suspend the rules for the purpose of proceeding to the third reading and consideration on the article on Schedule.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Addicks, Alricks, Andrews, Armstrong, Baer, Baker, Bardsley, Barr, Beebe, Biddle, Bigler, Black, Bowman, Boyd, Brodhead, Brown, Calvin, Campbell, Carey, Cassidy, Cochran, Corbett, Curry, Curtin, Cuyler, Dallas, Davis, De France, Dunning, Edwards, Elliott, Ellis, Ewing, Guthrie, Harvey, Hay, Heverin, Horton, Kaine, Lamberton, Lawrence, Lear, Lilly, Littleton, MacConnell, M'Camant, M'Clean, M'Murray, Mann, Minor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Henry W., Smith, Wm. H., Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell, Wright and Walker, *President*—80.

NAYS.

Messrs. Ainey, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Cronmiller, Darlington, Funck, Gibson, Gilpin, Hemphill, Howard, Landis, M'Culloch, Mantor, Patterson, D. W., Rooke, Simpson, Stanton, Struthers, Temple, White, David N., and White, Harry—22.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Bannan, Bartholomew, Broomall, Buckalew, Bullitt, Carter, Church, Clark, Collins, Corson, Craig, Dodd, Fell, Finney, Fulton, Green, Hall, Hanna, Hazzard, Hunsicker, Knight, Long, MacVeagh, M'Michael, Metzger, Mitchell, Parsons, Purviance, Samuel A., Stewart and White, J. W. F.

On the question,

Shall the Schedule pass?

A motion was made by Mr. D. W. Patterson,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

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

YEAS.

Messrs. Ainey, Baker, Barclay, Cassidy, Patterson, D. W., Reynolds, Rooke, Simpson and Smith, Henry W.—9.

NAYS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Barr, Beebe, Biddle, Black, Bowman, Boyd, Brodhead, Brown, Bullitt, Calvin, Campbell, Carey, Clark, Cochran, Cronmiller, Curtin, Cuyler, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ellis, Ewing, Fell, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Knight, Lamberton, Landis, Lawrence,

Lilly, Littleton, MacConnell, M'Clean, M'Culloch, M'Murray, Mann, Mantor, Minor, Palmer, G. W., Palmer, H. W., Patterson, T. H. B., Patton, Porter, Pughe, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, White, David N., Woodward, Wright and Walker, *President*—87.

So the question was determined in the negative.

ABSENT.—Messrs. Bartholomew, Bigler, Broomall, Buckalew, Carter, Church, Collins, Corbett, Corson, Craig, Curry, Dallas, Dodd, Finney, Fulton, Green, Hall, Hanna, Hunsicker, Kaine, Lear, Long, MacVeagh, M'Camant, M'Michael, Metzger, Mitchell, Mott, Newlin, Niles, Parsons, Purviance, Sam'l A., Read, John R., Stewart, White, Harry, White, J. W. F., and Worrell.

And the question recurring,
Shall the article pass?

A motion was made by Mr. Armstrong,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by adding a new section to be number thirty-two, as follows, viz:

“The ordinance passed by this Convention, entitled ‘An ordinance for submitting the amended Constitution of Pennsylvania to a vote of the electors thereof,’ shall be held to be valid for all the purposes thereof.”

On the question,

Will the Convention agree to the motion? *

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

Y E A S.

Messrs. Addicks, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Bannan, Bardsley, Barr, Beebe, Bigler, Bowman, Boyd, Brodhead, Brown, Buckalew, Calvin, Campbell, Carey, Cassidy, Church, Cochran, Cronmiller, Cuyler, Dallas, Darlington, De France, Dunning, Ellis, Finney, Gilpin, Guthrie, Hazzard, Heverin, Horton, Howard, Kaine, Lamberton, Landis, Lawrence, Lear, Lilly, M'Clean, M'Murray, Mann, Mantor, Palmer, H. W., Patterson, T. H. B., Patton, Pughe, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price Wherry, White, David N., Wright and Walker, *President*—70.

N A Y S.

Messrs. Ainey, Baker, Edwards, Ewing, Funck, Knight, MacConnell, M'Culloch, M'Michael, Newlin, Reynolds, Rooke, Simpson, Smith, Henry W., Stanton and White, Harry—16.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Barclay, Bartholomew, Biddle, Black, Broomall, Bullitt, Carter, Clark, Collins, Corbett, Corson, Craig, Curry, Curtin, Davis, Dodd, Elliott, Fell, Fulton, Gibson, Green, Hall, Hanna, Harvey, Hay, Hemphill, Hunsicker, Littleton, Long, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Mott, Niles, Palmer, G. W., Parsons, Patterson, D. W., Porter, Purviance, Samuel A., Read, John R., Stewart, White, J. W. F., Woodward and Worrell.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. John Price Wetherill in the Chair, for the purpose indicated.

After some time the President resumed the Chair, and the chairman reported the amendments made in accordance with the instructions of the Convention.

And the question recurring,
Shall the article pass?

A motion was made by Mr. Darlington,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by striking out sections three and four and inserting in lieu thereof as follows, viz :

"The General Assembly of 1874 shall divide the State into fifty senatorial districts, as provided in the article on the Legislature numbered consecutively, and Senators shall be elected therein at the general election in 1874, from even numbered districts to serve two years, and from odd numbered districts to serve four years."

Which was not agreed to.

And the question recurring,
Shall the article pass ?

A motion was made by Mr. Calvin,

That the Convention resolve itself into committee of the whole, for the purpose of amending the article by striking out section six and inserting in lieu thereof as follows, viz :

"That the election of Lieutenant Governor, Secretary of Internal Affairs and the two judges of the Supreme Court, shall take place at the same time that the vote is to be taken on the adoption or rejection of the Constitution.

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Buckalew asked and obtained unanimous consent to amend the same, by adding a section to be numbered thirty-three as follows, viz : "The words, 'county commissioners,' wherever used in this Constitution and in any ordinance accompanying the same, shall be held to include the commissioners for the city of Philadelphia.

And the question recurring,
Shall the article pass ?

Mr. Armstrong asked and obtained unanimous consent to amend the same in the thirteenth section, by adding to the end thereof as follows, viz : "But when there shall be two judges residing in the same district, the president judge shall elect to which district he shall be assigned, and the additional law judge shall be assigned to the other district;" and also, in the twenty-fifth section, by striking out the words, "to be elected under this Constitution," and by inserting in the second line, after the word "chosen," the words, "as required in this Constitution."

And the question again recurring,
Shall the article pass ?

A motion was made by Mr. Struthers,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same, by adding a new section as follows, viz :

"All the provisions of the present Constitution not altered or supplied by the provisions of this amended Constitution, shall remain in full force.

Which was not agreed to.

And the question again recurring,
Shall the article pass ?

Mr. Curtin asked and obtained unanimous consent to amend the article in the seventh section, by striking out the fifth line and inserting as follows, viz : "The expiration of the term for which he was elected."

And the question again recurring,
Shall the article pass ?

Mr. Darlington asked and obtained unanimous consent to amend the same, by adding to the end of the seventeenth section the words, "now in commission."

And the question again recurring,

Shall the article pass?"

Mr. Biddle asked and obtained unanimous consent to amend the same in the eighteenth section, by striking out in the third line the word "commissions," and inserting in lieu thereof the word "offices," and striking out the the word "expire," and inserting in lieu thereof the word "end," and by striking out in the twelfth line the word "&c.," and making the word "elected" read "re-elected;" and also, in the 19th section, by striking out the words, "commissions" and "expires," and inserting in lieu thereof the words, "offices" and "end."

And the question again recurring,

Shall the article pass?

It was determined in the affirmative.

Mr. Littleton presented the following communion, which was read, viz:

CLERK'S OFFICE, SELECT COUNCIL,
Philadelphia, November 1, 1873. }

To the President and Members of the Constitutional Convention:

SIR:—This is to certify that the following is a true and correct copy of the original ordinance approved by his Honor, the Mayor, the first day of November, A. D. 1873, entitled:

"An ordinance authorizing the commissioner of city property to present to the members of the Constitutional Convention the desks and chairs used by said Convention.

"SECTION 1. The select and common councils of the city of Philadelphia do ordain, that the commissioner of city property be and he is hereby authorized and directed to present to the members of the Constitutional Convention, in the name of the city, the desks and chairs used by them during the sittings of the Convention.

Attest.

"JOSEPH H. PAIST,
"Clerk of Select Council."

Laid on the table.

On leave given,

Mr. Armstrong offered the following resolutions, which were twice read, viz:

Resolved, That this Convention returns its thanks to the mayor and councils of the city of Philadelphia, for their generous consideration in presenting to the members the desks and chairs which they have used during their sessions in this city.

Resolved, That the Convention accepts these tokens of friendly regard, and will gratefully cherish the remembrance of the uniform kindness of the mayor and councils and people of Philadelphia.

The first resolution was agreed to.

On the question,

Will the Convention agree to the second resolution?

A motion was made by Mr. Alricks,

To amend the same, by striking out all after the word "Resolved," and inserting in lieu thereof as follows, viz: "That we cannot accept the offer, except on payment of the original cost of the same, which we cheerfully do.

Which was agreed to.

The resolution was then agreed to.

On leave given,

Mr. Harry White, from the committee to whom the subject was referred, reported the following resolutions, viz :

Resolved, That in lieu of advertising the new Constitution in two newspapers in each county, as provided in the act of Assembly, entitled "An Act to provide for calling a Convention to amend the Constitution," approved April 14, 1872, the Secretary of the Commonwealth is hereby authorized and requested to cause to be printed by the State Printer, in sheet form, a sufficient number of copies of the new Constitution, accompanied by the address to the people, prepared by the Committee of Revision of this body, as supplements, (at least one to each of their subscribers,) to as many newspapers published in this State as will consent to circulate the same in their several daily and weekly editions one time, for the allowance of one and one-half cents per copy, and one cent for each copy for postage if necessary, so circulated, to be settled by the Auditor General.

Resolved, That it shall be the duty of the Executive Committee of this body to confer immediately with the Secretary of the Commonwealth on the subject of the above resolution, and to see that its objects are expeditiously accomplished.

Resolved, That a copy of the above resolutions, properly signed and attested, shall be immediately furnished to the Secretary of the Commonwealth.

Laid on the table.

A motion was made by Mr. Carvin,

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.

AFTERNOON SESSION.

On leave given,

Mr. D. W. Patterson offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That the Secretary of the Commonwealth be directed to receive the signatures of the absent members of this Convention to this Constitution, after the same shall be sent to Harrisburg, who may not have signed their names thereto.

On leave given,

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

Resolved, That the President, upon the request of a majority of the Executive Committee, may, and is hereby authorized to call a special session of this Convention at Harrisburg, at any time upon five days' notice to delegates at their respective places of residence.

On the question,

Will the Convention agree to the resolution ?

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

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Baer, Bailey, of Huntingdon, Barr, Beebe, Bigler, Bowman, Brodhead, Brown, Church, Corbett, Cronmiller, Dallas, Dunning, Edwards, Ellis, Gilpin, Hay, Hazzard, Hemphill, Hunsicker, Kaine, Lamberton, Lilly, M'Camant, M'Culloch, M'Murray, Mott, Newlin, Niles, Palmer, G. W., Patterson, T. H. B., Patton, Pughe, Purman, Read, John R., Reynolds, Ross, Runk, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell and Wright—52.

N A Y S.

Messrs. Andrews, Baily, of Perry, Baker, Biddle, Cassidy, Cochran, Darlington, Davis, De France, Ewing, Harvey, Horton, Knight, Landis, Lawrence, Lear, MacConnell, Mann, Mantor, Minor, Patterson, D. W., Porter, Purviance, John N., Reed, Andrew, Rooke, Smith, Henry W., Turrell, White, David N., White, Harry, and Walker, *President*—30.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Armstrong, Bannan, Barclay, Bardsley, Bartholomew, Black, Boyd, Broomall, Buckalew, Bullitt, Calvin, Campbell, Carey, Carter, Clark, Collins, Corson, Craig, Curry, Curtin, Cuyler, Dodd, Elliott, Fell, Finney, Fulton, Funck, Gibson, Green, Guthrie, Hall, Hanna, Heverin, Howard, Littleton, Long, MacVeagh, M'Clean, M'Michael, Metzger, Mitchell, Palmer, H. W., Parsons, Purviance, Sam'l A., Russell, Sharpe, Simpson, Stewart, and White, J. W. F.

Mr. Lamberton rose to a question of privilege, and presented the following, which was read, viz:

We, members of the Convention do hereby require the separate and distinct submission to a popular vote of the article on the Judiciary.

PEARSON CHURCH,
JNO. M. BAILEY,
HENRY W. PALMER,
JOS. HEMPHILL,
HAMILTON ALRICKS,
GEO. ROSS,
C. A. BLACK,
A. M. FULTON,
THOS. EWING,
WILLIAM D. BAKER,
LEWIS CASSIDY,
WM. DARLINGTON,
WILLIAM LILLY,
HENRY C. PARSONS,
J. W. F. WHITE,
J. ALEXANDER SIMPSON,
T. H. BAIRD PATTERSON,
J. G. FELL,
J. H. HEVERIN,
ANDREW REED,
W. C. BEEBE,
GEO. W. WOODWARD,
R. A. LAMBERTON,

EDWARD HARVEY,
JOSIAH FUNCK,
FRANK MANTOR,
JAMES L. REYNOLDS,
HARRY WHITE,
WM. H. AINEY,
LEVI ROOKE,
Z. H. LONG,
JNO. P. CRONMILLER,
D. W. PATTERSON,
JOHN GILPIN,
WM. M'CLEAN,
WM. B. HANNA,
JNO. J. METZGER,
GEO. G. BARCLAY,
GEO. F. HORTON,
T. STRUTHERS,
M. EDWARDS,
THEO. CUYLER,
DAN. S. PORTER,
HENRY A. CURRY,
MORTON M'MICHAEL,
THOS. R. BANNAN.

Which was accompanied by the following resolution, which was read for the information of the Convention, viz:

Resolved, That forty-six members of the Convention (being more than one-third thereof) having demanded in writing the separate submission of the article on the Judiciary to a popular vote, it is hereby ordered that the same be so submitted.

Mr. Lamberton stated the question of privilege to be, that under the act of 1872 providing for the calling of the Convention, and under the forty-third rule of that Convention the paper presented and read being signed by forty-six members of the Convention, being more than one-third thereof, it was not only the privilege but the right of those members to have such separate submission.

Mr. Armstrong submitted the point of order that the order for receiving resolutions having been passed for the day, the resolution could not be received without a suspension of the orders by a two-thirds vote.

The President decided that the point of order was well taken.

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 respectfully reports:

That under the resolutions adopted by the Convention yesterday, warrants should be drawn in accordance with the following resolution, which is reported for the action of the Convention:

Resolved, That warrants be drawn upon the State Treasurer in favor of Lucius Rogers, for three hundred dollars in payment of his services rendered to the Committee on Revision and Adjustment; and in favor of James W. Carry, for one hundred dollars for his services as chaplain.

On motion of Mr. Hay,

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

On leave given,

Mr. Addicks offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That at the adjournment of the Convention, this Hall and its contents, as far as they are the property of the city of Philadelphia, be placed in the care of the "Committee on House," and said committee are hereby directed to give possession of the same to the proper authorities of the city of Philadelphia.

On leave given,

Mr. J. M. Bailey, from the committee of thirty-three, to whom was referred the selection of an executive committee of five, made a report which was read as follows, viz:

That in obedience to the resolution adopted October 31st, they have selected Messrs. Harry White, Charles R. Buckalew, J. W. M. Newlin, John R. Read and Thomas Howard to be the executive committee contemplated by said resolution.

A motion was made by Mr. Niles,

That the names of James P. Barr and John Price Wetherill be added to said committee.

Which was agreed to.

Mr. Buckalew offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Committee on Revision and Adjustment be authorized to prepare and publish their exhibit of the changes proposed by the new Constitution, and address the people thereon after the adjournment of the Convention.

Mr. Knight from the Committee on Revision and Adjustment, reported the several articles of the Constitution finally revised and corrected, as follows, viz:

Article 1. Section 7, first line, strike out the word "undertakes," and insert the words, "may undertake." Second line, strike out "Legislature" and insert "General Assembly," and make the same change wherever it occurs in the article.

Article 2. Section 4, fourth line, strike out the word "he" and insert the words, "the Governor." Section 5, first line, strike out the word "four" and insert the word "five." Section 11, in third line, strike out the word "his" and insert the word "its." Section 16, tenth line, strike out the word "provided." Section 18, first line, strike out the word "Legislature" and insert the words, "General Assembly."

Article 3. Section 7, thirty-seventh line, strike out the word "granting." Section 11, line 4, strike out the word "Legislature" and insert "General Assembly." Section 12, first line, strike out the word "of" and insert the word "or." Section 13, first line, strike out the word "bids" and insert the word "bills." Section 18, third line, strike out "Legislature" and insert "General Assembly."

Article four, section eight, fourteenth line, strike out the word "annual." Section fourteen, in the fifth line, strike out the word "he," and insert the words, "the President *pro tem.* of the Senate;" in the same line strike out the word "Gubernatorial," and after the word "office," in the sixth line, insert the words, "of Governor;" in the same line strike out the words, "office of," and insert the words, "seat as;" in the same line, make the word "when," read "whenever," and after the word "he," insert the word "shall." Section nineteen, second line,

make the word "change," read "changes," instead of the word "to," insert the words, "corporations, to," Section twenty-one, third line, strike out the word "the," where it occurs the third time.

Article five, section one, fourth line, strike out the word "Legislature," and insert the words, "General Assembly," and make the same change throughout the article. Section two, second line, strike out the word "voters," and inserting the word "electors." Section three, fourth line, strike out the word "and." Section five, seventh line, strike out the words, "the number of." Section ten, first line, strike out the word "or," and insert the word "as;" in the third line strike out the word "voters," and insert the word "electors." Section eleven, first line, strike out the words, "for each thirty thousand inhabitants," and after the word "established," insert the words, "for each thirty thousand," and strike out from the word "inhabitants," in the first line, to the word "one," in the second line; at the end of the section add the words, "the office of alderman is abolished." Section thirteen, first line, insert after the word "cases," the words, "of summary conviction," and strike out those words after the word "Commonwealth;" in the third line, after the word "of," insert the word "the." Section seventeen, fourth line, strike out the word "not;" in same line, strike out the word "any," and insert the word "no;" in the same line, after the word "compensation," insert the words, "fees or perquisites of office," and strike out those words at the end of the same line; in the fifth line strike out the words, "nor under." Section eighteen, third line, strike out the words, "or county." Section nineteen, insert the word "chancery" at the beginning of the third line, and after the word "powers," in the same line, strike out the words, "of court of chancery."

Article six, section four, fifth line, strike out the word "are," and insert the words, "shall have been."

Article seven, first section, twenty-second line, make the word "member" read "members," and strike out the word "is," and insert the words, "shall be."

Article eight, make the word "election," in the heading, read "elections." Section first in the third paragraph, enclose all from the word "year" in the fourth line to the word "immediately," in the sixth line, in parenthesis. Section two, in the second line, strike out the word "Legislature" and insert the words, "General Assembly." Section four, fifth line, before the word "officers" insert the word "election," and strike out in the fifth and sixth lines the words, "and clerks of the election board;" in the sixth line strike out the word "has" and insert the words, "shall have;" in the seventh line, strike out all after the word "unless" to the end of the section and add the words, "required to do so as witnesses in a judicial proceeding." Section six, in the last line, make the word "place" read "places." Section ten, in the first line, after the word "in" insert the words "trials of;" in the same line after the word "proceedings" insert the words, "for the;" in the same line strike out the word "investigating" and insert the words, "investigation of." Section eleven, in the third and fourth lines, strike out the word "but." Section fourteen, fifth line, strike out the words, "shall be." Sixteenth section, in the fifth line, strike out the word "division" and insert the word "district;" in the eleventh line, after the word "court" insert the words, "able to act at the time," and enclose the same in parenthesis; in the twelfth line, make the word "appointment" read "appointments."

Article nine, strike out the word "Legislature," wherever it occurs and insert the words, "General Assembly." Section one, in the third and fourth lines, strike out the words, "except from the special assessments herein provided for." Section three of the article on Railroads, is transferred and made section three of this article. Section four, second line, strike out the words, "or to" where they first occur; also strike out the word "or" after the word "insurrection." Section five, in the second line, strike out the word "intended" and insert the words, "to be used." Section eight, in the sixth line, strike out the words, "provided that" and insert the word "but;" in the eighth line, strike out the words, "in existence" and enclose in parenthesis the words, "in the aggregate at any one time."

Article ten, section one, strike out the word "Legislature" in the first and third lines and insert the words, "General Assembly."

Article eleven, first and only section, strike out the word "and," after the word "law;" in the second and third lines, strike out the word "Legislature" and insert the words, "General Assembly;" in the fourth line, strike out the words, "but the Legislature," and insert the word "and."

Article twelve, section two, in the fourth line, strike out the word "and."

Article thirteen, section one, make the word "nor" after the word miles, read "or."

Article fourteen, section five, after the word "of," at the beginning of the fifth line, insert the word "any."

Article sixteen, section two, in the first line strike out the word "Legislature" and insert the words, "General Assembly." In section four, in the first line, strike out the word "the."

Article seventeen, strike out section three, the same having been transferred to the article on Revenue and Taxation. Section six, in the third line, strike out the word "or" and insert the word "of."

Article eighteen, strike out the word "Legislature," where it occurs in the seventh and twelfth lines, and insert in lieu thereof the words, "General Assembly." In the sixteenth line, strike out the words, "provided that."

On the question,

Will the Convention adopt the report of the Committee?

A motion was made by Mr. Dallas,

To amend the same, by restoring the words, "the number of" in the seventh line of the fifth section of the article on the Judiciary.

Which was agreed to.

And the question recurring,

Will the Convention adopt the report of the Committee?

A motion was made by Mr. Gibson,

To amend the same, by striking out the words, "General Assembly" and inserting "Legislature" in lieu thereof, wherever they occur in the article on Declaration of Rights, and by commencing the word Legislature with a small "l."

Which was agreed to.

The report was then adopted.

A motion was made by Mr. Hemphill,

That the Convention do now adjourn.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Wherry and Mr. Addicks, and were as follow, viz:

Y E A S .

Messrs. Addicks, Armstrong, Baer, Bailey, of Huntingdon, Baker, Bannan, Barr, Beebe, Biddle, Bigler, Black, Brown, Buckalew, Calvin, Cassidy, Church, Clark, Curtin, Dallas, Darlington, Edwards, Elliott, Ellis, Fell, Finney, Gibson, Gilpin, Guthrie, Hanna, Hazzard, Hemphill, Horton, Howard, Kaine, Lamber-ton, Landis, Lawrence, Lear, Lilly, M'CLean, M'Culloch, M'Murray, Manter, Minor, Mott, Newlin, Patterson, D. W., Patton, Reynolds, Rooke, Smith, H. G. Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, White, Harry, Worrell and Walker, *President*—61.

N A Y S .

Messrs. Alricks, Andrews, Baily, of Perry, Bowman, Campbell, Cochran, Corbett, Crommiller, Curry, Davis, De France, Ewing, Funk, Hay, Hunsicker, Knight, Littleton, M'Camant, Mann, Niles, Palmer, G. W., Palmer, H. W., Pat-terson, T. H. B., Pughe, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Smith, Wm. H., Wherry and White, David N.—33.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Ainey, Barclay, Bardsley, Bartholomew, Boyd, Broomhead, Broomall, Bullitt, Carey, Carter, Collins, Corson, Craig, Cuyler, Dodd, Dunning, Fulton, Green, Hall, Harvey, Heverin, Long, MacConnell, MacVeagh,

M'Michael, Metzger, Mitchell, Parsons, Porter, Purviance, Samuel A., Read, John R., Sharpe, Simpson, Smith, Henry W., Stewart, White, J. W. F., Woodward and Wright.

Whereupon,

The President adjourned the Convention until Monday morning at nine and a-half o'clock.

D. L. IMBRIE,
Clerk.

Attest:

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

MONDAY, NOVEMBER 3, 1873.

Mr. Ewing asked and obtained leave of absence for Mr. T. H. B. Patterson for to-day.

Mr. Lilly offered the following resolution, which was twice read, considered and unanimously agreed to, viz:

Resolved, That the thanks of this Convention be and are hereby tendered to D. F. Murphy, Esq., and his corps of gentlemanly assistants, for their admirable reports of the Debates of this Convention, as well as for their uniformly urbane and gentlemanly conduct in their intercourse with the members.

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

WHEREAS, When the section of the ordinance providing for the submission of the Constitution to a popular vote was under consideration, fifty-one members voted for a separate submission of the article on the Judiciary:

And whereas, Forty-six members, being more than one-third, signed a paper, which was read to the Convention, requiring such separate submission; therefore,

Resolved, That the said article be separately and distinctly submitted to a popular 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. Darlington and Mr. Mantor, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Baker, Barclay, Beebe, Bigler, Black, Carey, Cassidy, Church, Cochran, Cronmiller, Darlington, Davis, Edwards, Ewing, Funck, Gibson, Gilpin, Hanna, Harvey, Hemphill, Horton, Howard, Knight, Lamberton, Lilly, Littleton, Long, M'CLean, M'Culloch, Mann, Mantor, Palmer, H. W., Patterson, D. W., Porter, Purviance, John N., Reynolds, Rooke, Ross, Simpson, White, Harry, and Worrell—41.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Barr, Biddle, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Calvin, Clark, Corbett, Dallas, De France, Dunning, Elliott, Guthrie, Hay, Hazzard, Kaine, Lawrence, MacConnell, Mott, Newlin, Niles, Palmer, G. W., Patton, Pughe, Purman, Read, John R., Runk, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, David N., Wright and Walker, *President*—49.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bannan, Bardsley, Bartholomew, Bullitt, Campbell, Carter, Collins, Corson, Craig, Curry, Curtin, Cuyler, Dodd, Ellis, Fell, Finney, Fulton, Green, Hall, Heverin, Hunsicker, Landis, Lear, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Minor, Mitchell, Parsons, Patterson, T. H. B., Purviance, Sam'l A., Reed, Andrew, Sharpe, Stewart, Wetherill, J. M., White, J. W. F., and Woodward.

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

Resolved, That at the election on the amended Constitution separate votes shall be taken on such articles as one-third of this Convention shall indicate by a petition to the President of the Convention, signed by at least one-third of the members of this Convention, which shall be entered upon the Journal.

