

members elected to each house, nor exceed the amount of revenue authorized by law to be raised in such time; and all appropriations, general or special, requiring money to be paid out of the State treasury, from funds belonging to the State, shall end with such fiscal quarter: *Provided*, the State may, to meet casual deficits or failures in revenues, contract debts, never to exceed in the aggregate two hundred and fifty thousand dollars; and moneys thus borrowed shall be applied to the purpose for which they were obtained, or to pay the debt thus created, and to no other purpose; and no other debt except for the purpose of repelling invasion, suppressing insurrection, or defending the State in war, (for payment of which the faith of the State shall be pledged), shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people, and have received a majority of the votes cast for members of the General Assembly at such election. The General Assembly shall provide for the publication of said law for three months, at least, before the vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually, as it shall accrue by a tax levied for the purpose, or from other sources of revenue; which law, providing for the payment of such interest by such tax, shall be irrevocable until such debt be paid: *And, provided, further*, that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted.

1848

Each General Assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government until the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of each House, nor exceed the amount of revenue authorized by law to be raised in such time; *Provided*, the state may, to meet casual deficits or failures in revenues, contract debts never to exceed in the aggregate fifty thousand dollars; and the moneys thus borrowed shall be applied to the purpose for which they were obtained, or to repay the debt thus made, and to no other purpose; and no other debt except for the purpose of repelling invasion, suppressing insurrection or defending the state in war, (for payment of which the faith of the state shall be pledged) shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people, and have received a majority of all the votes cast for members of the General Assembly at such election. The General Assembly shall provide for the publication of said law for three months at least before the vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually as it shall accrue, by a tax levied for the purpose or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt be paid; *and provided further* that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted. (Art. 3, Sec. 37.)

1862 (rejected)

Every general assembly shall provide for all appropriations necessary for the ordinary and contingent expenses of the government until the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of each house, nor exceed the amount of revenue authorized by law to be raised in such time: **PROVIDED** the state may, to meet casual deficits or failures in revenues, borrow money, never to exceed in the aggregate, fifty thousand dollars; and the moneys thus borrowed shall be applied to the purpose for which they

were obtained, or to repay the debt thus made, and to no other purpose; and no other debt, except for the purpose of repelling invasion, suppressing insurrection or defending the state in war, (for payment of which the faith of the state shall be pledged,) shall be contracted, unless the law authorizing the same shall provide for the payment of the interest thereon as it shall accrue, by tax levied for that purpose, or from other sources of revenue, and be submitted at a general election to the people, and receive a majority of all the votes cast for members of the general assembly at such election. The general assembly shall provide for the publication of said law, for three months, at least, before the vote of the people shall be taken on the same. And the provisions of the law for the payment of the interest shall not be repealed until such debt be paid. (Art. 4, Sec. 34.)

SECTION 19. The General Assembly shall never grant or authorize extra compensation, fee or allowance to any public officer, agent, servant or contractor, after service has been rendered or a contract made, nor authorize the payment of any claim, or part thereof, hereafter created against the State under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void: *Provided*, the General Assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

1848

The General Assembly shall never grant or authorize extra compensation to any public officer, agent, servant, or contractor, after the service shall have been rendered, or the contract entered into. (Art. 3, Sec. 33.)

1862 (rejected)

The General Assembly shall never grant or authorize extra compensation to any public officer, agent, servant or contractor after the services shall have been rendered or the contract made; nor authorize the payment of any claim or part thereof hereafter created against the state under any agreement or contract made without express authority of law, and all such agreements or contracts shall be null and void: **PROVIDED**, the general assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion. (Art. 4, Sec. 31.)

. . . The 31st section of article 4, of this constitution, is not intended to prohibit the general assembly from making appropriations for the completion of the penitentiary at Joliet, under contracts already made with the state, in pursuance of law for that purpose. (Schedule, Sec. 27.)

SECTION 20. The State shall never pay, assume or become responsible for the debts or liabilities of, or in any manner give, loan or extend its credit to, or in aid of any public or other corporation, association or individual.

1848

The credit of the State shall not, in any manner, be given to, or in aid of any individual, association or corporation. (Art. 3, Sec. 38.)

1862 (rejected)

The credit of the state, or of any county, city, town, township or school district thereof, shall not, in any manner, be given to or in aid of any individual, association or corporation. . . . (Art. 4, Sec. 35.)

SECTION 21. The members of the General Assembly shall receive for their services the sum of five dollars per day, during the first session held under this Constitution, and ten cents for each mile necessarily traveled in going to and returning from the seat of government, to be computed by the Auditor of Public Accounts; and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument, directly or indirectly, for any purpose whatever; except the sum of fifty dollars per session to each member, which shall be in full for postage, stationery, newspapers, and all other incidental expenses and perquisites; but no change shall be made in the compensation of members of the General Assembly during the term for which they may have been elected. The pay and mileage allowed to each member of the General Assembly shall be certified by the Speakers of their respective houses and entered on the journals, and published at the close of each session.

1848

The sum of two dollars per day, for the first forty-two day's attendance, and one dollar per day for each day's attendance thereafter, and ten cents for each necessary miles travel going to and returning from the seat of government, shall be allowed to the members of the General Assembly, as a compensation for their services, and no more. The speaker of the House of Representatives shall be allowed the sum of one dollar per day in addition to his per diem as a member. (Art. 3, Sec. 24.)

The per diem and mileage allowed to each member of the General Assembly shall be certified by the speakers of their respective Houses, and entered on the journals and published at the close of each session. (Art. 3, Sec. 25.)

1862 (rejected)

The members of the general assembly shall receive for their services, the sum of three dollars per day during the first session held under this constitution, and ten cents for each mile necessarily traveled, going to and returning from the seat of government, to be computed by the auditor of public accounts, and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument whatever. But no change shall be made in the compensation of members of the general assembly, during the term for which they may have been elected. The speaker of the house of representatives shall be allowed the sum of one dollar per day in addition to his per diem as a member. (Art. 4, Sec. 23.)

The per diem allowed to each member of the general assembly shall be certified by the speakers of their respective houses, and entered on the journals, together with the mileage of each member as computed by the auditor, and published at the close of each session; and each member of the general assembly shall be furnished at the expense of the state with stationery necessary for the transaction of the public business, and shall be entitled to one copy of the laws and journal of the session, of which he is a member; but no appropriation, by resolution or otherwise, shall be made by the general assembly for postage or newspapers, either for the use of its members or for distribution. (Art. 4, Sec. 24.)

SECTION 22. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: for—

Granting divorces;

Changing the names of persons or places;

- Laying out, opening, altering and working roads or highways;
- Vacating roads, town plats, streets, alleys and public grounds;
- Locating or changing county seats;
- Regulating county and township affairs;
- Regulating the practice in courts of justice;
- Regulating the jurisdiction and duties of justices of the peace, police magistrates and constables;
- Providing for changes of venue in civil and criminal cases;
- Incorporating cities, towns or villages, or changing or amending the charter of any town, city or village;
- Providing for the election of members of the board of supervisors in townships, incorporated towns or cities;
- Summoning and empanelling grand or petit juries;
- Providing for the management of common schools;
- Regulating the rate of interest on money;
- The opening and conducting of any election, or designating the place of voting;
- The sale or mortgage of real estate belonging to minors or others under disability;
- The protection of game or fish;
- Chartering or licensing ferries or toll bridges;
- Remitting fines, penalties or forfeitures;
- Creating, increasing or decreasing fees, percentage or allowances of public officers, during the term for which said officers are elected or appointed;
- Changing the law of descent;
- Granting to any corporation, association, or individual, the right to lay down railroad tracks, or amending existing charters for such purpose;
- Granting to any corporation, association or individual any special or exclusive privilege, immunity, or franchise whatever;
- In all other cases where a general law can be made applicable, no special law shall be enacted.

1848

The General Assembly shall have no power to grant divorces, but may authorize the courts of justice to grant them for such causes as may be specified by law; *Provided* that such laws be general and uniform in their operation. (Art. 3, Sec. 32.)

The General Assembly shall have no power to authorize, by private or special law, the sale of any lands or other real estate belonging in whole or in part to any individual or individuals. (Art. 3, Sec. 36.)

1862 (rejected)

The general assembly shall not pass any local or special laws in any of the following enumerated cases, that is to say; for granting divorces; changing the names of persons; laying out, opening, altering and working on roads or highways; vacating roads, town plats, streets, alleys and public squares; locating and changing county seats; regulating county and township business; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace and constables; or providing for changes of venue in civil and criminal cases. In all the cases enumerated above, all laws shall be general and of uniform operation throughout the state. (Art. 4, Sec. 30.)

The general assembly shall have no power to authorize, by private or special law, the sale of any lands or other real estate belonging, in whole or in part, to any individual, company or corporation. (Art. 4, Sec. 33.)

SECTION 23. The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to this State or to any municipal corporation therein.

1862 (rejected)

The general assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this state, except by a vote of two-thirds of all the members elected to each house of the general assembly. (Art. 4, Sec. 37.)

SECTION 24. The House of Representatives shall have the sole power of impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath, or affirmation to do justice according to law and evidence. When the Governor of the State is tried, the Chief Justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this State. The party, whether convicted or acquitted, shall nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

1818

The house of representatives shall have the sole power of impeaching, but a majority of all the members present must concur in an impeachment. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of all the senators present. (Art. 2, Sec. 22.)

The Governor and all other civil officers under this state 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 disqualifications to hold any office of honour, profit or trust under this state. The party whether convicted or acquitted shall nevertheless be liable to indictment, trial, judgment and punishment according to law. (Art. 2, Sec. 23.)

1848

The House of Representatives shall have the sole power of impeaching; but majority of all the members elected must concur in an impeachment. All impeachments shall be tried by the Senate; and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the Senators elected. (Art. 3, Sec. 27.)

The Governor and other civil officers under this state shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, profit, or trust, under this state. The party, whether convicted, or acquitted, shall nevertheless, be liable to indictment, trial, judgment, and punishment, according to law. (Art. 3, Sec. 28.)

1862 (rejected)

The house of representatives shall have the sole power of impeaching; but a majority of all the members elected must concur in an impeachment. All impeachments shall be tried by the senate, and when sitting for that purpose, the senators shall be upon oath or affirmation, to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the senators elected. (Art. 4, Sec. 26.)

The governor, and other civil officers under this state, shall be liable to impeachment for any misdemeanor in office during their continuance in office; but judgment in such cases shall not extend further than to removal from office. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment, according to law. (Art. 4, Sec. 27.)

SECTION 25. The General Assembly shall provide, by law, that the fuel, stationery, and printing paper furnished for the use of the State; the copying, printing, binding and distributing the laws and journals, and all other printing ordered by the General Assembly shall be let by contract to the lowest responsible bidder; but the General Assembly shall fix a maximum price; and no member thereof, or other officer of the State, shall be interested, directly or indirectly, in such contract. But all such contracts shall be subject to the approval of the Governor, and if he disapproves the same there shall be a re-letting of the contract, in such manner as shall be prescribed by law.

1848

The General Assembly shall provide by law that the fuel and stationery furnished for the use of the state; the copying, printing, binding and distributing the laws and journals, and all other printing ordered by the General Assembly shall be let, by contract, to the lowest responsible bidder; and that no member of the General Assembly, or other officer of the state shall be interested either directly or indirectly in any such contract: *Provided*, that the General Assembly may fix a maximum price. (Art. 3, Sec. 39.)

1862 (rejected)

The general assembly shall provide, by law, that the fuel, stationery and printing paper furnished for the use of the state, the copying, printing, binding and distributing the laws and journals, and all other printing ordered by the general assembly, shall be let, by contract, to the lowest responsible bidder; but the general assembly shall fix a maximum price; and no member of the general assembly, or other officer of the state, shall be interested, directly or indirectly, in such contract. (Art. 4, Sec. 36.)

SECTION 26. The State of Illinois shall never be made defendant in any court of law or equity.

1848

The General Assembly shall direct by law in what manner suits may be brought against the state. (Art. 3, Sec. 34.)

1862 (rejected)

Suits may be brought against the state in the circuit court of the county where the seat of government shall be located; and, upon proper affidavit filed, either party may have the venue changed to some other county or

circuit, as provided by law. And in all cases either party shall have the right of appeal to the supreme court, whose decisions shall be final and conclusive as to the rights of the parties. And the general assembly shall provide for the payment of any judgment so rendered at such time and in such manner, as, in its discretion, shall be warranted by the financial condition of the state; PROVIDED, that the general assembly shall have no power to allow or pay any claims, demands or damages presented against the state after the expiration of five years from the time the claim originated or the cause of action shall have accrued, except upon the bonds of this state and the interest accruing on the same heretofore issued or hereafter to be issued by or under the authority of this state. (Art. 4, Sec. 32.)

SECTION 27. The General Assembly shall have no power to authorize lotteries or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

1848

The General Assembly shall have no power to authorize lotteries for any purpose, nor to revive or extend the charter of the state bank, or the charter of any other bank heretofore existing in this state, and shall pass laws to prohibit the sale of lottery tickets in this state. (Art. 3, Sec. 35.)

SECTION 28. No law shall be passed which shall operate to extend the term of any public officer after his election or appointment.

SECTION 29. It shall be the duty of the General Assembly to pass such laws as may be necessary for the protection of operative miners, by providing for ventilation, when the same may be required, and the construction of escapement shafts, or such other appliances as may secure safety in all coal mines, and to provide for the enforcement of said laws by such penalties and punishments as may be deemed proper.

