The Constitution of Vermont

Whereas all government ought to be instituted and supported, for the end and protection of the community in such a manner as to enable the individuals not composed to enjoy their natural rights, and the other blessings which the Author of nature has bestowed upon man; and as much as these great ends of government are not obtained, the People have a right, by common consent, to change it, and take such measures as to them may appear necessary, to secure their safety and happiness.

And whereas the inhabitants of this State have, on the consideration of protection only, been before enrolled in allegiance to the King of great Britain, and the said King has not intimated therein that protection will be continued to be carried on, with unabated vengeance, as mentioned and by War against them, employing therein not only the forces of Great Britain, but forces from New France, Canada, and Maine, for the same purpose, and from them to a total and absolute submission to the despotical dominion of the Parliament, with many other acts of oppression, more fully and fully in the Declaration of Congress, whereby all allegiance and loyalty to the said King and his successors, are dissolved, and as an enemy, and all power and authority derived from him, and in the American Colonies;

And whereas the territory which wasn comprehended the State of Vermont, did since the treaty of 1783 belong to the Government of New Hampshire and the former Governor thereof, his excellency Benjamin Wentworth, did appoint many officers of lands and corporations,
and other

callinent governor Glorin
of the tenth Command, seal her
of the Court of Great Detects
of trade, and administration of the
annexed to that government, at the extent of thirty
identical land
compacts, which are real and are deliverable to the inhabitants.

Whereas the Legislature of New York, ever have and still continue to discern
the great People of this State, on their landed property, which will appear in
the complaints herein in digital, and the 16th section of their present
constitution, in which it establishes the grants of land made by that

They have refused to make re-grants of our lands to the original
Proprietors and occupants, and at the exorbitant rate of 2300 dollars per
in each township, and did enhance the Leinrent three fold, and demanded
an immediate delivery of the title devises before from New Hampshire.

The Judges of their supreme Court have made a solemn declaration
that the Charities, convenances, &c. of the lands included in the before described
Declarations, were utterly null and void, on which said title was founded. The
Convenance of which declaration, whole of this Act, have been by them strike
and the Sheriff of the County of Hampden, at the hands of six or seven
hand-written, to enforce the Act in theirelf.

They have passed a Act, annexing a Penalty of twelve of Thirty
Pounds per and six months imprisonment, on any person who should
refuse subsiding the Town, after being requested, for the Purpose of executing
Wills of Deceivers.

The Governor, Dunmore, Byelor, and Colden, have made regular
of several tracts of land included in the Premises, to certain favorite Land-Settlers
in the government of New York, a direct violation of the British Majority
express Proclamation in the year 1767.

They have signed declarations, wherein they have offered large
sums of money for the purposes of apprehending those very persons who have
been addled and published to appear in defence of their just rights.
As empowering the respective Judges of the Supreme Court to award
Execution of Death against those Inhabitants in said District, that they should
Judge to be Offenders, without Trial.
They have and still continue an unjust claim to those lands, which
greatly retards Emigration into and the Settlement of this State.
They have hired foreign troops, emigrants from Scotland, at two different
times, and armed them to drive us out of Possession.
They have sent the savage on our Frontier, to disturb us.
They have proceeded to cut the Counties of Cumberland and Gloucester,
and establish Courts of Justice there, after they were discontinued by the
Authority of Great Britain.

The late Convention of the State of New York, at Hartford, in the Year
1776, unanimously voted, that all public debts, formerly due to the King of
Great Britain, are now due and owing to the Convention, or such future
government as shall be hereafter established in their stead.

In the several steps of the aforesaid Oppression, we have petitioned her
Britannic Majesty in the most humble manner several times, and have at very
great expense, received several reports in our favor; and in other instances,
wherein we have petitioned the late legislative authority of New York, their
Petitions have been treated with neglect.

And Whence is the local situation of this State, from New York, at the
extremity east, comprised of four hundred and fifty miles from the seat of
that government, renders it extremely difficult to continue under the jurisdic-
tion of said State.

Therefore it is absolutely necessary for the welfare and safety
of the inhabitants of this State, that it should be henceforth a free and inde-
pendent State, and that a just, permanent and proper form of Government
should exist in it, derived from, and founded on the Authority of the people
only, agreeable to the Direction of the Honorable American Congress.