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. Temple, and were as follow, viz:

YEAS.

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Baker, Barclay, Beebe, Cassidy, Church, Cronmiller, Darlington, Ewing, Funck, Gibson, Gilpin, Hanna, Harvey, Hemphill, Horton, Howard, Lamberton, Littleton, M'Clean, Mann, Mantor, Patterson, D. W., Porter, Purviance, John N., Reed, Andrew, Reynolds, Ross, Simpson, Wetherill, J. M., and White, Harry—33.

NAYS.

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Barr, Biddle, Bigler, Black, Bowman, Boyd, Brodhead, broomall, Brown, Buckalew, Calvin, Campbell, Carey, Clark, Corbett, Curtin, Dallas, Davis, De France, Dunning, Edwards, Elliott, Guthrie, Hay, Hazzard, Kaine, Landis, Lawrence, Lilly, Long, MacConnell, M'Cullough, Mott, Newlin, Niles, Palmer, G. W., Patton, Pughe, Purman, Read, John R., Runk, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, John Price, Wherry, White, David N., Woodward, Worrell, Wright and Walker, *President*—63.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bannan, Bardsley, Bartholomew, Bullitt, Carter, Cochran, Collins, Corson, Craig, Curry, Cuyler, Dodd, Ellis, Fell, Finney, Fulton, Green, Hall, Heverin, Hunsicker, Knight, Lear, MacVeagh, M'Camant, M'Michael, M'Murray, Metzger, Minor, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Samuel A., Rooke, Sharpe, Stewart and White, J. W. F.

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 cordially tendered to D. L. Imbrie, Lucius Rogers and A. D. Harlan, clerk and assistant clerks, for their able, constant and efficient services, their obliging and courteous deportment, their fidelity and accuracy in the performance of the onerous duties which devolved upon them, thereby winning the esteem and confidence of every member of the body.

Mr. Baker offered the following resolution, which was read as follows, viz:

Resolved, That an additional compensation of two hundred dollars each, be given to Joseph Ebersole, janitor; James Craig, janitor; John Switzer, fireman, and Joseph Patterson, night watchman.

On the question,

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

It was determined in the negative.

Mr. Cuyler offered the following resolution, which was read as follows, viz: .

Resolved, That the address to the people of the State, prepared under authority of the Convention, shall be submitted to the President, and shall be attested by his signature and that of the Clerk, as the act of the Convention, and be published with the pamphlet edition of the Constitution.

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. Cuyler, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Bailey, of Huntingdon, Barclay, Barr, Beebe, Bidle, Bigler, Black, Bowman, Brodhead, Brown, Bullitt, Calvin, Carey, Cassidy, Church, Corbett, Cronmiller, Curtin, Cuyler, Dallas, Davis, Dunning, Edwards, Elliott, Funck, Gibson, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Lamberton, Landis, Lawrence, Lilly, Long, M'Culloch, M'Michael, M'Murray, Mann, Mantor, Mott, Newlin, Niles, Palmer, G. W., Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Ross, H. G., Smith, Smith, Wm. H., Struthers Temple, Turrell, Van Reed, Wetherill, J. M., and Wright—70.

NAYS.

Messrs. Boyd, Broomall, Clark, Darlington, De France, Ewing, MacConnell, M'CLean, Reed, Andrew, Runk, Russell, Simpson, Smith, Henry W., Stanton, Woodward, Worrell and Walker, *President*—17.

So the question was determined in the affirmative.

ABSENT—Messrs. Ainey, Baker, Bannan, Bardsley, Bartholomew, Buckalew, Campbell, Carter, Cochran, Collins, Corson, Craig, Curry, Dodd, Ellis, Fell, Finney, Fulton, Green, Hall, Horton, Howard, Hunsicker, Kaine, Knight, Lear, Littleton, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Sam'l A., Read, John R., Reynolds, Rooke, Sharpe, Stewart, Wetherill, John Price, Wherry, White, David N., White, Harry, and White, J. W. F.

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

Resolved, That four additional names, viz: Messrs. Gibson, Armstrong, Lamberton and Lawrence be placed upon the Executive Committee already appointed.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Darlington and Mr. H. W. Palmer, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Andrews, Baer, Bailey, of Huntingdon, Barr, Bidle, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Bullitt, Cassidy, Cochran, Cronmiller, Cuyler, Davis, Edwards, Elliott, Ewing, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Kaine, Landis, Lilly, Littleton, Long, M'CLean, M'Michael, Mantor, Minor, Niles, Palmer, G. W. Patterson, D. W., Patton, Porter, Pughe, Purman, Purviance, John N., Smith, Wm. H., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., Wherry, White, Harry, Woodward, Worrell and Walker, *President*—58.

NAYS.

Messrs. Ainey, Alricks, Baily, of Perry, Baker, Bardsley, Boyd, Church, Clark, Dallas, Darlington, De France, Funck, Lawrence, MacConnell, M'Culloch, M'Murray, Mott, Reynolds, Rooke, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., and White, David N.—25.

So the question was determined in the affirmative.

ABSENT.—Messrs. Armstrong, Bannan, Bardsley, Bartholomew, Beebe, Buckalew, Calvin, Campbell, Carey, Carter, Collins, Corbett, Corson, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Gibson, Gilpin, Green, Hall, Howard, Hunsicker, Knight, Lamberton, Lear, MacVeagh, M'Camant, Mann, Metzger, Mitchell, Newlin, Palmer, H. W., Parsons, Patterson, T. H. B., Purviance, Sam'l A., Read, John R., Reed, Andrew, Ross, Sharpe, Stewart, Turrell, Wetherill, John Price, White, J. W. F., and Wright.

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

That the vote be re-considered by which the resolution, fixing December 24, as the day of meeting of the Convention at Harrisburg, was adopted.

Which was agreed to.

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 "Wednesday, December 24," and inserting in lieu thereof, "Tuesday, December 30."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Kaine,

To amend the same, by striking out "Wednesday, December 24," and inserting in lieu thereof, "Tuesday, December 23."

Which was not agreed to.

And the question again recurring,

Will the Convention agree to the resolution ?

A motion was made by Mr. Biddle,

To amend the same, by striking out "Wednesday, December 24," and inserting in lieu thereof "Saturday, December 27."

Which was agreed to.

The resolution as amended was then agreed to.

A motion was made by Mr. Simpson,

That the Judiciary article be submitted separately and distinctly to the electors of the State for ratification or rejection.

On the question,

Will the Convention agree to the motion ?

Mr. Armstrong submitted the point or order, that the same proposition having been negatived by the vote upon the resolution offered by Mr. Mantor, it was not in order to introduce it again during to-day's session.

The President decided that the point of order was well taken.

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

Resolved, That the sum of ——— dollars be appropriated for the use of the Executive Committee appointed by the Convention, and so much of the same as shall be necessary to be expended in the discharge of the duties of its appointment, shall, from time to time, be drawn by warrant of its chairman, attested by its Secretary, and the State Treasurer is hereby authorized and required to pay the same.

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. Ainey,

That the Judiciary article be submitted separately for ratification or rejection, excepting the twenty-third section.

On the question,

Will the Convention agree to the motion?

The yeas and nays were required by Mr. Ainey and Mr. Baker, and were as follow, viz:

Y E A S .

Messrs. Ainey, Alricks, Bailey, of Huntingdon, Baker, Barclay, Beebe, Cassidy, Church, Cronmiller, Darlington, Edwards, Gilpin, Hanna, Harvey, Hemp-hill, Heverin, Horton, Howard, Lamberton, M'CLean, M'Michael, Mantor, Pat-terson, D. W., Reed, Andrew, Reynolds, Rooke, Ross, Simpson and White, Harry,—29.

N A Y S .

Messrs. Achenbach, Andrews, Armstrong, Baer, Baily, of Perry, Barr, Bid-dle, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Clark, Corbett, Cuyler, Dallas, Davis, De France, Elliott, Ewing, Funck, Guthrie, Hay, Hazzard, Kaine, Knight, Landis, Lawrence, Lilly, Littleton, Long, MacConnell, M'Culloch, M'Murray, Mann, Mott, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patton, Pughe, Purman, Purviance, John N., Read, John R., Runk, Russell, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, White, David N., Woodward, Worrell, Wright and Walker, *President*—67.

So the question was determined in the negative.

ABSENT.—Messrs. Addicks, Bannan, Bardsley, Bartholomew, Carter, Cochran, Collins, Corson, Craig, Curry, Curtin, Dodd, Dunning, Ellis, Fell, Finney, Ful-ton, Gibson, Green, Hall, Hunsicker, Lear, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Parsons, Patterson, T. H. B., Porter, Purviance, Sam'l A., Sharpe, Smith, H. G., Stewart, Struthers, Wetherill, John Price, and White, J. W. F.

Mr. Beebe offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That Messrs. Mantor and Brown be additional members of the Ex-ecutive Committee.

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

Resolved, That the reasonable and necessary expenses incurred by the Com-missioners of election for Philadelphia, the payment of which shall not be autho-rized by the election laws of the Commonwealth, shall be reported to this Con-vention, at its meeting at Harrisburg, to be settled and approved thereby, and that the President of this Convention be authorized to draw his warrant, coun-tersigned by the Chief Clerk, in favor of said commissioners, for any sum not exceeding five thousand dollars, to apply on said expenses.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Woodward,

To amend the same, by striking out the word "five" and inserting in lieu there-of the word "ten."

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution?

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

YEAS.

Messrs. Achenbach, Alricks, Andrews, Baer, Bailly, of Perry, Bailey, of Huntington, Baker, Barr, Beebe, Biddle, Bigler, Black, Brodhead, Brown, Buckalew, Calvin, Campbell, Carey, Cassidy, Church, Clark, Corbett, Curtin, Cuyler, Dallas, De France, Elliott, Gibson, Guthrie, Hay, Hazzard, Heverin, Kaine, Lamberton, Landis, Lilly, Littleton, Long, M'Clean, M'Michael, M'Murray, Mantor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patton, Purman, Read, John R., Reed, Andrew, Reynolds, Rooke, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell, Wright and Walker, *President*—68.

NAYS.

Messrs. Ainey, Barclay, Bowman, Boyd, Cronmiller, Darlington, Davis, Edwards, Ewing, Gilpin, Hanna, Harvey, Hemphill, Horton, Knight, MacConnell, M'Culloch, Mann, Mott, Porter, Purviance, John N., Ross, Runk, Smith, Henry W., Van Reed and White, Harry—27.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Armstrong, Bannan, Bardsley, Bartholomew, Broomall, Bullitt, Carter, Cochran, Collins, Corson, Craig, Curry, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Funck, Green, Hall, Howard, Hunsicker, Lawrence, Lear, MacVeagh, M'Camant, Metzger, Minor, Mitchell, Parsons, Patterson, D. W., Patterson, T. H. B., Pughe, Purviance, Samuel A., Sharpe, Stewart, White, David N., and White, J. W. F.

Agreeably to order,

The Convention proceeded to the third reading and consideration of the ordinance of submission.

On the question,

Shall the ordinance pass?

Mr. Buckalew asked and obtained unanimous consent to amend the same, by adding to the end of the first section the words, "and the sheriffs of the several counties shall give at least twenty days' notice of such election by proclamation," and to amend the second section, by striking out the word "and," and insert in lieu thereof the word "blank."

And the question recurring,

Shall the ordinance pass?

A motion was made by Mr. Buckalew,

That the Convention resolve itself into committee of the whole, for the purpose of amending the same in the fourth section, by striking out the words, "revise the," in the sixth line, and inserting the words, "make a;" in the same line, by striking out the words, "wards of," in the seventh line, by striking out the words, to correct the same," and the words, "said corrected," and to insert after the word "lists," in the same line, the words, "so made."

Which was agreed to.

Whereupon,

The Convention resolved itself into committee of the whole, Mr. Elliott in the Chair, for that purpose.

After some time the President resumed the Chair, and the chairman reported the amendments made in accordance with the instructions of the Convention.

And the question again recurring,

Shall the ordinance pass?

Mr. Cochran asked and obtained unanimous consent to amend the same in the fourteenth line of the fourth section, by striking out the word "then;" and inserting in lieu thereof the words, "the said commissioners."

And the question again recurring,
Shall the ordinance pass ?

Mr. Buckalew asked and obtained unanimous consent to amend the same in the eighth line of the fourth section, by striking out the word "thereof."

And the question again recurring,
Shall the ordinance pass ?

Mr. Cochran asked and obtained unanimous consent to amend the same in the last line of the fourth section, by striking out the word "the" before the word Convention, and inserting in lieu thereof the word "this."

And the question again recurring,
Shall the ordinance pass ?

Mr. M'Clellan asked and obtained unanimous consent to amend the same in the second section, by striking out the word "prepared" in the third line, and inserting after the word printed in the same line, the words, "at least three times as many," and by striking out in the fourth line the words, "to the number of at least three times the number of," and inserting in lieu thereof the words, "as thus are."

And the question again recurring,
Shall the ordinance pass ?

Mr. Buckalew asked and obtained unanimous consent to fill the blanks in the date at the end of the same with the words, "third" and "November."

And the question again recurring,
Shall the ordinance pass ?

Mr. Armstrong asked and obtained unanimous consent to amend the same, in the last line, by striking out the figures "1873," and inserting in lieu thereof the words, "in the year of our Lord one thousand eight hundred and seventy-three."

And the question again recurring,
Shall the ordinance pass ?

Mr. Cassidy asked and obtained unanimous consent to amend the same, in the second section, by striking out the words, "and blanks," in the sixth line; by striking out the word "blank" and the word "and" in the seventh line, and after the word "instructions" in the same line insert the words, "and such other books and papers as may be necessary."

And the question again recurring,
Shall the ordinance pass ?

A motion was made by Mr. Knight,
To amend the same, by striking out section four.

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

The yeas and nays were required by Mr. Knight and Mr. Bowman, and were as follow, viz :

Y E A S .

Messrs. Addicks, Ainey, Bowman, Boyd, Broomall, Corson, Darlington, Ewing, Fell, Hanna, Knight, Lawrence, MacConnell, M'Michael, Mann, Minor, Niles, Patterson, D. W., Purviance, John N., Stanton, White, David N., and White, Harry—22.

N A Y S .

Messrs. Achenbach, Alricks, Andrew, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Biddle, Bigler, Black, Brodhead, Brown, Bucka-

lew, Bullitt, Calvin, Campbell, Carey, Cassidy, Church, Cochran, Corbett, Cron-miller, Curtin, Cuyler, Dallas, Davis, De France, Dunning, Edwards, Elliott, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Kaine, Lamberton, Landis, Lilly, Long, M'Clean, M'Culloch, M'Murray, Mantor, Mott, Palmer, G. W., Palmer, H. W., Patton, Porter, Purman, Read, John R., Reed, Andrews, Reynolds, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Woodward, Worrell and Walker, *President*—77.

So the question was determined in the negative.

ABSENT.—Messrs. Baker, Bannan, Bardsley, Barr, Bartholomew, Beebe, Carter, Clark, Collins, Craig, Curry, Dodd, Ellis, Finney, Fulton, Green, Hall, Hunsicker, Lear, Littleton, MacVeagh, M'Camant, Metzger, Mitchell, Newlin, Parsons, Patterson, T. H. B., Pughe, Purviance, Samuel A., Rooke, Sharpe, Stewart, White, J. W. F., and Wright.

And the question again recurring,

Shall the ordinance pass ?

It was determined in the affirmative.

A motion was made by Mr. Ewing,

That the schedule and ordinance of submission be referred to the Committee on Revision and Adjustment for final correction and revision.

Which was agreed to.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report which was read as follows, viz :

That a bill of W. W. Harding, for three hundred reams of paper furnished under his contract with the Convention, amounting to twenty-two hundred and fifty dollars, has been presented to the committee. It appears from the receipt and certificate of B. Singerly thereto attached, that he has received the said paper, and that the same is fully equal to that required by the contract with Mr. Harding; and from the certificate of J. W. M. Newlin, chairman of the Committee on Printing and Binding, that the same has been approved by said committee to the extent of fifteen hundred dollars; it is reported that so much of the said bill should be paid. The following resolution is accordingly reported :

Resolved, That the above mentioned account of W. W. Harding, to the amount of fifteen hundred dollars is hereby approved, and that a warrant be drawn upon the State Treasurer, in favor of W. W. Harding, for the said sum, on account of paper supplied under his contract.

On motion of Mr. Hay,

Said resolution was twice read, considered and agreed to.

A motion was made by Mr. Bullitt,

That the article (No. 16) on Private Corporations, be amended in the sixth section, by striking out all after the word "business" in the third line, and by adding to the eighth section the following, viz: "The General Assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporations or individuals made by viewers or otherwise, and the amount of such damages in all cases of appeal shall, on the demand of either party, be determined by a jury, according to the course of the common law."

On the question,

Will the Convention agree to the motion ?

A motion was made by Mr. Purman,

That the same be referred to the Committee on Revision and Adjustment.

On the question,

Will the Convention agree to the motion ?

The yeas and nays were required by Mr. Ainey and Mr. Edwards, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Barclay, Barr, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Carey, Cassidy, Church, Cochran, Cronmiller, Cuyler, Dallas, Davis, Dunning Ewing, Gilpin, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Heverin, Horton, Kaine, Lamberton, Lawrence, Littleton, Long, MacConnell, M'Clean, M'Murray, Mantor, Minor, Palmer, G. W., Palmer, H. W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Smith, Henry W., Smith, Wm. H., Stanton, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, Woodward, Worrell, Wright and Walker, *President*—73.

NAYS.

Messrs. Ainey, Baker, Boyd, Clark, Darlington, De France, Edwards, Howard, Landis, Lilly, M'Culloch, Mann, Pughe, Simpson and White, David N.—15.

So the question was determined in the affirmative.

ABSENT.—Messrs. Bannan, Bardsley, Bartholomew, Campbell, Carter, Collins, Corbett, Corson, Craig, Curry, Curtin, Dodd, Elliott, Ellis, Fell, Finney, Fulton, Funk, Gibson, Green, Hall, Hunsicker, Knight, Lear, MacVeagh, M'Camant, M'Michael, Metzger, Mitchell, Mott, Newlin, Niles, Parsons, Patterson, T. H. B., Purviance, Samuel A., Read, John R., Reynolds, Rooke, Sharpe, Smith, H. G., Stewart, Struthers, Wherry, White, Harry and White, J. W. F.

A motion was made by Mr. Cochran,

That the article (No. 17) on Railroads and Canals, be amended in the fifth section, by inserting in the third line after the word "lease" the word "on;" and in the same line, after the word "purchase," the words, "the works or franchises of."

On the question,

Will the Convention agree to the motion?

A motion was made by Mr. Cochran,

That the same be referred to the Committee on Revision and Adjustment.

Which was agreed to.

A motion was made by Mr. Ewing,

That the Committee on Revision and Adjustment have leave to sit during the session of the Convention.

Which was agreed to.

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

Resolved, That the reasonable and necessary expenses incurred by the Executive Committee shall be reported to the Convention at Harrisburg for its approval, after settlement by the Committee on Accounts, and that the President of the Convention be authorized and directed to draw his warrant, countersigned by the Chief Clerk in favor of said committee for any sum not exceeding five thousand dollars, to be used and expended for the proper expenses of said committee.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Guthrie,

That the resolution be laid on the table.

On the question,

Will the Convention agree to the motion?

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

Y E A S.

Messrs. Ainey, Alricks, Bear, Baily, of Perry, Bailey, of Huntingdon, Barclay, Bowman, Boyd, Cochran, Cronmiller, Darlington, De France, Edwards, Ewing, Funk, Gilpin, Guthrie, Hanna, Harvey, Hay, Hemphill, Kaine, Knight, Landis, Lawrence, Littleton, M'Clean, M'Michael, Minor, Patterson, D. W., Purman, Purviance, John N., Reed, Andrew, Ross, Runk, Russell, Smith, Henry W., Stanton, Struthers, Van Reed, White, Harry, and Worrell—42.

N A Y S.

Messrs. Andrews, Armstrong, Baker, Barr, Biddle, Bigler, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Carey, Cassidy, Church, Clark, Cuyler, Elliott, Gibson, Hazzard, Howard, Lilly, Long, M'Culloch, Niles, Palmer, G. W., Palmer, H. W., Patton, Pughe, Rooke, Simpson, Smith, H. G., Smith, Wm. H., Temple, Turrell, Wetherill, J. M., Wherry, Woodward and Wright—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Addicks, Bannan, Bardsley, Bartholomew, Beebe, Black, Carter, Collins, Corbett, Corson, Craig, Curry, Curtin, Dallas, Davis, Dodd, Dunning, Ellis, Fell, Finney, Fulton, Green, Hall, Heverin, Horton, Husnicker, Lamberton, Lear, MacConnell, MacVeagh, M'Camant, M'Murray, Mann, Mantor, Metzger, Mitchell, Mott, Newlin, Parsons, Patterson, T. H. B., Porter, Purviance, Sam'l A., Read, John R., Reynolds, Sharpe, Stewart, Wetherill, John Price, White, David N., White, J. W. F., and Walker, *President*.

Mr. Buckalew, from the Committee on Revision and Adjustment, to whom was referred the motion made by Mr. Bullitt to amend the sixth and eighth sections of the article on Private Corporations, made a report that the committee had amended the article as indicated in the motion.

On the question,

Will the Convention adopt the report of the committee?

It was determined in the affirmative.

Mr. Knight, from the same committee to whom was referred the motion made by Mr. Cochran to amend the eighth section of the article (No. 17) on Railroads and Canals, made a report that the committee had amended the article as indicated in the motion.

On the question,

Will the Convention adopt the report of the committee?

It was determined in the affirmative.

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

Resolved, That the thanks of this Convention are tendered to the Hon. John H. Walker, for the able and impartial manner with which he has discharged the duties of President.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Cassidy and Mr. Stanton, and were as follow, viz:

Y E A S.

Messrs. Addicks, Alricks, Andrews, Armstrong, Baer, Baily, of Perry, Baker, Bannan, Barclay, Barr, Biddle, Bigler, Black, Bowman, Boyd, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Carey, Cassidy, Church, Clark, Cronmiller, Curtin, Cuyler, Dallas, Darlington, De France, Edwards, Elliott, Ewing, Fell, Finney, Gibson, Guthrie, Hanna, Harvey, Hay, Hazzard, Hemphill, Horton, Kaine, Knight, Lamberton, Lawrence, Lilly, Littleton, Long, M'Clean, M'Michael,

M'Murray, Mantor, Minor, Newlin, Niles, Palmer, G. W., Palmer, H. W., Patton, Pughe, Purman, Purviance, John N., Read, John R., Reed, Andrew, Reynolds, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., Wetherill, Jno. Price Wherry, White, Harry, Woodward and Worrell.

N A Y S.

None.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Ainey, Bailey, of Huntingdon, Bardsley, Bartholomew, Beebe, Campbell, Carter, Cochran, Collins, Corbett, Corson, Craig, Curry, Davis, Dodd, Dunning, Ellis, Fulton, Funck, Gilpin, Green, Hall, Heverin, Howard, Hunsicker, Landis, Lear, MacConnell, MacVeagh, M'Camant, M'Culloch, Mann, Metzger, Mitchell, Mott, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, Samuel A., Sharpe, Stewart, Van Reed, White, David N., White, J. W. F., Wright and Walker, *President*.

A motion was made by Mr. Ewing.

That the Convention take a recess until four o'clock P. M.

Which was agreed to.

Whereupon,

The President announced a recess until that hour.

AFTERNOON SESSION.

Mr. Knight, from the Committee on Revision and Adjustment, to whom was referred the schedule for final revision and correction, reported the same revised and corrected, as follows, viz:

That no inconvenience may arise from the changes in the Constitution of the Commonwealth, and in order to carry the same into complete operation, it is hereby declared, that:

SECTION 1. This Constitution shall take effect on the first day of January, in the year one thousand eight hundred and seventy-four, for all purposes not otherwise provided for therein.

SECTION 2. All laws in force in this Commonwealth at the time of the adoption of this Constitution not inconsistent therewith, and all rights, actions, prosecutions and contracts shall continue as if this Constitution had not been adopted.

SECTION 3. At the general election in the years one thousand eight hundred and seventy-four and one thousand eight hundred and seventy-five, Senators shall be elected in all districts where there shall be vacancies. Those elected in the year one thousand eight hundred and seventy-four shall serve for two years, and those elected in the year one thousand eight hundred and seventy-five shall serve for one year. Senators now elected and those whose terms are unexpired shall represent the districts in which they reside until the end of the terms for which they were elected.

SECTION 4. At the general election in the year one thousand eight hundred and seventy-six, Senators shall be elected from even numbered districts to serve for two years, and from odd numbered districts to serve for four years.

SECTION 5. The first election of Governor under this Constitution shall be at the general election in the year one thousand eight hundred and seventy-five, when a Governor shall be elected for three years; and the term of the Governor elected in the year one thousand eight hundred and seventy-eight and of those thereafter elected shall be for four years, according to the provisions of this Constitution.

SECTION 6. At the general election in the year one thousand eight hundred and seventy-four, a Lieutenant Governor shall be elected according to the provisions of this Constitution.

SECTION 7. The Secretary of Internal Affairs shall be elected at the first general election after the adoption of this Constitution; and, when the said officer shall

be duly elected and qualified, the office of Surveyor General shall be abolished. The Surveyor General in office at the time of the adoption of this Constitution shall continue in office until the expiration of the term for which he was elected.

SECTION 8. When the Superintendent of Public Instruction shall be duly qualified the office of Superintendent of Common Schools shall cease.

SECTION 9. Nothing contained in this Constitution shall be construed to render any person now holding any State office for a first official term ineligible for re-election at the end of such term.

SECTION 10. The judges of the Supreme Court in office when this Constitution shall take effect, shall continue until their commissions severally expire. Two judges, in addition to the number now composing the said court, shall be elected at the first general election after the adoption of this Constitution.

SECTION 11. All courts of record and all existing courts which are not specified in this Constitution, shall continue in existence until the first day of December, in the year one thousand eight hundred and seventy-five, without abridgment of their present jurisdiction, but no longer. The court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin, is hereby abolished, and all causes and proceedings pending therein in the county of Schuylkill shall be tried and disposed of in the courts of oyer and terminer and quarter sessions of the peace of said county.

SECTION 12. The register's courts now in existence shall be abolished on the first day of January next succeeding the adoption of this Constitution.