SECTION 30. The General Assembly may provide for establishing and opening roads and cartways, connected with a public road, for private and public use.

1862 (rejected)

Private roads may be opened in the manner to be prescribed by law; but in every case the necessity for the same and the amount of damages to be sustained by the opening thereof, shall be first determined by a jury of freeholders; and such amount, together with the expenses, shall be paid by the person to be benefited, without deduction for benefits to any property of the owner. (Art. 2, Sec. 28.)

SECTION 31. The General Assembly may pass laws permitting the owners of lands to construct drains, ditches and levees for Agricultural, Sanitary or mining purposes; across the lands of others, and

provide for the organization of drainage districts, and vest the corporate authorities thereof, with power to construct and maintain levees, drains and ditches, and to keep in repair all drains, ditches and levees heretofore constructed under the laws of this State, by Special Assessments upon the property benefited thereby. ³

SECTION 32. The General Assembly shall pass liberal Homestead and Exemption laws.

1862 (rejected)

The general assembly shall pass all necessary laws for exempting from levy and forced sale, under any process or order of any court of law or equity in this state, except for non-payment of taxes or assessments, or for a debt or liability incurred for the purchase or improvement thereof, a liberal homestead to every householder having a family, such exemption to continue after the death or desertion of such householder, for the benefit of the wife or widow and family, until the youngest child becomes twenty-one years of age, and until the death of such wife or widow; also, all such laws as may be necessary to effectually exempt the real and personal property of married women, acquired before marriage, and all property they may earn by their personal exertions, or to which they may become entitled in any manner whatever, after marriage, except by voluntary, fraudulent conveyances or transfers, from the husband, to the wife or to a trustee or trustees, for the use of the wife, from all liability for the debts, obligations or engagements of the husband. (Art. 14.)

SECTION 33. The General Assembly shall not appropriate out of the State treasury, or expend on account of the new capitol grounds, and construction, completion, and furnishing of the State House, a sum exceeding, in the aggregate, three and a half millions of dollars, inclusive of all appropriations heretofore made, without first submitting the proposition for an additional expenditure to the legal voters of the State, at a general election; nor unless a majority of all the votes cast at such election shall be for the proposed additional expenditure.

SECTION 34. The General Assembly shall have power, subject to the conditions and limitations hereinafter contained, to pass any law (local, special or general) providing a scheme or charter of local municipal government for the territory now or hereafter embraced within the limits of the city of Chicago. The law or laws so passed may provide for consolidating (in whole or in part) in the municipal government of the city of Chicago, the powers now vested in the city,

³ As amended by the first amendment to the constitution. The amendment was proposed by resolution of the general assembly in 1877. It was ratified by the voters on November 5, 1878, and proclaimed adopted on November 29, 1878. The section as it originally appeared is as follows:

"SECTION 31. The General Assembly may pass laws permitting the owners or occupants of lands to construct drains and ditches, for agricultural and sanitary purposes, across the lands of others."

board of education, township, park and other local governments and authorities having jurisdiction confined to or within said territory, or any part thereof, and for the assumption by the city of Chicago of the debts and liabilities (in whole or in part) of the governments or corporate authorities whose functions within its territory shall be vested in said city of Chicago, and may authorize said city, in the event of its becoming liable for the indebtedness of two or more of the existing municipal corporations lying wholly within said city of Chicago, to become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of said county and sanitary district which share shall be determined in such manner as the General Assembly shall prescribe) in the aggregate not exceeding five per centum of the full value of the taxable property within its limits, as ascertained by the last assessment either for State or municipal purposes previous to the incurring of such indebtedness (but no new bonded indebtedness, other than for refunding purposes, shall be incurred until the proposition therefore shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special); and may provide for the assessment of property and the levy and collection of taxes within said city for corporate purposes in accordance with the principles of equality and uniformity prescribed by this Constitution; and may abolish all offices, the functions of which shall be otherwise provided for; and may provide for the annexation of territory to or disconnection of territory from said city of Chicago by the consent of a majority of the legal voters (voting on the question at any election, general, municipal or special) of the said city and of a majority of the voters of such territory, voting on the question at any election, general, municipal or special; and in case the General Assembly shall create municipal courts in the city of Chicago it may abolish the offices of justices of the peace, police magistrates and constables in and for the territory within said city, and may limit the jurisdiction of justices of the peace in the territory of said county of Cook outside of said city to that territory, and in such case the jurisdiction and practice of said municipal courts shall be such as the General Assembly shall prescribe; and the General Assembly may pass all laws which it may deem requisite to effectually provide a complete system of local municipal government in and for the city of Chicago.

No law based upon this amendment to the Constitution, affecting the municipal government of the city of Chicago, shall take effect until such law shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special; and no local or special law based upon this amendment affecting specially any part of the city of Chicago shall take effect until consented to by a majority of the legal voters of such part of said city voting on the question at any election, general, municipal or special. Nothing in this section contained shall be construed to

repeal, amend or affect section four (4) of Article XI of the Constitution of this State. ⁴

1862 (rejected)

. . . . at the next municipal election to be held in the city of Chicago on the third Tuesday of April, 1862, the legal voters of said city shall cause to be printed or written upon all their ballots the following words: "For the city of Chicago electing its own officers;" or the words: "Against the city of Chicago electing its own officers;" which shall be canvassed and returned with the election returns of the ballots, as is now provided by law. And in case there shall be a majority of the legal voters voting at said election in favor of the people of said city electing their own officers, as indicated by said above mentioned words, then it shall not be lawful for any officers of that city to be chosen in any other manner than by a vote of the people of said city, or appointed in any other manner than by the mayor and aldermen, as provided by present laws; and the act approved February 22, A. D. 1861, entitled "An act regulating the custody and sale of personal property under legal process, in the city of Chicago, and the towns of South Chicago, West Chicago, and North Chicago in Cook County;" also, "An act to establish a board of police in and for the city of Chicago, and to prescribe their powers and duties," approved February 21, A. D. 1861; and also so much of an act approved February 18, A. D. 1861, as is embraced in section sixty-six and one-half (66½) of an act to amend the city charter of Chicago, and creating three commissioners to examine into the finances of said city, be and the same are each and all of them hereby repealed; and the powers and duties of all officers appointed under and by virtue of said acts shall immediately cease; and, hereafter, neither the governor nor general assembly shall appoint any person to any office for said city of Chicago, but all officers shall be elected by the people of said city, or appointed by the mayor and aldermen, as provided by present laws, or by such general laws as may hereafter be passed by the general assembly, under this constitution. (Schedule, Sec. 34.)

⁴ Section 34 was added by the sixth amendment to the constitution. The amendment was proposed by a resolution of the general assembly in 1903. It was ratified by the voters on November 8, 1904, and proclaimed adopted on December 5, 1904.

ARTICLE V—EXECUTIVE DEPARTMENT

SECTION 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, and Attorney General, who shall, each, with the exception of the Treasurer, hold his office for the term of four years from the second Monday of January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant Governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.

1818

The first governor shall hold his office until the first Monday of December in the year of our Lord one thousand eight hundred and twenty-two, and until another governor shall be elected and qualified to office; and forever after, the governor shall hold his office for the term of four years, and until another governor shall be elected and qualified . . . (Art. 3, Sec. 3.)

A Lieutenant-governor shall be chosen at every election for governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant-governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant-governor. (Art. 3, Sec. 13.)

The governor shall nominate, and by and with the advice and consent of the senate appoint a Secretary of State, who shall keep a fair register of the official acts of the governor, and when required shall lay the same and all papers, minutes and vouchers relative thereto before either branch of the general assembly and shall perform such other duties as shall be assigned him by law. (Art. 3, Sec. 20.)

An auditor of public accounts, an attorney general and such other officers for the state as may be necessary may be appointed by the general assembly whose duties may be regulated by law. (Schedule, Sec. 10.)

The state treasurer and public printer or printers for the state, shall be appointed biennially by the joint vote of both branches of the general assembly; provided that during the recess of the same, the governor shall have power to fill such vacancies as may happen in either of said offices. (Art. 3, Sec. 21.)

1848

The first governor shall enter upon the duties of his office, on the second Monday of January, A. D. 1849; and shall hold his office until the second Monday of January, A. D. 1853, and until his successor shall have been elected and qualified; and thereafter the governor shall hold his office for the term of four years, and until his successor shall have been elected and qualified . . . (Art. 4, Sec. 3.)

The governor shall reside at the seat of government . . . (Art. 4, Sec. 5.)

A lieutenant governor shall be chosen at every election of governor, in the same manner, continue in office for the same time . . . (Art. 4, Sec. 14.)

There shall be elected by the qualified electors of this state, at the same time of the election for governor, a Secretary of State, whose term of office

shall be the same as that of the governor, who shall keep a fair register of the official acts of the governor, and when required, shall lay the same, and all papers, minutes and vouchers relative thereto, before either branch of the General Assembly; and shall perform such other duties as shall be assigned him by law. . . . (Art. 4, Sec. 22.)

There shall be chosen by the qualified electors throughout the state an Auditor of Public Accounts, who shall hold his office for the term of four years, and until his successor is qualified, and whose duties shall be regulated by law. . . . (Art. 4, Sec. 23.)

There shall be elected by the qualified electors throughout the state, a state treasurer, who shall hold his office for two years, and until his successor is qualified; whose duties may be regulated by law. . . . (Art. 4, Sec. 24.)

1862 (rejected)

The executive department shall consist of a governor in whom shall be vested the supreme executive power of the state, a lieutenant governor, secretary of state, auditor, treasurer and attorney general, who shall be elected for the term of two years, on the Tuesday next after the first Monday in November, in the year of our Lord one thousand eight hundred and sixty-two, and biennially thereafter, by the qualified electors of the state, at the same places and in the same manner as members of the general assembly. Their term of office shall commence on the first Tuesday in January next after their election, and continue until their successors are elected and qualified. (Art. 5, Sec. 1.)

There shall be a state superintendent of public instruction, who shall be elected at the same time and in the same manner as members of the general assembly, who shall hold his office for two years, and until his successor shall be elected and qualified; whose powers, duties . . . shall be prescribed by law. . . . (Art. 10, Sec. 4.)

The governor shall reside at the seat of government. . . . (Art. 5, Sec. 5.)

The respective duties of the secretary of state, auditor, treasurer, and attorney general shall be prescribed by law. . . . (Art. 5, Sec. 15.)

SECTION 2. The Treasurer shall hold his office for the term of two years, and until his successor is elected and qualified; and shall be ineligible to said office for two years next after the end of the term for which he was elected. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

1818

The state treasurer . . . shall be appointed biennially by the joint vote of both branches of the general assembly. . . . (Art. 3, Sec. 21.)

1848

There shall be elected by the qualified electors throughout the state, a state treasurer, who shall hold his office for two years, and until his successor is qualified; whose duties may be regulated by law. . . . (Art. 4, Sec. 24.)

1862 (rejected)

. . . Treasurer . . . shall be elected for the term of two years, on the Tuesday next after the first Monday in November, in the year of our Lord one thousand eight hundred and sixty-two, and biennially thereafter, by the qualified electors of the state, at the same places and in the same manner as members of the general assembly. Their term of office shall commence on the first Tuesday in January next after their election and continue until their successors are elected and qualified. (Art. 5, Sec. 1.)

SECTION 3. An election for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, and Attorney General, shall be held on the Tuesday next after the first Monday of November, in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter; for Superintendent of Public Instruction on the Tuesday next after the first Monday of November, in the year one thousand eight hundred and seventy, and every four years thereafter; and for Treasurer on the day last above mentioned, and every two years thereafter, at such places and in such manner as may be prescribed by law.

1818

The first election of Governor shall commence on the third thursday of September next, and continue for that and the two succeeding days; and the next election shall be held on the first monday of August in the year of our Lord one thousand eight hundred and twenty-two. And for ever after, elections for governor shall be held once in four years on the first monday in August. The governor shall be chosen by the electors of the members of the general assembly at the same places and in the same manner that they shall respectively vote for members thereof. . . . (Art. 3, Sec. 2.)

A Lieutenant-governor shall be chosen at every election for governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant-governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant governor. (Art. 3, Sec. 13.)

The governor shall nominate, and by and with the advice and consent of the senate appoint a Secretary of State (Art. 3, Sec. 20.)

The state treasurer . . . shall be appointed biennially by the joint vote of both branches of the general assembly. . . . (Art. 3, Sec. 21.)

An auditor of public accounts, an attorney general and such other officers for the state as may be necessary may be appointed by the general assembly whose duties may be regulated by law. (Schedule, Sec. 10.)

1848

The first election of governor shall be held on Tuesday next after the first Monday in November, A. D. 1848; and the next election shall be held on Tuesday next after the first Monday of November A. D. 1852; and there after an election for governor shall be held once in four years on Tuesday next after the first Monday in November. The governor shall be chosen by the electors of the members of the General Assembly at the same places and in the same manner that they shall respectively vote for members thereof. . . . (Art. 4, Sec. 2.)

. . . the first General Election of Governor, Secretary of State, Auditor, Treasurer, and members of the General Assembly, and of such other officers as are to be elected at the same time, shall be held on the first Monday of August 1848, anything in this constitution to the contrary notwithstanding. County officers then elected shall hold their respective offices until their successors are elected or appointed in conformity with laws hereafter enacted. (Schedule, Sec. 16.)