We the Representatives of the Freeman of Vermont, in General
Convention met, for the express purpose of forming such a Government,
confiding the Goodness of the great Governor of the universe, who alone

homoine to what degree of earthly happiness mankind may attain, by perfecting the state of government; or permitting the People of this State, by common Consent, and without violence, deliberately to form, for themselves, such just rules as they shall think best for governing their future Society; and being fully convinced that it is an indispensable duty, to establish such original Principles of government as will best promote the General Happiness of the People of this State, and their Liberty, and provide for future Improvements, without Partiality to, or Prejudice against, any particular Class, sect, or Denomination of Men, whatsoever; Do, by virtue of Authority vested in us, by our Constituents, ordain, declare, and establish the following Declaration of Rights, and Frame of Government, to be the Constitution of the Commonwealth, and to remain in force therein forever, unless, except in such Articles, as shall hereafter be expounded, or found by experience to require improvement, and which shall, by the same authority of the People, fairly delegated, as this frame of government directs, be amended or improved, for the more effectual obtaining and securing the great end and design of all government, herein before mentioned.

Chapter 1

A Declaration of the Rights of the Inhabitants of the State of Vermont.

1. That all men are born equally free and independent, and have certain natural, inherent, and unalienable Rights, amongst which are the enjoying and defending Life and Liberty; acquiring, preserving, and protecting Property, and pursuing and obtaining Happiness and Safety. Therefore, no male person, born within this Country, or brought from overseas, ought to be held to serve any person as a Servant, Slave, or Apprentice, after he arrives to the age of twenty-one years; nor female in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent after they arrive to such age, or bound by law for the Payment of Debts, Damage, Fine, costs, or the like.

2. That private Property ought to be subservient to public duty; when necessity requires it, or worth the life, whenever any particular man's Property is taken for the use of the public, the Owner ought to receive an equivalent in Money.
That all men have a natural and unalienable Right to worship Almighty God according to the dictates of their own Consciences and Understanding, regulated by the word of God; and that no man ought, or shall be compelled to attend any religious Worship, or creed, or support, any place of Worship, or maintain any Minister contrary to the dictates of their Consciences; nor can any man who professes the Protestant Religion, be justly deprived or abridged of any civil right, as a Citizen, on account of his religious sentiments, or peculiar mode of religious Worship; and that no authority can, or ought to be vested in, or assumed by any power whatsoever, that shall in any case interfere with, or in any manner control the Rights of Conscience, in the free exercise of religious worship; nevertheless, every sect or denomination of People ought to observe the Sabbath, or Lord's Day, and keep up and support some sort of religious Worship, which to them shall seem most agreeable to their revealed Will of God.

4th. That the People of this State have the sole, exclusive and inherent right of governing and regulating the internal Police of the same.

5th. That all Power being originally inherent in, and consequently derived from the People; therefore all officers of government, whether legislative or executive, are their Trustees and Servants, and at all times accountable to them.

6th. That Government is, or ought to be, instituted for the Common Benefit, Protection, and Security of the People, Nation or Community; and not for the particular Emolument or Advantage of any single man, family, or set of men, who are a part only of that Community; And that the Community hath an indubitable, unalienable, and indefeasible right to reform, alter, or abolish Government, in such manner as shall be by that Community judged most conducive to the public Weal.

7th. That those who are employed in the legislative and executive business of the State, may be restrained from oppression, the People have a right, at such periods as they may think proper, to reduce their public officers to a
Private opinion, and supply the vacancies by certain regular elections.

8. That all elections ought to be free: and that all freemen, having a sufficient evidence common interest with, and attachment to the community, have a right to elect officers, or be elected into office.

9. That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when necessary, or an equivalent therefor; but no part of a man's property can be justly taken from him, or applied to public use, without his own consent or that of his legal representatives. Nor can any man, who is constitutionally incapable of bearing arms, be justly compelled to bear arms, if he will pay such equivalent: Nor are the people bound by any law, but such as they have in the manner agreed to, for their common good.