SECTION 13. The General Assembly shall, at the next session after the adoption of this Constitution, designate the several judicial districts as required by this Constitution. The judges in commission when such designation shall be made shall continue during their unexpired terms judges of the new districts in which they reside; but, when there shall be two judges residing in the same district, the president judge shall elect to which district he shall be assigned, and the additional law judge shall be assigned to the other district.

SECTION 14. The General Assembly shall, at the next succeeding session after each decennial census and not oftener, designate the several judicial districts as required by this Constitution.

SECTION 15. Judges learned in the law of any court of record holding commissions in force at the adoption of this Constitution, shall hold their respective offices until the expiration of the terms for which they were commissioned, and until their successors shall be duly qualified. The Governor shall commission the president judge of the court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin, as a judge of the court of common pleas of Schuylkill county, for the unexpired term of his office.

SECTION 16. After the expiration of the term of any president judge of any court of common pleas, in commission at the adoption of this Constitution, the judge of such court learned in the law and oldest in commission, shall be the president judge thereof; and when two or more judges are elected at the same time in any judicial district, they shall decide by lot which shall be president judge; but when the president judge of a court shall be re-elected, he shall continue to be president judge of that court. Associate judges not learned in the law, elected after the adoption of the Constitution, shall be commissioned to hold their offices for the term of five years from the first day of January next after their election.

SECTION 17. The General Assembly, at the first session after the adoption of this Constitution, shall fix and determine the compensation of the judges of the Supreme Court, and of the judges of the several judicial districts of the Commonwealth; and the provisions of the fifteenth section of the article on Legislation shall not be deemed inconsistent herewith. Nothing contained in this Constitution shall be held to reduce the compensation now paid to any law judge of this Commonwealth now in commission.

SECTION 18. The courts of common pleas of the counties of Philadelphia and Allegheny shall be composed of the present judges of the district court and court of common pleas of said counties until their offices shall severally end, and of such other judges as may from time to time be selected. For the purpose of first organization in Philadelphia, the judges of the court number one shall be judges Allison, Pierce and Paxson; of the court number two, judges Hare, Mitchell and one other judge to be elected; of the court number three, judges Ludlow, Finletter and Lynd; and of the court number four, judges Thayer, Briggs and one other judge to be elected. The judge first named shall be the president judge of said courts respectively, and thereafter the president judge shall be the judge oldest in commission; but any president judge, re-elected in the same court or dis-

trict, shall continue to be president judge thereof. The additional judges for courts numbers two and four shall be voted for and elected at the first general election after the adoption of this Constitution, in the same manner as the two additional judges of the Supreme Court, and they shall decide by lot to which court they shall belong. Their term of office shall commence on the first Monday of January, in the year one thousand eight hundred and seventy-five.

SECTION 19. In the county of Allegheny, for the purpose of first organization under this Constitution, the judges of the court of common pleas, at the time of the adoption of this Constitution, shall be the judges of the court number one, and the judges of the district court, at the same date, shall be the judges of the common pleas number two. The president judges of the common pleas and district court shall be president judge of said courts numbers one and two, respectively, until their offices shall end; and thereafter the judge oldest in commission shall be president judge; but any president judge re-elected in the same court or district, shall continue to be president judge thereof.

SECTION 20. The organization of the courts of common pleas under this Constitution for the counties of Philadelphia and Allegheny shall take effect on the first Monday of January, one thousand eight hundred and seventy-five, and existing courts in said counties shall continue with their present powers and jurisdiction until that date, but no new suits shall be instituted in the courts of *nisi prius* after the adoption of this Constitution.

SECTION 21. The causes and proceedings pending in the court of *nisi prius*, court of common pleas, and district court in Philadelphia shall be tried and disposed of in the court of common pleas. The records and dockets of said courts shall be transferred to the prothonotary's office of said county.

SECTION 22. The causes and proceedings pending in the court of common pleas in the county of Allegheny shall be tried and disposed of in the court number one; and the causes and proceedings pending in the district court shall be tried and disposed of in the court number two.

SECTION 23. The prothonotary of the court of common pleas of Philadelphia shall be first appointed by the judges of said court on the first Monday of December, in the year one thousand eight hundred and seventy-five, and the present prothonotary of the district court in said county shall be the prothonotary of the said court of common pleas until said date when his commission shall expire, and the present clerk of the court of oyer and terminer and quarter sessions of the peace in Philadelphia shall be clerk of such court until the expiration of his present commission on the first Monday of December, in the year one thousand eight hundred and seventy-five.

SECTION 24. In cities containing over fifty thousand inhabitants, except Philadelphia, all aldermen in office at the time of the adoption of this Constitution shall continue in office until the expiration of their commissions; and at the election for city and ward officers in the year one thousand eight hundred and seventy-five, one alderman shall be elected in each ward as provided in this Constitution.

SECTION 25. In Philadelphia, magistrates, in lieu of aldermen, shall be chosen, as required in this Constitution, at the election in said city for city and ward officers in the year one thousand eight hundred and seventy-five; their term of office shall commence on the first Monday of April succeeding their election. The terms of office of aldermen in said city, holding or entitled to commissions at the time of the adoption of this Constitution, shall not be affected thereby.

SECTION 26. All persons in office in this Commonwealth at the time of the adoption of this Constitution, and at the first election under it, shall hold their respective offices until the term for which they have been elected or appointed shall expire, and until their successors shall be duly qualified, unless otherwise provided in this Constitution.

SECTION 27. The seventh article of this Constitution prescribing an oath of office shall take effect on and after the first day of January, one thousand eight hundred and seventy-five.

SECTION 28. The terms of office of county commissioners and county auditors, chosen prior to the year one thousand eight hundred and seventy-five, which shall not have expired before the first Monday of January, in the year one thousand eight hundred and seventy-six, shall expire on that day.

SECTION 29. All State, county, city, ward, borough and township officers in office at the time of the adoption of this Constitution, whose compensation is not provided for by salaries alone, shall continue to receive the compensation allowed them by law until the expiration of their respective terms of office.

SECTION 30. All State and judicial officers heretofore elected, sworn, affirmed, or in office when this Constitution shall take effect, shall severally, within one month after such adoption, take and subscribe an oath or affirmation to support this Constitution.

SECTION 31. The General Assembly at its first session, or as soon as may be after the adoption of this Constitution, shall pass such laws as may be necessary to carry the same into full force and effect.

SECTION 32. The ordinance passed by this Convention entitled "An ordinance for submitting the amended Constitution of Pennsylvania to a vote of the electors thereof," shall be held to be valid for all the purposes thereof.

SECTION 33. The words "county commissioners," wherever used in this Constitution and in any ordinance accompanying the same, shall be held to include the commissioners for the city of Philadelphia.

Adopted at Philadelphia on the third day of November, in the year of our Lord one thousand eight hundred and seventy-three.

Mr. Knight, also from the same committee, to whom was referred the ordinance of submission for final revision and correction, reported the same without amendment.

A motion was made by Mr. Ewing,

That the Convention proceed to the consideration of the resolutions reported from the committee of five, November 1, as follows, viz:

Resolved, That in lieu of advertising the new Constitution in two newspapers in each county, as provided in the act of Assembly, entitled "An Act to provide for calling a Convention to amend the Constitution," approved April 11, 1872, the Secretary of the Commonwealth is hereby authorized and requested to cause to be printed by the State Printer, in sheet form, a sufficient number of copies of the new Constitution, accompanied by the address to the people, prepared by the Committee of Revision of this body, as supplements, (at least one to each of their subscribers,) to as many newspapers published in this State as will consent to circulate the same in their daily and weekly editions one time, for the allowance of one and one-half cents per copy so circulated, to be settled by the Auditor General.

Resolved, That it shall be the duty of the Executive Committee of this body to confer immediately with the Secretary of the Commonwealth on the subject of the above resolution, and to see that its objects are expeditiously accomplished.

Resolved, That a copy of the above resolutions, properly signed and attested, shall be immediately furnished to the Secretary of the Commonwealth.

Which was agreed to.

On the question,

Will the Convention agree to the resolution?

A motion was made by Mr. Harry White,

To amend the first resolution, by inserting after the word "copy," the words, "and one cent for each copy for postage, if necessary."

Which was agreed to.

On the question,

Will the Convention agree to the resolutions as amended?

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

YEAS.

Messrs. Addicks Ainey, Alricks, Andrews, Armstrong, Baer, Bailly, of Perry, Bailey, of Huntingdon, Baker, Bannan, Barr, Beebe, Biddle, Bigler, Black, Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Cassidy, Church, Clark, Cochran, Craig, Cronmiller, Curtin, Cuyler, Dallas, Darlington, Davis, De France, Dunning, Edwards, Elliott, Ewing, Finney, Funck, Gibson, Gilpin, Guthrie, Harvey, Hay, Hanna, Howard, Hunsicker, Lamberton, Landis, Lawrence, Lilly, Long, Mantor, Mott, Newlin, Niles, Palmer, G. W., Palmer, H.

W., Patterson, D. W., Patton, Porter, Purman, Purviance, John N., Read, John R., Reed, Andrew, Rooke, Ross, Runk, Russell, Simpson, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Turrell, Van Reed, Wetherill, J. M., Wetherill, Jno. Price, White, David N., White, Harry, Worrell, Wright and Walker, *President*—84.

N A Y S.

Messrs. Boyd, Hanna, Hemphill, Kaine, M'Clellan, M'Culloch, Temple and Wherry—8.

So the question was determined in the affirmative.

ABSENT.—Messrs. Achenbach, Barclay, Bardsley, Bartholomew, Carey, Carter, Collins, Corbett, Corson, Curry, Dodd, Ellis, Fell, Fulton, Green, Hall, Hazzard, Heverin, Knight, Lear, Littleton, MacConnell, MacVeagh, M'Camant, M'Michael, M'Murray, Mann, Metzger, Minor, Mitchell, Parsons, Patterson, T. H. B., Pughe, Purviance, Sam'l A., Reynolds, Sharpe, Smith, Henry W., Stewart, White, J. W. F., and Woodward.

On leave given,

Mr. Niles offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the desks and chairs of the Sergeant and Assistant Sergeant-at-Arms, the Doorkeeper and Assistant Doorkeeper, the Postmaster and Assistant Postmaster, be and the same are hereby presented to them by the Convention.

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

Resolved, That the publication of the Constitution in pamphlet form, for general circulation, as ordered by the Convention, shall be without note or comment; and that so much of any resolution as authorizes the printing of the address of the Committee of Revision and Adjustment, or any other committee, in the same pamphlet, is hereby rescinded.

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, which was read, viz:

Resolved, That during the recess of the Convention the President and Chief Clerk be authorized to draw warrants on the State Treasury for the payment of such bills for gas, printing, reporting, paper, and other items as may be reported to the President as correct by the chairman of the Committee on Accounts and Expenditures.

On the question,

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

It was determined in the negative.

Mr. H. G. Smith offered the following resolution, which was twice read, considered and unanimously agreed to, viz:

Resolved, That the thanks of this Convention be tendered to the newspaper reporters who have attended upon its sessions from day to day.

Mr. Brodhead 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 Reform Club, Union League, Pennsylvania Historical Society, Mercantile Library, and other associations, whose hospitalities, promptly tendered, have conduced so much to the pleasantness of our sojourn in, what we have found to be truly the city of Brotherly Love.

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

Resolved, That the Committee on Printing be instructed to see that a cheaper paper than is used upon the Debates is furnished for the supplements to the various newspapers, and at a price not to exceed twelve and a-half cents per pound.

On the question,

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

It was determined in the negative.

Mr. D. W. Patterson offered the following resolution, which was read, viz:

Resolved, That Joseph Ebersole and James Craig, Janitors, be each allowed pay for thirty-seven additional days, they having severally rendered service for that number of days, on Saturdays and Sundays, and on Friday the 4th of July, and the Monday following, when the Convention was not in session. The existing resolution regulating the Chief Clerk in the payment of the Janitors, preventing him from paying the said Janitors for any time or days, except for days that the Convention was in actual 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. Buckalew,

Ordered, That the ordinance of submission be signed by the President of this Convention, and attested by the Chief Clerk, and that certified copies thereof be furnished to the Secretary of the Commonwealth, the Public Printer, and the commissioners of election of Philadelphia.

A motion was made by Mr. Alricks,

That when the Convention adjourn to-day, it will adjourn to meet in the Hall of the House of Representatives, at Harrisburg, on Saturday the 27th day of December, at 12 o'clock M., unless sooner convened by the President.

Which was agreed to.

A motion was made by Mr. Purman,

That an attesting clause be added to the end of the Constitution, as follows, viz: "Adopted at Philadelphia on this third day of November, in the year of our Lord one thousand eight hundred and seventy-three.

Which was agreed to.

Mr. C. A. Black offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That this Convention, having fixed upon an early day for a vote by the people upon the proposed new Constitution, it is the imperative duty of every delegate friendly to its adoption to use all honorable means in his power to secure such adoption, by diffusing information amongst the people as to the nature and value of the several amendments.

Mr. D. W. Patterson offered the following resolution, which was twice read, considered and agreed to, viz:

Resolved, That the Chief Clerk of the Convention be hereby directed to deposit in the office of the Secretary of the Commonwealth, at Harrisburg, the new Constitution, when signed by the President and Chief Clerk, (as the act of Assembly requires,) and when signed also by the delegates of Convention present; and also a duplicate copy with the Historical Society of Pennsylvania.

A motion was made by Mr. Addicks,

That the Convention do now adjourn.

Which was agreed to.

81 CON. JOUR.

Whereupon,
The President adjourned the Convention until Saturday the 27th day of December, at 12 o'clock, M.

D. L. IMBRIE,
Clerk.

Attest:

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

SATURDAY, DECEMBER 27, 1873.

The President laid before the Convention a communication from Benjamin Slingerly, State Printer, which was read as follows, viz:

STATE PRINTING OFFICE,
CANAL STREET, BELOW STATE,
Harrisburg, Dec. 27, 1873. }

HON. JOHN H. WALKER, *President Constitutional Convention Pennsylvania:*

SIR:—It is due to the honorable body over which you preside, and to myself, that you should be informed of the fact that my printing establishment, with all its contents, was totally destroyed by fire, November 5. Official and private investigation proves the fire to have been the work of an incendiary. Among the property destroyed were 1,325 copies of the Journal of the Convention, 4,500 copies seventh and eighth volumes Debates, together with 1,600 additional copies of the Debates, purchased from me by your honorable body, also, 294 copies each of volumes 1, 2, 3, 4, 5 and 6, bound and ready for shipment on order of Convention. My loss has been very heavy, and was not covered by any insurance. I respectfully pray that you will take the facts into consideration in the settlement of my accounts, and in such further orders as you may give me for work, that your action may not be unfavorable to me.

BN. SINGERLY.

Laid on the table.

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

COLUMBUS, O., Nov. 20, 1873.

To the President of the Pennsylvania Constitutional Convention:

DEAR SIR:—Please find enclosed balance of Debates of Constitutional Convention of Ohio, which constitutes the first volume. I will forward you appendix and index as soon as printed.

Yours respectfully,
FRED'K BLANKNER.

Laid on the table.

Mr. Armstrong offered the following resolution, which was twice read, viz:
Resolved, That a committee of thirteen be appointed to submit resolutions declaring the sense of this Convention as to the extent of its powers.

On the question,

Will the Convention agree to the resolution?

The yeas and nays were required by Mr. Bartholomew and Mr. Hall, and were as follow, viz:

YEAS.

Messrs. Achenbach, Addicks, Alricks, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Bannan, Barclay, Barr, Beebe, Biddle, Bigler, Brodhead, Brown, Buckalew, Calvin, Campbell, Church, Cochran, Cronmiller, Curry, Curtin, Dallas,

Darlington, Dunning, Edwards, Ellis, Funck, Gibson, Green, Guthrie, Harvey, Hazzard, Heverin, Horton, Howard, Lambertson, Landis, Lilly, Littleton, Long, MacConnell, M'Camant, M'Culloch, M'Murray, Mantor, Newlin, Palmer, G. W., Patterson, T. H. B., Patton, Purviance, Samuel A., Ross, Runk, Russell, Sharpe, Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, Woodward, Wright and Walker, *President*—66.

N A Y S.

Messrs. Ainey, Baker, Bartholomew, Bowman, Broomall, Bullit, Corson, Cuyler, Dodd, Fulton, Gilpin, Hall, Hanna, Hay, Hunsicker, Kaine, Knight, Lawrence, M'Michael, Parsons, Patterson, D. W., Porter, Purviance, John N., Reed, Andrew, Rooke, Smith, H. G., Smith, Henry W., Stewart, Wetherill, John Price, White, Harry, and Worrell—31.

So the question was determined in the affirmative.

ABSENT.—Messrs. Andrews, Baer, Bardsley, Black, Boyd, Carey, Carter, Cassidy, Clark, Collins, Corbett, Davis, De France, Elliott, Ewing, Fell, Finney, Hemphill, Lear, MacVeagh, M'Clean, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Pughe, Purman, Read, John R., Reynolds, Simpson, White, David N., and White, J. W. F.

Ordered, That Messrs. Armstrong, Buckalew, Biddle, Newlin, Howard, Curtin, Harry White, Broomall, Bigler, Sharpe, Littleton, Alricks and Cochran, be said committee.

On motion of Mr. Armstrong,

Said committee was given leave to sit during the session of the Convention.

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

That the Convention do now proceed to open the returns of election of the several counties of the Commonwealth, held on the 16th inst., for the approval or rejection of the new Constitution.

Which was agreed to.

A motion was made by Mr. Darlington,

That two members of the Convention be appointed as tellers to open and count the votes.

Which was agreed to.

Whereupon,

The President appointed Messrs. Hay and Harvey, who proceeded to the discharge of said duty.

After some time, Mr. Hay, on the part of the tellers, made a report, which was read as follows, viz:

That they proceeded to open the returns of the election held on the 16th inst., as returned to the President of this Convention, from the several counties of this Commonwealth, at which election the Constitution, which this Convention had submitted to the people for their ratification or rejection, was voted upon by the electors of this Commonwealth as follows, viz:

COUNTIES.	For the amendm'ts.	Against amendm'ts.
Adams.....	687	2,461
Allegheny.....	18,315	1,895
Armstrong.....	2,456	1,017
Beaver.....	3,037	1,159
Bedford.....	2,211	774
Berks.....	9,114	1,866
Blair.....	1,732	2,248
Bradford.....	4,340	1,193
Bucks.....	4,445	2,935

COUNTIES.	For the amendm'ts.	Against amendm'ts.
Butler	3,377	496
Cambria	1,972	1,813
Cameron	419	50
Carbon	1,747	699
Centre	2,711	1,077
Chester	5,680	797
Clarion	2,287	945
Clearfield	1,425	1,222
Clinton	2,374	161
Columbia	2,308	1,784
Crawford	5,608	841
Cumberland	3,360	1,664
Dauphin	3,119	4,032
Delaware	1,866	797
Elk	592	229
Erie	6,624	742
Fayette	2,727	883
Forest	330	18
Franklin	2,904	1,275
Fulton	893	98
Greene	988	1,864
Huntingdon	2,468	494
Indiana	1,599	3,153
Jefferson	1,396	912
Juniata	931	639
Lancaster	8,102	4,447
Lawrence	2,508	223
Lebanon	1,576	1,849
Lehigh	3,072	1,897
Luzerne	5,689	2,501
Lycoming	3,314	1,747
M'Kean	1,093	64
Mercer	3,890	2,104
Mifflin	1,599	376
Monroe	1,640	381
Montgomery	6,344	2,959
Montour	1,065	154
Northampton	3,245	2,581
Northumberland	3,170	1,621
Perry	1,491	1,916
Philadelphia	59,180	24,598
Pike	668	63
Potter	519	617
Schuylkill	6,156	2,020
Snyder	408	2,236
Somerset	892	2,972
Sullivan	584	197
Susquehanna	2,973	331
Tioga	2,561	1,910
Union	1,599	317
Venango	4,716	189
Warren	2,487	128
Washington	4,826	638
Wayne	1,560	257
Westmoreland	4,081	2,456
Wyoming	1,756	125
York	4,514	*3,091
Total vote for.....	268,560	109,198
Total vote against.....	109,198	
Total vote.....	362,758	

Majority for the new Constitution, 144,362.

(Signed,)

MALCOLM HAY,
EDWARD HARVEY.

Laid on the table.

Mr. Lilly offered the following preamble and resolution, which was twice read, viz:

WHEREAS, By a destructive fire early in the month of November, the office where our Debates were printed and wherein a large mass of unfinished matter was consumed, consisting of the seventh and eighth volumes of the Debates and the whole of the Journal; and

Whereas, It is popularly understood that, by the said fire, Mr. Singerly has lost \$150,000, or more, and in consequence is utterly powerless to fill his contract without pecuniary aid; and

Whereas, It is now very necessary to have the remainder of the Debates published to fill the sets already partly distributed, and from the demand upon the members of the Convention, an additional number are desirable; therefore, be it

Resolved, That the Committee on Printing and Binding be and they are hereby instructed to enter into a further contract with Mr. Benjamin Singerly or some other party, upon the best and lowest terms, for the printing and binding of a sufficient number of copies of the Journal and the seventh and eighth volumes of the Debates, to fill the sets already distributed, and, in the discretion of the said Committee on Printing and Binding an additional number of copies of the Debates and Journal, sufficient to distribute at least five copies to each member of the incoming Senate and House of Representatives, and ten additional copies to each of the members of this Convention.

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 Printer for the Convention be and he is hereby required to deliver the Debates and Journal of the Convention, not yet delivered, in accordance with his contract with the Convention; and that if he fails or refuses to so deliver the same within a reasonable period of time, not exceeding six months from this date, the same be printed and supplied under the direction of the Superintendent of Public Printing, at the expense and on account of said Printer, for the Convention.

Resolved, That W. W. Harding, contractor to furnish paper for the Debates and Journal of the Convention, be authorized and required to furnish to B. Singerly, the printer for the Convention, a sufficient quantity of paper, such as has been heretofore supplied by him for the printing of the Debates and Journal, required under the foregoing resolution.

Which was agreed to.

The preamble was not agreed to.

On the question,

Will the Convention agree to the resolution as amended?

A motion was made by Mr. Harry White,

That the resolution be referred to the Committee on Printing and Binding.

Which was not agreed to.

And the question recurring,

Will the Convention agree to the resolution as amended?

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

Y E A S.

Messrs. Addicks, Bailey, of Huntingdon, Bartholomew, Beebe, Biddle, Bigler, Brodhead, Brown, Bullitt, Calvin, Campbell, Dallas, Fulton, Guthrie, Hall, Hay, Hemphill, Heverin, Kaine, Littleton, Long, Parsons, Patterson, T. H. B., Purviance, Samuel A., Reed, Andrew, Ross, Runk, Smith, Wm. H., Turrell, Wetherill, John Price, Wherry and Worrell—32.

N A Y S.

Messrs. Achenbach, Ainey, Alricks, Bailly, of Perry, Baker, Barr, Bowman, Broomall, Buckalew, Church, Cochran, Corson, Cronmiller, Curtin, Cuyler, Darlington, Dodd, Edwards, Ellis, Gibson, Hanna, Hazzard, Horton, Howard, Hunsicker, Knight, Lamberton, Landis, Lawrence, Lilly, MacConnell, M'Camant, M'Clean, Mantor, Palmer, G. W., Patterson, D. W., Patton, Porter, Purviance, John N., Reynolds, Rooke, Russell, Sharpe, Smith, Henry W., Stanton, Struthers, Temple, Van Reed, Wetherill, J. M., White Harry, Woodward, Wright and Walker. *President*—53.

So the question was determined in the negative.

ABSENT.—Messrs. Andrews, Armstrong, Baer, Bannan, Barclay, Bardsley, Black, Boyd, Carey, Carter, Cassidy, Clark, Collins, Corbett, Curry, Davis, De France, Dunning, Elliott, Ewing, Fell, Finney, Funck, Gilpin, Green, Harvey, Lear, MacVeagh, M'Culloch, M'Michael, M'Murray, Mann, Metzger, Minor, Mitchell, Mott, Newlin, Niles, Palmer, H. W., Pughe, Purman, Read, John R., Simpson, Smith, H. G., Stewart, White, David N., and White, J. W. F.

Mr. John N. Purviance offered the following preamble and resolutions, which were twice read, considered and agreed to, viz:

WHEREAS, It appears by the returns of election in the several counties of the State, held on Tuesday the 16th day of December, A. D. 1873, that the new Constitution has been adopted by a majority of 144,362; therefore,

Resolved, That His Excellency, the Governor, be informed by the President of the Convention of this result, and that he be respectfully requested to issue his proclamation thereof without delay. The vote for the Constitution, as appears by the returns made to the President of this Convention, counted, in open Convention, viz:

For the new Constitution,	-	-	-	-	-	-	253,560
Against the new Constitution,	-	-	-	-	-	-	<u>109,198</u>

Showing a majority as above stated.

Resolved, That the returns of the election, made to this Convention, be certified by the President and Chief Clerk, and deposited in the office of the Secretary of the Commonwealth.

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

Resolved, That the Auditor General and Attorney General be instructed to contract for the printing and binding of the seventh and eighth volumes of the Debates, and the Journal 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.

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

Resolved, That all unsettled accounts for the expenses of this Convention be referred to the Auditor General and Attorney General of the Commonwealth for settlement, and that when so settled, the same be paid out of the appropriation made for the expenses of this body.

On the question,

Will the Convention agree to the resolution?

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

To amend the same, by striking out the words, "Attorney General," and inserting in lieu thereof the words, "State Treasurer."

Which was not agreed to.

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

It was determined in the negative.

Mr. Armstrong, from the committee appointed under the following resolution, viz :

" *Resolved*, That a committee of thirteen be appointed to submit resolutions declaring the sense of this Convention, as to the extent of its powers,"

Made a report, which was read as follows, viz :

That they have given their most earnest consideration to the subject committed to them, involving, as it does, the powers of the people to exercise their indefeasible right to alter their form of government. A proceeding, to which the Convention was not a party, has, in its effect and result, brought into controversy some of the fundamental principles of constitutional government. The opinion that has been pronounced in this proceeding, contains doctrines which, in our judgment, ought not to be left unchallenged. We believe them to be subversive of some of the absolute rights of the people.

We therefore submit, for the action of the Convention, the following resolutions :

Resolved, That this Convention was called by authority of the people, as determined by their vote under the act of 1871, declaring that a Convention should be called to amend the Constitution of this Commonwealth, and that that vote was a mandate to the Legislature, which that body was not at liberty to disobey or modify.