A lieutenant governor shall be chosen at every election of governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant governor. (Art. 4, Sec. 14.)

There shall be elected by the qualified electors of this state, at the same time of the election for governor, a Secretary of State whose term of office shall be the same as that of the governor. . . . (Art. 4, Sec. 22.)

There shall be chosen by the qualified electors throughout the state an Auditor of Public Accounts, who shall hold his office for the term of four years, and until his successor is qualified (Art 4, Sec. 23.)

There shall be elected by the qualified electors throughout the state a state treasurer, who shall hold his office for two years, and until his successor is qualified . . . (Art. 4, Sec. 24.)

1862 (rejected)

. . . governor . . . lieutenant governor, secretary of state, auditor, treasurer and attorney general . . . shall be elected for the term of two years on the Tuesday next after the first Monday in November, in the year of our Lord one thousand eight hundred and sixty-two and biennially thereafter, by the qualified electors of the state, at the same places and in the same manner as members of the general assembly . . . (Art. 5, Sec. 1.)

. . . a state superintendent of public instruction . . . shall be elected at the same time and in the same manner as members of the general assembly, who shall hold his office for two years, and until his successor shall be elected and qualified . . . (Art. 10, Sec. 4.)

The respective duties of the secretary of state, auditor, treasurer, and attorney general shall be prescribed by law . . . (Art. 5, Sec. 15.)

SECTION 4. The returns of every election for the above named officers shall be sealed up and transmitted, by the returning officers, to the Secretary of State, directed to the "The Speaker of the House of Representatives," who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each House of the General Assembly, who shall, for that purpose, assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal, and the highest number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

1818

. . . The returns for every election of governor shall be sealed up and transmitted to the seat of government by the returning officers directed to the speaker of the house of representatives, who shall open and publish them in the presence of a majority of the members of each house 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, then one of them shall be chosen governor by joint ballot of both houses of the general assembly. Contested elections shall be determined by both houses of the general assembly in such manner as shall be prescribed by law. (Art. 3, Sec. 2.)

1848

. . . The returns for every election of governor shall be sealed up, and transmitted to the seat of government by the returning officers, directed to the speaker of the House of representatives, who shall open and publish them in the presence of a majority of the members of each House 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, then one of them shall be chosen governor by joint ballot of both Houses of the General Assembly. Contested elections shall be determined by both Houses of the General Assembly in such manner as shall be prescribed by law. (Art. 4, Sec. 2.)

. . . returns of the election of justices of the Supreme and judges of the circuit courts, Secretary of State, Auditor and Treasurer, shall be made and canvassed as is now provided by law for representatives in

congress, and returns for members of the General Assembly and county officers, shall be made and canvassed as is now provided by law. (Schedule, Sec. 17.)

1862 (rejected)

The returns of every election for the officers named in the foregoing section shall be sealed up and transmitted to the seat of government by the returning officers, directed to the speaker of the house of representatives, who shall open and publish the same in the presence of a majority of the members of each house of the general assembly. The persons having the highest number of votes respectively, shall be declared duly elected; but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both houses of the general assembly. Contested elections shall be determined by both houses of the general assembly, in such manner as shall be prescribed by law. (Art. 5, Sec. 2.)

Returns of the election of governor and state officers, judges of the supreme and circuit courts, members of the general assembly, and other officers provided in this constitution, shall be made and canvassed as is now provided by law. (Schedule, Sec. 11.)

SECTION 5. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, and been, for five years next preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction nor Attorney General shall be eligible to any other office during the period for which he shall have been elected.

1818

The first governor shall hold his office until the first monday of December in the year of our Lord one thousand eight hundred and twenty two, and until another governor shall be elected and qualified to office: and forever after, the governor shall hold his office for the term of four years, and until another governor shall be elected and qualified; but he shall not be eligible for more than four years in any term of eight years. He shall be at least thirty years of age and have been a citizen of the United States thirty years; two years of which next preceding his election, he shall have resided within the limits of this state. (Art. 3, Sec. 3.)

The Lieutenant-governor shall be chosen at every election for governor . . . and possess the same qualifications . . . (Art. 3, Sec. 13.)

Any person of thirty years of age who is a citizen of the United States and has resided within the limits of this state two years, next preceding his election, shall be eligible to the office of lieutenant governor—anything in the thirteenth section of the third article of this constitution contained to the contrary notwithstanding. (Schedule, Sec. 14.)

1848

No person except a citizen of the United States shall be eligible to the office of governor; nor shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been ten years a resident of this state, and fourteen years a citizen of the United States. (Art. 4, Sec. 4.)

he, [the governor] shall not be eligible to such office more than four years in any term of eight years, nor to any other office until after the expiration of the term for which he was elected. (Art. 4, Sec. 3.)

A lieutenant governor shall be chosen at every election of governor . . . and shall possess the same qualifications . . . (Art. 4, Sec. 14.)

1862 (rejected)

No person shall be eligible to the office of governor who shall not have attained the age of thirty years; been ten years, next preceding his elec-

tion a resident of this state, and for a like period a citizen of the United States; nor shall any person, when elected, be eligible to any other office within this state until after the expiration of the term for which he shall have been elected. (Art. 5, Sec. 3.)

SECTION 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

1818

The executive power of the state shall be vested in a Governor. (Art. 3, Sec. 1.)

He [the Governor] . . . shall take care that the laws be faithfully executed. (Art. 3, Sec. 7.)

1848

The executive power of the state shall be vested in a governor. (Art. 4, Sec. 1.)

He [the Governor] . . . shall take care that the laws be faithfully executed. (Art. 4, Sec. 9.)

1862 (rejected)

The executive department shall consist of a governor, in whom shall be vested the supreme executive power of the state. . . . (Art. 5, Sec. 1.)

. . . the governor . . . shall take care that the laws be faithfully executed. (Art. 5, Sec. 7.)

SECTION 7. The Governor shall, at the commencement of each session, and at the close of his term of office, give to the General Assembly information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly, and accompany his message with a statement of all moneys received and paid out by him from any funds subject to his order, with vouchers, and, at the commencement of each regular session present estimates of the amount of money required to be raised by taxation for all purposes.

1818

He shall from time to time give the general assembly information of the state of the government, and recommend to their consideration such measures as he shall deem expedient. (Art. 3, Sec. 4.)

1848

He shall from time to time give the General Assembly information of the state of the government, and recommend to their consideration such measures as he shall deem expedient. (Art. 4, Sec. 7.)

1862 (rejected)

The governor shall . . . from time to time, give the general assembly information of the state of the government, and recommend to their consideration such measures as he shall deem expedient. He shall be ex officio canal trustee and fund commissioner, and perform such duties as shall be prescribed by law. (Art. 5, Sec. 5.)

SECTION 8. The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which they are convened; and the General Assembly shall

enter upon no business except that for which they were called together.

1818

He may on extraordinary occasions convene the general assembly by proclamation, and shall state to them when assembled the purpose for which they shall have been convened. (Art. 3, Sec. 9.)

1848 .

He may on extraordinary occasions, convene the General Assembly by proclamation, and shall state in said proclamation the purpose for which they are to convene, and the General Assembly shall enter on no legislative business except that for which they were specially called together. (Art. 4, Sec. 10.)

1862 (rejected)

The governor, on extraordinary occasions, may convene the general assembly by proclamation, stating therein the purpose for which they are convened; and the general assembly shall enter on no legislative business, except that for which they were specially called together. (Art. 5, Sec. 8.)

SECTION 9. In case of a disagreement between the two houses with respect to the time of adjournment, the Governor may, on the same being certified to him by the house first moving the adjournment, adjourn the General Assembly to such time as he thinks proper, not beyond the first day of the next regular session.

1818

In case of disagreement between the two houses with respect to the time of adjournment the Governor shall have power to adjourn the general assembly to such time as he thinks proper, provided it be not to a period beyond the next constitutional meeting of the same. (Art. 3, Sec. 12.)

1848

In case of disagreement between the two Houses with respect to the time of adjournment, the governor shall have power to adjourn the General Assembly to such time as he thinks proper, *provided*, it be not to a period beyond the next constitutional meeting of the same. (Art. 4, Sec. 13.)

SECTION 10. The Governor shall nominate, and by and with the advice and consent of the Senate, (a majority of all the Senators elected concurring, by yeas and nays), appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for; and no such officer shall be appointed or elected by the General Assembly.

1818

The governor shall nominate and by and with the advice and consent of the senate, appoint all officers whose offices are established by this constitution, or shall be established by law, and whose appointments are not herein otherwise provided for: Provided however that inspectors, collectors and their deputies, surveyors of the highways, constables, jailers and such inferior officers whose jurisdiction may be confined within the limits of the county, shall be appointed in such manner as the general assembly shall prescribe. (Art. 3, Sec. 22.)

1848

The governor shall nominate, and, by and with the advice and consent of the senate, (a majority of all the senators concurring), appoint all

officers, whose offices are established by this Constitution, or which may, be created by law, and whose appointments are not otherwise provided for; and no such officer shall be appointed or elected by the General Assembly. (Art. 4, Sec. 12.)

1832 (rejected)

The governor shall nominate, and, by and with the advice and consent of a majority of the senators elect, appoint all officers whose offices are established by this constitution, or which may be created by law, and whose appointments are not otherwise provided for; and no such officer shall be appointed or elected by the general assembly. (Art. 5, Sec. 10.)

SECTION 11. In case of a vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate (a majority of all the Senators elected concurring by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the General Assembly.

1818

When any officer, the right of whose appointment is by this Constitution vested in the general assembly, or in the governor and senate, shall, during the recess, die, or his office by any means become vacant, the governor shall have power to fill such vacancy by granting a commission which shall expire at the end of the next session of the general assembly. (Art. 3, Sec. 8.)

The state treasurer and public printer or printers for the state, shall be appointed biennially by the joint vote of both branches of the general assembly; Provided that during the recess of the same, the governor shall have power to fill such vacancies as may happen in either of said offices. (Art. 3, Sec. 21.)

1848

If the office of Secretary of State, should be vacated by death, resignation or otherwise, it shall be the duty of the governor to appoint another who shall hold his office until another Secretary shall be elected and qualified. (Art. 4, Sec. 22.)

The election of all officers, and the filling of all vacancies that may happen by death, resignation or removal, not otherwise directed or provided for by this constitution, shall be made in such manner as the General Assembly shall direct, provided that no such officer shall be elected by the General Assembly. (Art. 5, Sec. 23.)

SECTION 12. The Governor shall have power to remove any officer whom he may appoint, in case of incompetency, neglect of duty, or malfeasance in office; and he may declare his office vacant, and fill the same as is herein provided in other cases of vacancy.

SECTION 13. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, subject

to such regulations as may be provided by law relative to the manner of applying therefor.

1818

He shall have power to grant reprieves and pardons after conviction except in cases of impeachment. (Art. 3, Sec. 5.)

1848

The governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offences except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly at its next meeting, when the General Assembly shall pardon the convict, commute the sentence, direct the execution thereof, or grant a further reprieve. He shall, biennially, communicate to the General Assembly each case of reprieve, commutation or pardon granted; stating the name of the convict, the crime for which he was convicted, the sentence, and its date, and the date of commutation, pardon or reprieve. (Art. 4, Sec. 8.)

1862 (rejected)

The governor shall have power to grant reprieves, commutations and pardons, after conviction for all offenses, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have power to suspend the execution of the sentence until the case shall be reported to the general assembly at its next meeting, when the general assembly shall pardon the convict, commute the sentence, direct the execution thereof, or grant a further reprieve. He shall, biennially, communicate to the general assembly each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime for which he was convicted, the sentence and its date, and the date of commutation, pardon or reprieve and the reasons therefor. (Art. 5, Sec. 6.)

SECTION 14. The Governor shall be commander-in-chief of the military and naval forces of the State (except when they shall be called into the service of the United States); and may call out the same to execute the laws, suppress insurrection, and repel invasion.

1818

He shall be commander-in-chief of the army and navy of this state and of the militia, except when they shall be called into service of the United States. (Art. 3, Sec. 10.)

1848

He shall be commander-in-chief of the army and navy of this state, and of the militia, except when they shall be called into the service of the United States. (Art. 4, Sec. 11.)

1862 (rejected)

The governor shall be commander-in-chief of the army and navy of this state, and of the militia, except when they shall be called into the service of the United States. (Art. 5, Sec. 9.)

SECTION 15. The Governor, and all civil officers of the State, shall be liable to impeachment for any misdemeanor in office.

1818

The Governor and all other civil officers under this state shall be liable to impeachment for any misdemeanor in office. . . . (Art. 2, Sec. 23.)

1848

The governor and all other civil officers, shall be liable to impeachment for misdemeanor in office, during their continuance in office, and for two years thereafter. (Art. 4, Sec. 26.)

The Governor and other civil officers under this state shall be liable to impeachment for any misdemeanor in office. . . . (Art. 3, Sec. 28.)

1862 (rejected)

The governor, and other civil officers under this state, shall be liable to impeachment for any misdemeanor in office during their continuance in office (Art. 4, Sec. 27.)

SECTION 16. Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do 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 its journal and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that house, it shall become a law notwithstanding the objections of the Governor; but in all such cases the vote of each house shall be determined by yeas and nays to be entered upon the journal.