10. That in all prosecutions for criminal offences, a man hath a right to be heard by himself and his counsel, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favor, and a speedy public trial, by an impartial jury of the county, without the unanimous consent of which jury he cannot be found guilty; nor can he be compelled to give evidence against himself; nor can any man be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers.

11. That the people have a right to hire themselves, their houses, offices and professions free from search or seizure; and therefore warrants without oath or affirmations shall not be made, affording a sufficient foundation for them, and whereby any officers or referees may be commanded or required to search suspected places, or to seize any person or persons, his house or their property, not particularly described, are contrary to that right, and ought not to be granted.

12. That no warrant or writ to attach the person or estate of any freeholder within this state, shall be issued in civil actions, without the person or persons who may request such warrant or attachment, first make oath or affirm before the authority who may be required to issue the warrant, that he or they are in danger of losing his or their Debt.
That on Controversies respecting Property, and in Suits between man and man, the parties have a right to a Trial by Jury, which ought to be held sacred.

That the People have a right to freedom of Speech, and of writing and publishing their Sentiments; therefore the freedom of the Press ought not to be restrained.

That the People have a right to bear arms, for the defence of themselves and their State: — and as standing Armies, in the time of Peace, are dangerous to Liberty, they ought not to be kept up; and that the military should be kept under strict Subordination to, and governed by, the civil Power.

That frequent recurrence to fundamental Principles, and a firm Adherence to Justice, Temperance, Industry, and Frugality, are absolutely necessary to preserve the blessings of Liberty, and keep Government free; The People ought therefore to pay particular Attention to these points, in the Choice of Officers and Representatives, and have a right to exact a due and constant regard to them, from their Legislature and Magistracy, in the making or executing such Laws as are necessary for the good Government of the State.

That all People have a natural and inherent right to emigrate from one State to another that will receive them; or to form a new State in vacant Countries, or in such Countries as they can purchase, whenever they think that thereby they can promote their own happiness.

That the People have a right to assemble together, to consult for their common good — to instruct their Representatives, and to apply to the Legislature for redress of grievances, by Address, Petition or Remonstrance.

That no person shall be liable to be transported out of this State, for trial for any offence committed within this State.

Chapter 11.

Plan or Frame of Government.

Section 1.

The Commonwealth or State of Vermont shall be governed hereafter by a Governor, Deputy-Governor, Council, and an Assembly, of the Representatives of the Freeman of the same, in manner and form following.
Section II.
The supreme Legislative Power shall be vested in a House of Representatives of the Freemen of the Commonwealth or State of Vermont.

Section III.
The supreme executive Power shall be vested in a Governor and Council.

Section IV.
Courts of Justice shall be established in every county in this State.

Section V.
The Freemen of the Commonwealth, and their issue, shall be trained and armed for defense, under such regulations, restrictions, and exceptions as the General Assembly shall by law direct, procuring always to the People the right of choosing their Colonels of Militia, and all commissioned officers under that rank, in such manner, and as often as by the said laws shall be directed.

Section VI.
Every man of the full age of twenty-one years, having resided in this State for the space of one whole year next before the Election of Representatives, and a part of a quiet and peaceable behavior, shall take the following oath (or affirmation) shall be entitled to all the Privileges of a freeman of this State.

I solemnly swear by the ever-living God (or affirm, in the presence of Almighty God) that whenever I am called to give my vote or suffrage, teaching any matter that concerns the State of Vermont, I will do it so as in my conscience I shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any man.

Section VII.
The House of Representatives of the Freemen of this State, shall consist of Persons most noted for Wisdom and Virtue, to be chosen by the Freemen of every town in this State respectively. And no foreigner shall be chosen, unless he has resided in the town for which he shall be elected, one year immediately before the said Election.

Section VIII.
The members of the House of Representatives, shall be chosen annually by ballot.
Ballot: by the freemen of their State, on the first Tuesday of September for ever (except this present year), and shall meet on the second Thursday of the succeeding October, and shall be called the General Assembly of the Representatives of the People of Vermont, and shall have Power to choose their Speaker, Secretary of that State, their Clerk, and other necessary Officers of the House; sit on their own adjournments; prepare Bills, and enact them into Laws; judge of the Elections and Qualifications of their own members: They may expel a member, but not a second time for the same cause: They may dismiss the Officers of the State; or examine the conduct of the Governor, or instruct the Governor to execute his duties; impeach State Officers; grant charters of Incorporation; constitute Towns, Boroughs, Cities, and Counties, and shall have all other Powers necessary for the Legislature of a free State: But they shall have no power to add to, alter, abolish or impair any part of this Constitution. And for the present year the members of the General Assembly shall be chosen on the first Tuesday of March next, and shall meet at the Meeting House in Windsor, on the second Thursday of March next.