Resolved, That the Constitution of the State, is the only recognized form of government, and the people having expressly reserved to themselves the right to alter, reform or abolish their government in such manner as they think proper, and having in distinct terms excepted this right out of the general powers of government, and declared that such right shall forever remain inviolable. This Convention deems it to be its duty to declare that it is not in the power of any department of an existing government to limit or control the powers of a Convention called by the people to reform their Constitution ; and that the Convention, subject to the Constitution of the United States is answerable only to the people from whom it derived its power.

W. H. ARMSTRONG,
Chairman.
GEORGE W. BIDDLE.
THOMAS HOWARD,
CHAS. R. BUCKALEW,
WM. BIGLER,
ANDREW G. CURTIN,
JAS. W. M. NEWLIN,
J. M'DOWELL SHARPE.
W. E. LITTLETON.

On motion of Mr. Armstrong,
Said resolutions were read a second time.

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

A motion was made by Mr. Harry White,
To postpone the question, together with the further consideration of the subject, for the present ?

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

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

Y E A S .

Messrs. Addicks, Ainey, Bailey, of Huntingdon, Baker, Bartholomew, Bowman, Broomall, Bullitt, Church, Corson, Dodd, Gilpin, Hanna, Hunsicker, Knight, Lawrence, Lilly, M'Michael, Parsons, Patterson, D. W., Patterson, T. H. B., Porter, Purviance, John N., Reed, Andrew, Reynolds, Rooke, Smith, Henry W., Wetherill, John Price, and White, Harry—29.

N A Y S .

Messrs. Achenbach, Armstrong, Baily, of Perry, Barr, Beebe, Biddle, Bigler, Brodhead, Brown, Buckalew, Calvin, Campbell, Cochran, Craig, Cronmiller, Curry, Cuyler, Dallas, Darlington, Edwards, Ellis, Gibson, Guthrie, Hay, Hazzard, Hemphill, Heverin, Howard, Kaine, Lamberton, Landis, Littleton, MacConnell, M'Camant, M'Clean, Mantor, Newlin, Palmer, G. W., Patton, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, Woodward, Worrell, Wright and Walker, *President*—55.

So the question was determined in the negative.

ABSENT.—Messrs. Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Black, Boyd, Carey, Carter, Cassidy, Clark, Collins, Corbett, Curtin, Davis, De France, Dunning, Elliott, Ewing, Fell, Finney, Funck, Fulton, Green, Hall, Harvey, Horton, Lear, Long, MacVeagh, M'Culloch, M'Murray, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Pughe, Purman, Purviance, Sam'l A., Read, John R., Simpson, Stewart, White, David N., and White, J. W. F.

And the question recurring,

Will the Convention agree to the first resolution ?

The previous question was called by Mr. Hunsicker, seconded by Messrs. Heverin, Ross, T. H. B. Patterson, Church, Parsons, Patton, Reynolds, Runk, Bartholomew, Van Reed, H. W. Smith, Stanton, Edwards, Hanna, Dodd, MacConnell, Wm. H. Smith and Barr.

On the question,

Shall the main question be now put ?

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

Y E A S .

Messrs. Achenbach, Baily, of Perry, Barr, Bartholomew, Beebe, Bigler, Bowman, Broomall, Calvin, Church, Corson, Cuyler, Dodd, Edwards, Fulton, Hanna, Hay, Hazzard, Heverin, Hunsicker, Knight, Lilly, Littleton, MacConnell, M'Camant, M'Michael, Newlin, Parsons, Patterson, T. H. B., Patton, Porter, Purviance, John N., Reynolds, Rooke, Ross, Runk, Russell, Smith, H. G., Smith, Henry W., Smith, Wm. H., Stanton, Van Reed, Wetherill, John Price, and Wright—44.

N A Y S .

Messrs. Addicks, Ainey, Armstrong, Bailey, of Huntingdon, Baker, Biddle, Brodhead, Brown, Buckalew, Bullitt, Campbell, Cochran, Cronmiller, Curry, Curtin, Darlington, Gibson, Gilpin, Guthrie, Hemphill, Howard, Kaine, Lamberton, Landis, Lawrence, M'Clean, Mantor, Palmer, G. W., Patterson, D. W., Reed, Andrew, Sharpe, Struthers, Temple, Turrell, Wetherill, J. M., Wherry, White, Harry, Woodward, Worrell and Walker, *President*—40.

So the question was determined in the affirmative.

ABSENT.—Messrs. Alricks, Andrews, Baer, Bannan, Barclay, Bardsley, Black, Boyd, Carey, Carter, Cassidy, Clark, Collins, Corbett, Dallas, Davis, De France, Dunning, Elliott, Ellis, Ewing, Fell, Finney, Funck, Green, Hall, Harvey, Horton, Lear, Long, MacVeagh, M'Cullough, M'Murray, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Pughe, Purman, Purviance, Samuel A., Read, John R., Simpson, Stewart, White, David N., and White, J. W. F.

And the question again recurring,

Will the Convention agree to the first resolution ?

The yeas and nays were required by Mr. J. N. Purviance and Mr. Dallas, and were as follow, viz :

Y E A S .

Messrs. Achenbach, Ainey, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barr, Bartholomew, Beebe, Biddle, Bigler, Bowman, Brodhead, Broomall, Brown, Buckalew, Bullitt, Calvin, Campbell, Church, Cochran, Corson, Cronmiller, Curry, Curtin, Cuyler, Dallas, Darlington, Dodd, Edwards, Ellis, Gibson, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Heverin, Howard, Hunsicker, Kaine, Knight, Lamberton, Landis, Lilly, Littleton, MacConnell, M'Camant, M'Clean, M'Michael, Mantor, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, Sam'l A., Reed, Andrew, Reynolds, Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wetherill, John Price, Wherry, Worrell, Wright and Walker, *President*—77.

N A Y S .

Messrs. Baker, Fulton, Hanna, Lawrence, Purviance, John N., Smith, Henry W., and White, Harry—7.

So the question was determined in the affirmative.

ABSENT—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Black, Boyd, Carey, Carter, Cassidy, Clark, Collins, Corbett, Davis, De France, Dunning, Elliott, Ewing, Fell, Finney, Funck, Green, Hall, Harvey, Horton, Lear, Long, MacVeagh, M'Culloch, M'Murray, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Rooke, Simpson, Stewart, White, David N., White, J. W. F., and Woodward.

On the question,

Will the Convention agree to the second 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. Achenbach, Alricks, Armstrong, Baily, of Perry, Bailey, of Huntingdon, Barr, Beebe, Biddle, Bigler, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Cronmiller, Curry, Curtin, Cuyler, Dallas, Darlington, Edwards, Ellis, Fulton, Gibson, Gilpin, Guthrie, Hay, Hazzard, Hemphill, Heverin, Horton, Howard, Kaine, Lamberton, Landis, Lilly, Littleton, MacConnell, M'Camant, M'Clean, Mantor, Newlin, Palmer, G. W., Parsons, Patterson, T. H. B., Patton, Porter, Purviance, Sam'l A., Reed, Andrew/Ross, Runk, Russell, Sharpe, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Van Reed, Wetherill, J. M., Wherry, Worrell, Wright and Walker, *President*—66.

N A Y S .

Messrs. Ainey, Baker, Bowman, Hanna, Hunsicker, Knight, Lawrence, M'Michael, Patterson, D. W., Purviance, John N., Rooke, Wetherill, John Price, and White, Harry—13.

So the question was determined in the affirmative.

ABSENT.—Messrs. Addicks, Andrews, Baer, Bannan, Barclay, Bardsley, Bartholomew, Black, Boyd, Broomall, Carey, Carter, Cassidy, Church, Clark, Cochran, Collins, Corbett, Corson, Davis, De France, Dodd, Dunning, Elliott, Ewing, Fell, Finney, Funck, Green, Hall, Harvey, Lear, Long, MacVeagh, M'Culloch, M'Murray, Mann, Metzger, Minor, Mitchell, Mott, Niles, Palmer, H. W., Pughe, Purman, Read, John R., Reynolds, Simpson, Smith, Henry W., Stewart, White, David N., White, J. W. F., and Woodward.

Mr. Harry White, from the committee of thirteen, submitted a minority report which was read as follows, viz :

To the Convention :

The undersigned respectfully dissents from the action of the majority of the committee, whose report has just been made, for the reason—

First.—That since the submission to, and the adoption by the people of the new Constitution, the labors and duties of the Convention have practically ceased, and it is unwise and inexpedient at this time to make any enunciation of constitutional conventional powers, which, not being submitted to or voted on by the people, will only be an expression of the opinion of a majority of the Convention.

Second.—All the principles and conclusions announced in the report of the committee are not concurred in by the undersigned.

All of which is respectfully submitted.

HARRY WHITE.

Laid on the table.

A motion was made by Mr. Buckalew,

That the Convention take a recess until this evening at six o'clock.

Which was agreed to.

Whereupon,

The President announced a recess until this evening at six o'clock.

EVENING SESSION.

Mr. Armstrong offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That Benjamin Singerly, Printer to the Convention, be instructed to re-produce the seventh and eighth volumes of the Debates and Journal destroyed by fire, and publish the same under the terms of his contract with the Convention, (together with a general index,) uniformly with the volumes already published; the paper therefor to be procured by him from W. W. Harding, under his contract with the Convention, and that the accounts for the same be referred to the Auditor General for settlement.

Mr. Temple offered the following resolution, which was read as follows, viz :

Resolved, That Messrs. Gillen & Nagel, of Philadelphia, be instructed to furnish to the Convention for the use of the members, one hundred and fifty *fac simile* copies of the Constitution, like the copy deposited in the office of the Secretary of the Commonwealth; the cost of same not to exceed four hundred and sixty dollars.

On the question,

Will the Convention agree to the resolution ?

It was determined in the negative.

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

Resolved, That a warrant be drawn by the President and Chief Clerk of the Convention, in favor of R. A. West, for four hundred dollars, for reporting proceedings in the Supreme Court.

On the question,

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

It was determined in the negative.

Mr. Harry White offered the following resolution, viz :

Resolved, That the Convention has received, with profound gratification, the returns of the election held on the 18th instant, from which it appears the new Constitution has been adopted by a majority of 144,362 votes, and the Convention

congratulates the whole people of the Commonwealth on the adoption of the new organic law, so full of those reforms imperatively demanded in the interest of good government.

On the question,

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

It was determined in the negative.

Mr. Armstrong, from the Executive Committee, appointed by resolution of the Convention "to attend to the publication of the Constitution, and any other matter in relation to the submission of the same, and to report to the Convention at Harrisburg," in accordance with the terms of their appointment, present the following report, viz:

That immediately upon the adjournment of the Convention at Philadelphia, on November 3, your committee permanently organized by the election of Mr. William H. Armstrong, as Chairman, and the appointment of Messrs. James W. M. Newlin and John R. Reed, Secretaries, and Mr. John Price Wetherill, Treasurer.

Mr. Joseph I. Gilbert was elected clerk and stenographer, and Moses Bowman, messenger.

To facilitate the labors of the committee, a sub-committee, upon whom were conferred all the powers of the general committee, was constituted as follows: Messrs. Buckalew, Wetherill, Newlin, Read and Howard, Chairman.

Two daily sessions were held by the sub-committee from the date of their appointment up to the day of the election, to promote the one great object of your committee, namely, the prompt dissemination of information, whereby the people of the Commonwealth would be enabled to vote intelligently upon the many reforms contained in the instrument presented for their ratification or rejection. The headquarters of the committee were located at Philadelphia, and by permission of the authorities the use of the room, known as the "President's Room," adjoining the Hall previously used by the Convention, was secured without expense.

The sudden and complete destruction, by fire, of the establishment of the State Printer, at Harrisburg, which occurred on the day after the adjournment of the Convention, deprived your committee of the agency upon which they had relied for the prosecution of the work devolving upon them. Availing themselves of what appeared to be the only alternative, the committee at once issued proposals, and invited bids from some of the largest printing firms of Philadelphia, for the printing and binding of twenty-one thousand pamphlets, to contain the full text of the new Constitution, the report of the Committee on Revision and Adjustment, and the Ordinance of Submission. Messrs. Ringwalt and Brown were awarded the contract as the lowest bidders, and the number of pamphlets was subsequently increased from twenty-one thousand to fifty thousand. A like number, fifty thousand copies, of an address, prepared by the committee, were also provided for. The accompanying bills, for these items of expense, are in accordance with the contract rates. The printing contract was executed with the utmost dispatch, and the printed matter immediately forwarded to the members of the Convention, in proportionately equal quantities; two hundred and seventy-five copies of the Constitution, etc., and two hundred copies of the address, being supplied to each member by express, and the surplus distributed as applications for documents were made from time to time, to meet the wants of particular localities.

For the purpose of stimulating inquiry into, and disseminating information concerning the reforms contemplated by the new Constitution, several printed circulars were issued and widely distributed, and a system of correspondence, by mail and telegraph, was constantly maintained by the committee with members of the Convention and others identified with the reformatory movement. In many counties the chairmen of the county committees of the two great political parties were in entire accord with your committee, and by their active co-operation, and that of their local organizations, proved themselves most efficient auxiliaries in the great result of carrying to a successful issue the work of the Convention. Through this and similar agencies, particularly that of direct personal correspondence, public sentiment was more or less agitated and aroused in many localities, and the people of the State awakened to a sense of the magnitude and significance of the election in its bearing upon the well-being and future prosperity of the State.

Upon the adjournment of the Convention, the commissioners appointed to conduct the election in the city of Philadelphia, conferred with your committee and immediately proceeded to arrange all the details appertaining to the performance of their duties. Steps were also taken by the commissioners, with the knowledge of your committee, to secure from the local authorities the appropriations necessary to defray the expenses incident to the election. Appointments of canvassers for all the election divisions of the city and of election officers in nearly all the divisions were agreed upon, among other preliminaries, and the former had not only entered upon their appointments, but had nearly completed a full registration of the voters of the city, when all further proceedings under the direction of the commissioners were arrested by an injunction from the Supreme Court, issued at the instance of certain tax-payers, and restraining the functions of the board, and prohibiting any further expenditure by them of the funds of the city. The questions involved in the application for this injunction, were elaborately argued before the court; the commissioners being represented by Messrs. James W. M. Newlin, George W. Biddle, Charles R. Buckalew and William H. Armstrong, members of this body. The judgment of the court absolutely restraining further proceedings by the commissioners in the conduct of the election, is doubtless familiar to the Convention. The decree of the most authoritative legal tribunal in the State, was of course promptly obeyed by the commissioners, who thereafter ceased to perform any of the duties of their appointment. The preparations made by the commissioners to insure a fair election, particularly in the perfection of a thorough and reliable registration of voters, and in the selection of competent and suitable election officers were of great service to your committee. The arrangements consummated by these appointees for the conduct of the election as far as they went, were most thorough and complete, and resulted in placing in the hands of the committee, as the representatives of the Convention, an easy method for discovering and defeating any frauds that might have been attempted at such election.

These canvassers until restrained by the decree of the court, discharged the duties of their appointment in good faith, and in the opinion of your committee, are entitled to, and should receive proper compensation. A resolution for the payment of expenses thus incurred, has been authorized to be reported to the Convention. Your committee cannot leave this branch of their report, without bearing testimony to the earnest activity and integrity of purpose with which the commissioners discharged the onerous duties imposed upon them. In entire sympathy with the efforts of the committee, they labored heartily to secure that fair and full consideration at the polls of the new Constitution, which its merits and the interests of the people for whose protection it was framed demanded. It is the belief of your committee, that the Convention was most fortunate in its selection of these gentlemen.

In consequence of the decree of the Supreme Court, as above referred to, a meeting of the general Executive Committee was held at Harrisburg on the evening of December 6. At this meeting it was deemed prudent, by your committee, to issue an address to the people of the State. A copy of this address is hereto annexed.

The registration books, made out under the direction of the election commissioners, are now in the custody of your committee, having been transferred to them by the commissioners for safe keeping. It would seem proper that some action should be taken in regard to the ultimate disposition to be made of them.

The report submitted to your committee by the Board of Commissioners, detailing their proceedings, and exhibiting an indebtedness, on their part, of six thousand six hundred and fifty-eight dollars, is herewith communicated to the Convention, with the recommendation of your committee that the said indebtedness be paid.

The minor incidental expenses attending the election have been defrayed through local subscriptions in Philadelphia. The bills reported by your committee, for payment by the Convention, aggregate less than nine thousand five hundred dollars. The following is a schedule of the items which we recommend to be paid:

For expenses of printing pamphlets, expressage on same, etc., etc.,	- \$2,248 85
For certificate of prothonotary of court of common pleas of Philadelphia affixed to copy of election returns,	- - - - 29 00

The committee also recommend the adoption of the following resolution :

Resolved, That a warrant be drawn upon the State Treasurer in favor of the Election Commissioners, appointed by the ordinance of submission, for the sum of six thousand six hundred and fifty-eight dollars, for the payment, by the said commissioners, of the unpaid expenses incurred by them under the said ordinance.

On motion of Mr. Armstrong,

Said resolution was twice read, considered and agreed to.

A warrant was accordingly so drawn.

The following is a copy of the address of the Executive Committee, hereinbefore referred to.

To the people of Pennsylvania :

The recent decision of the Supreme Court, enjoining the commissioners appointed by the Convention from directing the election in the city of Philadelphia, make it proper that this Executive Committee should express to the people the extent and effect of that decision.

The Convention was assembled by direct authority of the people, and exercised only such powers as they believed to be delegated to them, and to be necessary to the performance of their work. Without, at this time, entering upon the discussion of any controverted questions, and having neither the right nor the disposition to surrender any position taken by the Convention, the committee yet earnestly recommend prompt acquiescence in the decree of the court. To avoid all misapprehension, we deem it proper to state explicitly that the decree affects only the question of officers by whom the election in Philadelphia will be conducted. The commissioners named by the Convention, in the desire to secure in that city an entirely just and fair election, have been superseded. The election will therefore be held in Philadelphia, as in all other parts of the State, by the ordinary election officers, on Tuesday the sixteenth day of December, instant—the day fixed by the Convention.

The committee respectfully and earnestly call attention to the fact, that the active opposition developed to the work of the Convention is mainly from those whose business it is to trade in politics and to profit by corruption. It is evidently impracticable in a short address to reply to all the misrepresentations which interested parties have made to affect adversely the vote upon the proposed Constitution. But we do distinctly affirm, that the new Constitution does not impose or restore any tax upon real estate or other species of property; nor require the Legislature to impose or restore any tax whatever. It requires that all taxes shall be uniform upon the same class of subjects, and leaves the classification to the unlimited discretion of the Legislature, simply prohibiting all special exemptions upon property of the same class, and all favoritism and inequality in taxation—just and wholesome provisions in the interest of the people, which deserve a place in every fundamental law. The expenses of government will be largely reduced. The saving in salaries and in the cost of printing, stationery and incidental expenses; shortened legislative sessions; the prevention of reckless appropriations of public money and the diminished expenditures resulting therefrom, will by decreasing the cost of government largely reduce taxation. The present State capitol is abundantly large to accommodate the increased number of representatives, and will require no additional expenditure, except for slight alterations of arrangement and additional seats for members. The limitations upon local, special and corporate legislation are only such as are necessary to prevent the abuses which experience has shown to have been the most fruitful sources of corruption, and upon which the lobby has mainly subsisted.

The restrictions upon corporations are reasonable and necessary for the protection of the rights of private citizens. They correct the abuses, without limiting the efficiency or usefulness of corporate bodies. No State institution of charity is denied proper aid from the treasury, and private charities, not sectarian, can, by adequate vote of the Legislature, receive appropriations from the Commonwealth.

Pensions and gratuities for military services and for the support of the widows or orphans of soldiers are expressly authorized.

Appropriations for denominational or sectarian institutions are prohibited, as contrary to the spirit of our institutions.

The whole instrument has been framed with the most careful regard to the best interests of the people; and to them we earnestly appeal for the just vindication of their rights. The opportunity is favorable to strengthen the securities of property and of liberty, and the contest is becoming daily more active and earnest between those who would preserve our institutions in their purity and those who, for personal and selfish reasons, seek to prevent the reforms which the people demand.

WM. H. ARMSTRONG,
Chairman.
CHAS. R. BUCKALEW,
HARRY WHITE,
JOHN GIBSON,
R. A. LAMBERTON,
JAMES W. M. NEWLIN,
THOMAS HOWARD,
GEORGE V. LAWRENCE,
FRANK MANTOR,
JAMES P. BARR,
RASSELAS BROWN,
JOHN PRICE WETHERILL,
JOHN R. READ.

HARRISBURG, December 8, 1873.

The following is the report of the Commissioners of Election, referred to in the foregoing report of the Executive Committee:

To the President and Members of the Constitutional Convention :

GENTLEMEN :—The Commissioners of Election, appointed by your honorable body under the ordinance of November 3, 1873, to conduct the election to be held on the third Tuesday of December, 1873, beg leave respectfully to report :

That upon being informed of their appointment they took the oath of office prescribed by the ordinance, in open court of common pleas, and entered upon the performance of their duties by selecting Edwin H. Fidler to act as President of their body, and Rebert R. Corson to serve as Secretary, and Richard C. Winship as Assistant Secretary.

Having secured and furnished the necessary rooms for their purposes, they published a call to all citizens who might be willing to serve as officers of election, inviting them to send their names to the office of the Commissioners; and in answer to this call several hundred citizens, many of them of known respectability and standing, proffered their services. Through this call, and by the individual exertions of the Commissioners, they were enabled to procure the services of a sufficient number of competent persons to conduct the election.

The duty having been imposed upon the Commissioners of making a new registration of the voters of the city of Philadelphia, the Board, with a view to reduce the number of the appointments required to be made, and also from a sense of the advantages to be gained thereby, agreed to select two persons for each election division, whose duty it should be to make a canvass of the voters in their several divisions, and also to serve as inspectors of election.

The number of canvassers and inspectors thus selected, was seven hundred and thirty-four, being two from each of the three hundred and sixty-seven election divisions of the city; and in addition, there were also selected three hundred and sixty-seven persons to act as judges of election in the several divisions, making a total of one thousand one hundred and one persons, who had been chosen by the Commissioners when their labors were interrupted by the injunction issued out of the Supreme Court.

At an early stage of their work, the Commissioners were brought into communication with the city commissioners of Philadelphia, and made a formal call upon the latter body to furnish the necessary ballot boxes, books, papers, tickets, etc., for holding the election, and for making the registration, and requested them to make a requisition upon city councils for an appropriation to pay for the services of the canvassers and election officers, and for the other and usual expenses of election.

This requisition having been made, councils, on November 21, appropriated the sum of thirty-one thousand seven hundred and thirteen dollars (\$31,713) in compliance with the estimate and requisition of the city commissioners. The proper forms were prepared by a committee of this body, and furnished to the city com-

missioners, who procured the necessary books and blanks, provided new ballot boxes, printed the tickets, and when called upon by this body, furnished the canvass books and stationery for making the registry, the tickets, and a portion of the election forms. They also, at the request of this commission, delivered the ballot-boxes at the various polling places, under the supervision of an agent appointed by the Commissioners of Election, who was authorized to examine into the condition of the polls, and to report whether any objection would be made to holding the election at the various places. Councils were notified of the necessity for selecting new polls in some divisions, and action was taken by them with a view to such selection. The sheriff also, at our request, issued his proclamation for the election, as required by your ordinance.

The draft for five thousand dollars, (\$5,000,) which had been drawn under the resolution of your honorable body to pay the expenses of this commission, although payment was delayed until the opinion of the Attorney General could be had upon the subject, was finally paid, and the amount placed to the credit of the treasurer, Edward Browning, in the Philadelphia Trust Company.

While the commission was thus engaged in the performance of its duties, and when it had nearly completed the selection of election officers, notice was received from James E. Gowen, Esq., of his intention to apply to the Supreme Court at *nisi prius*, to enjoin and restrain the Commissioners from further proceeding in the performance of their duties, and on the following day application was made to Mr. Justice Sharswood for that purpose, who declined to hear the application at that time, and fixed Tuesday, December 2, for a hearing before Judge Gordon and a full bench. In the meantime bills in equity had been filed by Gibson Peacock and others, against the city commissioners, and the Commissioners of Election; also by John H. Donnelly, claiming to be an election officer of the Sixth division of the Fifth ward, asking the court to enjoin this body from appointing officers to conduct the election, from making a canvass, and from attempting to interfere with or conduct the election then about to be held; and after a hearing the court, on December 5, granted the injunction prayed for in each case.

In the meantime the Commissioners had proceeded in the performance of their duties, and had selected all the officers to hold the election and to make the registry. Six hundred and fourteen (614) of the canvassers had been qualified and entered upon their work. Of this number five hundred and seventeen (517) had completed the canvass, and subsequently returned their lists, and ninety-seven (97) have as yet made no return.

As soon as the Commissioners were informed of the decree of the court, they took steps to comply with the same, by suspending all further appointments, by putting a stop to the canvass in divisions where it had not yet begun, and by discharging the messengers and clerks employed by the commission, retaining only the secretary, Mr. Corson, and the assistant secretary, Mr. Winship, whose services were needed to close the business of the commission. At the request of the city commissioners the tickets and all unused books and forms were returned to them, and the completed canvassers lists were passed over to the Executive Committee of the Convention. The building occupied by the commission was vacated by them on December 13, and the personal property sold or returned to the owners.

The accounts of the Treasurer show an unexpended balance in his hands of two thousand three hundred and sixty-seven dollars, (\$2,367,) which he holds subject to the order of the Convention.

The Commissioners deem it their duty, to call the attention of the Convention to the propriety and necessity of making an appropriation to pay the canvassers appointed by the commission, for the time and labor expended by them in the registration of voters. The commission, after consultation with the city commissioners, as to the time employed and the work necessary to be performed for this purpose, had early fixed the sum of fifteen dollars (\$15) as a reasonable and proper compensation to each canvasser, and councils had made an appropriation based upon that estimate. The decision of the Supreme Court having forbidden the city commissioners to pay any moneys of the city for the purposes of this commission, it is but just that the Convention, on the faith of whose ordinance the canvassers undertook the work, should make provision for their payment. A large proportion of them are poor men, who have given several days of their time to the work, and have performed very unpleasant and responsible duties with zeal and efficiency. Should the Convention make an appropriation, it might be proper for them to appoint some person as disbursing officer, by whom the payment should be made on the order or certificate of the late secretaries of the commission,

Messrs. Robert R. Corson and Richard C. Winship, who have personal knowledge of the appointees, and who will be able to distinguish between those who have completed their work and others.