Bills making appropriations of money out of the Treasury shall specify the objects and purposes for which the same are made, and appropriate to them respectively their several amounts in distinct items and sections, and if the Governor shall not approve any one or more of the items or sections contained in any bill, but shall approve the residue thereof, it shall become a law as to the residue in like manner as if he had signed it. The Governor shall then return the bill, with his objections to the items or sections of the same not approved by him, to the house in which the bill shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider so much of said bill as is not approved by the Governor. The same proceedings shall be had in both houses in reconsidering the same as is hereinbefore provided in case of an entire bill returned by the Governor with his objections; and if any item or section of said bill not approved by the Governor shall be passed by two-thirds of the members elected to each of the two houses of the General Assembly, it shall become part of said law notwithstanding the objections of the Governor. Any bill which shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him shall become a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment prevent its return, in which case it shall be filed with his

objections, in the office of the Secretary of State, within ten days after such adjournment, or become a law.⁵

1818

The governor for the time being and the Judges of the supreme Court, or a major part of them together with the governor, shall be and are hereby constituted a council to revise all bills about to be passed into laws by the general assembly; and for that purpose shall assemble themselves from time to time when the general assembly shall be convened; for which nevertheless they shall not receive any salary or consideration under any pretense whatever; and all bills which have passed the senate and house of representatives shall, before they become laws, be presented to the said council for their revisal and consideration; and if upon such revisal and consideration it should appear improper to the said council or a majority of them, that the bill should become a law of this state, they shall return the same, together with their objections thereto in writing, to the senate or house of representatives (in whichever the same shall have originated) who shall enter the objections set down by the council at large in their minutes and proceed to reconsider the said bill. But if after such reconsideration the said senate or house of representatives shall, notwithstanding the said objections, agree to pass the same by a majority of the whole number of members elected, it shall together with the said objections be sent to the other branch of the general assembly, where it shall also be reconsidered; and if approved by a majority of all the members elected, it shall become a law. If any bill shall not be returned within ten days after it shall have been presented, the same shall be a law; unless the general assembly shall by their adjournment render a return of the said bill in ten days impracticable; in which case the said bill shall be returned on the first day of the meeting of the general assembly after the expiration of the said ten days, or be a law. (Art. 3, Sec. 19.)

1848

Every bill which shall have passed the Senate and House of Representatives shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it shall have originated; and the said House shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, a majority of the members elected, shall agree to pass the bill, it shall be sent, together with the objections to the other House, by which it shall likewise be reconsidered; and if approved by a majority of the members elected, it shall become a law, notwithstanding the objections of the governor; but in all such cases, the votes of both Houses shall be determined by yeas and nays to be entered on the journal of each House respectively. If any bill shall not be returned by the governor within ten days—(Sundays excepted)—after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it,

⁵ As amended by the third amendment to the constitution. The amendment was proposed by resolution of the general assembly in 1883. It was ratified by the people on November 4, 1884, and proclaimed adopted on November 28, 1884. The section as it originally appeared is as follows:

"SECTION 16. Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do 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 its journal, and proceed to reconsider the bill. If, then, two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor. But in all such cases the vote of each house shall be determined by yeas and nays, to be entered on the journal. Any bill which shall not be returned by the Governor within ten days (Sundays excepted), after it shall have been presented to him, shall become 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 filed with his objections, in the office of the Secretary of State, within ten days after such adjournment, or become a law."

unless the General Assembly shall by their adjournment, prevent its return; in which case the said bill shall be returned on the first day of the meeting of the General Assembly after the expiration of said ten days, or be a law. (Art. 4, Sec. 21.)

1862 (rejected)

Every bill which shall have passed the senate and house of representatives shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it shall have originated; and the said house shall enter the objections at large on their journal, and proceed to reconsider said bill. If, after such reconsideration, two-thirds of the members elected shall agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of the members elected, it shall become a law, notwithstanding the objections of the governor. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall become a law, in like manner as if he had signed it, unless the general assembly shall, by their adjournment, prevent its return; in which case the said bill shall be filed, with his objections, in the office of the secretary of state, within ten days after such adjournment, or become a law. (Art. 5, Sec. 14.)

SECTION 17. In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant Governor.

1818

In case of an impeachment of the governor, his removal from office, death, refusal to qualify, resignation or absence from the state, the lieutenant governor shall exercise all the power and authority appertaining to the office of governor, until the time pointed out by this constitution for the election of governor shall arrive, unless the general assembly shall provide by law for the election of a governor to fill such vacancy. (Art. 3, Sec. 18.)

1848

In case of a vacancy in the office of governor, for any other cause than those herein enumerated; or in case of the death of the governor elect before he is qualified, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor, or speaker of the Senate, as above provided until a new governor be elected and qualified. (Art. 4, Sec. 20.)

In case of the impeachment of the governor, his absence from the state, or inability to discharge the duties of his office, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor . . . (Art. 4, Sec. 19.)

1862 (rejected)

In case of the impeachment of the governor, his failure to qualify, his absence from the state, his inability to discharge the duties of his office, or in case the office of governor shall in anywise become vacant, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor, until the disabilities shall cease, or a new governor shall be elected and qualified. . . . (Art. 5, Sec. 12.)

SECTION 18. The Lieutenant Governor shall be President of the Senate, and shall vote only when the Senate is equally divided.

The Senate shall choose a President, *pro tempore*, to preside in case of the absence or impeachment of the Lieutenant Governor, or when he shall hold the office of Governor.

1818

He [the lieutenant governor] shall by virtue of his office be speaker of the senate, have a right when in committee of the whole to debate and vote on all subjects, and whenever the senate are equally divided to give the casting vote. (Art. 3, Sec. 14.)

If the lieutenant governor shall be called upon to administer the government, and shall, while in such administration resign, die, or be absent from the state, during the recess of the general assembly, it shall be the duty of the secretary for the time being to convene the senate for the purpose of choosing a speaker. (Art. 3, Sec. 17.)

Whenever the government shall be administered by the lieutenant governor, or he shall be unable to attend as speaker of the senate, the senators shall elect one of their own members as speaker for that occasion . . . (Art. 3, Sec. 15.)

1848

The lieutenant governor shall, by virtue of his office, be speaker of the senate; have a right when in committee of the whole, to debate and vote on all subjects, and whenever the Senate are equally divided, to give the casting vote. (Art. 4, Sec. 15.)

Whenever the government shall be administered by the lieutenant governor, or he shall be unable to attend as speaker of the Senate, the senators shall elect one of their own number as speaker for that occasion . . . (Art. 4, Sec. 16.)

If the lieutenant governor shall be called upon to administer the government, and shall while in such administration, resign, die, or be absent from the state, during the recess of the General Assembly, it shall be the duty of the Secretary of State for the time being, to convene the Senate for the purpose of choosing a speaker. (Art. 4, Sec. 18.)

1862 (rejected)

The lieutenant governor shall, by virtue of his office, be president of the senate, but shall have no vote, unless the senate be equally divided. (Art. 5, Sec. 11.)

. . . in every case when the lieutenant governor shall be unable to preside over the senate the senators shall elect one of their own number president . . . (Art. 5, Sec. 12.)

SECTION 19. If there be no Lieutenant Governor, or if the Lieutenant Governor shall, for any of the causes specified in section seventeen of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

1818

. . . and if during the vacancy of the office of governor, the lieutenant governor shall be impeached, removed from office, refuse to qualify, or resign or die, or be absent from the state, the speaker of the senate shall in like manner administer the government. (Art. 3, Sec. 15.)

1848

In case of the impeachment of the governor, his absence from the state, or inability to discharge the duties of his office, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor, and in case of his death, resignation or removal, then upon the speaker of the Senate for the time being, until the governor, absent or impeached, shall return or be acquitted; or until the disqualification or inability shall cease, or until a new governor shall be elected and qualified. (Art. 4, Sec. 19.)

. . . and if during the vacancy of the office of governor the lieutenant governor shall be impeached, removed from office, refuse to qualify, or resign or die, or be absent from the state, the speaker of the Senate shall, in like manner, administer the government. (Art. 4, Sec. 16.)

1862 (rejected)

. . . In every case when the lieutenant governor shall be unable to preside over the senate the senators shall elect one of their own number president; and the powers, duties and emoluments of the office of governor shall devolve upon him whenever the lieutenant governor shall for any reason be prevented from discharging the duties of such office as above provided; and he shall continue as acting governor until the disabilities be removed or a new governor or lieutenant governor shall be elected and qualified. Whenever, during a recess of the general assembly, it shall become necessary for a president of the senate to administer the government, the secretary of state shall convene the senate that they may elect such president. (Art. 5, Sec. 12.)

SECTION 20. If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney General, or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the Executive Department, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath: and any officer who makes a false report shall be guilty of perjury, and punished accordingly.

1818

When any officer, the right of whose appointment is by this Constitution vested in the general assembly, or in the governor and senate, shall during the recess, die, or his office by any means become vacant, the governor shall have power to fill such vacancy by granting a commission which shall expire at the end of the next session of the general assembly. (Art. 3, Sec. 8.)

The state treasurer . . . shall be appointed biennially by the joint vote of both branches of the general assembly; Provided that during the recess of the same, the governor shall have power to fill such vacancies as may happen . . . (Art. 3, Sec. 21.)

1848

. . . if the office of Secretary of State, should be vacated by death, resignation or otherwise, it shall be the duty of the governor to appoint another who shall hold his office until another Secretary shall be elected and qualified. (Art. 4, Sec. 22.)

1862 (rejected)

The respective duties of the secretary of state, auditor, treasurer, and attorney general shall be prescribed by law. If the office of either of said

officers shall be vacated by death, resignation or otherwise, it shall be the duty of the governor to appoint another, who shall hold his office until his successor shall be elected and qualified. (Art. 5, Sec. 15.)

SECTION 21. The officers of the Executive Department, and of all the public institutions of the State, shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports to the General Assembly, together with the reports of the Judges of the Supreme Court of defects in the Constitution and laws; and the Governor may at any time require information, in writing, under oath, from the officers of the Executive Department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices.

1818

He [the governor] may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices. . . . (Art. 3, Sec. 7.)

1848

He [the Governor] may require information in writing from the officers in the executive department, upon any subject relating to the duties of their respective offices. . . . (Art. 4, Sec. 9.)

1862 (rejected)

The officers of the executive department and of the public institutions of the state shall, at least five days preceding each regular session of the general assembly, severally report to the governor, who shall transmit such reports, with his message, to the general assembly; and the governor may, at any time, require information in writing from the officers in the executive department, upon any subject relating to the duties of their respective offices (Art. 5, Sec. 7.)

SECTION 22. There shall be a seal of the State, which shall be called the "Great Seal of the State of Illinois," which shall be kept by the Secretary of State, and used by him, officially, as directed by law.

1818

The governor of this state shall make use of his private seal until a state seal shall be provided. (Schedule, Sec. 6.)

1848

All grants and commissions shall be sealed with the great seal of state, signed by the governor or person administering the government, and countersigned by the Secretary of State. (Art. 4, Sec. 25.)

1862 (rejected)

There shall be a seal of the state, which shall be called "the great seal of the state of Illinois," and the motto thereof shall be "State Sovereignty—National Union;" and such seal shall be kept by the secretary of state, and used by him officially, under the direction of the governor., (Art. 5, Sec. 18.)

All grants and commissions shall be issued in the name and by the authority of the state of Illinois, sealed with the great seal, signed by the governor, and countersigned by the secretary of state. (Art. 5, Sec. 19.)

SECTION 23. The officers named in this article shall receive for their services a salary, to be established by law, which shall not be increased or diminished during their official terms, and they shall not, after the expiration of the terms of those in office at the adoption of this constitution, receive to their own use any fees, costs, perquisites of office, or other compensation. And all fees that may hereafter be payable by law for any services performed by any officer provided for in this article of the constitution, shall be paid in advance into the State treasury.

1818

The General Assembly of this state shall not allow the following officers of government greater or smaller annual salaries than as follows, until the year one thousand eight hundred and twenty-four: The governor one thousand dollars and the Secretary of state six hundred dollars. (Art. 2, Sec. 18.)

The governor shall at stated times receive a salary for his services, which shall neither be increased nor diminished during the term for which he shall have been elected. (Art. 3, Sec. 6.)

The lieutenant governor while he acts as speaker of the senate shall receive for his service the same compensation which shall for the same period be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government as governor, he shall receive the same compensation which the governor would have received had he been employed in the duties of his office. (Art. 3, Sec. 16.)

1848

The governor shall . . . receive a salary of fifteen hundred dollars per annum, which shall not be increased or diminished; and he shall not, during the time for which he shall have been elected, receive any emolument from the United States, or either of them. (Art. 4, Sec. 5.)

The lieutenant governor, while he acts as speaker of the Senate, shall receive for his service, the same compensation which shall, for the same period be allowed to the speaker of the House of Representatives, and no more. (Art. 4, Sec. 17.)

. . . Secretary of State . . . shall receive a salary of eight hundred dollars per annum, and no more, except fees . . . (Art. 4, Sec. 22.)

. . . Auditor of Public Accounts . . . shall receive a salary, exclusive of clerk hire of one thousand dollars per annum for his services, and no more. (Art. 4, Sec. 23.)

. . . state treasurer . . . shall receive a salary of eight hundred per annum, and no more. (Art. 4, Sec. 24.)

1862 (rejected)

The officers mentioned in this article shall, at stated periods, receive for their services a compensation, to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected; and the said officers shall receive no other emolument or allowance whatever. (Art. 5, Sec. 17.)