Section IX.

A Quorum of the House of Representatives shall consist of two-thirds of the whole number of Members elected; and having met, and chosen their Speaker, shall elect, before they proceed to business, take and subscribe as well the Oaths of Fidelity and Allegiance, hereafter directed, as the following Oath, or Affirmation ofcyr:

I do solemnly swear by the ever-living God, that as a member of this Assembly, I will not propose or assent to any Bill, Vote or Resolution, which shall appear to me injurious to the People; nor do assent to any Act or Thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared in the Constitution of this State: But will in all things conduct myself as a faithful, honest, Representative, and Guardian of the People, according to the best of my Judgment and Ability.

And each member, before he takes his seat, shall make and subscribe the following Declaration ofcy:

I do believe in one God, the Creator and Governor of the Universe, the rewarder of the Good, and Punisher of the wicked. And I do acknowledge...
the scriptures of the old and new Testament, to be given by divine Inspiration, and approved of the Protestant Religion.

And no further or other religious test shall ever hereafter be required of any civil officer or magistrate in this State.

Section X.

Delegates to represent this State in Congress, shall be chosen by Ballot, by the future General Assembly, at their first Meeting, and annually forever afterward, as long as such Representation shall be necessary. Any Delegate may be imprisoned at any time, by the General Assembly appointing another in his stead. No man shall sit in Congress longer than two years successively, nor be capable of re-election for three years afterward; and no person who holds any office or the gift of the Congress, shall thereafter be elected to represent this State in Congress.

Section XI.

If any town or towns shall neglect or refuse to elect and send Representatives to the General Assembly, two thirds of the members of the town, that do elect and send Representatives, (provided they be a majority of the inhabitants thereof) when met, shall have all the powers of the General Assembly as fully and amply as if the whole were present.

Section XII.

The Doors of the House in which the Representatives of the Sexenary of this State shall sit in General Assembly, shall be and remain open for the admission of all persons who behave decently, except only when the welfare of this State may require the Doors to be shut.

Section XIII.

The Votes and Proceedings of the General Assembly shall be printed weekly during their sitting, with the Yeas and Nays on any question; vote or Resolution, where one third of the members require it, (except when the Votes are taken by Ballot) and when the Yeas and Nays are so taken, every member shall have a right to insert the reasons of his vote upon the Minutes, if he desire it.

Section XIV.

To the end that Laws, before they are enacted, may be more maturely considered, and the inconvenience of hasty Determination, as much as possible.
possible prevented, all Bills of public nature, shall be first laid before the governor and council, for their general and proper proposals of amendment, and shall be printed for the consideration of the People, before they are read in General Assembly, for the last time of debate and amendment, except temporary acts, which, after being laid before the governor and council, may (in case of sudden necessity) be passed into laws; and no other shall be passed into laws, until the next session of Assembly. And for the more perfect satisfaction of the public, the reasons and motives for making such laws, shall be fully and clearly expressed and set forth in their preamble.

Section XV.

The State of the laws of this state shall be, be it enacted, and it is hereby enacted, by the Representatives of the freemen of the state of Vermont, in general assembly met, and by the authority of the same.

Section XVI.

In order that the freemen of this state might enjoy the benefits of election, as equally as may be, each town, within this state, that consists, or may consist of eighty taxable inhabitants, within one legislative, or seven years next after its establishment, this constitution may hold elections therein, and choose each two Representatives; and each other inhabited town in this state, may in the same manner choose each one representative, to represent them in general assembly, during the said legislative or seven years; and after that, each inhabited town may in like manner hold such elections, and choose each one representative for ever thereafter.

Section XCVII.