The Commissioners of Election would respectfully suggest, that your body adopt the amount fixed by them, viz: fifteen dollars (\$15) as compensation to all canvassers who finished the canvass and returned their books, and that some compensation be paid to such canvassers as were sworn in, but failed by reason of the injunction to complete their work and return their books. Many of these men lost much of their time, for which the sum of ten dollars (\$10) would not be, in our judgment, an unreasonable compensation. Should these figures be adopted by your honorable body, there will need to be appropriated the sum of eight thousand seven hundred and twenty-five dollars, (\$8,725,) together with such additional amount as you may award to your disbursing officer, and to the clerks for their future services in the matter, as follows:

For pay of 517 canvassers, @ \$15 each,	\$7,775 00
Do. 97 " @ 10 each,	970 90
	<u>8,725 00</u>

We have instructed the Secretary to hand to the Executive Committee of your body, the minute book, papers and vouchers of the Commission.

EDWIN H. FITLER,
EDWARD BROWNING,
JOHN P. VERREE,
HENRY S. HAGERT,
JOHN O. JAMES.

PHILADELPHIA, December 23, 1873.

THE COMMISSIONERS OF ELECTION,

In account with the Constitutional Convention.

DR. For pay of 517 canvassers, @ \$15 each,	\$7,775 00
Do. 97 " @ 10 each,	970 00
	<u>8,725 00</u>
For amount required for clerk hire, and other expenses in disbursing amount as above stated,	300 00
	<u>9,025 00</u>
CR. By amount remaining unexpended in the hands of the Commissioners,	2,367 00
Balance,	<u>6,658 00</u>

HARRISBURG, December 26, 1873.

Mr. Hay, from the Committee on Accounts and Expenditures, made a report, which was read as follows, viz:

That the following claims and accounts have been carefully examined:

1. D. F. Murphy, Official Reporter, for all services to and including this 27th day of December, 1873, \$2,000 00
2. Gillin & Nagle, for printing done for the Convention in Philadelphia, 954 25
3. Samuel Crowther, for work on lamps, 8 00
4. Consumer's Ice Company, for ice furnished, 18 20
5. Knickerbocker Ice Company, for ice furnished from January 9 to September 15, 1873, 125 52
6. Philadelphia Evening Telegraph, for publishing notice of funeral of Mr. Meredith, 1 80
7. Thomas S. Stone, repairs to locks, keys, &c., for desks of members, 16 50
8. Philadelphia Gas Works, for gas used in the Hall from October 25, to November 25, 1873, 85 09
9. Wm. F. Murphy's Sons, for stationery, ink-stands, &c., furnished for use of the Convention, 136 85

10. James Craige, for services as Janitor on days when Convention was not in session, by order of Chief Clerk,	\$129 00
11. Joseph Ebersole, for services as Janitor on days when Convention was not in session, by order of Chief Clerk and House Committee,	114 00
Together, amounting to the sum of	<u>3,559 21</u>

That the same appear to be for proper expenses of the Convention, and should therefore be paid.

The following resolutions are, accordingly, reported for the action of the Convention:

Resolved, That the foregoing accounts are hereby approved, and that warrants be drawn in favor of D. F. Murphy, Official Reporter, for the sum of two thousand dollars, in full payment for all services up to and including the reporting of this day's proceedings; and in favor of Gillin & Nagle, for the sum of nine hundred and fifty-four dollars and twenty-five cents, in payment of their said account.

Resolved, That a warrant, for the sum of six hundred and four dollars and ninety-six cents, be drawn in favor of the Chief Clerk, for the payment of the remaining accounts mentioned in the foregoing report.

On motion of Mr. Hay,

Said resolutions were read a second time.

On the question,

Will the Convention agree to the resolutions?

A motion was made by Mr. Temple,

To amend the same, by striking out the words, "nine hundred and fifty-four," in the first, and inserting in lieu thereof the words, "fourteen hundred and twenty-four."

Which was not agreed to.

The resolutions were then agreed to.

A motion was made by Mr. Newlin,

That a warrant be drawn in favor of W. W. Harding, for the sum of one thousand three hundred and seventy dollars and ninety cents; and E. Barrington, for ninety dollars, the amount due on said bills.

Which was agreed to.

Mr. Patton offered the following resolution, viz:

Resolved, That a warrant for two hundred dollars be drawn in favor of Joseph I. Gilbert, and a warrant for a like amount in favor of R. A. West, for reporting argument in Supreme Court, in the hearing of the application for an injunction to restrain the Convention Commissioners.

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, which was twice read, viz:

Resolved, That the thanks of the Convention are due, and are hereby tendered to the Executive Committee for the able and efficient management of the recent campaign, which resulted so triumphantly in the success of the new Constitution.

On the question,

Will the Convention agree to the resolution?

82 CON. JOUR.

A motion was made by Mr. Turrell,

To amend the same, by adding to the end thereof the words, "and also to Messrs. Biddle, Armstrong and Buckalew, counsel, who so ably and gratuitously made the argument on behalf of the Convention, in the case before the Supreme Court against the commissioners appointed to conduct the election on the new Constitution in Philadelphia."

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Buckalew, from the Committee on Revision and Adjustment, made a report, which was read as follows, viz:

That the committee, in pursuance of the order of the Convention, did, immediately after the adjournment of the Convention, on the third of November, prepare a statement and exposition of the changes contained in the new Constitution, which was duly signed by the President and attested by the Chief Clerk, and was published along with the new Constitution in pamphlet form, for distribution by the Executive Committee of the Convention. That statement and exposition was as follows:

A STATEMENT AND EXPOSITION OF THE CHANGES CONTAINED IN THE NEW CONSTITUTION OF PENNSYLVANIA.

The preamble is made to express the gratitude of the people of the Commonwealth to Almighty God for the blessings of civil and religious liberty, and is followed by the several articles in their proper order, all the material changes in which are the following:

I.—THE DECLARATION OF RIGHTS.

The corresponding article in the old Constitution is but slightly changed, and is made to take its proper place as the first article of the new Constitution.

In the seventh section, the provisions securing the freedom of the press are extended by the insertion of a new clause, to the effect that in prosecutions for the publication of papers relating to the official conduct of officers or men in public capacity, or to other matters proper for public investigation or information, there shall be no conviction "when the fact that such publication was not maliciously or negligently made, shall be established to the satisfaction of the jury." This provision excludes the legal inference of malice from the mere fact of publication or from the inaccuracy of the matter published, and leaves the question of conviction to depend upon the actual malice or negligence of the author or publisher of an alleged libel. It will simply permit the jury to render a verdict upon the real merits of the case. The provision is confined to criminal prosecutions, and does not modify the existing laws relating to civil remedies in actions of libel and slander.

II.—THE LEGISLATURE.

The principal changes in this article are the following:

Members of the Senate are to be elected for four years, instead of three, and of the House for two years, instead of one. The regular sessions of the Legislature are to be biennial, instead of annual, and no adjourned annual sessions are permitted after the year 1878, but the Governor may convene the two Houses upon extraordinary occasions, and the Senate alone, when a meeting of that body shall be necessary for the transaction of executive business. The Governor is further required to convene the two Houses upon proclamation to fill any vacancy in the office of United States Senator from this State. It is further provided that, whenever the Legislature shall be convened by the Governor, the sessions shall be confined to the transaction of business expressly mentioned in the Executive proclamation. No Senator or Representative shall be appointed to any civil office during his term of service, and persons convicted of embezzlement of public moneys, bribery, perjury, or other infamous crime, shall not be eligible to the Legislature or capable of holding any public office. The compensation of members shall be fixed by law, and shall not be increased during any official term. The Senate is empowered to choose a presiding officer, who shall perform the duties of Lieutenant Governor when necessary. The powers of each House are more

definitely expressed, and their sessions more completely guarded against improper influence than by the old Constitution. By the sixteenth and seventeenth sections, the numbers of each House are increased, and the apportionment of membership by districts determined and regulated. The Senate is to consist of fifty members, instead of thirty-three, to be chosen from single districts, one-half thereof every second year. The provision in the old Constitution forbidding the division of counties is retained, except as to those which shall be entitled to two or more Senators; and the former limitation that no city or county shall elect more than four Senators is changed to a provision, that no county shall elect more than one-sixth of the whole number. In counties divisible into Senatorial districts, the districts are to be made equal, and no ward, borough or township is to be divided in their formation. A full Senatorial ratio will entitle a county to separate representation, but the Legislature may assign a Senator to a county with four-fifths of a ratio, and a special provision is made to meet the case of a county containing more than one-half and less than four-fifths of a ratio which shall be wholly surrounded by counties entitled of right to separate representation.

For the House of Representatives, the population of the State is to be divided by two hundred, to establish a representative ratio, and each county is to have at least one representative, and as many additional representatives as it shall have ratios. Counties with less than five ratios, will have an additional member for any surplus fraction exceeding one-half a ratio. The separate representation of cities containing one or more ratios, is provided for, and such cities and counties containing more than one hundred thousand inhabitants are to be divided into Representative districts, but no district so formed shall elect more than four Representatives. These provisions in regard to the Constitution of the Senate and House are wholly new and are radical changes in the application of the representative principle.

The additional change in this article is, that apportionments are to be made by the Legislature at the session of 1874, and immediately after each decennial census of the United States, and are to be based in each case upon such census, and not as heretofore, upon a septennial enumeration of taxables. In brief, the important changes in the legislative article, are biennial elections and biennial sessions of the Legislature, an increase of membership in both Houses, a mixed system of county and district representation, with decennial apportionments, and the presidency of the Lieutenant Governor in the Senate.

III.—LEGISLATION.

The article upon legislation is mostly new, and is elaborate in its provisions. It contains a large body of limitations upon the Legislature and regulations for its action, the enumeration of all which would be inconvenient in this place; but they are of high importance, and will doubtless produce a decided effect upon the character of future legislation in this Commonwealth. Special and local legislation are largely prohibited, and minute and searching provisions are established for the passage and approval of bills. Of the thirty-three sections of this article, fully three-fourths contain new matter, and are well calculated to elevate the character and secure the perfection of future laws.

IV.—THE EXECUTIVE.

The conspicuous changes made by the twenty-three sections of the Executive article, are the following:

1. An increase of the Governor's term from three to four years, to correspond with the change made in legislative terms and sessions.
2. The creation of the office of Lieutenant Governor.
3. The substitution of a Secretary of Internal Affairs and a Superintendent of Public Instruction for the Surveyor General and Superintendent of Common Schools.
4. That the Governor, Lieutenant Governor and Auditor General shall not be eligible for a second term.
5. A stringent limitation upon the pardoning power.
6. A requirement that the vote in each House to pass a bill over the Governor's veto shall be two-thirds of all the members elected to each House, instead of two-thirds of those present.
7. That the Governor may veto particular items in appropriation bills and approve others.

Lastly, that the Chief Justice of the Supreme Court shall preside upon the trial of any contested election of Governor or Lieutenant Governor.

Attention should be particularly directed to two or three changes, to wit: The creation of the office of Lieutenant Governor, and the limitation of the pardoning power. By the first of these a majority decision will always be secured in the Senate by a casting vote when the Senate shall be equally divided, and the prompt organization of the Senate at the commencement of sessions will always be secured. By it, also, the office of Governor will be fitly filled in case of a casual vacancy, and a high officer, chosen by popular election, will be provided for the consideration of applications for pardon.

The other provision referred to, requiring the recommendation of the Lieutenant Governor, Secretary of the Commonwealth, Attorney General and Secretary of Internal Affairs, or any three of them, given after public notice and full hearing of the case, to authorize the Governor to pardon any criminal offence, will introduce a most substantial and much needed reform in the practice of the government.

Briefly, the changes made by the Executive article would seem to be judicious, and altogether fit for popular acceptance.

V.—THE JUDICIARY.

This article does not contain many radical changes. Two judges are added to the bench of the Supreme Court, who will be chosen at the general election in 1874, and they and all judges subsequently elected will hold for twenty-one year terms, and will not be re-electable. Whenever two or three judges are to be elected at the same time to that court, they are to be divided between political parties by virtue of the manner of voting provided for in the sixteenth section. The *nisi prius* jurisdiction of the Supreme Court is abolished, and no duties not judicial are to be imposed upon any of the judges of said court.

These several provisions were intended to secure a full representation of the people in the Supreme Court, to strengthen and increase the usefulness of that court, and to separate its judges from the performance of duties not appropriate to their office.

Special provisions for consolidating the district and common pleas courts of Philadelphia and Allegheny, though possessing little interest in other parts of the State, are of much local importance. All judges will be of the same class, and possess the same jurisdiction hereafter in both those populous divisions of the State. They will, in turn, hold the criminal courts in their respective counties, will be enabled to distribute conveniently the judicial business which they are to transact, and execute their duties with greater efficiency and success.

Other local provisions limiting the number of aldermen in cities, abolishing the office of alderman in Philadelphia and substituting magistrates' courts, the appointment of prothonotary by all the Philadelphia judges, and the provision for separate orphans' courts in counties containing more than one hundred and fifty thousand inhabitants, are notable changes for the more perfect administration of justice in the localities to which they refer. In all counties registers' courts are abolished, and their jurisdiction conferred upon the orphans' courts.

Uniformity of legislation with reference to courts is enjoined, and voluntary waiver of jury trial by parties authorized.

Lastly, counties containing less than forty thousand inhabitants each, are to be formed into judicial districts, while those containing a greater population shall be made separate districts, in which the office of associate judge shall be abolished, saving the commissions of associate judges now in office. No commission of any law judge is disturbed, and the existing provision that no judicial salary shall be decreased during a judicial term is preserved, with the addition that it shall not be increased during such term.

VI.—IMPEACHMENT AND REMOVAL FROM OFFICE.

This article, after retaining the provisions of the old Constitution, that all civil officers may be removed upon impeachment, and that all officers shall hold their offices on condition of good behavior during their term of service, adds the following provisions:

That all appointed officers, other than Judges and Superintendent of Public Instruction, may be removed at the pleasure of the power by which they shall be appointed; and that officers elected by the people, except Governor, Lieutenant Governor and law judges, shall be removed for reasonable cause, on the address of two-thirds of the Senate, after due notice and full hearing.

VII.—OATH OF OFFICE.

In place of the brief general oath to support the Constitution and perform official duty with fidelity, prescribed by the old Constitution, a searching oath of office is provided to be administered to all Senators, Representatives, and State and county officers. They will be sworn or affirmed to support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth; that no money has been paid by them to secure their nomination, election or appointment, save necessary expenses to be authorized by law; that they have knowingly violated no election law, and that they will not receive any money or valuable thing for the performance or non-performance of official duty, other than lawful compensation.

Provision is made for preserving the oath, and false swearing is punishable as perjury, with disqualification for holding any office in this Commonwealth.

VIII.—SUFFRAGE AND ELECTIONS.

This article is of high importance. The changes made in it are the following:

First. As to the qualifications for voting. The word "white" is dropped from its former position in the Constitution, and the right to vote is extended to every male citizen, twenty-one years of age, who shall possess the following qualifications, to wit: United States citizenship for one month, residence in the election district for two months, instead of ten days, and, as in the old Constitution, residence in the State for one year, &c., and payment of a State or county tax, which latter must, however, have been assessed two months, and paid one month before an election.

Second. General elections are fixed on the Tuesday next following the first Monday of November, to correspond with the date of the Presidential and Congressional elections, and municipal elections on the third Tuesday in February.

Third. New securities against fraudulent voting are provided by the fourth section. Ballots are to be numbered by election officers, and permission is given to voters to place their names upon their tickets, so that the vote can be followed upon any judicial investigation, and its integrity vindicated or falsely exposed. Very properly, however, election officers will be sworn or affirmed not to divulge how any elector shall have voted, unless required to do so as witnesses in judicial proceedings.

Fourth. District election boards are to be constituted uniformly throughout the State, according to the plan of the general election act of 1839; that is, of a judge, two inspectors, and two clerks, the inspectors to be chosen by the limited vote; and no person holding any public office or employment, or who has held such within two months, shall be qualified to serve as an election officer.

Fifth. Overseers of election may be appointed by the courts of common pleas, whenever their appointment shall be a reasonable precaution to secure the purity and fairness of elections, and shall possess certain additional powers to those possessed by such overseers under the present laws of the State.

Sixth. No person shall be permitted to withhold his testimony as a witness in any election trial or investigation, upon the ground that it will criminate himself, and several careful provisions are made against the corruption of voters or violation of the election laws by candidates.

Seventh. All laws regulating the holding of elections, and for registration of voters, must be uniform throughout the State, but the right of an unregistered voter is carefully preserved.

Lastly. Trials of all contested elections in this State are to be in courts of justice, or before law judges thereof, under regulations to be established by statute, so that the scandal of unjust and party decisions of such cases shall be prevented hereafter.

A few other changes of less importance, but tending to improvement, will be observed upon a careful reading of this article, and, upon the whole, it may be assumed that justice and purity in elections will be greatly promoted thereby, and offenders against election laws curbed and punished.

IX.—TAXATION AND FINANCE.

This article retains all the salutary provisions of the old Constitution against an increase of the State debt, and for a sinking fund, as well as those which forbid subscriptions by the State or by municipalities to the stock or loans of corporations, or the pledging of public credit to such bodies, and makes more secure

against manipulation and misuse the moneys and securities of the sinking fund of the State.

Strong limitations upon the creation of debts by municipalities are added to the provisions above mentioned, as well as others in relation to the application and uses of surplus funds in the Treasury of the Commonwealth, and the making of private profit therefrom is made a criminal offence. Finally, taxation is to be equal upon all property of the same class, and the property which may be exempted from taxation by statute, is accurately limited and defined.

X.—EDUCATION.

The article upon education has been expanded in the new Constitution from the former provision for the education of the children of the poor gratis, to one for the education of all the children of the State over six years of age who may require such provision; and a guarantee is given of a liberal annual appropriation for that object. It is also provided that public school moneys shall not be appropriated to the support of sectarian schools, and that women, who supply a majority of the teachers of the State, and are natural protectors and teachers of the young, may be selected for positions of control and management under the school laws of the State.

XI.—MILITIA.

The article in the old Constitution on this subject is substantially retained, the only change being in regard to the exemption from military duty of those who have conscientious scruples against bearing arms. The question of exemption, and the form which it may assume, are left to the Legislature of the State.

XII.—PUBLIC OFFICERS.

This article retains several provisions found in the old Constitution, which are appropriate and useful.

XIII.—NEW COUNTIES.

In this article the provision in the old Constitution which requires that any new county shall contain at least four hundred square miles is retained; and to it are added that such new county shall contain at least twenty thousand inhabitants, that none of its lines shall pass within ten miles of the county seat of any county proposed to be divided, and that no old county shall be reduced below the area or population required for a new one. The requirement of the old Constitution, that a majority of the voters of the county must agree in order to its division is dropped, but in the article on legislation, it is provided that no new counties shall be established, and county lines changed only under general and uniform laws.

XIV.—COUNTY OFFICERS.

The seven sections of this article are almost entirely new, and they introduce important regulations of county government. Commissioners and auditors of counties are to be elected triennially, commencing with the year eighteen hundred and seventy-five, and are to be divided between political parties, upon a principle of proportional representation. In counties of large population, they are to be paid by salaries, and all fees of office are to be paid into the treasury of the county or State. The strict accountability of all county, township and borough officers is to be provided for by law. The various county officers are enumerated, and those who shall keep their offices at the county seat specified, and the terms of all county offices fixed at three years, to begin on the first Monday of January next after their election.

XV.—CITIES AND CITY CHARTERS.

Provision is made in this article (which is new) for the incorporation of cities containing ten thousand inhabitants, upon demand of the people thereof. Every city must establish a sinking fund for the payment of its debts, and is protected against the creation of any debt by any municipal commission, except upon appropriation first made by the government of the city.

XVI.—PRIVATE CORPORATIONS.

Most of this article is also new, and it constitutes one of the important divisions of the new Constitution. Many salutary regulations against abuse in corporate management, and securities against monopoly and clique management, are contained in it. Corporations are to be confined to the business for which they shall be established, and their charters may be repealed when the public interest shall demand it, upon condition that injustice shall not be done to the corporations. All unused charters existing when the Constitution shall take effect, shall be void.

XVII.—RAILROADS AND CANALS.

This article, which covers a comparatively new field of constitutional action, was one of those most earnestly considered by the Convention, and almost the whole of it is new matter, and deeply interesting to all the people, and particularly to the business interests of the State. Any synopsis of its contents would give an imperfect view of its importance, and of the varied points of business, and of corporate action and management with which it deals. The regulations which it imposes upon railroad and canal companies are believed to be more judicious and well advised, than those which have been established by constitutional provision and by statute in other States, and were adopted by the Convention in a spirit of complete fairness to all interests with which they are concerned. The eighth section, which limits the granting of free passes will, doubtless, attract general attention, and commend itself to those who have not heretofore enjoyed them. But the feature of principal value contained in this article is the stringent limitations imposed upon the railroad and other transportation companies in regard to discriminations and favoritism in the conduct of their works and business. These limitations which may, from time to time, be perfected by statute, will, it is believed, correct many abuses, and recommend themselves, upon trial, to the whole people of the State.

XVIII.—FUTURE AMENDMENTS.

This, the last of the articles, is taken nearly entire from the old Constitution, and provides a reasonable means for securing occasional changes in the fundamental law, as they shall be found necessary in future years.

JOHN H. WALKER, *President*.

Attest :—D. L. IMBRIE, *Chief Clerk*.

Laid on the table.

Mr. Buckalew offered the following resolution, which was twice read, considered and agreed to, viz :

Resolved, That it is the sense of this Convention that a session of the General Assembly to be held in the year 1875, will properly be held to be the first regular biennial session under the new Constitution.

Mr. Beebe offered the following resolutions, which were twice read and unanimously agreed to, viz :

Resolved, That we have heard with deep regret that, during our adjournment, Hon. David Craig, a member of this Convention from Lawrence county, highly esteemed for ability, integrity and the assiduity with which he discharged his duties, has, after a protracted and painful illness, passed from this to another state of existence.

Resolved, That we tender to his family our most sincere condolence and sympathy in this their deep affliction.

Resolved, That the Clerk of this Convention cause a copy of these resolutions to be forwarded to the family of the deceased.

Mr. Hazzard offered the following resolution, which was twice read and unanimously agreed to, viz :

Resolved, That the thanks of this Convention are due, and are hereby tendered to the Hon. John H. Walker, for the dignified and impartial manner in which he has presided over the deliberations of this Convention.

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

That the Convention do now adjourn, *sine die*.

On the question,

Will the Convention agree to the motion ?

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

Y E A S .

Messrs. Achenbach, Addicks, Alricks, Armstrong, Bailly, of Perry, Bailey, of Huntingdon, Baker, Barr, Bartholomew, Beebe, Biddle, Bowman, Brodhead, Brown, Buckalew, Bullitt, Calvin, Campbell, Church, Cochran, Corson, Cronmiller, Curtin, Darlington, Dodd, Dunning, Edwards, Ellis, Fulton, Gibson, Gilpin, Guthrie, Hall, Hanna, Hay, Hazzard, Horton, Howard, Hunsicker, Kaine, Lambertson, Landis, Lawrence, Lilly, Littleton, Long, MacConnell, M'Camant, M'Clean, M'Culloch, Manter, Mitchell, Newlin, Palmer, G. W., Patterson, D. W., Patterson, T. H. B., Patton, Porter, Purviance, John N., Purviance, Samuel A., Reed, Andrew. Ross, Runk, Russell, Smith, H. G., Smith, Wm. H., Stanton, Struthers, Temple, Turrell, Wetherill, J. M., Wetherill, Jno. Price, White, Harry, Wright and Walker, *President*—75.

N A Y S .

None.

So the question was determined in the affirmative.

ABSENT.—Messrs. Ainey, Andrews, Baer, Bannan, Barclay, Bardsley, Bigler, Black, Boyd, Broomall, Carey, Carter, Cassidy, Clark, Collins, Corbett, Curry, Cuyler, Dallas, Davis, De France, Elliott, Ewing, Fell, Finney, Funck, Green, Harvey, Hemphill, Heverin, Knight, Lear, MacVeagh, M'Michael, M'Murray, Mann, Metzger, Minor, Mott, Niles, Palmer, H. W., Parsons, Pughe, Purman, Read, John R., Reynolds, Rooke, Sharpe, Simpson, Smith, Henry W., Stewart, Van Reed, Wherry, White, David N., White, J. W. F., Woodward and Worrell.

Whereupon,

The President declared the Convention adjourned without day.

D. L. IMBRIE,
Clerk.

Attest:

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

Hon. JAMES W. M. NEWLIN ON THE POWERS OF THE CONVENTION.

Mr. Newlin filed his reasons for voting to sustain the report of the special committee in its declaration of Convention powers, as follows:

The second section of the Bill of Rights reads thus: "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 indefeasible right to alter, reform or abolish their government in such manner as they may think proper."

This is the language of Franklin. The Supreme Court, through Mr. Chief Justice Agnew, in a forced and labored opinion, after a precipitate argument before a court in banc which sat without any authority of law, and thus denied the right of appeal, put into his mouth as their spokesman, doctrines which subvert all our liberties and leave us the prey to a corrupt Legislature. He has construed this section of the Bill of Rights to read thus:—

SECTION 2. All power is inherent in the people, [which is the Legislature,] and all free governments are founded on their authority and instituted for their peace,

safety and happiness, [as regulated by the Legislature.] For the advancement of these ends, they have at all times [if the Legislature permit,] an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they [the Legislature] may think proper.

The act of 1872, prohibited the Convention proposing any amendments to the Bill of Rights, and Mr. Chief Justice Agnew decides that they had no right to go beyond that act. He also holds that it is only when an election is authorized by law that the electors who attend can bind those who do not. Now the old Bill of Rights, section five, provides that "elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage."

Notwithstanding this prohibition, the Convention proposed and the people have adopted amendments, providing that whenever two judges of the Supreme Court are to be chosen, each voter shall vote for one only, and when three are to be chosen, he shall vote for no more than two.

The "limited vote," by other amendments, is to prevail in the election of police magistrates in Philadelphia, and in the election of county commissioners and auditors throughout the State, and in corporation elections what is known as the "free vote," is introduced.

Now, an election is not free at which an elector is restricted in his choice, neither is any election wherein a majority fails to rule; therefore, these several amendments conflict with the old Bill of Rights. If the Convention had no right to submit amendments thereto, their action to this extent is invalid and is not ratified by the popular vote; for, according to the "opinion," those who vote in such a case cannot bind those who stay away. It follows inevitably, both from the letter and spirit of the "opinion," that these sections are no part of the fundamental law, and must be so held, or the court must reverse itself.