The lieutenant governor, while he acts as president of the senate, shall receive for his services the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives. (Art. 5, Sec. 13.)

There shall be a state superintendent of public instruction . . . whose . . . compensation shall be prescribed by law; which compensation shall not be altered during his term of office, and he shall receive no other allowance whatever. (Art. 10, Sec. 4.)

All fees that may hereafter be made payable by law for any services performed by any officer provided for in this article of the constitution shall be paid in advance, directly into the state treasury. (Art. 5, Sec. 20.)

SECTION 24. An office is a public position, created by the constitution or law, continuing during the pleasure of the appointing power, or for a fixed time, with a successor elected or appointed. An employment is an agency, for a temporary purpose, which ceases when that purpose is accomplished.

SECTION 25. All civil officers, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of.....according to the best of my ability."

And no other oath, declaration or test shall be required as a qualification.

1818

. . . no religious test shall ever be required as a qualification to any office or public trust under this state. (Art. 8, Sec. 4.)

1848

Every person who shall be chosen or appointed to any office of trust or profit shall, before entering upon the duties thereof, take an oath to support the constitution of the United States and of this state, and also an oath of office. (Art. 3, Sec. 30.)

Before he [the governor] enters upon the duties of his office, he shall take the following oath or affirmation, to wit: "I do solemnly swear—or affirm—that I will faithfully execute the duties appertaining to the office of governor of the State of Illinois; and will, to the best of my ability, preserve, protect, and defend the constitution of this state; and will, also, support the constitution of the United States." (Art. 4, Sec. 6.)

. . . from and after the adoption of this constitution, every person who shall be elected or appointed to any office of profit, trust or emolument, civil or military, legislative, executive or judicial, under the government of this state, shall before he enters upon the duties of his office in addition to the oath prescribed in this constitution take the following oath:

"I do solemnly swear (or affirm as the case may be) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, the probable issue of which might have been the death of either party, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the constitution; and that I will not be so engaged, or concerned, directly or indirectly, in or about any such duel, during my continuance in office. So help me God." (Art. 13, Sec. 26.)

. . . no religious test shall ever be required as a qualification to any office, or public trust under this state. (Art. 13, Sec. 4.)

1862 (rejected)

The governor, before entering upon the duties of his office, shall take the following oath or affirmation, to-wit: "I do solemnly swear (or affirm) that I will faithfully execute the duties appertaining to the office of governor of the State of Illinois; and will, to the best of my ability, preserve,

protect and defend the constitution of this state and the constitution of the United States". (Art. 5, Sec. 4.)

. . . no religious test shall ever be required as a qualification to any office of public trust under this state. (Art. 2, Sec. 4.)

ARTICLE VI—JUDICIAL DEPARTMENT

SECTION 1. The judicial powers, except as in this article is otherwise provided, shall be vested in one Supreme Court, Circuit Courts, County Courts, justices of the peace, police magistrates, and in such courts as may be created by law in and for cities and incorporated towns.

1818

The Judicial power of this state shall be vested in one supreme court, and such inferior courts as the general assembly shall from time to time, ordain and establish. (Art. 4, Sec. 1.)

1848

The judicial power of this State shall be, and is hereby vested in one supreme court, in circuit courts, in county courts, and in justices of the peace; provided, that inferior local courts of civil and criminal jurisdiction may be established by the General Assembly in the cities of this state, but such courts shall have a uniform organization and jurisdiction in such cities. (Art. 5, Sec. 1.)

1862 (rejected)

The judicial power of this state shall be vested in a supreme court, in circuit courts, in county courts (all of which shall be courts of record,) and in justices of the peace. (Art. 6, Sec. 1.)

SECTION 2. The Supreme Court shall consist of seven judges, and shall have original jurisdiction in cases relating to the revenue, in *mandamus*, and *habeas corpus*, and appellate jurisdiction in all other cases. One of said judges shall be chief justice; four shall constitute a quorum, and the concurrence of four shall be necessary to every decision.

1818

The supreme court shall consist in a chief justice and three associates, any two of whom shall form a quorum. The number of justices may however be increased by the general assembly after the year one thousand eight hundred and twenty-four. (Art. 4, Sec. 3.)

The supreme court shall be holden at the seat of government and shall have an appellate jurisdiction only; except in cases relating to the revenue; in cases of *mandamus*, and in such cases of impeachment as may be required to be tried before it. (Art. 4, Sec. 2.)

1848

The supreme court shall consist of three judges, two of whom shall form a quorum; and the concurrence of two of said judges shall in all cases be necessary to a decision. (Art. 5, Sec. 2.)

The supreme court may have original jurisdiction in cases relative to the revenue, in cases of *mandamus*, *habeas corpus*, and in such cases of impeachment as may be by law directed to be tried before it; and shall have appellate jurisdiction in all other cases. (Art. 5, Sec. 5.)

The General Assembly may authorize the judgments, decrees and decisions of any local, inferior court of record, of original, civil or criminal jurisdiction, established in a city, to be removed for revision, directly into the supreme court. (Art. 5, Sec. 24.)

1862 (rejected)

The supreme court shall consist of three judges, two of whom shall form a quorum, and the concurrence of two of said judges shall, in all cases, be necessary to a decision. (Art. 6, Sec. 2.)

The supreme court shall exercise no original jurisdiction, except in cases of mandamus, habeas corpus and certiorari, but shall have appellate jurisdiction in all cases provided for in this constitution and the laws of this state, hereafter to be enacted. (Art. 6, Sec. 3.)

After the year of our Lord one thousand eight hundred and seventy, the general assembly may, in its discretion, provide for the election of two additional judges of the supreme court . . . (Art. 6, Sec. 8.)

SECTION 3. No person shall be eligible to the office of judge of the Supreme Court unless he shall be at least thirty years of age, and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the district in which he shall be elected.

1848

No person shall be eligible to the office of judge of any court of this state who is not a citizen of the United States, and who shall not have resided in this state five years next preceding his election and who shall not for two years next preceding his election, have resided in the division, circuit, or county in which he shall be elected. Nor shall any person be elected judge of the supreme court who shall be at the time of his election under the age of thirty-five years. And no person shall be eligible to the office of judge of the circuit court until he shall have attained the age of thirty years. (Art. 5, Sec. 11.)

1862 (rejected)

No person shall be eligible to the office of judge of any court of this state who is not a citizen of the United States, and who shall not have resided in this state five years next preceding his election, and who shall not, at the time of his election, reside in the division, circuit or county in which he shall be elected. No person shall be elected judge of the supreme court who is not, at the time of his election, thirty-years of age, nor shall any person be elected judge of the circuit or county court who shall not have attained the age of twenty-five years at the time of his election. (Art. 6, Sec. 17.)

SECTION 4. Terms of the Supreme Court shall continue to be held in the present grand divisions at the several places now provided for holding the same; and until otherwise provided by law, one or more terms of said court shall be held, for the Northern Division, in the City of Chicago, each year, at such times as said court may appoint, whenever said city or the county of Cook shall provide appropriate rooms therefor, and the use of a suitable library, without expense to the State. The judicial divisions may be altered, increased or diminished in number, and the times and places of holding said court may be changed by law.

1818

The supreme court shall be holden at the seat of government . . . (Art. 4, Sec. 2.)

1848

The Terms of the Supreme Court for the first division shall be held at Mount Vernon in Jefferson County: for the second division, at Springfield in Sangamon County: for the third division at Ottawa in La Salle

County, until some other place in either division is fixed by law. (Art 5, Sec. 31.)

The supreme court shall hold one term annually in each of the aforesaid grand divisions, at such time and place in each of said divisions as may be provided for by law. (Art. 5, Sec. 6.)

until otherwise provided by law, the terms of the supreme court shall be held as follows. In the first division, on the first Monday of December A D 1848, and annually thereafter. In the second division on the third Monday of December A D 1848, and annually thereafter. In the third division on the first Monday of February A D 1849, and annually thereafter, The sheriffs of Jefferson, and LaSalle counties shall perform the same duties and receive the same compensation as is required and provided for the sheriff of Sangamon county, until otherwise provided by law. (Schedule, Sec. 22.)

1862 (rejected)

One or more terms of the supreme court shall be held annually at Springfield, Mount Vernon, Ottawa, Chicago and Peoria, and at such times as may be provided by law; PROVIDED that the state shall be at no expense for a court house or library at the two last named places. (Art. 6, Sec. 5.)

The following counties shall compose a district, in which courts shall be held at Peoria, viz: Mercer, Starke, Marshall, Iroquois, Woodford, Peoria, Knox, Warren, Henderson, Mason, Tazewell and McLean; and the following counties shall compose a district in which courts shall be held at Ottawa, viz: La Salle, Putnam, Bureau, Kendall, Will, Grundy, Henry, Rock Island and Livingston. (Art. 6, Sec. 7.)

until otherwise provided by the general assembly, the supreme court shall be held at the times following, to-wit:

At Chicago, on the first Tuesday of November, A. D. 1863, and on the first Tuesday of November in every year thereafter.

At Ottawa, on the first Tuesday of September, A. D. 1863, and on the first Tuesday of September in every year thereafter.

At Peoria, on the first Tuesday of May, A. D. 1863, and on the first Tuesday of May in every year thereafter.

At Springfield, on the first Tuesday after the first Monday of January, A. D. 1863, and on the first Tuesday after the first Monday of January in every year thereafter.

At Mt. Vernon, on the first Tuesday of July, A. D. 1863, and on the first Tuesday of July in every year thereafter. (Schedule, Sec. 14.)

SECTION 5. The present grand divisions shall be preserved, and be denominated Southern, Central and Northern, until otherwise provided by law. The State shall be divided into seven districts for the election of judges, and, until otherwise provided by law, they shall be as follows:

First District—The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Alexander, Pulaski and Massac.

Second District—The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun and Christian.

Third District—The counties of Sangamon, Macon, Logan, Dewitt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie and Tazewell.

Fourth District—The counties of Fulton, McDonough, Hancock, Schuyler, Brown, Adams, Pike, Mason, Menard, Morgan, Cass and Scott.

Fifth District—The counties of Knox, Warren, Henderson, Mercer, Henry, Stark, Peoria, Marshall, Putnam, Bureau, LaSalle, Grundy and Woodford.

Sixth District—The counties of Whiteside, Carroll, Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee, Ogle and Rock Island.

Seventh District—The counties of Lake, Cook, Will, Kankakee and DuPage.

The boundaries of the districts may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; but whenever such alterations shall be made, the same shall be upon the rule of equality of population, as nearly as county boundaries will allow; and the districts shall be composed of contiguous counties; in as nearly compact form as circumstances will permit. The alteration of the districts shall not affect the tenure of office of any judge.

1848

The state shall be divided into three grand divisions, as nearly equal as may be, and the qualified electors of each division shall elect one of the said judges for the term of nine years; *provided*, that after the first election of such judges the General Assembly may have the power to provide by law, for their election by the whole state, or by divisions, as they may deem most expedient. (Art. 5, Sec. 3.)

The first grand division, for the election of Judges of the Supreme Court, shall consist of the counties of Alexander, Pulaski, Massac, Pope, Hardin, Gallatin, Saline, Williamson, Johnson, Union, Jackson, Randolph, Perry, Franklin, Hamilton, White, Wabash, Edwards, Wayne, Jefferson, Washington, Monroe, Saint Clair, Clinton, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Bond, Madison, Jersey and Calhoun.

The Second grand division shall consist of the counties of Edgar, Coles, Moultrie, Shelby, Montgomery, Macoupin, Green, Pike, Adams, Highland, Hancock, McDonough, Schuyler, Brown, Fulton, Mason, Cass, Morgan, Scott, Sangamon, Christian, Macon, Platt, Champaign, Vermilion, De Witt, Logan, Menard, Cumberland and Clark.

The Third grand division shall consist of the counties of Henderson, Warren, Knox, Peoria, Tazewell, Woodford, McLean, Livingston, Iroquois, Will, Grundy, Kendall, LaSalle, Putnam, Marshall, Stark, Bureau, Henry, Mercer, Rock-Island, Whiteside, Lee, Carroll, Jo-Daviess, Stephenson, Winnebago, Ogle, De Kaib, Boone, Kane, McHenry, Lake, Cook and Du Page. (Art. 5, Sec. 30.)

The foregoing districts may after the taking of each census by the State be altered, if necessary, to equalize the said districts in population: but such alteration shall be made, by adding to such districts such adjacent county or counties, as will make said district nearest equal in population—*provided* no such alteration shall affect the office of any judge then in office. (Art. 5, Sec. 33.)

1862 (rejected)

The state is hereby divided into three grand divisions, as follows: The counties of Alexander, Pulaski, Massac, Pope, Hardin, Gallatin, Saline, Williamson, Johnson, Union, Jackson, Randolph, Perry, Franklin, Hamilton, White, Wabash, Edwards, Wayne, Jefferson, Washington, Monroe, St. Clair, Clinton, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Bond and Madison shall compose the first grand division.

The counties of Edgar, Coles, Douglas, Moultrie, Shelby, Montgomery, Macoupin, Greene, Jersey, Calhoun, Pike, Adams, Hancock, McDonough

Schuyler, Brown, Fulton, Mason, Cass, Morgan, Scott, Sangamon, Christian, Macon, Platt, Champaign, Vermilion, Ford, DeWitt, Logan, Menard, Cumberland and Clark shall compose the second grand division.