The supreme executive council of this state, shall consist of a governor, a lieutenant governor, and twelve persons, chosen in the following manner: viz.; The freemen of each town, shall, on the day of election for choosing representatives to attend the general assembly, bring in their votes for governor, with their names fairly written, to the constables, who shall seal them up, and write on them, votes for the governor, and deliver them to the representative chosen to attend the general assembly; and at the opening of the general assembly, there shall be a committee appointed out of the council and assembly, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, and
and count the votes for the Governor, and declare the person who has the majority of the votes, to be Governor for the year ensuing. And if there be no choice made, then the Council and General Assembly, by their joint ballot, shall make choice of a Governor.

The Lieutenant Governor and Treasurer shall be chosen in the manner above directed. And each freeman shall give in twelve votes for twelve Councillors, in the same manner; and the twelve highest in nomination shall serve for the ensuing year as Councillors.

The Council that shall act in the sequel of this Convention, shall supply the Place of a Council for the next General Assembly, until the new Council be declared chosen. The Council shall meet annually at the same time and place with the General Assembly, and every member of the Council shall be a Justice of the Peace for the whole State by virtue of his office.

Section XVIII.

The Governor and in his absence the Lieutenant or Deputy Governor, with the Council, seven of whom shall be a majority, shall have power to appoint and commission all officers (except those who are appointed by the General Assembly) agreeable to this frame of government, and the laws that may be made therefor; and shall supply every vacancy in any office, occasioned by death, resignation, removal, or disqualification until the office can be filled in the time and manner directed by law or their Constitution.

They are to correspond with other States, and to send Emblems with officers of government civil and military, and to prepare such brevets as may appear to them necessary to lay before the General Assembly. — They shall sit as Judges to hear and determine on impeachments, taking to their assistance, for advice only, the Justices of the supreme Court; and shall have Power to grant Pardons, and reprieve, in all cases whatsoever, except case of Impeachment — and in case of Vacancy and Necessity, shall have power to grant Reprieves, but not to pardon, until the end of the next Session of Assembly; but there shall be no revision or mitigation of Punishment on Impeachments, except by Act of Legislation. — They are also to take care that the Laws be faithfully executed — They are to expedite the execution of such measures as may be resolved upon by General Assembly, and they may draw upon the Treasurers for such sums as may be appropriated by the
House; they may also lay Embargoes, or prohibit the Exportation of any Commodities, for any time not exceeding thirty days, in the recess of the House only:—They may also grant such Licences as shall be directed by Law; and shall have power to call together the General Assembly, when necessary, before the day to which they shall stand adjourned.——The Governor shall be Commander in Chief of the Forces of the State, but shall not command in Person, except in case of the legislature, and then only as long as they shall appoint thereof.——The Governor and Council shall have a Secretary, and keep fair Records of their Proceedings, whereby any Councillor may enter his Defect, with his reasons to support it.

Section XIX.
All Commissioners shall be in the name of the freemen of the State of Vermont, with the State seal, signed by the Governor, and in his absence the Lieutenant Governor, and attested by the Secretary; which seal shall be kept by the Council.

Section XX.
Every office of State, whether judicial or executive, shall be liable to be impeached by the General Assembly, either when in office, or after his Resignation, or Removal for Mal administration: All Impeachments shall be before the Governor and Lieutenent Governor and Council, who shall hear and determine the same.

Section XXI.
The Supreme Court, and the several Courts of Common Pleas of this State, shall, besides the Powers usually exercised by such Courts, have the Power of a Court of Chancery, as far as relates to perpetuating Testimony—obtaining evidence from places not within this State, and the Care of Orphans and Estates of those who are non-converters Montis, and such other persons as may be found necessary by future general assemblies, not inconsistent with this Constitution.

Section XXII.
Trials shall be by Jury, and it is recommended to the legislature of this State, to provide by Law against every Corruption or Partiality in thechoice, and return, or appointment of jurors.

Section XXIII.
All Courts shall be open, and Justice shall be impartially administered, without Corruption or unnecessary Delay; all their Officers shall be paid an adequate but moderate Compensation for their Services:—And if any Officers shall
shall take greater or other. For than the laws allow him, either directly or indirectly, it shall not after disqualify him from holding any office in this State.

Section XXIV.