Again, the Bill of Rights continues thus—

SECTION 6. Trial by jury shall be as heretofore, and the right thereof remain inviolate.

But the Convention in the Judiciary article (V) have added the following amendment, which the people imagine they have ratified:—

SECTION 27. "The parties, by agreement filed, may in any civil case, dispense with trial by jury, and submit the decision of such case to the court having jurisdiction thereof, and such court shall hear and determine the same; and the judgment thereon shall be subject to writ of error as in other cases."

But this, too, was never legally before them, and is no part of the new Constitution according to the "opinion" of the Supreme Court judges.

Again, in the Bill of Rights of the New Constitution, we find:—

SECTION 7. "No conviction shall be had in any prosecution for the publication of papers relating to the official 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."

This makes a radical change in the law of libel, and it, too, if the "opinion" is to be followed, must be declared void by the Supreme Court whenever it comes before it.

Again, section nine, of the Bill of Rights, provides that the accused "cannot be compelled to give evidence against himself." But now, article three, section thirty-two, and article eight, section ten, compel a witness to testify in the examination of charges of bribery or corruption, and in contested election cases, though his testimony may criminate himself, or subject him to public infamy.

These amendments are of the first importance, yet the Supreme Court breathes into them not life, but death.

Again, according to this "opinion," the Convention is the mere agent of the Legislature, exercising power by its grant. The Convention act assumed to require the separate submission of any amendment when demanded by one-third of the delegates. Now, one-third did demand a separate submission of the Judiciary article, and the Convention declined to grant the demand. Why may not the principal inquire into the action of its agent? Why may not the Legislature declare the agent—the Convention—to have exceeded its power in the premises, and that the Judiciary article was not properly submitted, and therefore no part of the fundamental law?

Take the following extract from this "opinion": "If the Legislature, possessing these powers of government, be unwilling to pass a law to take the sense of the people, or to delegate to a convention all the powers the people desire to confer

upon their delegates, the remedy is still in their own hands, they can elect new representatives that will. If their representatives are still unfaithful, or the government becomes tyrannical, the right of revolution yet remains. To what extent the Constitution of the United States controls this right it is unnecessary to inquire."

Did any court in the United States ever before insult the people with such a message? We tell you that you cannot reform the corruptions of a Legislature which has made your State a by-word and a reproach except by the permission of that same venal body!

The Chief Justice proceeds:—

"Those voting at the unauthorized election had no power to represent or to bind those who did not choose to vote. A majority of the adult males, having the qualifications of electors, can bind the whole people only when they have authority to do so."

Under this language the court will be bound to decide the various amendments which conflict with the old Bill of Rights not adopted, or they must abandon the position here assumed.

He adds:—"To impose a new Constitution without authority, or to usurp powers not delegated, may lead to bloodshed and ruin. The power to act, then, should be clearly conferred. The sacred fire from the altar of the people's authority cannot be snatched by unhallowed hands."

The people, by an overwhelming majority, repudiated this reflection on the Convention, and accepted the work of their "unhallowed hands."

Speaking of the act of 1871, by which the people called a Convention "to revise the Constitution," the Chief Justice continues:—

"The people, answering the Legislature, said, 'you may call a Convention.' This was all the vote expressed. * * * It was not even a mandate, further than the moral force contained in an expressed desire of the people."

After referring to the "so-called limited system of voting," "by which a majority of the electors are prevented from voting against persons seeking to represent them," the Chief Justice continues:—

"On what principle of right, dominion or power had these persons any claim to exercise the power of the people, and, by their votes, perhaps, to fix upon a people they do not represent the *most odious feature of a proposed Constitution*. Is it not clear that their whole delegated power to speak and to vote for the people, comes from the force and effect of the statute? They have that and none other."

"The Convention is not a co-ordinate branch of the government. * * * While it acts within the scope of its delegated powers, it is not amenable for its acts; but when it assumes to legislate, to repeal and displace existing institutions before they are displaced by the adoption of its propositions, it acts without authority, and the citizens injured thereby are entitled, under the Declaration of Rights, to an open court, and to redress at our hands."

But article ten, section one, of the new Constitution, appropriates one million dollars per annum to the common school fund.

This section is, undoubtedly, pure legislation. But the court has decided that the Convention had no legislative power. Therefore, the amendment has never been legally ratified by the people, as it was not properly submitted to them!

When the Chief Justice found that the people of the State, both laymen and lawyers, and the press, were almost a unit in denouncing his opinion, he wrote for publication an explanatory letter to Hon. William H. Armstrong, as chairman of the Executive Committee, which was the only recognized representative of the "late Convention," the delegates whereof had, "with unhallowed hands, snatched the sacred fire from the altar of the people's authority."

This extraordinary attempt, by a Chief Justice, to explain a decision of his court through the press, was followed by a still further explanation of the explanation, in which certain alleged "flagrant blunders" in the new Constitution were attempted to be pointed out. The impropriety of the Chief Justice thus arguing in advance, through the public press, questions which may come before the court over which he presides is so apparent, that comment is superfluous.

The "opinion" is utterly indefensible in whole and in part; every line and word of it is political heresy, and most fatal to popular rights. The history of conventions clearly demonstrates this. These bodies are essentially revolutionary; they are a virtual assemblage of the whole people, and may lawfully do anything which the entire body of the electors might do, were it physically possible to gather them together for action in a single meeting. The Convention Parliaments

of 1660, and 1689, doubtless suggested to our ancestors the now familiar mode of effecting organic changes in government. In Pennsylvania—where the Legislature has, of itself, no power to call a convention, but can only take the sense of the people on the propriety of such action, and provide for putting their will into operation when so expressed—nearly all changes in the fundamental law have, from the first settlement of the province, been made without regard to the requirements of the then existing laws, and the idea that a court may interfere with the people in this matter, was never broached until the bill was filed in the late unprecedented proceeding. The political history of Pennsylvania, and, indeed, that of the country in general, establishes the doctrine here contended for. Let us begin with William Penn's original "Frame of Government."

It provided an Executive in his own person. There were to be two legislative bodies—both elective—a Council of seventy-two members, and a House of Assembly of two hundred. They were summoned to meet in December, 1682, but only the seventy-two were elected, and no separate House of Assembly was chosen. The "seventy-two," however, were equal to the emergency, and the difficulty was met by them, passing an act of settlement, which provided a council of three from each county, and an Assembly double that number. The Council was subsequently enlarged, and one-third, residing with the Governor, formed his advisory cabinet. They originated all laws, which were required to be publicly posted twenty days before the meeting of the House of Assembly, which, at first, simply enacted the laws proposed to them, but originated nothing. The Governor (who had a treble vote) shared with the Council many of his Executive functions, and they, together, exercised summary supervisory powers over inferior jurisdictions, and took a general cognizance, both original and appellate, of such cases as they saw fit. Penn, during his life, was to appoint the judges, but after his death, the Council was to nominate two persons for each vacancy, and the Governor to appoint one of them.

All government officers were appointed. Penn, notwithstanding his great liberality to the colonists, considered his constitutional guarantee as a free gift on his part. There was a strong proprietary or "court" party, and when the Assembly demanded the privilege of originating bills, one member denounced it as "too presumptuous, and derogatory from the Governor's privileges and royalties." However, their demand was granted.

In 1695—Penn having been suspended meantime in his government—the Assembly was convened and acted in disregard of the "Frame," and followed this up by accompanying the supply bill with another "containing some fundamental liberties." Governor Markham dissolved them, but in 1696 they repeated their former action, and he gave his approval, but Penn never assented to the changes. So things remained in the Colony until 1701, when a committee of five members of the House of Assembly, in conjunction with Penn, prepared a "New Charter of Liberties." The elective Council was abolished, the Governor subsequently appointing another composed of ten members. Their original jurisdiction in causes was entirely taken away, together with their summary interference with inferior courts and officers of government. The House of Assembly consisted of only four from each county—but the number might be increased—and they possessed all the powers usually conferred on a legislative body. No change was made in the judiciary.

This frame of government lasted without any change for three-quarters of a century, when the Revolution necessitated the constitution of 1776. The Convention of that year was elected in pursuance of a call issued by the representatives of the Revolutionary Committees of the various counties, who met at Philadelphia, in Carpenter's Hall, June 18, 1776, to consider the resolution of the Continental Congress, passed May 10 of that year.

This "conference" authorized its "associators," in addition to the recognized electors, to vote for delegates to the Convention, which was "for the express purpose of forming a new government for this province on the authority of the people alone." The body thus convened elected Benjamin Franklin President. It made radical changes. The executive was composed of a President without any veto, and a Council, and there was but one legislative body. The judges were only appointed for a term of seven years, and most county officers were made elective. A Council of Censors, to meet every seven years, was provided, to preserve the Constitution from infraction, and they might call a Convention to amend any article, six months' notice thereof to be given, so that the people might instruct their delegates thereon. The Convention, also, by ordinance, levied taxes and authorized the arrest of suspected persons. The constitution was proclaimed by

the Convention without being submitted to a vote of the people. It had bitter opposition from the start.

The Council of Censors met twice—in 1783 and 1784—and denounced very freely many irregularities which had taken place, particularly in the legislative branch of the government. They also “construed” several sections of the constitution which were then the subject of dispute. However, they refused to call a Convention, and in their address to the people conveying this determination, they exhorted them to give the constitution another trial for seven years, and stated that until that time—when the next Council of Censors would meet—the constitution could not be changed. They were destined, however, to be disappointed in this regard. During the next few years the subject was much debated, the friends of change becoming stronger, and, at last, in 1789—one year before the time of electing the Censors—the Legislature took steps to call a Convention. Their mode of proceeding shows clearly, that they considered a movement of this kind could only properly come from the people themselves. They, therefore, simply resolved (in March, 1787) to recommend the earnest consideration of the subject to the people, and stated that the pleasure of the people in the premises being made known to them, they would provide by law for the expenses of the Convention, and would, if requested, appoint the time and place of the meeting thereof.

On September 15, 1789—the sense of the people having been taken by “petitions” and by “members having mixed with their constituents”—the House resolved that, in its opinion, it was expedient for the people to choose a Convention for the purpose of reviewing, and, if they see occasion, of altering and amending the Constitution of the State, that the number of members should be the same as the House, and that they should meet on the fourth Tuesday of November next. They also recommended that, after the Convention had met, it would be expedient for that body to publish their amendments, and adjourn four months previous to their confirmation. All this was in the way of suggestion merely, and yet one of the most distinguished members, William Lewis, was so jealous lest the right of the people “to reform, alter or abolish government in such manner as shall be by the community judged most conducive to the public weal,” through the proposed Convention, should be supposed to be restricted by the suggestion of an adjournment of four months, that he dissented for that reason from the adoption of the resolution of the House. It will be observed that all the provisions of the then existing Constitution were disregarded in calling this Convention.

The Convention abolished the President and Executive Council, and provided a Governor, who was given immense patronage and a veto. The judges were to be appointed for good behavior; a Senate was created, and other important changes made. The new Constitution was not submitted to a vote of the people, but was proclaimed by the Convention itself. The last Convention was that of 1837-’38.

The original act—1835—was for the electors to vote for or against a Convention to propose amendments to the Constitution to be voted upon by the people. The people voted to call a Convention with this limitation upon its powers.—Whether the Legislature had a right, in submitting the question of Convention or no Convention to the people, to restrict them by designating the character of that body, and limiting its powers, is not important to be here considered. The Convention stripped the Executive of most of his patronage, and abolished the life tenure of judges, substituting a term of years. From this brief historical review, it is clear that in Pennsylvania, from the very earliest times, nearly every change in the fundamental law has been effected by an open disregard of previous restrictions. A Convention, therefore, in Pennsylvania, means a peaceful revolution, and such a body cannot be limited in its powers, either by the existing Constitution or by the acts of Assembly.

Recognizing this principle, the present Convention imposed upon its members an oath simply to obey the Constitution of the United States, and to discharge their duties with fidelity. The people in 1871, by an overwhelming majority, voted pure and simple that a Convention should be held “to amend the Constitution.” The Legislature, in the subsequent year, undertook to step in between the people and the Convention, and assumed to impose restrictions which that body very properly repudiated. The precedents in other States showing the essentially revolutionary character of Conventions are very numerous. In the following States, Constitutions were proclaimed by the Conventions, without being submitted to the people for ratification, viz:—In New Hampshire in 1775; South Carolina in 1776, 1777, 1790, 1861 and 1865; Virginia in 1776, 1861 and 1864; New Jer-

sey in 1776; Delaware in 1776, 1792 and 1831; North Carolina in 1776, 1861 and 1865; Georgia in 1776, 1795, 1798, 1861 and 1865; New York in 1776 and 1801; Maryland in 1776; Kentucky in 1799; Mississippi in 1832, 1861 and 1865; Louisiana in 1861; Missouri in 1861; Arkansas in 1861 and 1864; Alabama in 1861 and 1865; Florida in 1861 and 1865, and Texas in 1866.

The greatest of all conventions, the Federal Convention of 1787, was not only called in the face of the provision in the articles of confederation providing another mode of making amendments thereto, but was composed of delegates whose credentials (except as to those from New Jersey) expressly limited their powers to proposing amendments to those articles. Washington, Franklin, Hamilton, Robert Morris, and other fathers of the republic, were members of that body, and they did not hesitate to disregard the restrictions imposed upon them. They recognized the necessity of the hour, and instead of attempting to galvanize into life the effete confederacy, they formed a Constitution for a nation, and abolished the cherished sovereignty of the States.

In New York, in 1845, the Legislature passed an act submitting to a popular vote the question of calling a Convention to be composed of a certain number of delegates, to be elected under the existing apportionment. The people voted in favor of the Constitution, and subsequently to this vote, but before any of the delegates were elected, a bill was introduced in the Legislature, providing for the election of delegates upon a different apportionment. The opinion of the Supreme Court of New York was requested by the Legislature, and it was considered by the court that the Legislature had no power to pass such an act. The court says: "But no power has been delegated to the Legislature to call a Convention to revise the Constitution. That the measure must come from the people themselves. Neither the calling of a Convention nor a Convention itself is a proceeding under the Constitution. It is above and beyond the Constitution. Instead of acting under the forms and within the limits prescribed by that instrument, the very business of a Convention is to change these forms and boundaries as the public interests may seem to require. A Convention is not a government measure, but a movement of the people having for its object a change, in whole or in part, of the existing form of government."

So in the Massachusetts Convention of 1852, it was held that after the people had voted in favor of a Convention, the Legislature could not pass any act which would be binding upon that body.

In the Illinois Convention of 1862, a committee of its leading members made a report, in which they say: "It (the Convention) is a virtual assemblage of the people of the State, sovereign within its boundaries, as to all matters connected with the happiness, prosperity and freedom of the citizens, and supreme in the exercise of all power necessary to the establishment of a free constitutional government, except as restrained by the Constitution of the United States."

In Michigan, in 1835-6, a question arose as to the legality of an act of the Legislature, electing as a State Legislature, in anticipation of admission into the Union under the Constitution then recently adopted. The State courts upheld the validity of the act. Upon this decision a writ of error was taken to the Supreme Court of the United States, and was dismissed for want of jurisdiction.

In Rhode Island, in 1842, in the disputes growing out of the proclamation of a new Constitution by the suffrage party and the attempt to establish the "Dorr" government, the State courts uniformly held that the inquiry as to the validity of the new Constitution was not a judicial, but a political question, and the Supreme Court of the United States dismissed the cases for want of jurisdiction.

In Maryland, in 1864, the Convention submitted the new Constitution to "such electors as are qualified, according to the provisions of this Constitution." The act calling the Convention provided a test oath to be taken by the electors who should vote upon the question of adopting or rejecting the Constitution about to be framed. The Convention went further than this, and amended the test oath in such a manner as to exclude many citizens who could have taken the oath prescribed by the act of Assembly, even assuming that to be valid. At the election two ballot boxes were used. In one the unchallenged ballots were deposited, and in the other were placed the votes of persons qualified under existing laws, but who could not or would not take the test oath prescribed by the Convention. The Governor was directed to canvass the vote and proclaim the result. Before he had done so, an application was made for a *mandamus* to compel the Governor to count the rejected votes. The writ was very properly denied by the court, on the ground of want of jurisdiction.

The Virginia Convention of 1829 submitted its work to the people *thereby* quali-

fied to vote, thus largely increasing the voting population, by permitting those who were proposed to be enfranchised to vote upon the amendments which were to give them this privilege. The act of the Assembly calling the Convention assumed to authorize this proceeding, but not only was the act manifestly unconstitutional, but the Convention, in fixing the qualification of voters, was careful to do this of its own free will by resolution, and not in obedience to the act.—Madison, Marshall, Tyler, and other leading men were members of this Convention, and upheld, to the fullest extent, the powers claimed by it. In Virginia, again in 1850, another example of the same kind is found. Also in Rhode Island after the “Dorr” movement, and in West Virginia in 1863, the new Constitution was submitted to the persons thereby qualified. On the other hand, the Tennessee Convention of 1834 submitted the Constitution it framed to the whites alone, thus excluding the free blacks who were authorized to vote by the Constitution then in force.

It follows irresistibly from this broad current of historical precedent, that the Convention is supreme, and that no branch of the existing government can question its action, or obstruct its ordinances.

JAMES W. M. NEWLIN.

CONSTITUTION

OF THE

COMMONWEALTH OF PENNSYLVANIA,

Adopted by popular vote December 16, 1873, and to take effect
January 1, 1874.

What is retained of the old Constitution is embraced in brackets, thus []

PREAMBLE.

WE, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and establish this Constitution.

ARTICLE I.

DECLARATION OF RIGHTS.

[That the general, 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 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.]

Equality and rights of men.

[SECTION 2. 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 indefeasible right to alter, reform or abolish their government in such manner as they may think proper.]

Political powers inherent in the people. Their right to reform government.

[SECTION 3. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience, and no preference shall ever be given by law to any religious establishments or modes of worship.]

Natural rights of conscience and freedom of worship.

[SECTION 4. No person who acknowledges the being of a God and a future state of rewards and punishments shall, on account of his religious sentiments, be disqualified to hold any office or place of trust or profit under this Commonwealth.]

Religious opinions not to disqualify for holding office.

Freedom of elections.

[SECTION 5. Elections shall be free and equal;] and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

Trial by jury.

[SECTION 6. Trial by jury shall be as heretofore, and the right thereof remain inviolate.]

Freedom of the press.

[SECTION 7. The printing press shall be free to every person who may undertake to examine the proceedings of the Legislature or any branch of government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty.] No conviction shall be had in any prosecution for the publication of papers relating to the official 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; and in all indictments for libels, the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

Absence of malice in trials for libel.

Searches and seizures limited.

[SECTION 8. The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures, and no warrant to search any place or to seize any person or things shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation] subscribed to by the affiant.

Rights of defence and privileges in criminal prosecutions.

[SECTION 9. In all criminal prosecutions, the accused hath a right to be heard by himself and his council, to demand the nature and cause of the accusation against him, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor, and, in prosecutions by indictment or information, a speedy public trial by an impartial jury of the vicinage; he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land.]

Criminal informations limited.

[SECTION 10. 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 private property be taken or applied to public use,] without authority of law [and without just compensation being] first [made] or secured.

Twice in jeopardy. Appropriation of private property to public use.

Administration of justice to be free.

[SECTION 11. All courts shall be open; and every man for an injury done him in his lands, goods, person, or reputation, shall have remedy by 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.]

Suits against the Commonwealth.

Limitation upon suspension of laws.

[SECTION 12. No power of suspending laws shall be exercised unless by the Legislature or by its authority.]

Excessive bail or fines and cruel punishment forbidden.

[SECTION 13. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.]

[SECTION 14. 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 case of rebellion or invasion the public safety may require it.] Prisoners bailable. Habeas corpus.

[SECTION 15. No commission of oyer and terminer or jail delivery shall be issued.] No commission of oyer and terminer to issue.

[SECTION 16. 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.] Imprisonment of insolvent debtors limited.

[SECTION 17. No *ex post facto* law, nor any law impairing the obligation of contracts,] or making irrevocable any grant of special privileges or immunities, shall be passed. Laws *ex post facto* or impairing contracts, irrevocable grants, &c., forbidden.

[SECTION 18. No person shall be attainted of treason or felony by the Legislature.] No legislative attainder of treason or felony.

[SECTION 19. No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth. The estate 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.] Attainder shall not work corruption of blood or forfeiture beyond life.

[SECTION 20. 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.] No forfeiture for suicide or in case of death by casualty.

[SECTION 21. The right of the citizens to bear arms in defence of themselves and the State shall not be questioned.] Rights of meeting and petition.

[SECTION 22. 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.] Right to bear arms.

[SECTION 23. 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.] Subordination of the military to the civil power.

[SECTION 24. 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.] Quartering of troops in houses.

[SECTION 25. Emigration from the State shall not be prohibited.] No title of nobility to be created, etc., or office tenure beyond good behavior.

[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 for ever remain inviolate.] Emigration permitted.

[SECTION 27. 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 for ever remain inviolate.] Everything in this article excepted from the powers of government.

ARTICLE II.

THE LEGISLATURE.

[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.] The legislative power vested.

[SECTION 2. Members of the General Assembly shall be chosen at the general election every second year. Their term of

Vacancies, how filled.	service shall begin on the first day of December next after their election. [Whenever a vacancy shall occur in either House, the presiding officer thereof shall issue a writ of election to fill such vacancy for the remainder of the term.]
Legislative terms.	SECTION 3. Senators shall be elected for the term of four years, and Representatives for the term of two years.
Biennial meetings.	SECTION 4. The General Assembly shall meet at twelve o'clock, noon, on the first Tuesday of January every second year, and at other times when convened by the Governor, but shall hold no adjourned annual session after the year one thousand eight hundred and seventy-eight. In case of a vacancy in the office of United States Senator from this Commonwealth, in a recess between sessions, the Governor shall convene the two Houses, by proclamation on notice not exceeding sixty days, to fill the same.
Special sessions.	
Qualifications of Senators and Representatives.	[SECTION 5. Senators shall be at least twenty-five years of age, and Representatives twenty-one years of age. They shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election (unless absent on the public business of the United States or of this State,) and shall reside in their respective districts during their terms of service.]
Disqualification for appointment to office.	[SECTION 6. No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth, and no member of Congress or other person holding any office (except of attorney-at-law or in the militia) under the United States or this Commonwealth shall be a member of either House during his continuance in office.]
Members of Congress, etc., ineligible to General Assembly.	
Conviction of certain crimes to disqualify.	SECTION 7. No person hereafter convicted of embezzlement of public moneys, bribery, perjury or other infamous crime, shall be eligible to the General Assembly, or capable of holding any office of trust or profit in this Commonwealth.
Compensation shall be fixed.	[SECTION 8. 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 whatever, whether for service upon committee or otherwise.
No increase of salary.	No member of either House shall, during the term for which he may have been elected, receive any increase of salary, or mileage, under any law passed during such term.
Presiding officers.	SECTION 9. The Senate shall, at the beginning and close of each regular session and at such other times as may be necessary, elect one of its members President <i>pro tempore</i> , who shall perform the duties of the Lieutenant Governor, in any case of absence or disability of that officer, and whenever the said office of Lieutenant Governor shall be vacant. 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.
Each House to judge of the qualifications of its members.	
Quorum.	[SECTION 10. A majority of each House shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members.]
Powers of each House.	SECTION 11. Each House shall have power to determine the rules of its proceedings and punish its members] or other persons for contempt [or disorderly behavior] in its presence,

to enforce obedience to its process, to protect its members against violence or offers of bribes or private solicitation, [and, with the concurrence of two-thirds, to 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.] A member expelled for corruption shall not thereafter be eligible to either House, and punishment for contempt or disorderly behavior shall not bar an indictment for the same offence.

[SECTION 12. Each House shall keep a Journal of its proceedings and from time to time publish the same, except such parts as 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 Journal.] Each House shall keep and publish a Journal.

[SECTION 13. The sessions of each House, and of committees of the whole, shall be open, unless when the business is such as ought to be kept secret.] Sessions to be open.

[SECTION 14. 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.] Adjournments.

[SECTION 15. 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.] Privileges of members.

SECTION 16. The State shall be divided into fifty senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than four-fifths and exceeding one-half of a ratio; and no county shall be divided unless entitled to two or more Senators. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty. Senatorial districts

SECTION 17. The members of the House of Representatives shall be apportioned among the several counties, on a ratio obtained by dividing the population of the State as ascertained by the most recent United States census by two hundred. Every county containing less than five ratios shall have one representative for every full ratio, and an additional representative when the surplus exceeds half a ratio; but each county shall have at least one representative. Every county containing five ratios or more shall have one representative for every full ratio. Every city containing a population equal to a ratio shall elect separately-its proportion of Representative districts.

the representatives allotted to the county in which it is located. Every city entitled to more than four representatives, and every county having over one hundred thousand inhabitants shall be divided into districts of compact and contiguous territory, each district to elect its proportion of representatives according to its population, but no district shall elect more than four representatives.

Apportionments.

SECTION 18. The General Assembly at its first session after the adoption of this Constitution, and immediately after each United States decennial census, shall apportion the State into senatorial and representative districts agreeably to the provisions of the two next preceding sections.

ARTICLE III.

LEGISLATION.

Passage of bills.

SECTION 1. No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose.

Reference and printing.

SECTION 2. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members.

To contain but one subject expressed in title.

SECTION 3. No bill, except general appropriation bills, shall be passed, containing more than one subject, which shall be clearly expressed in its title.

To be read on three days.

SECTION 4. Every bill shall be read at length on three different days in each House; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, 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 the same be entered on the Journal, and a majority of the members elected to each House be recorded thereon as voting in its favor.

Amendments to be printed.

Yeas and nays.

Votes concurring in amendments and on reports of conference to be by yeas and nays.

SECTION 5. No amendment to bills by one House shall be concurred in by the other, except by the vote of a majority of the members elected thereto, 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 thereto, taken by yeas and nays, and the names of those voting recorded upon the Journals.

Revival of law.

SECTION 6. 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.

Limitation on special legislation, &c.