The counties of Henderson, Warren, Knox, Peoria, Tazewell, Woodford, McLean, Livingston, Iroquois, Will, Kankakee, Grundy, Kendall, LaSalle, Putnam, Marshall, Starke, Bureau, Henry, Mercer, Rock Island, Whiteside, Lee, Carroll, Jo Daviess, Stephenson, Winnebago, Ogle, DeKalb, Boone, Kane, McHenry, Lake, Cook and DuPage shall compose the third grand division; and the qualified electors in each division shall elect one of the judges of the supreme court. (Art. 6, Sec. 6.)

SECTION 6. At the time of voting on the adoption of this Constitution, one judge of the Supreme Court shall be elected by the electors thereof, in each of said districts numbered two, three, six, and seven, who shall hold his office for the term of nine years from the first Monday of June, in the year of our Lord one thousand eight hundred and seventy. The term of office of judges of the Supreme Court, elected after the adoption of this Constitution, shall be nine years; and on the first Monday of June of the year in which the term of any of the judges in office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges, in the respective districts wherein the term of such judges shall expire. The Chief Justice shall continue to act as such until the expiration of the term for which he was elected, after which the Judges shall choose one of their number Chief Justice.

1818

The justices of the Supreme Court and the judges of the inferior courts shall be appointed by joint ballot of both branches of the general assembly, and commissioned by the governor, and shall hold their offices during good behaviour until the end of the first session of the general assembly which shall be begun and held after the first day of January in the year of our Lord one thousand eight hundred and twenty-four, at which time their commissions shall expire; and until the expiration of which time, the said justices respectively shall hold circuit courts in the several counties in such manner and at such times and shall have and exercise such jurisdiction as the general assembly shall by law prescribe. But ever after the aforesaid period, the justices of the supreme court shall be commissioned during good behaviour, and the justices thereof shall not hold circuit courts unless required by law. (Art. 4, Sec. 4.)

1848

The first election for justices of the supreme court, and judges of the circuit courts, shall be held on the first Monday of September 1848. (Art. 5, Sec. 13.)

The second election for one justice of the supreme court, shall be held on the first Monday of June, 1852, and every three years thereafter, an election shall be held for one justice of the supreme court. (Art. 5, Sec. 14.)

The state shall be divided into three grand divisions, as nearly equal as may be, and the qualified electors of each division shall elect one of the said judges for the term of nine years; *provided*, that after the first election of such judges the General Assembly may have the power to provide by law, for their election by the whole state, or by divisions, as they may deem most expedient. (Art. 5, Sec. 3.)

The office of one of said judges shall be vacated after the first election held under this article in three years, of one in six years, and of one in nine years, to be decided by lot, so that one of said judges shall be elected

once in every three years; The judge having the longest term to serve, shall be the first chief justice, after which the judge having the oldest commission shall be chief justice. (Art. 5, Sec. 4.)

. . . returns of the election of justices of the Supreme and judges of the circuit courts, Secretary of State, Auditor and Treasurer, shall be made and canvassed as is now provided by law for representatives in congress, and returns for members of the General Assembly and county officers, shall be made and canvassed as is now provided by law. (Schedule, Sec. 17.)

. . . elections of judges of the supreme, and circuit courts, shall be subject to be contested. (Schedule, Sec. 25.)

. . . Contested elections of judges of the supreme court shall be tried by the senate and of judges of the circuit court, by the supreme court, and the General Assembly shall prescribe the manner of proceeding therein. (Schedule, Sec. 26.)

1862 (rejected)

The first election for judges of the supreme and circuit courts . . . shall be held on the first Tuesday after the first Monday of November, in the year of our Lord one thousand eight hundred and sixty-two. (Art. 6, Sec. 15.)

The judges of the supreme court shall hold their offices for the term of nine years, and until their successors shall be elected and qualified; except that after the first election under this constitution the office of one of said judges shall be vacated in three years, one in six years, and one in nine years, to be decided by lot. The judge having the longest time to serve shall be first chief justice, and afterwards the judge holding the oldest commission. (Art. 6, Sec. 4.)

After the year of our Lord one thousand eight hundred and seventy, the general assembly may, in its discretion, provide for the election of two additional judges of the supreme court, in which case the state shall be divided into five divisions, for purposes of election only, (the qualified electors in each division electing one of said judges,) and a new election of all of said judges shall thereupon take place. The said judges shall hold their offices for the term of ten years, and until their successors are elected and qualified except that after the first election held under the provisions of this section, one of said judges shall vacate his office in two, one in four, one in six, one in eight and one in ten years, to be determined by lot. The judge having the longest time to serve shall be chief justice, and afterwards the one holding the oldest commission. (Art. 6, Sec. 8.)

. . . the election of judges of the supreme and circuit courts shall be subject to be contested; and contested elections of judges of the Supreme court shall be tried by the senate, and of judges of the circuit courts by the supreme court; and the general assembly shall prescribe the manner of proceeding therein. (Schedule, Sec. 15.)

. . . returns of the election of governor and state officers, judges of the supreme and circuit courts, members of the general assembly, and other officers provided for in this constitution, shall be made and canvassed as is now provided by law. (Schedule, Sec. 11.)

SECTION 7. From and after the adoption of this Constitution, the judges of the Supreme Court shall each receive a salary of four thousand dollars per annum, payable quarterly, until otherwise provided by law. And after said salaries shall be fixed by law, the salaries of the judges in office shall not be increased or diminished during the terms for which said judges shall have been elected.

1818

. . . The said justices of the supreme court during their temporary appointments shall receive an annual salary of one thousand dollars, payable quarterly out of the public treasury. The judges of the inferior courts, and the justices of the supreme court who may be ap-

pointed after the end of the first session of the general assembly which shall be begun and held after the first day of January in the year of our Lord one thousand eight hundred and twentyfour, shall have adequate and competent salaries which shall not be diminished during their continuance in office. (Art. 4, Sec. 5.)

1848

The judges of the supreme court shall receive a salary of twelve hundred dollars per annum, payable quarterly, and no more . . . (Art. 5, Sec. 10.)

1862 (rejected)

The judges of the supreme and circuit courts shall receive such salaries, payable quarterly, as shall be prescribed by law, which shall not be altered during their term of office; and said judges shall receive no other allowance or emolument. (Art. 6, Sec. 14.)

SECTION 8. Appeals and writs of error may be taken to the Supreme Court, held in the grand division in which the case is decided, or, by consent of the parties, to any other grand division.

1848

Appeals and writs of error may be taken from the Circuit Court of any county to the Supreme Court held in the division which includes such county, or with the consent of all the parties in the cause, to the Supreme Court, in the next adjoining division. (Art. 5, Sec. 32.)

1862 (rejected)

Appeals and writs of error may be taken and prosecuted from the circuit court of any county to the supreme court held in the division which includes such county, or by agreement of the parties, to the supreme court in any other division. (Art. 6, Sec. 19.)

SECTION 9. The Supreme Court shall appoint one reporter of its decisions, who shall hold his office for six years, subject to removal by the Court.

1862 (rejected)

A reporter of the decisions of the supreme court shall be elected by the people, and hold his office for six years, and perform such services and receive such salary as may be prescribed by law. The copyright of all reports of said decisions, and of any notes and references to the same, shall be vested in the secretary of state for the benefit of the people of this state. (Art. 6, Sec. 9.)

The first election . . . for reporter of the supreme court, shall be held on the first Tuesday after the first Monday of November, in the year of our Lord one thousand eight hundred and sixty-two. (Art. 6, Sec. 15.)

SECTION 10. At the time of the election for representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court for each division shall be elected, whose term of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter one clerk of said court for each division shall be elected.

1818

The supreme court, or a majority of the justices thereof, the circuit courts, or the justices thereof, shall respectively appoint their own clerks. (Art. 4, Sec. 6.)

1848

The clerks of the supreme and circuit courts, and state's attorneys shall be elected at the first special election for judges. The second election for clerks of the supreme court, shall be held on the first Monday of June, 1855, and every sixth year thereafter. The second election for clerks of the circuit courts and state's attorneys shall be held on the Tuesday next after the first Monday of November, 1852, and every fourth year thereafter. (Art. 5, Sec. 21.)

. . . the clerks of the supreme court shall be elected in each division by the qualified electors thereof, for the term of six years, and until their successors shall have been elected and qualified; whose duties and compensation shall be provided by law. (Art. 5, Sec. 29.)

. . . the clerk of the circuit court in each county fixed by this constitution as the place for holding the supreme court, except in the county of Sangamon, shall be *ex officio* clerk of the supreme court, until the clerks of said court shall be elected and qualified, as provided in this constitution, and all laws now in force, in relation to the clerk of the Supreme Court shall be applicable to said clerks and their duties. (Schedule, Sec. 7.)

1862 (rejected)

The clerks of the supreme court shall be elected in each division, and in the Peoria and Ottawa districts, by the qualified electors thereof; and shall hold their offices for the term of six years, and until their successors shall have been elected and qualified, whose duties and compensation shall be prescribed by law. (Art. 6, Sec. 10.)

. . . the clerks of the supreme court for the Peoria and Ottawa districts shall be elected by the qualified electors of the said districts respectively, at the same time and in the same manner as the judges of the supreme and circuit courts shall be elected under this constitution. (Schedule, Sec. 13.)

. . . the first election for the clerks of the supreme courts of the Peoria and Ottawa districts shall be held on the Tuesday after the first Monday of November, A. D. 1862, and the second election for said clerks, and the first election under this constitution for clerks of the supreme courts of the three grand divisions of this state, shall be held on the Tuesday after the first Monday of November, A. D. 1868, and every six years thereafter. (Schedule, Sec. 22.)

SECTION 11. After the year of our Lord one thousand eight hundred and seventy-four, inferior Appellate Courts, of uniform organization and jurisdiction, may be created in districts formed for that purpose, to which such appeals and writs of error as the General Assembly may provide, may be prosecuted from Circuit and other courts, and from which appeals and writs of error shall lie to the Supreme Court, in all criminal cases, and cases in which a franchise, or freehold, or the validity of a statute is involved, and in such other cases as may be provided by law. Such Appellate Courts shall be held by such number of Judges of the Circuit Courts, and at such times and places, and in such manner, as may be provided by law; but no Judge shall sit in review upon cases decided by him; nor shall said Judges receive any additional compensation for such services.

SECTION 12. The Circuit Courts shall have original jurisdiction of all causes in law and equity, and such appellate jurisdiction as is or may be provided by law, and shall hold two or more terms each year in every county. The terms of office of Judges of Circuit Courts shall be six years.

1818

The judges of the inferior courts shall hold their offices during good behavior . . . (Art. 4, Sec. 5.)

1848

There shall be two or more terms of the circuit court held annually in each county of this state at such times as shall be provided by law, and said courts shall have jurisdiction in all cases at law and equity and in all cases of appeals from all inferior courts. (Art. 5, Sec. 8.)

. . . circuit judge . . . shall hold his office for the term of six years, and until his successor shall be commissioned and qualified . . . (Art. 5, Sec. 7.)

1862 (rejected)

There shall be two or more terms of the circuit court held annually in each county in this state, at such times as shall be prescribed by law; and such courts shall have jurisdiction in cases at law and in equity, in criminal trials and prosecutions and in cases of appeal from inferior courts, except as otherwise herein provided. (Art. 6, Sec. 13.)

. . . the present judges of the circuit courts in this state shall, severally, hold their offices until the first Monday of February, A. D. 1863, and shall continue to perform the duties required of them by law to that time, and until their successors shall have been elected and qualified under this constitution, and that the terms of office of the circuit judges, elected under this constitution, shall commence on the said first Monday of February, A. D. 1863. (Schedule, Sec. 26.)

SECTION 13. The State, exclusive of the county of Cook and other counties having a population of one hundred thousand, shall be divided into judicial circuits, prior to the expiration of the terms of office of the present judges of the Circuit Courts. Such circuits shall be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory and population, and shall not exceed in number one circuit for every one hundred thousand of population in the State. One judge shall be elected for each of said circuits by the electors thereof. New circuits may be formed and the boundaries of circuits changed by the General Assembly, at its session next preceding the election for circuit judges, but at no other time: *Provided*, that the circuits may be equalized or changed at the first session of the General Assembly, after the adoption of this Constitution. The creation, alteration or change of any circuit shall not effect the tenure of office of any judge. Whenever the business of the Circuit Court of any one, or of two or more contiguous counties, containing a population exceeding fifty thousand, shall occupy nine months of the year, the General Assembly may make of such county, or counties, a separate circuit. Whenever additional circuits are created, the foregoing limitations shall be observed.

1818

The justices of the supreme court and the judges of the inferior courts shall be appointed by joint ballot of both branches of the general assembly . . . (Art. 4, Sec. 4.)

1848

The state shall be divided into nine judicial districts, in each of which ~~one~~ circuit judge shall be elected by the qualified electors thereof, who shall hold his office for the term of six years, and until his successor shall

be commissioned and qualified; *provided*, that the General Assembly may increase the number of circuits to meet the future exigencies of the State. (Art. 5, Sec. 7.)

at the first election fixed by this constitution for the election of Judges, there shall be elected one circuit Judge in each of the nine judicial circuits now established in this state. (Schedule, Sec. 5.)

1862 (rejected)

The state shall be divided into sixteen judicial circuits, in each of which, except the circuit embracing the county of Cook, there shall be elected by the qualified electors thereof, one circuit judge—and in said last named circuit, four circuit judges shall be elected; each of said judges shall hold his office for the term of six years, and until his successor shall be commissioned and qualified, except that after the first election held under this constitution, the office of one of the judges of the circuit court of Cook county shall be vacated in two years, one in four years and two in six years, to be determined by lot. (Art. 6, Sec. 11.)

The general assembly, at the first session after the expiration of six years from the adoption of this constitution and every six years thereafter, and at no other time, may increase or diminish the number of circuits; but such increase or diminution shall not be more than one circuit by any one session; PROVIDED, no such alteration shall affect any judge then in office. (Art. 6, Sec. 12.)

SECTION 14. The General Assembly shall provide for the times of holding court in each county; which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts; but additional terms may be provided for in any county. The election for judges of the Circuit Courts shall be held on the first Monday in June, in the year of our Lord one thousand eight hundred and seventy-three, and every six years thereafter.

1848

There shall be two or more terms of the circuit court held annually in each county of this state at such times as shall be provided by law, and said courts shall have jurisdiction in all cases at law and equity and in all cases of appeals from all inferior courts. (Art. 5, Sec. 8.)

On the first Monday of June, 1855, and every sixth year thereafter, an election shall be held for judges of the circuit courts. *Provided*, whenever an additional circuit is created, such provision may be made as to hold the second election of such additional judge, at the regular election herein provided. (Art. 5, Sec. 15.)

The first election for justices of the supreme court, and judges of the circuit courts, shall be held on the first Monday of September 1848. (Art. 5, Sec. 13.)

1862 (rejected)

There shall be two or more terms of the circuit court held annually in each county in this state, at such times as may be prescribed by law. (Art. 6, Sec. 13.)

The first election for judges of the supreme and circuit courts shall be held on the first Tuesday after the first Monday of November, in the year of our Lord one thousand eight hundred and sixty-two. (Art. 6, Sec. 15.)

SECTION 15. The General Assembly may divide the State into judicial circuits of greater population and territory, in lieu of the circuits provided for in section thirteen of this article, and provide for the election therein, severally, by the electors thereof, by general ticket,

of not exceeding four judges, who shall hold the circuit courts in the circuit for which they shall be elected, in such manner as may be provided by law.

SECTION 16. From and after the adoption of this Constitution, Judges of the Circuit Courts shall receive a salary of three thousand dollars per annum, payable quarterly, until otherwise provided by law. And after their salaries shall be fixed by law, they shall not be increased or diminished during the terms for which said judges shall be, respectively, elected; and from and after the adoption of this Constitution, no judge of the Supreme or Circuit Court shall receive any other compensation, perquisite or benefit, in any form whatsoever, nor perform any other than judicial duties to which may belong any emoluments.

1818

. . . the judges of the inferior courts, and the justices of the supreme court who may be appointed after the end of the first session of the general assembly which shall be begun and held after the first day of January in the year of our Lord one thousand eight hundred and twenty-four, shall have adequate and competent salaries which shall not be diminished during their continuance in office. (Art. 4, Sec. 5.)

1848

. . . the judges of the circuit courts shall receive a salary of one thousand dollars per annum, payable quarterly, and no more. The judges of the supreme and circuit courts shall not be eligible to any other office or public trust of profit in this state, or the United States, during the term for which they are elected, nor, for one year thereafter. All votes for either of them for any elective office (except that of judge of the supreme or circuit court,) given by the General Assembly or the people, shall be void. (Art. 5, Sec. 10.)

1862 (rejected)

The judges of the Supreme and circuit courts shall receive such salaries, payable quarterly, as shall be prescribed by law, which shall not be altered during their term of office; and said judges shall receive no other allowance or emolument. (Art. 6, Sec. 14.)

SECTION 17. No person shall be eligible to the office of Judge of the circuit or any inferior court, or to membership in the "Board of County Commissioners," unless he shall be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the circuit, county, city, cities, or incorporated town in which he shall be elected.

1848

No person shall be eligible to the office of judge of any court of this state who is not a citizen of the United States, and who shall not have resided in this state five years next preceding his election, and who shall not for two years next preceding his election, have resided in the division, circuit, or county in which he shall be elected. Nor shall any person be elected judge of the supreme court who shall be at the time of his election under the age of thirty-five years. And no person shall be eligible to the office of judge of the circuit court until he shall have attained the age of thirty years. (Art. 5, Sec. 11.)

1862 (rejected)

No person shall be eligible to the office of judge of any court of this state who is not a citizen of the United States, and who shall not have resided in this state five years next preceding his election, and who shall not, at the time of his election, reside in the division, circuit or county in which he shall be elected . . . (Art. 6, Sec. 17.)

SECTION 18. There shall be elected in and for each county, one county judge and one clerk of the county court, whose term of office shall be four years. But the General Assembly may create districts of two or more contiguous counties, in each of which shall be elected one judge, who shall take the place of and exercise the powers and jurisdiction of county judges in such districts. County Courts shall be courts of record, and shall have original jurisdiction in all matters of probate; settlement of estates of deceased persons; appointment of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices; and in proceedings for the collection of taxes and assessments, and such other jurisdiction as may be provided for by general law.

1818

The judges of the inferior courts shall hold their offices during good behavior . . . (Art. 4, Sec. 5.)

1848

There shall be in each county a court to be called a county court. (Art. 5, Sec. 16.)

One county judge shall be elected by the qualified voters of each county, who shall hold his office for four years, and until such successor is elected and qualified. (Art. 5, Sec. 17.)

The jurisdiction of said court shall extend to all probate and such other jurisdiction as the General Assembly may confer in civil cases, and such criminal cases as may be prescribed by law where the punishment is by fine only, not exceeding one hundred dollars. (Art. 5, Sec. 18.)

The county judge, with such justices of the peace in each county as may be designated by law, shall hold terms for the transaction of county business, and shall perform such other duties as the General Assembly shall prescribe. *Provided*, the General Assembly may require, that two justices to be chosen by the qualified electors of each county shall sit with the county judge in all cases; and there shall be elected quadrennially in each county, a clerk of the county court, who shall be *ex officio* recorder, whose compensation shall be fees. *Provided*, the General Assembly may by law, make clerk of the circuit court *ex officio* recorder, in lieu of the county clerk. (Art. 5, Sec. 19.)

1862 (rejected)

There shall be established in each county in this state a court to be called a county court, the organization and jurisdiction of which shall be uniform throughout the state. (Art. 6, Sec. 22.)

The said county court shall consist of one judge, who shall be elected by the qualified voters of each county, and hold his office for the term of four years, and until his successor shall be elected and qualified and he shall receive such compensation, to be paid out of the county treasury, as shall be prescribed by law. (Art. 6, Sec. 23.)

The said courts shall have probate jurisdiction, and such other civil jurisdiction as may be conferred by law; and also jurisdiction in criminal cases not extending to death or imprisonment in the penitentiary, without any presentment or indictment from a grand jury; PROVIDED, that said jurisdiction shall not extend to any order for the sale of real estate, except for taxes, or to any proceeding or suit affecting the title to real estate.

or to any franchise, or to actions for libel, slander, malicious prosecutions or seduction. (Art. 6, Sec. 24.)

The said court shall have exclusive appellate jurisdiction in all cases arising in justices' courts . . . (Art. 6, Sec. 25.)

SECTION 19. Appeals and writs of error shall be allowed from final determinations of county courts, as may be provided by law.

1862 (rejected)

. . . appeals and writs of error may be taken and prosecuted therefrom to the circuit and supreme courts, and injunctions returnable to the circuit court may be granted in such manner as may be provided by law. (Art. 6, Sec. 25.)

SECTION 20. The General Assembly may provide for the establishment of a Probate Court in each county having a population of over fifty thousand, and for the election of a judge thereof, whose term of office shall be the same as that of the county judge, and who shall be elected at the same time and in the same manner. Said courts, when established, shall have original jurisdiction of all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices, and in cases of the sales of real estate of deceased persons for the payment of debts.

1818

The justices of the supreme court and the judges of the inferior courts shall be appointed by joint ballot of both branches of the general assembly, and commissioned by the governor, and shall hold their offices during good behaviour until the end of the first session of the general assembly which shall be begun and held after the first day of January in the year of our Lord one thousand eight hundred and twenty-four, at which time their commissions shall expire; and until the expiration of which time, the said justices respectively shall hold circuit courts in the several counties in such manner and at such times and shall have and exercise such jurisdiction as the general assembly shall by law prescribe. But ever after the aforesaid period, the justices of the supreme court shall be commissioned during good behaviour, and the justices thereof shall not hold circuit courts unless required by law. (Art. 4, Sec. 4.)

1862 (rejected)

. . . in counties having a population exceeding one hundred thousand, there shall be elected a probate judge and a probate clerk, who shall hold their office for four years, and until their successors shall be elected and qualified, and who shall perform such duties and receive such compensation in fees as shall be prescribed by law; PROVIDED, that in the last named counties no person shall hold any county office created by this constitution, except that of judge or justice of the peace, for two successive terms. (Art. 6, Sec. 21.)

. . . at the first election fixed by this constitution, for election of judges, there shall be elected in Cook county a probate judge and a probate clerk, and three clerks of the circuit court of Cook county. The present clerk of said circuit court shall be chief clerk thereof, and he and one of the three clerks, whose election is authorized as above, shall vacate their offices in two years, and the other two of said three new clerks in four years; to be determined, as between said three new clerks, by lot. (Schedule, Sec. 17.)

SECTION 21. Justices of the peace, police magistrates, and constables shall be elected in and for such districts as are, or may be, provided by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

1818

A competent number of justices of the peace shall be appointed in each county in such manner as the general assembly may direct, whose time of service, power and duties shall be regulated and defined by law. . . . (Art. 4, Sec. 8.)

1848

There shall be elected in each county in this state, in such districts as the General Assembly may direct, by the qualified electors thereof, a competent number of justices of the peace, who shall hold their offices for the term of four years, and until their successors shall have been elected and qualified, and who shall perform such duties, receive such compensation, and exercise such jurisdiction as may be prescribed by law. (Art. 5, Sec. 27.)

The county judge, with such justices of the peace in each county as may be designated by law, shall hold terms for the transaction of county business, and shall perform such other duties as the General Assembly shall prescribe. *Provided*, the General Assembly may require, that two justices to be chosen by the qualified electors of each county shall sit with the county judge in all cases . . . (Art. 5, Sec. 19.)

. . . justices of the peace shall try no person, except as a court of inquiry, for any offence punishable with imprisonment or death, or fine above one hundred dollars. (Art. 13, Sec. 10.)

1862 (rejected)

There shall be elected in each county in this state, in such districts as the general assembly may direct, by the qualified electors thereof, a competent number of justices of the peace, who shall hold their offices for the term of four years, and until their successors shall be elected and qualified, and perform such duties, and receive such compensation, and exercise such jurisdiction as may be prescribed by law. But the jurisdiction of such justices shall be uniform throughout the state, and shall be limited to cases where the judgment shall not exceed one hundred dollars; **PROVIDED**, that the general assembly shall have power to confer jurisdiction upon justices of the peace to punish by imprisonment for a time not exceeding thirty days. (Art. 6, Sec. 29.)

Two justices shall be elected in each county not having township organization, by the qualified electors thereof, and shall hold their offices for the term of four years, and until their successors, shall be elected and qualified, and who, together with the county judge, shall form a court for the management of the business of the counties, and shall hold such terms, perform such duties and receive such compensation as may be prescribed by law. (Art. 6, Sec. 28.)

SECTION 22. At the election for members of the General Assembly in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter, there shall be elected a State's Attorney in and for each county, in lieu of the State's Attorneys now provided by law, whose term of office shall be four years.

1848

There shall be elected in each of the judicial circuits of this state, by the qualified electors thereof, one state's attorney, who shall hold his office for the term of four years, and until his successor shall be commissioned and qualified, who shall perform such duties and receive such compensation as may be prescribed by law. *Provided*, That the General As-

sembly may hereafter provide by law for the election by the qualified voters of each county in this state of one county attorney for each county, in lieu of the state's attorneys provided for in this section. The term of office, duties and compensation of which county attorneys shall be regulated by law. (Art. 5, Sec. 28.)

The clerks of the supreme and circuit courts, and state's attorneys shall be elected at the first special election for judges. The second election for clerks of the supreme court, shall be held on the first Monday of June, 1855, and every sixth year thereafter. The second election for clerks of the circuit courts and state's attorneys shall be held on the Tuesday next after the first Monday of November, 1852, and every fourth year thereafter. (Art. 5, Sec. 21.)

. . . the sheriffs, state attorneys, and all other officers elected under this constitution shall perform such duties as shall be prescribed by law. (Schedule, Sec. 8.)

1862 (rejected)

There shall be elected in each county, by the qualified voters thereof, a clerk of the county court, and a county attorney, who shall hold their respective offices for the term of four years, and until their successors shall be elected and qualified, whose duties and compensation shall be regulated by law. (Art. 6, Sec. 26.)

. . . A county attorney shall be elected in each county of the state at the time that circuit judges are elected, as provided in this constitution, and the returns of the election shall be made and canvassed as is now provided by law in the election of clerks of the circuit court. (Schedule, Sec. 16.)

SECTION 23. The county of Cook shall be one judicial circuit. The Circuit Court of Cook county shall consist of five judges, until their number shall be increased, as herein provided. The present Judge of the Recorder's Court of the city of Chicago, and the present Judge of the Circuit Court of Cook county, shall be two of said judges, and shall remain in office for the terms for which they were respectively elected, and until their successors shall be elected and qualified. The Superior Court of Chicago shall be continued, and called the Superior Court of Cook County. The General Assembly may increase the number of said judges, by adding one to either of said courts for every additional fifty thousand inhabitants in said county over and above a population of four hundred thousand. The terms of office of the judges of said courts hereafter elected, shall be six years.