SECTION 7. The General Assembly 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 ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

vacating roads, town plats, streets or alleys ; relating to cemeteries, graveyards, or public grounds not of the State ; authorizing the adoption or legitimization 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, borough limits or school districts ; 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, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate ; regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates or constables ; regulating the management of public schools, the building or repairing of school-houses, and the raising of money for such purposes ; fixing the rate of interest ; affecting the estates of minors or persons under disability, except after due notice to all parties in interest, to be recited in the special enactment ; remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury ; exempting property from taxation ; regulating labor, trade, mining or manufacturing ; creating corporations, or amending, renewing or extending the charters thereof ; granting to any corporation, association or individual any special or exclusive privilege or immunity, or to any corporation, association or individual the right to lay down a railroad track ; nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law ; but laws repealing local or special acts may be passed ; [nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law, nor where the courts have jurisdiction to grant the same or give the relief asked for.]

SECTION 8. No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be affected may be situated, which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner to be provided by law ; the evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.

Notice of local or special bills.

SECTION 9. 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 General Assembly, after their titles have been publicly read immediately before signing ; and the fact of signing shall be entered on the Journal.

Signing of bills by presiding officers.

Legislative officers

SECTION 10. The General Assembly shall prescribe by law the number, 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, except to an acting officer or employee elected or appointed in pursuance of law.

No extra compensation to officers or contractors.

SECTION 11. 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 against the Commonwealth without previous authority of law.

Public printing.

SECTION 12. 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 General Assembly 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.

No extension of official terms or increase of compensation.

SECTION 13. No law shall extend the term of any public officer, or increase or diminish his salary or emoluments, after his election or appointment.

Revenue bills.

[SECTION 14. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments, as in other bills.]

Appropriation bills.

SECTION 15. 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 public schools; all other appropriations shall be made by separate bills, each embracing but one subject.

Payments of moneys from the treasury.

[SECTION 16. No money shall be paid out of the treasury, except upon appropriations made by law, and on warrant drawn by the proper officer in pursuance thereof.]

Appropriations to charitable institutions.

SECTION 17. No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each House.

Appropriations for charitable purposes, &c., limited.

SECTION 18. No appropriations, except for pensions or 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.

Appropriations may be made for widows and orphans of soldiers.

SECTION 19. The General Assembly may make appropriations of money to institutions wherein the widows of soldiers are supported or assisted, or the orphans of soldiers are maintained and educated; but such appropriation shall be applied exclusively to the support of such widows and orphans.

SECTION 20. The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever.

Power over municipal administration not to be delegated.

SECTION 21. No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property; and, in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes, different from those fixed by general laws regulating actions against natural persons, and such acts now existing are avoided.

No limitation of damages for certain injuries.

Nor of time for bringing suits.

SECTION 22. No act of the General Assembly shall authorize the investment of trust funds by executors, administrators, guardians or other trustees, in the bonds or stock of any private corporation, and such acts now existing are avoided saving investments heretofore made.

Investment of trust funds.

SECTION 23. 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 provided by law.

Changes of venue.

SECTION 24. No obligation or liability of any railroad or other corporation, held or owned by the Commonwealth, shall ever be exchanged, transferred, remitted, postponed, or in any way diminished by the General Assembly, nor shall such liability or obligation be released, except by payment thereof into the State Treasury.

No obligation of corporations to the State to be released, &c.

SECTION 25. When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session.

Limitations of legislative power at special sessions.

[SECTION 26. 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.]

Concurrent orders, resolutions and votes to be presented to the Governor.

SECTION 27. No State office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity, but any county or municipality may appoint such officers when authorized by law.

No State inspectors of merchandise.

SECTION 28. No law changing the location of the capital of the State shall be valid until the same shall have been submitted to the qualified electors of the Commonwealth at a general election and ratified and approved by them.

Changing location of State Capital.

SECTION 29. A member of the General Assembly 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,

Bribery by members of General Assembly.

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 of 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.

Bribery of members of General Assembly and officers.

SECTION 30. Any person, who shall, directly or indirectly, offer, give or promise, any money, or thing of value, testimonial, privilege or personal advantage, to any executive or judicial officer, or member of the General Assembly, to influence him in the performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as shall be provided by law.

The offence of corrupt solicitation to be punished by fine and imprisonment.

SECTION 31. The offence of corrupt solicitation of members of the General Assembly or of public officers of the State or of any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law and shall be punished by fine and imprisonment.

Witnesses to testify in cases of bribery and solicitation.

SECTION 32. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offence of bribery or corrupt solicitation, or practices of solicitation, and shall not 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, except for perjury in giving such testimony; and any person convicted of either of the offences aforesaid shall, as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this Commonwealth.

Punishment.

Interested members shall not vote.

SECTION 33. A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon.

ARTICLE IV.

THE EXECUTIVE.

Executive officers.

[SECTION 1. The Executive Department of this Commonwealth shall consist of a Governor,] Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs and a Superintendent of Public Instruction.

The Governor.

[SECTION 2. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed; he shall be chosen on the day of the general election, by the qualified electors of the Commonwealth, at

His election.

the places where they shall vote for Representatives. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the President of the Senate, who shall open and publish them in the presence of the members of both Houses of the General Assembly. The person having the highest number of votes shall be Governor, but if two or more 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 General Assembly, and formed and regulated in such manner as shall be directed by law.]

Returns of election.

Contested elections.

[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 eligible to the office for the next succeeding term.

Term of the Governor.

SECTION 4. A Lieutenant Governor shall be chosen at the same time, in the same manner, for the same term, and subject to the same provisions as the Governor; he shall be President of the Senate, but shall have no vote unless they be equally divided.

The Lieutenant Governor.

[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.]

Qualifications of Governor and Lieutenant Governor.

[SECTION 6. No member of Congress or person holding any office under the United States or this State shall exercise the office of Governor or Lieutenant Governor.]

Congressmen, &c., disqualified.

[SECTION 7. The Governor shall be commander-in-chief of the army and navy of the Commonwealth, and of the militia, except when they shall be called into the actual service of the United States.]

Governor to command militia.

SECTION 8. 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, a Superintendent of Public Instruction for four years, and such other officers of the Commonwealth as he is or may be authorized by the Constitution or by law to appoint; he shall have power to fill all vacancies that may happen, in offices to which he may appoint, 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 or Superintendent of Public Instruction, in a judicial office, or in any other elective office which he is or may be authorized 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 general election, unless the vacancy shall happen within three calendar months immediately preceding

Power of Governor to appoint with consent of Senate.

To fill vacancies.

Senate to act on nominations with open doors.

Votes to be recorded.

Pardoning power.

such election, in which case the election for said office shall be held at the second succeeding general election. 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, and shall be entered on the Journal.

[SECTION 9. He shall have power to remit fines and forfeitures, to grant reprieves, commutations of sentence and pardons, except in cases of impeachment;] but no pardon shall be granted, nor sentence commuted, except upon the recommendation in writing of the Lieutenant Governor, Secretary of the Commonwealth, Attorney General and Secretary of Internal Affairs, or any three of them, after full hearing, upon due public notice and in open session; and such recommendation, with the reasons therefor at length, shall be recorded and filed in the office of the Secretary of the Commonwealth.

Governor may require information from Executive officers.

[SECTION 10. He may require information in writing from the officers of the executive department, upon any subject relating to the duties of their respective offices.]

Shall give information and recommend measures to General Assembly.

[SECTION 11. 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 may judge expedient.]

May convene General Assembly, and adjourn the two Houses when they disagree.

[SECTION 12. 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.] He shall have power to convene the Senate in extraordinary session by proclamation, for the transaction of executive business.

Lieutenant Governor to act as Governor.

SECTION 13. In case of the death, conviction or 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.

President *pro tempore* of the Senate.

SECTION 14. In case of a vacancy in the office of Lieutenant Governor, or when the Lieutenant Governor shall be impeached by the House of Representatives, or shall be unable to exercise the duties of his office, the powers, duties and emoluments thereof for the remainder of the term, or until the disability be removed, shall devolve upon the President *pro tempore* of the Senate; and the President *pro tempore* of the Senate shall in like manner become Governor if a vacancy or disability shall occur in the office of Governor; his seat as Senator shall become vacant whenever he shall become Governor, and shall be filled by election as any other vacancy in the Senate.

Approval of bills.

[SECTION 15. 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 House shall enter the objections at large upon their Journal, and proceed to re-consider it. If, after such re-consideration, two-thirds of all the members elected to that

Veto.

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] all the members [elected to 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 members 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 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 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 such adjournment.

Retained bills to become laws.

Exception.

SECTION 16. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void, unless re-passed according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

A partial veto allowed on appropriation bills.

SECTION 17. The Chief Justice of the Supreme Court shall preside upon the trial of any contested election of Governor or Lieutenant Governor, and shall decide questions regarding the admissibility of evidence, and shall, upon request of the committee, pronounce his opinion upon other questions of law involved in the trial. The Governor and Lieutenant Governor shall exercise the duties of their respective offices until their successors shall be duly qualified.

Chief Justice to preside on trial of contested election of Governor or Lieutenant Governor.

[SECTION 18. The Secretary of the Commonwealth shall keep a record of all official acts and proceedings of the Governor, and when required lay the same, with all papers, minutes and vouchers relating thereto, before either branch of the General Assembly, and perform such other duties as may be enjoined upon him by law.]

Secretary of Commonwealth.

SECTION 19. The Secretary of Internal Affairs shall exercise all the powers and perform all the duties of the Surveyor General, subject to such changes as shall be made by law. His department shall embrace a bureau of industrial statistics, and he shall discharge such duties relating to corporations, to the charitable institutions, the agricultural, manufacturing, mining, mineral, timber and other material or business interests of the State as may be prescribed by law. He shall annually, and at such other times as may be required by law, make report to the General Assembly.

Secretary of Internal Affairs.

SECTION 20. The Superintendent of Public Instruction shall exercise all the powers and perform all the duties of the Superintendent of Common Schools, subject to such changes as shall be made by law.

Superintendent of Public Instruction.

SECTION 21. The term of the Secretary of Internal Affairs 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 at general

Terms of heads of departments.

elections. No person elected to the office of Auditor General or State Treasurer shall be capable of holding the same office for two consecutive terms.

Seal of State.

Commissions to be signed and sealed.

[SECTION 22. The present Great Seal of Pennsylvania shall be the seal of the State. All commissions shall be in the name and by authority of the Commonwealth of Pennsylvania, and be sealed with the State seal and signed by the Governor.]

ARTICLE V.

THE JUDICIARY.

The courts.

[SECTION 1. The judicial power of this Commonwealth shall be vested in a Supreme Court, in courts of common pleas, courts of oyer and terminer and general jail delivery, courts of quarter sessions of the peace, orphans' courts, magistrates' courts, [and in such other courts as the General Assembly may from time to time establish.]

The Supreme Court. Tenure of judges. Chief Justice.

[SECTION 2. The Supreme Court shall consist of seven judges, who shall be elected by the qualified electors 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 again eligible. [The judge whose commission shall first expire shall be Chief Justice, and thereafter each judge whose commission shall first expire shall in turn be Chief Justice.]

Jurisdiction of Supreme Court.

[SECTION 3. 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 injunction where a corporation is a party defendant, of *habeas corpus*, of *mandamus* to courts of inferior jurisdiction, and of *quo warranto* as to all officers of the Commonwealth whose jurisdiction extends over the State, but shall not exercise any other original jurisdiction ; [they shall have appellate jurisdiction by appeal, *certiorari* or writ of error in all cases, as is now or may hereafter be provided by law.]

Courts of common pleas. Districts not to contain more than four counties.

SECTION 4. Until otherwise directed by law, 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.

Judicial districts.

SECTION 5. Whenever a county shall contain forty thousand inhabitants it shall constitute a separate judicial district, and shall elect one judge learned in the law ; and the General Assembly shall provide for additional judges, as the business of the said districts 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 General Assembly may provide. The office of associate judge, not learned in the law, is abolished in counties forming separate districts ; but the several associate judges in office when this Constitution shall be adopted shall serve for their unexpired terms.

Office of associate judge abolished.

SECTION 6. In the counties of Philadelphia and Allegheny all the jurisdiction and powers now vested in the district courts and courts of common pleas, subject to such changes as may be made by this Constitution or by law, shall be in Philadelphia vested in four, and in Allegheny in two, distinct and separate courts of equal and co-ordinate jurisdiction, composed of three judges each; the said courts in Philadelphia shall be designated respectively as the court of common pleas number one, number two, number three and number four, and in 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; 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, and 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. In Philadelphia all suits shall be instituted in the said courts of common pleas without designating the number of said court, and the several courts shall distribute and apportion the business among them in such manner as shall be provided by rules of court, and each court, to which any suit shall be thus assigned, shall have exclusive jurisdiction thereof, subject to change of venue, as shall be provided by law. In Allegheny each court shall have exclusive jurisdiction of all proceedings at law and in equity, commenced therein, subject to change of venue as may be provided by law.

Common pleas courts in Philadelphia and Allegheny.

Increase of judges in common pleas courts.

SECTION 7. For 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 three years, subject to removal by a majority of the said judges; the said prothonotary shall appoint such assistants, as may be necessary and authorized by said courts; and he and his assistants shall receive fixed salaries, to be determined by law and paid by said county; all fees collected in said office, except such as may be by law due to the Commonwealth, shall be paid by the prothonotary into the county treasury. Each court shall have its separate dockets, except the judgment docket, which shall contain the judgments and liens of all the said courts, as is or may be directed by law.

Prothonotary in Philadelphia.

Separate dockets for courts; but one judgment and lien docket.

SECTION 8. The said courts in the counties of Philadelphia and Allegheny, respectively, shall, from time to time, in turn detail one or more of their judges to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said counties, in such manner as may be directed by law.

Criminal courts in Philadelphia and Allegheny.

[SECTION 9. Judges of the courts of common pleas learned in the law shall be judges of the courts of oyer and terminer, quarter sessions of the peace and general jail delivery, and of the orphans' court, and within their respective districts shall be justices of the peace as to criminal matters.]

Jurisdiction of common pleas judges.

SECTION 10. The judges of the courts of common pleas, within their respective counties, shall have power to issue writs of *certiorari* to justices of the peace and other inferior

May issue writs of *certiorari* to inferior courts.

courts not of record, and to cause their proceedings to be brought before them, and right and justice to be done.]

Justices of the
peace and alder-
men.

SECTION 11. Except as otherwise provided in this Constitution, 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 electors thereof, in such manner as shall be directed by law, and shall be commissioned by the Governor for a term of five years. No township, ward, district 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; no person shall be elected to such office unless he shall have resided within the township, borough, ward or district for one year next preceding his election.] In cities containing over fifty thousand inhabitants, not more than one alderman shall be elected in each ward or district.

Magistrates in
Philadelphia.

SECTION 12. In Philadelphia there shall be established, for each thirty thousand inhabitants, one court, not of record, of police and civil causes, with jurisdiction not exceeding one hundred dollars; such courts shall be held by magistrates whose term of office shall be five years, and they shall be elected on general ticket by the qualified voters at large; and in the election of the said magistrates, no voter shall vote for more than two-thirds of the number of persons to be elected when more than one are to be chosen; they shall be compensated only by fixed salaries, to be paid by said county; and shall exercise such jurisdiction, civil and criminal, except as herein provided, as is now exercised by aldermen, subject to such changes, not involving an increase of civil jurisdiction or conferring political duties, as may be made by law. In Philadelphia the office of alderman is abolished.

SECTION 13. All fees, fines and penalties in said courts shall be paid into the county treasury.

Appeals from sum-
mary conviction.

SECTION 14. In all cases of summary conviction in this Commonwealth, or of judgment in suit for a penalty before a magistrate, or court not of record, either party may appeal to such court of record as may be prescribed by law, upon allowance of the appellate court or judge thereof upon cause shown.

Election and term
of judges.

[SECTION 15. All judges required to be learned in the law, except the judges of the Supreme 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 period 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 House of the General Assembly.]

Removal.

Election of judges
of Supreme Court
by limited vote.

SECTION 16. 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 vote for no more than two; candidates highest in vote shall be declared elected.

SECTION 17. Should any two or more judges of the Su-

preme Court, 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 therewith.

Priority of commissions of judges.

[SECTION 18. The judges of the Supreme Court and the judges of the several courts of common pleas, and all other judges required to be learned in the law, shall at stated times receive for their services an adequate compensation, which shall be fixed by law, and paid by the State. They shall receive no other compensation, fees or perquisites of office for their services from any source, nor hold any other office of profit under the United States, this State or any other State.]

Compensation of judges.

Disqualification.

[SECTION 19. 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 districts for which they shall be respectively elected.]

Residence of judges.

[SECTION 20. The several courts of common pleas, besides the powers herein conferred, shall have and exercise within their respective districts, subject to such changes as may be made by law, such chancery powers as are now vested by law in the several courts of common pleas of this Commonwealth, or as may hereafter be conferred upon them by law.]

Chancery powers of courts of common pleas.

SECTION 21. No duties shall be imposed by law upon the Supreme Court or any of the judges thereof, except such as are judicial, nor shall 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.

No extra judicial duties for judges.

SECTION 22. In every county wherein the population shall exceed one hundred and fifty thousand, the General Assembly shall, and in any other county may, establish a separate orphans' court, to consist of one or more judges who shall be learned in the law, which court shall exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' courts, and thereupon the jurisdiction of the judges of the court of common pleas within such county, in orphans' court proceedings, shall cease and determine. In any county in which a separate orphans' court shall be established, the register of wills shall be clerk of such court and subject to its directions, in all matters pertaining to his office; he may appoint assistant clerks, but only with the consent and approval of said court. All accounts filed with him as register or as clerk of the said 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. In every county orphans' courts shall possess all the powers and jurisdiction of a registers' court, and separate registers' courts are hereby abolished.

Separate orphans' court.

Register of wills to be clerk thereof.

Accounts therein to be audited by courts.

SECTION 23. The style of all process shall be "The Com-

Style of process
and indictment.

monwealth 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."

Review in Supreme
Court in criminal
cases.

SECTION 24. In all cases of felonious homicide, and in such other criminal cases as may be provided for by law, the accused after conviction and sentence, may remove the indictment, record and all proceedings to the Supreme Court for review.

Vacancies in
courts—how filled.

[SECTION 25. Any vacancy happening by death, resignation or otherwise, in any court of record, shall be filled by appointment by the Governor,] to continue till the first Monday of January next succeeding the first general election which shall occur three or more months after the happening of such vacancy.

Uniform laws for
courts, &c.

SECTION 26. All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts, shall be uniform; and the General Assembly is hereby prohibited from creating other courts to exercise the powers vested by this Constitution in the judges of the courts of common pleas and orphans' courts.

Special courts pro-
hibited.

Parties may sub-
mit issues of fact
to the court.

SECTION 27. The parties, by agreement filed, may in any civil case dispense with trial by jury, and submit the decision of such case to the court having jurisdiction thereof, and such court shall hear and determine the same; and the judgment thereon shall be subject to writ of error as in other cases.

Appeals.

ARTICLE VI.

IMPEACHMENT AND REMOVAL FROM OFFICE.

Impeachment.

[SECTION 1. The House of Representatives shall have the sole power of impeachment.]

How tried.

[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.]

What officers im-
peachable.

[SECTION 3. The Governor, and all other civil officers, 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 trust or profit under this Commonwealth; the person accused, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.]

Judgment.

Condition of offi-
cial tenure.

[SECTION 4. All officers shall hold their offices 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, other than judges of the courts of record and the Superintendent of Public Instruction, may be removed at the pleasure of the power by which they shall have been appointed. All officers elected by the people, except Governor, Lieutenant Governor, mem-

Removal.

bers of the General Assembly, and judges of the courts of record learned in the law, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate.

ARTICLE VII.

OATH OF OFFICE.

SECTION 1. Senators and Representatives and all judicial, State and county officers shall, before entering on 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; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing, to procure my nomination or election, (or appointment,) except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; 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 compensation 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 for ever disqualified from holding any office of trust or profit within this Commonwealth. The oath to the members of the Senate and House of Representatives shall be administered by one of the judges of the Supreme Court or of a court of common pleas learned in the law, in the hall of the House to which the members shall be elected.

General oath of office.

ARTICLE VIII.

SUFFRAGE AND ELECTIONS.

[SECTION 1. Every male citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections: *First.*—He shall have been a citizen of the United States at least one month. *Second.*—He shall have resided in the State one year (or if, having previously been a qualified elector or native born citizen of the State, he shall have removed therefrom and returned, then six months,) immediately preceding the election. *Third.*—He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election. *Fourth.* If twenty-two years of age or upwards, he shall have paid

Qualifications of voters.

within two years a State or county tax, which shall have been assessed at least] two months [and paid at least] one month [before the election.]

General elections.

SECTION 2. The general election shall be held annually on the Tuesday next following the first Monday of November, but the General Assembly may by law fix a different day, two-thirds of all the members of each House consenting thereto.

Municipal elections.

SECTION 3. All elections for city, ward, borough and township officers, for regular terms of service, shall be held on the third Tuesday of February.

Elections to be by ballot and ballots numbered.

[SECTION 4. All elections by the citizens shall be by ballot.] Every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the elector who presents the ballot. Any elector may write his name upon his ticket, or cause the same to be written thereon and attested by a citizen of the district. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so as witnesses in a judicial proceeding.

Electors privileged from arrest.

[SECTION 5. 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.]

Soldier voting.

[SECTION 6. Whenever any of the qualified electors of this Commonwealth shall be in 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 places of election.]

Election laws to be uniform, but unregistered electors may vote.

SECTION 7. All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State, but no elector shall be deprived of the privilege of voting by reason of his name not being registered.

Corruption to disqualify voters.

SECTION 8. Any person who shall give, or promise or offer to give, to an elector, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to 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, reward 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.

*Challenge.

Candidates guilty of bribery, &c., disqualified for holding office.

SECTION 9. 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 an office of trust or profit in this Commonwealth; and any person convicted of wilful violation of the election laws shall, in addition to any penalties provided by law, be deprived of the right of suffrage absolutely for a term of four years.

Wilful violation of election laws to disqualify for voting.

SECTION 10. In trials of contested elections, and in proceedings for the investigation of 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 except for perjury in giving such testimony.

Witnesses not to withhold testimony in election cases.

SECTION 11. Townships, and wards of cities or boroughs, shall form or be divided into election districts of compact and contiguous territory, in such manner as the court of quarter sessions of the city or county in which the same are located may direct; but districts in cities of over one hundred thousand inhabitants shall be divided by the courts of quarter sessions, having jurisdiction therein, whenever at the next preceding election more than two hundred and fifty votes shall have been polled therein; and other election districts whenever the court of the proper county shall be of opinion that the convenience of the electors and the public interests will be promoted thereby.

Election districts.

[SECTION 12. All elections by persons in a representative capacity shall be *viva voce*.]

Representatives to vote *viva voce*.

SECTION 13. 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 institution of learning, nor while kept in any poor house or other asylum at public expense, nor while confined in public prison.

Residence of voters not gained or lost in certain cases.

SECTION 14. District election boards shall consist of a judge and two inspectors, who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled, as shall be provided by law. Election officers shall be privileged from arrest upon days of election, and while engaged in making up and transmitting returns, except upon warrant of a court of record or judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their terms of service.

Election boards.

Clerks.

Vacancies.

Privileges of election officers.

SECTION 15. No person shall be qualified to serve as an election officer 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, or of any city, or county, or of any municipal board, commission or trust in any city, save only justices of the peace and aldermen, notaries public and persons in the militia service of the State; nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve, save only to such subordinate municipal or local offices, below the grade of city or county offices, as shall be designated by general law.

Government officers and employees disqualified to serve as election officers.

Ineligibility of election officers.

Courts of common pleas may appoint overseers of elections.

SECTION 16. 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 officers and to make report to the court as may be required; such appointments to be made for any district in a city or county upon petition of five citizens, lawful voters of such election district, setting forth that such appointment is a reasonable precaution to secure the purity and fairness of elections; overseers shall be two in number for an election district, shall be residents therein, 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, if they shall be agreed thereon, shall decide the question of difference; in appointing overseers of election all the law judges of the proper court, able to act at the time, shall concur in the appointments made.

Overseers may decide questions of difference.

Trial of contested elections.

SECTION 17. The trial and determination of contested elections of electors of President and Vice President, members of the General Assembly, and of all public officers, whether State, judicial, municipal or local, shall be by the courts of law, or by one or more of the law judges thereof; the General Assembly 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 apply to any contest arising out of an election held before its passage.

ARTICLE IX.

TAXATION AND FINANCE.

Taxes to be uniform.

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 General Assembly may, by general laws, exempt from taxation 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.

Exemptions.

Limitation of power to exempt.

SECTION 2. All laws exempting property from taxation, other than the property above enumerated, shall be void.

Power to tax corporations not to be surrendered.

SECTION 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

Power to make debts.

[SECTION 4. No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, repel invasions, suppress insurrection, 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 [of dollars.]

Moneys borrowed to be used for purpose specified.

[SECTION 5. All laws, authorizing the borrowing of money by and on behalf of the State, shall specify the purpose for which the money is to be used, and the money so borrowed shall be used for the purpose specified and no other.]

[SECTION 6. The credit of the Commonwealth shall not be pledged or loaned to any individual, company, corporation or association, nor shall the Commonwealth become a joint owner or stockholder in any company, association or corporation.] State credit not to be loaned, &c.

[SECTION 7. The General Assembly shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual.] Municipalities not to become stockholders, &c.

[SECTION 8. The debt of any county, city, borough, township, school district or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum, in the aggregate at any one time, upon such valuation.] Municipal debts limited.

[SECTION 9. The Commonwealth shall not assume the debt, or any part thereof, of any city, county, borough or township, unless such debt shall have been contracted to enable the State to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the State in the discharge of any portion of its present indebtedness.] No assumption of municipal debts by the State.

SECTION 10. Any county, township, school district or other municipality 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 thirty years. Re-payment of municipal debt to be provided for.

[SECTION 11. To provide for the payment of the present State debt, and any additional debt contracted as aforesaid, the General Assembly 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 shall consist of the proceeds of the sales of the public works or any part thereof, and of the income or proceeds of the sale of any stocks owned by the Commonwealth, together with other funds and resources that may be designated by law, and shall 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 the extinguishment of the public debt.] Sinking fund.

SECTION 12. The moneys of the State, over and above the necessary reserve, 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 this State.

Reserve in the treasury.

SECTION 13. The moneys held as necessary reserve shall be limited by law to the amount required for current expenses, and shall be secured and kept as may be provided by law. Monthly statements shall be published showing the amount of such moneys, where the same are deposited, and how secured.