1862 (rejected)

The state shall be divided into sixteen judicial circuits, in each of which, except the circuit embracing the county of Cook, there shall be elected by the qualified electors thereof, one circuit judge—and in said last named circuit, four circuit judges shall be elected; each of said judges shall hold his office for the term of six years, and until his successor shall be commissioned and qualified, except that after the first election held under this constitution, the office of one of the judges of the circuit court of Cook county shall be vacated in two years, one in four years and two in six years, to be determined by lot. (Art. 6, Sec. 11.)

. . . the superior and recorder's courts of Chicago, and other inferior courts of local jurisdiction, shall remain with their present powers and jurisdiction, and the judges and clerks thereof shall remain in office up to and until the last day of December, A. D. 1862, and no longer; and no suit shall be commenced or indictment found in either of said courts after said day; and all business in either of said courts, not disposed of within the time limited for their continuance as aforesaid, shall be trans-

ferred to the circuit court of the county in which such specified and inferior courts may exist, and all jurisdiction of all suits and proceedings then pending in said superior and recorder's courts, and said other inferior courts, shall become vested in said circuit courts, and be finally adjudicated therein, together with all suits and proceedings at that time pending in said last mentioned courts. (Schedule, Sec. 18.)

SECTION 24. The judge having the shortest unexpired term shall be Chief Justice of the court of which he is a judge. In case there are two or more whose terms expire at the same time, it may be determined by lot which shall be chief justice. Any judge of either of said courts shall have all the powers of a circuit judge, and may hold the court of which he is a member. Each of them may hold a different branch thereof at the same time.

SECTION 25. The judges of the Superior and Circuit Courts, and the State's Attorney, in said county, shall receive the same salaries, payable out of the State treasury, as is or may be paid from said treasury to the circuit judges and State's Attorney's of the State, and such further compensation, to be paid by the county of Cook, as is or may be provided by law; such compensation shall not be changed during their continuance in office.

SECTION 26. The Recorder's Court of the city of Chicago shall be continued and shall be called the "Criminal Court of Cook County." It shall have the jurisdiction of a circuit court, in all cases of criminal and *quasi* criminal nature, arising in the county of Cook, or that may be brought before said court pursuant to law; and all recognizances and appeals taken in said county, in criminal and *quasi* criminal cases shall be returnable and taken to said court. It shall have no jurisdiction in civil cases, except in those on behalf of the people, and incident to such criminal or *quasi* criminal matters, and to dispose of unfinished business. The terms of said Criminal Court of Cook County shall be held by one or more of the judges of the Circuit or Superior Court of Cook county, as nearly as may be in alteration, as may be determined by said judges, or provided by law. Said judges shall be *ex-officio*, judges of said court.

SECTION 27. The present Clerk of the Recorder's Court of the city of Chicago, shall be the Clerk of the Criminal Court of Cook county, during the term for which he was elected. The present Clerks of the Superior Court of Chicago, and the present Clerk of the Circuit Court of Cook County, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one Clerk of the Superior Court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

SECTION 28. All justices of the peace in the city of Chicago shall be appointed by the Governor, by and with advice and consent of the Senate, (but only upon the recommendation of a majority of the judges of the circuit, superior and county courts), and for such districts as are now or shall hereafter be provided by law. They shall hold their offices for four years, and until their successors have been commissioned and qualified, but they may be removed by summary proceeding in the circuit or superior court, for extortion or other malfeasance. Existing justices of the peace and police magistrates may hold their offices until the expiration of their respective terms.

SECTION 29. All judicial officers shall be commissioned by the Governor. All laws relating to courts shall be general, and of uniform operation; and the organization, jurisdiction, powers, proceedings and practice of all courts, of the same class or grade, so far as regulated by law, and the force and effect of the process, judgments and decrees of such courts, severally, shall be uniform.

1818

. . . and justices of the peace when so appointed, shall be commissioned by the governor. (Art. 4, Sec. 8.)

1848

All judges and state's attorneys shall be commissioned by the governor. (Art. 5, Sec. 22.)

1862 (rejected)

All judicial officers shall be commissioned by the governor. (Art. 6, Sec. 20.)

There shall be established in each county of this state a court to be called a county court, the organization and jurisdiction of which shall be uniform throughout the state. (Art. 6, Sec. 22.)

SECTION 30. The General Assembly may, for cause entered on the journals, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members elected, of each house. All other officers in this article mentioned, shall be removed from office on prosecution and final conviction, for misdemeanor in office.

1818

. . . for any reasonable cause which shall not be sufficient ground for impeachment, both the judges of the supreme and inferior courts shall be removed from office on the address of two-thirds of each branch of the general assembly: *Provided always*, that no member of either house of the general assembly, nor any person connected with a member, by consanguinity or affinity shall be appointed to fill the vacancy occasioned by such removal . . . (Art. 4, Sec. 5.)

1848

County Judges, clerks, sheriffs, and other county officers, for wilful neglect of duty, or misdemeanor in office shall be liable to presentment or indictment by a grand jury, and trial by a petit jury, and upon conviction, shall be removed from office. (Art. 5, Sec. 25.)

For any reasonable cause to be entered on the journals of each House, which shall not be sufficient ground for impeachment, both justices of the supreme court, and judges of the circuit court, shall be removed from office on the vote of two-thirds of the members elected to each branch of the General Assembly; *Provided always*, that no member of either House of the General Assembly, shall be eligible to fill the vacancy occasioned by such removal; *provided also*, that no removal shall be made, unless the justice or judge complained of shall have been served with a copy of the complaint against him, and shall have an opportunity of being heard in his defence. (Art. 5, Sec. 12.)

1862 (rejected)

County judges, . . . for willful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment, by a grand jury, and a trial by a petit jury, and upon conviction shall be removed from office. (Art. 6, Sec. 31.)

SECTION 31. All judges of courts of record, inferior to the Supreme Court, shall, on or before the first day of June, of each year, report in writing to the judges of the Supreme Court, such defects and omissions in the law as their experience may suggest; and the judges of the Supreme Court shall, on or before the first day of January, of each year, report in writing to the Governor such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate forms of bills to cure such defects and omissions in the laws. And the judges of the several circuit courts shall report to the next General Assembly the number of days they have held court in the several counties composing their respective circuits, the preceding two years.

SECTION 32. All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The terms of office of all such officers, where not otherwise prescribed in this article, shall be four years. All officers, where not otherwise provided for in this article, shall perform such duties and receive such compensation as is, or may be, provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year the vacancy shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors, or board of county commissioners, in the county where the vacancy occurs.

1848

The election of all officers, and the filling of all vacancies that may happen by death, resignation or removal, not otherwise directed or provided for by this constitution, shall be made in such manner as the General Assembly shall direct, provided that no such officer shall be elected by the General Assembly: (Art. 5, Sec. 23.)

All vacancies in the supreme and circuit courts shall be filled by election as aforesaid; *Provided, however*, that if the unexpired term does not exceed one year, such vacancy may be filled by executive appointment. (Art. 5, Sec 9.)

The General Assembly shall provide for the compensation of the county judge. (Art. 5, Sec. 20.)

1862 (rejected)

All vacancies in the supreme and circuit courts shall be filled by election; PROVIDED, however, that if the unexpired term does not exceed one year, such vacancy may be filled by executive appointment. (Art. 6, Sec. 16.)

The election of officers and the filling of all vacancies that may happen by death, resignation, removal, or failure to qualify, not provided for by this constitution, shall be in such manner as the general assembly shall direct; PROVIDED, that no such officer shall be elected by the general assembly. (Art. 6, Sec. 30.)

SECTION 33. All process shall run; *In the name of the People of the State of Illinois*; and all prosecutions shall be carried on; *In the name and by the authority of the People of the State of Illinois*; and conclude; *Against the peace and dignity of the same*.

"Population," whenever used in this article, shall be determined by the next preceding census of this State, or of the United States.

1818

All process, writs and other proceedings shall run in the name of "*the people of the state of Illinois*." All prosecutions shall be carried on "*in the name and by the authority of the people of the state of Illinois*" and conclude "*against the peace and dignity of the same*." (Art. 4, Sec. 7.)

1848

All process, writs and other proceedings shall run in the name of "*The people of the State of Illinois*." All prosecutions shall be carried on "*In the name and by the authority of the people of the State of Illinois*," and conclude, "*against the peace and dignity of the same*." (Art 5, Sec. 26.)

1862 (rejected)

All process, writs and other proceedings shall run in the name and style of "*The People of the State of Illinois*." All prosecutions shall be carried on "*In the name and by the authority of the People of the State of Illinois*," and conclude, "*Against the peace and dignity of the people of the State of Illinois*." (Art. 6, Sec. 32.)

ARTICLE VII—SUFFRAGE

SECTION 1. Every person having resided in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord one thousand eight hundred and forty-eight, or obtained a certificate of naturalization, before any court of record in this State, prior to the first day of January, in the year of our Lord one thousand eight hundred and seventy, or who shall be a male citizen of the United States, above the age of twenty-one years, shall be entitled to vote at such election.

1818

In all elections, all white male inhabitants above the age of twenty-one years, having resided in the state six months next preceding the election, shall enjoy the right of an elector; but no person shall be entitled to vote except in the county or district in which he shall actually reside at the time of the election. (Art. 2, Sec. 27.)

All white male inhabitants above the age of twenty one years who shall be actual residents of this state at signing of this constitution shall have a right to a vote at the election to be held on the third Thursday and the two following days of September next. (Schedule, Sec. 12.)

1848

. . . in all elections every white male citizen, above the age of twenty-one years, having resided in the state one year next preceding any election, shall be entitled to vote at such election; and every white male inhabitant of the age aforesaid, who may be a resident of the state at the time of the adoption of this constitution shall have the right of voting as aforesaid; but no such citizen or inhabitant shall be entitled to vote except in the district or county in which he shall actually reside at the time of such election. (Art. 6, Sec. 1.)

1862 (rejected)

Every white male citizen above the age of twenty-one years, who may have been a resident of this state one year next preceding any election, shall be entitled to vote at such election; and every white male inhabitant of the age aforesaid, who shall have been a resident of this state one year next preceding the adoption of this constitution, shall have the right of voting as aforesaid; PROVIDED, that such citizen or inhabitant shall vote only in the election district where he resides, and shall have resided sixty days next preceding such election; and no other qualification shall be required of a voter. (Art. 8, Sec. 1.)

SECTION 2. All votes shall be by ballot.

1818

All votes shall be given *viva voce* until altered by the general assembly (Art. 2, Sec. 28.)

1848

All votes shall be given by ballot. (Art. 6, Sec. 2.)

. . . the General Assembly shall at its first session after the adoption of this constitution provide by law for the mode of voting by ballot

and also for the manner of returning, canvassing and certifying the number of votes cast at any election and until said law shall be passed, all elections shall be *viva voce*, and the laws now in force regulating elections shall continue in force until the General Assembly shall provide otherwise as herein directed. (Schedule, Sec. 15.)

1862 (rejected)

All votes shall be given by ballot. (Art. 8, Sec. 2.)

SECTION 3. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

1818

Electors shall in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance on elections and in going to or returning from the same. (Art. 2, Sec. 29.)

1848

Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. (Art. 6, Sec. 3.)

No elector shall be obliged to do militia duty on the days of election, except in time of war or public danger. (Art. 6, Sec. 4.)

1862 (rejected)

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. (Art. 8, Sec. 3.)

No elector shall be obliged to do militia duty on the days of election, except in time of war or public danger. (Art. 8, Sec. 4.)

SECTION 4. No elector shall be deemed to have lost his residence in this State by reason of his absence on the business of the United States, or of this State, or in the military or naval service of the United States.

1848

No elector shall be deemed to have lost his residence in this state by reason of his absence on the business of the United States, or of this state. (Art. 6, Sec. 5.)

1862 (rejected)

No elector shall be deemed to have lost his residence in this state, by reason of his absence on the business of the United States, or of this state. (Art. 8, Sec. 5.)

SECTION 5. No soldier, seaman or marine in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed therein.

1848

No soldier, seaman, or marine in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed at any military or naval place within the same. (Art. 6, Sec. 6.)

1862 (rejected)

No soldier, seaman, or marine, in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed at any military or naval place within the state. (Art. 8, Sec. 6.)

SECTION 6. No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment.

1848

No person shall be elected or appointed to any office in this state, civil or military, who is not a citizen of the United States, and who shall not have resided in this state one year next before the election or appointment. (Art. 6, Sec. 7.)

1862 (rejected)

No person shall be elected or appointed to any office in this state, civil or military, who is not a citizen of the United States, and who shall not have resided in this state one year next before the election or appointment. (Art. 8, Sec. 7.)

SECTION 7. The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.

1818

The general assembly shall have full power to exclude from the privilege of electing or being elected any person convicted of bribery, perjury or any other infamous crime. (Art. 2, Sec. 30.)

1848

The General Assembly shall have full power to pass laws excluding from the right of suffrage persons convicted of infamous crimes. (Art. 6, Sec. 8.)

1862 (rejected)

The General Assembly shall have full power to pass laws excluding from the right of suffrage, and from holding office, persons convicted of infamous crimes. (Art. 8, Sec. 8.)