Reserve not to be converted to private use.

SECTION 14. The making of profit out of the public moneys or using the same for any purpose not authorized by law by any officer of the State, or member or officer of the General Assembly, shall be a misdemeanor and shall be punished as may be provided by law, but part of such punishment shall be disqualification to hold office for a period of not less than five years.

ARTICLE X.

EDUCATION.

Public schools to be maintained.

SECTION 1. The General Assembly 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, and shall appropriate at least one million dollars each year for that purpose.

Amount appropriated.

No appropriation to sectarian schools

SECTION 2. No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school.

Women eligible to school offices.

SECTION 3. Women twenty-one years of age and upwards, shall be eligible to any office of control or management under the school laws of this State.

ARTICLE XI.

MILITIA.

Organization of militia.

[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.] The General Assembly shall provide for maintaining the militia by appropriations from the treasury of the Commonwealth, and may exempt from military service persons having conscientious scruples against bearing arms.

Exemption authorized.

ARTICLE XII.

PUBLIC OFFICERS.

Selection of public officers.

[SECTION 1. All officers, whose selection is not provided for in this Constitution, shall be elected or appointed as may be directed by law.]

Federal officers disqualified for State office.

[SECTION 2. 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, fees or perquisites shall be attached. The General Assembly may by law declare what offices are incompatible.]

Duelling disqualification for office.

[SECTION 3. Any person who shall 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 may be otherwise punished as shall be prescribed by law.]

ARTICLE XIII.

NEW COUNTIES.

SECTION 1. No new county shall be established which shall reduce any county to less than four hundred square miles, or to less than twenty thousand inhabitants; nor shall any county be formed of less area, or containing a less population; nor shall any line thereof pass within ten miles of the county seat of any county proposed to be divided.

Limitation of power to create counties.

ARTICLE XIV.

COUNTY OFFICERS.

SECTION 1. County officers shall consist of sheriffs, coroners, prothonotaries, registers of wills, recorders of deeds, commissioners, treasurers, surveyors, auditors or controllers, clerks of the courts, district attorneys, and such others as may from time to time be established by law; and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected.

County officers.

[SECTION 2. County officers shall be elected at the general elections, and shall hold their offices for the term of three years,] beginning on the first Monday of January next after their election, [and until their successors shall be duly qualified:] all vacancies not otherwise provided for shall be filled in such manner as may be provided by law.

Election and tenure

Vacancies.

[SECTION 3. 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.]

Residence of county officers.

[SECTION 4. Prothonotaries, clerks of the courts, recorders of deeds, registers of wills, county surveyors and sheriffs, shall keep their offices in the county town of the county in which they respectively shall be officers.]

Offices to be kept in county town.

SECTION 5. The compensation of county officers shall be regulated by law, and all county officers who are or may be salaried, shall pay all fees which they may be authorized to receive into the treasury of the county or State, as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants, all county officers shall be paid by salary, and the salary of any such officer and his clerks, heretofore paid by fees, shall not exceed the aggregate amount of fees earned during his term and collected by or for him.

Compensation

SECTION 6. The General Assembly 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.

Accountability of municipal officers.

SECTION 7. Three county commissioners and three county auditors shall be elected in each county where such officers

County commis-
sioners and audi-
tors to be chosen
by limited vote.

Vacancies—how
filled.

are chosen, in the year one thousand eight hundred and seventy-five, and every third year thereafter; and in the election of said officers each qualified elector shall vote for no more than two persons, and the three persons having the highest number of votes shall be elected; any casual vacancy in the office of county commissioner or county auditor shall be filled by the court of common pleas of the county in which such vacancy 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.

ARTICLE XV.

CITIES AND CITY CHARTERS.

General laws to es-
tablish cities.

SECTION 1. Cities may be chartered whenever a majority of the electors of any town or borough having a population of at least ten thousand shall vote at any general election in favor of the same.

Municipal com-
missions not to in-
cur debts except on
appropriations.

SECTION 2. No debt shall be contracted or liability incurred by any municipal commission, except in pursuance of an appropriation previously made therefor by the municipal government.

Sinking funds in
cities.

SECTION 3. Every city shall create a sinking fund, which shall be inviolably pledged for the payment of its funded debt.

ARTICLE XVI.

PRIVATE CORPORATIONS.

Unused charters to
be void.

SECTION 1. All existing charters, or grants of special or exclusive privileges, under which a *bona fide* organization shall not have taken place, and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

No charter to be
validated or
amended except on
condition.

SECTION 2. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

Right of eminent
domain not to be
abridged or police
power to be limited

SECTION 3. The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking 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 manner as to infringe the equal rights of individuals or the general well-being of the State.

The free vote in
stockholder elec-
tions.

SECTION 4. In all elections for directors or managers of a corporation each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer.

Foreign corpora-
tions to have places
of business in State

SECTION 5. No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the same upon whom process may be served.

SECTION 6. No corporation shall engage in any business other than that expressly authorized in its charter, nor shall it take or hold any real estate except such as may be necessary and proper for its legitimate business.

Corporations not to engage in business unauthorized by their charters.

SECTION 7. No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void. The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days' notice given in pursuance of law.

The fictitious increase of stocks or bonds forbidden.

[SECTION 8. Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction.] The General Assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporations or individuals made by viewers or otherwise; and the amount of such damages in all cases of appeal shall on the demand of either party be determined by a jury according to the course of the common law.

The taking and injury of private property to be compensated.

Appeals from assessment of damages.

SECTION 9. Every banking law 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 shall be deposited with the Auditor General for the redemption of such notes or bills.

Bank notes or bills to be secured.

[SECTION 10. The General Assembly 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 that may hereafter be created, 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.]

Repeal of charters authorized.

[SECTION 11. No corporate body to possess 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.]

No law to create, &c., more than one charter.

Notice of bills to create banks.

SECTION 12. Any association or corporation organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same with other lines, and the General Assembly shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with, or hold a controlling interest in the stock or bonds of any other telegraph company owning a competing line, or acquire, by purchase or otherwise, any other competing line of telegraph.

Bank charters limited to twenty years.

The word "corporation" defined.

SECTION 13. 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.

ARTICLE XVII.

RAILROADS AND CANALS.

Railroads and canals, public highways. May be constructed.

SECTION 1. All railroads and canals shall be public highways, and all railroad and canal companies shall be common carriers. Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad; and shall receive and transport each the other's passengers, tonnage and cars loaded or empty, without delay or discrimination.

Shall have connections and use of connecting roads.

Railroad and canal companies to keep offices in the State.

SECTION 2. Every railroad and canal corporation organized in this State shall maintain an office therein where transfers of its stock shall be made, and where its books shall be kept for inspection by any stockholder or creditor of such corporation, 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.

Discriminations in charges for freight and passengers prohibited.

SECTION 3. All individuals, associations and corporations shall have equal right to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in charges for, or in facilities for, transportation of freight or passengers within the State, or coming from or going to any other State. Persons and property transported over any railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station; but excursion and commutation tickets may be issued at special rates.

Consolidation with competing companies prohibited.

SECTION 4. No railroad, canal or other corporation, or the lessees, purchasers or managers of any railroad or canal corporation, shall consolidate the stock, property or franchises of such corporation with, or lease, or purchase the works or franchises of, 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 officer 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 the question whether railroads or canals are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury as in other civil issues.

Officers of companies not to be officers of competing companies.

Common carrier corporations not to engage in mining, manufacturing, &c

SECTION 5. No incorporated company doing the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for transportation over its works; 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 or manufacturing company may carry the products of its mines and manufactories on its railroad or canal not exceeding fifty miles in length. Exception.

SECTION 6. No president, director, officer, agent or employee of any railroad or canal company shall be interested, directly or indirectly, in the furnishing of material or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company. Officers, &c., of companies not to engage in transportation business.

SECTION 7. No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either, by abatement, drawback or otherwise, and no railroad or canal company, or any lessee, manager or employee thereof, shall make any preferences in furnishing cars or motive power. No discrimination in charges to transporters.

SECTION 8. No railroad, railway or other transportation company shall grant free passes, or passes at a discount, to any person except officers or employees of the company. Free passes on railroads prohibited.

SECTION 9. No street passenger railway shall be constructed within the limits of any city, borough or township without the consent of its local authorities. Passenger railroads not to be constructed without consent of municipal authorities.

SECTION 10. No railroad, canal or other transportation company, in existence at the time of the adoption of this article, shall have the benefit of any future legislation by general or special laws, except on condition of complete acceptance of all the provisions of this article. Acceptance of this article by companies.

SECTION 11. The existing powers and duties of the Auditor General in regard to railroads, canals and other transportation companies, except as to their accounts, are hereby transferred to the Secretary of Internal Affairs, who shall have a general supervision over them, 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. Duties of Auditor General as to companies transferred to Secretary of Internal Affairs.

SECTION 12. The General Assembly shall enforce by appropriate legislation the provisions of this article.

ARTICLE XVIII.

FUTURE AMENDMENTS.

[SECTION 1. 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 general election, in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, Amendments may be proposed by Legislature.

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 qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses, as the General Assembly shall prescribe; and, if such amendment or amendments shall be approved by a majority of those voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted oftener than once in five years. When two or more amendments shall be submitted they shall be voted upon separately.]

Amendments not
to be submitted
oftener than once
in five years.

SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of the Commonwealth, and in order to carry the same into complete operation, it is hereby declared that:—

SECTION 1. This Constitution shall take effect on the first day of January, in the year one thousand eight hundred and seventy-four, for all purposes not otherwise provided for therein.

When to go into force.

SECTION 2. All laws in force in this Commonwealth at the time of the adoption of this Constitution not inconsistent therewith, and all rights, actions, prosecutions and contracts shall continue as if this Constitution had not been adopted.

Saving clause.

SECTION 3. At the general election in the years one thousand eight hundred and seventy-four and one thousand eight hundred and seventy-five, Senators shall be elected in all districts where there shall be vacancies. Those elected in the year one thousand eight hundred and seventy-four shall serve for two years, and those elected in the year one thousand eight hundred and seventy-five shall serve for one year. Senators now elected, and those whose terms are unexpired, shall represent the districts in which they reside until the end of the terms for which they were elected.

Senators to be elected in 1874 and 1875.

Their terms limited.

SECTION 4. At the general election in the year one thousand eight hundred and seventy-six, Senators shall be elected from even numbered districts to serve for two years, and from odd numbered districts to serve for four years.

A full Senate to be elected in 1876.

SECTION 5. The first election of Governor under this Constitution shall be at the general election in the year one thousand eight hundred and seventy-five, when a Governor shall be elected for three years. And the term of the Governor elected in the year one thousand eight hundred and seventy-eight, and of those thereafter elected, shall be for four years, according to the provisions of this Constitution.

Governor in 1875 for three years.

In 1878 for four years.

SECTION 6. At the general election in the year one thousand eight hundred and seventy-four, a Lieutenant Governor shall be elected according to the provisions of this Constitution.

Lieutenant Governor in 1874.

SECTION 7. The Secretary of Internal Affairs shall be elected at the first general election after the adoption of this Constitution; and, when the said officers shall be duly elected and qualified, the office of Surveyor General shall be abolished. The Surveyor General in office at the time of the adoption of this Constitution shall continue in office until the expiration of the term for which he was elected.

Secretary of Internal Affairs.

Surveyor General abolished.

SECTION 8. When the Superintendent of Public Instruction shall be duly qualified the office of Superintendent of Common Schools shall cease.

Superintendent of Public Instruction

SECTION 9. Nothing contained in this Constitution shall be construed to render any person now holding any State

Present State officers re-eligible.

office for a first official term ineligible for re-election at the end of such term.

Judges Supreme Court to continue in office.

Two to be elected in 1874.

SECTION 10. The judges of the Supreme Court in office when this Constitution shall take effect shall continue until their commissions severally expire. Two judges in addition to the number now composing the said court shall be elected at the first general election after the adoption of this Constitution.

Courts to continue until December 1, 1875.

Criminal court of Schuylkill abolished.

SECTION 11. All courts of record and all existing courts which are not specified in this Constitution, shall continue in existence until the first day of December, in the year one thousand eight hundred and seventy-five, without abridgment of their present jurisdiction, but no longer. The court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin is hereby abolished, and all causes and proceedings pending therein in the county of Schuylkill shall be tried and disposed of in the courts of oyer and terminer and quarter sessions of the peace of said county.

Registers' courts abolished January 1, 1875.

SECTION 12. The register's courts now in existence shall be abolished on the first day of January next succeeding the adoption of this Constitution.

Designation of judicial districts by next Legislature.

SECTION 13. The General Assembly shall, at the next session after the adoption of this Constitution, designate the several judicial districts as required by this Constitution.

The judges in commission to continue.

The judges in commission when such designation shall be made shall continue during their unexpired terms judges of the new districts in which they reside; but when there shall be two judges residing in the same district the president judge shall elect to which district he shall be assigned, and the additional law judge shall be assigned to the other district.

After each census districts to be designated.

SECTION 14. The General Assembly shall, at the next succeeding session after each decennial census and not oftener, designate the several judicial districts, as required by this Constitution.

Judges in office to continue, till end of term.

SECTION 15. Judges learned in the law of any court of record, holding commissions in force at the adoption of this Constitution, shall hold their respective offices until the expiration of the terms for which they were commissioned, and until their successors shall be duly qualified. The Governor shall commission the president judge of the court of first criminal jurisdiction for the counties of Schuylkill, Lebanon and Dauphin as a judge of the court of common pleas of Schuylkill county, for the unexpired term of his office.

Judge of criminal court of Schuylkill.

Who shall be president judge.

SECTION 16. After the expiration of the term of any president judge of any court of common pleas, in commission at the adoption of this Constitution, the judge of such court learned in the law and oldest in commission shall be the president judge thereof; and when two or more judges are elected at the same time in any judicial district, they shall decide by lot which shall be president judge; but when the president judge of a court shall be re-elected, he shall continue to be president judge of that court. Associate judges not learned in the law, elected after the adoption of this Constitution, shall be commissioned to hold their offices for the term of

Associate judges, term to begin.

five years from the first day of January next after their election.

SECTION 17. The General Assembly, at the first session after the adoption of this Constitution, shall fix and determine the compensation of the judges of the Supreme Court, and of the judges of the several judicial districts of the Commonwealth; and the provisions of the fifteenth section of the article on Legislation shall not be deemed inconsistent herewith. Nothing contained in this Constitution shall be held to reduce the compensation now paid to any law judge of this Commonwealth now in commission.

Legislature to fix judicial salaries.

No reduction of present salaries.

SECTION 18. The courts of common pleas in the counties of Philadelphia and Allegheny, shall be composed of the present judges of the district court and court of common pleas of said counties until their offices shall severally end, and of such other judges as may from time to time be selected. For the purpose of first organization in Philadelphia, the judges of the court number one, shall be judges Allison, Pierce and Paxson; of the court number two, judges Hare, Mitchell and one other judge to be elected; of the court number three, judges Ludlow, Finletter and Lynd; and of the court number four, judges Thayer, Briggs and one other judge to be elected. The judge first named shall be the president judge of said courts respectively, and thereafter the president judge shall be the judge oldest in commission; but any president judge re-elected in the same court or district shall continue to be president judge thereof. The additional judges for courts numbers two and four, shall be voted for and elected at the first general election after the adoption of this Constitution, in the same manner as the two additional judges of the Supreme Court, and they shall decide by lot to which court they shall belong. Their term of office shall commence on the first Monday of January, in the year one thousand eight hundred and seventy-five.

Courts of Philadelphia and Allegheny.

Organization in Philadelphia.

Presidents.

To be elected by limited vote in 1874.

Term to begin Jan. 1, 1875.

SECTION 19. In the county of Allegheny, for the purpose of first organization under this Constitution, the judges of the court of common pleas, at the time of the adoption of this Constitution, shall be the judges of the court number one, and the judges of the district court, at the same date, shall be the judges of the common pleas number two. The president judges of the common pleas and district court shall be president judge of said courts number one and two, respectively, until their offices shall end; and thereafter the judge oldest in commission shall be president judge; but any president judge re-elected in the same court or district shall continue to be president judge thereof.

Organization in Allegheny.

Presidents.

SECTION 20. The organization of the courts of common pleas under this Constitution for the counties of Philadelphia and Allegheny shall take effect on the first Monday of January, one thousand eight hundred and seventy-five, and existing courts in said counties shall continue with their present powers and jurisdiction until that date, but no new suits shall be instituted in the courts of *nisi prius* after the adoption of this Constitution.

To organize on Jan 1, 1875.

Existing courts to continue.

Nisi prius.

Transfer of cases from district court and *nisi prius* to common pleas.

SECTION 21. The causes and proceedings pending in the court of *nisi prius*, court of common pleas, and district court in Philadelphia shall be tried and disposed of in the court of common pleas. The records and dockets of said courts shall be transferred to the prothonotary's office of said county.

Cases in common pleas and district court of Allegheny assigned.

SECTION 22. The causes and proceedings pending in the court of common pleas in the county of Allegheny shall be tried and disposed of in the court number one; and the causes and proceedings pending in the district court shall be tried and disposed of in the court number two.

Prothonotary in Philadelphia to be appointed December 1, 1875.

SECTION 23. The prothonotary of the court of common pleas of Philadelphia shall be first appointed by the judges of said court, on the first Monday of December, in the year one thousand eight hundred and seventy-five, and the present prothonotary of the district court in said county shall be the prothonotary of the said court of common pleas until said date, when his commission shall expire, and the present clerk of the court of oyer and terminer and quarter sessions of the peace in Philadelphia shall be the clerk of such court until the expiration of his present commission, on the first Monday of December, in the year one thousand eight hundred and seventy-five.

Prothonotary district court.

Clerk of oyer and terminer and quarter sessions.

Election of aldermen in Feb., 1875.

SECTION 24. In cities containing over fifty thousand inhabitants, except Philadelphia, all aldermen in office at the time of the adoption of this Constitution shall continue in office until the expiration of their commissions; and at the election for city and ward officers in the year one thousand eight hundred and seventy-five, one alderman shall be elected in each ward as provided in this Constitution.

Philadelphia magistrates in 1875.

SECTION 25. In Philadelphia magistrates, in lieu of aldermen, shall be chosen, as required in this Constitution, at the election in said city for city and ward officers, in the year one thousand eight hundred and seventy-five; their term of office shall commence on the first Monday of April succeeding their election. The terms of office of aldermen in said city holding, or entitled to, commissions at the time of the adoption of this Constitution shall not be affected thereby.

Aldermen in Philadelphia.

Officers to hold to end of term.

SECTION 26. All persons in office in this Commonwealth at the time of the adoption of this Constitution, and at the first election under it, shall hold their respective offices until the term for which they have been elected or appointed shall expire, and until their successors shall be duly qualified, unless otherwise provided in this Constitution.

Oath to be taken Jan. 1, 1875.

SECTION 27. The seventh article of this Constitution prescribing an oath of office shall take effect on and after the first day of January, one thousand eight hundred and seventy-five.

County commissioners' and auditors' term to end Jan. 1, 1875.

SECTION 28. The terms of office of county commissioners and county auditors, chosen prior to the year one thousand eight hundred and seventy-five, which shall not have expired before the first Monday of January, in the year one thousand eight hundred and seventy-six, shall expire on that day.

Compensation of officers continued

SECTION 29. All State, county, city, ward, borough and township officers in office at the time of the adoption of this Constitution, whose compensation is not provided for by sala

CONSTITUTION OF PENNSYLVANIA.

ries alone, shall continue to receive the compensation allowed them by law until the expiration of their respective terms of office.

SECTION 30. All State and judicial officers heretofore elected, sworn, affirmed, or in office when this Constitution shall take effect, shall severally, within one month after such adoption, take and subscribe an oath or affirmation to support this Constitution.

What officers to take oath in thirty days.

SECTION 31. The General Assembly at its first session, or as soon as may be, after the adoption of this Constitution, shall pass such laws as may be necessary to carry the same into full force and effect.

Duty of Legislature, Laws to be passed.

SECTION 32. The ordinance passed by this Convention, entitled "An ordinance for submitting the amended Constitution of Pennsylvania to a vote of the electors thereof," shall be held to be valid for all the purposes thereof.

Ordinance.

SECTION 33. The words "county commissioners," wherever used in this Constitution and in any ordinance accompanying the same, shall be held to include the commissioners for the city of Philadelphia.

County commissioners.

Adopted at Philadelphia, on the third day of November, in the year of our Lord one thousand eight hundred and seventy-three.

JOHN H. WALKER,
President.

Attest:—D. L. IMBRIE,
Chief Clerk.

G. A. ACHENBACH,
JOHN E. ADDICKS,
WM. H. AINEY,
HAMILTON ALDRICKS,
G. W. ANDREWS,
WM. H. ARMSTRONG,
WM. J. BAER,
JOSEPH BAILEY,
JNO. M. BAILEY,
WILLIAM D. BAKER,
THOS. K. BANNAN,
GEO. G. BARCLAY,
JOHN BARDSLEY,
JAMES P. BARR,
L. BARTHOLOMEW,
M. C. BEEBE,
GEORGE W. BIDDLE,
WM. BIGLER,
C. A. BLACK,
CHAS. O. BOWMAN,
CHAS. BROODHEAD,
J. M. BROOMALL,
R. BROWN,
C. R. BUCKALEW,
JOHN C. BULLITT,
SAMUEL CALVIN,
JOHN H. CAMPBELL,
HENRY C. CARRY,
HENRY CARTER,
LEWIS C. CASSIDY,
PEARSON CHURCH,
SILAS M. CLARK,
THOS. E. COCHRAN,
JOHN COLLINS,
WM. L. CORBETT,
GEORGE N. CORSON,
DAVID CRAIG,
J. P. CRONMILLER,
JAS. W. CURRY,
A. G. CURTIN,
THEO. CUYLER,
GEO. M. DALLAS,
WM. DARLINGTON,

WM. DAVIS,
R. M. DE FRANCE,
S. C. T. DODD,
A. R. DUNNING,
MATT EDWARDS,
M. F. ELLIOTT,
JAS. ELLIS,
THOS. EWING,
J. G. FELL,
A. C. FINNEY,
A. M. FULTON,
JOSIAH FUNCK,
JOHN GIBSON,
JOHN GILPIN,
H. GREEN,
J. B. GUTHRIE,
JNO. G. HALL,
WM. B. HANNA,
EDWARD HARVEY,
MALCOLM HAY,
T. E. HAZZARD,
JOS. HEMPHILL,
JAMES H. HEVERIN,
GEO. F. HORTON,
THOS. HOWARD,
CHAS. HUNSICKER,
D. KAINE,
E. C. KNIGHT,
R. A. LAMBERTON,
AUG. S. LANDIS,
GEO. V. LAWRENCE,
WM. LILLY,
W. E. LITTLETON,
ZACH. H. LONG,
THOS. MACCONNELL,
WAYNE MACVEAGH,
JOEL B. MCCAMANT,
WM. McCLEAN,
JNO. McCULLOCH,
MORTON M'MICHAEL,
JOHN M'MURRAY,
JOHN S. MANN,
FRANK MANTOR,

JNO. G. METZGER,
SAMUEL MINOR,
L. Z. MITCHELL,
HENRY S. MOTT,
JAMES W. N. NEWLIN,
JEROME B. NILES,
G. W. PALMER,
HENRY W. PALMER,
H. C. PARSONS,
D. W. PATTERSON,
T. H. B. PATTERSON,
JOS. G. PATTON,
DAVID S. PORTER,
LEWIS PUGHE,
ANDREW A. PURMAN,
JOHN N. PURVIANCE,
SAM'L A. PURIANCE,
JOHN R. READ,
AND. REED,
LEVI ROOKE,
GEO. ROSS,
C. M. RUNK,
SAM'L L. RUSSELL,
J. McDOWELL SHARPE,
J. ALEX. SIMPSON,
H. G. SMITH,
H. W. SMITH,
W. K. SMITH,
M. HALL STANTON,
JOHN STEWART,
THOMAS STRUTHERS,
BENJ. L. TEMPLE,
WM. J. TURRELL,
HENRY VAN REED,
J. M. WETHERILL,
J. PRICE WETHERILL,
SAM'L M. WERRY,
DAVID N. WHITE,
HARRY WHITE,
J. W. F. WHITE,
GEO. W. WOODWARD,
EDWARD R. WORRELL,
CALEB E. WRIGHT.

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- Clearfield county, 438.
- Columbia county, 332.
- Crawford county, 238, 389, 451.
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- 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.
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- Perry county, 329.
- Philadelphia county, 303, 342, 409.
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- Susquehanna county, 187, 254, 280, 307, 326, 335, 404.
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- report made by—
 - from minority of Committee on Executive, 325.
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 - 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.
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 - to direct Auditor General to publish statement of expenditures of each General Assembly, 108.
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 - 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.
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 - to limit debate in committee of the whole, 494.
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 - to appoint a comparing committee, 982.
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 - tendering thanks of the Convention to the Clerks, 1259.
 - to give extra compensation to employees of Hall, 1259.
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to prohibit the re-election of all collectors or holders of public moneys to the same position, 372.

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- 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.
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- to invite the clergy of Harrisburg to open the sessions with prayer, 44.
- to appoint a committee on printing and reporting of proceedings, 45.
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- 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.
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- 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.
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- 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.
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- requiring all standing committees to meet once a week, 61.
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- requesting the Secretary of the Commonwealth to furnish six copies Purdon's Digest, 62.
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- relative to receiving proposals for printing the proceedings of Convention, 66.
- 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 laws extending time for payment of contract debts, 74.
- to prevent the sale of cemeteries and places of sepulture, 75.
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- to require holding of certificates of naturalization six months, 76.
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- relative to private property taken for public use, 76.
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- 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.
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- to provide that the estate of married women shall remain their sole property, 78.
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- 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.
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- 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 skilled and injured in the mines since 1869, 79.
- to abolish the grand jury system, 79.
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- to provide for a special election for judges, 80.
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- relative to the appointment of judges, 80.
- to abolish the office of associate judge, 80.
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- 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.
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- to annul all bank charters, 87.
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- 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.

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- 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.
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- 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.
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- 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.
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- 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, 105.

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- to prohibit the creating of municipal commissions, 106.
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- 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, 123.
- 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, 196.
- 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 second 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 calling 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, 484.
- to provide for binding the Journal and Debates, 484.
- 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-Arm to bring in absentees, 522.
- to direct special committee on salary to consider compensation of officers, 523.
- 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.
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- to prohibit the erection of new buildings for assembling of the Legislature, 962.
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