All prosecutions shall commence in the name and by the authority of the Treasurer of the State of Vermont, and all indictments shall conclude with the words, "against the peace and dignity of the same." The State of all Proceedings hereafter in this State, shall be the State of Vermont.

Section XXV.

The person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison, after delivering up, bona fide, all his estate, real and personal, for the use of his creditors, in such manner as shall be hereafter regulated by law. All prisoners shall be bailable by sufficient security, unless for capital offenses, when the proof is evident, or suspicious, great.

Section XXVI.

Except for bail, shall not be excised for bailable offenses: And all fines shall be moderate.

Section XXVII.

That the General Assembly, when lawfully formed, shall appoint times and places for county elections, and at times and places, the freemen in each county respectively, shall have the liberty of choosing the judges of inferior courts of common pleas, coram judge of the peace, and judges of probate, appointed by the governor in council during good behavior, removable by the general assembly, upon proof of bad administration.

Section XXVIII.

That no person shall be capable of holding any civil office in this state, except he has acquired, and maintains, a good moral character.

Section XXIX.

All elections, whether by the people, or by General Assembly, shall be by ballot, free and voluntary: And any elector, who shall receive any gift or reward for his vote, or meal, drink, or money, or otherwise, shall forfeit his Right to vote at that time, and suffer such other penalty as shall be determined. And any person who shall, directly or indirectly, give, promise, or deliver any such rewards to be elector, shall thereby be rendered incapable to serve for the ensuing year.

Section XXX.

All fines, pecuniary, fees, and surtaxes, shall be paid according to
Section XXXI.

All deeds and conveyances of land shall be recorded in the Town Clerk's Office in their respective towns.

Section XXXII.

The Printing Press shall be free to every person who undertakes to examine the proceedings of the Legislature, or any part of government.

Section XXXIII.

As every freeman, to preserve his independence (without a sufficient estate) ought to have some profession, calling, trade or farm, whereby he may honestly subsist, there can be no necessity for, nor an in establishing offices of profit, the usual effects of which are dependence and servility unhonourable to freemen, in the Republic or important. Faction, contention, corruption and disorder among the People. But if any man is called into public service, to the prejudice of his private affairs, he has a right to a reasonable compensation; and whenever an office, through increase of fees, or otherwise, becomes so profitable as to occasion many to apply for it, the Profits ought to be taken by the Legislature.

Section XXXIV.

The future Legislature of this State, shall regulate Entails in such manner as to prevent Perpetuities.

Section XXXV.

To deter more effectually from the commission of crimes, by continued visible Punishment of long Duration, and to make exemplary Punishments, let necessary, Houses ought to be provided for punishing by hard Labours, those who shall be convicted of Crimes not Capital, wherein the Criminal shall be employed for the benefit of the public, or for separation of Injuries done to private Persons, and all Persons, at proportion, shall be admitted to see the Guilty at their Labours.

Section XXXVI.

Every office, whether judicial, executive or military, or Authority under this State, shall take the following Oath or Affirmation of Allegiance, and general Oath of Office, before he enter on the execution of his office.

The Oath or Affirmation of Allegiance.

I do solemnly swear by the everlasting God, that I will be true and faithful to the State of Vermont, according to the
I will not, directly or indirectly, do any act or thing prejudicial or injurious to the Constitution or government thereof, as established by Congress.

The Oath of Affirmation of Office.

I do solemnly swear by the everlasting God, (or affirm, in the presence of Almighty God) that I will faithfully execute the Office of for the , and will do equal right and justice to all men, to the best of my judgment, and abilities, according to law.

Section XXXVII.

No public tax, custom, or contribution, shall be imposed upon, or paid by the people of this State, except by a law for that purpose; and before any law be made for raising it, the purpose for which any tax is to be raised ought to appear clear to the Legislature, to be of more service to the community than the money raised; if not collected, which being well accounted, taxes can never be further.

Section XXXVIII.

Every foreigner of good character who comes to settle in this State, having first taken an oath of affirmation of allegiance to the same, may purchase, or by other lawful means acquire, hold and transfer land, or other real estate; and after one year's residence, shall be deemed a free commoner thereof, and entitled to all the rights of a natural born subject of this State, except that he shall not be capable of being elected a Representative, until after two years' residence.

Section XXXIX.

That the inhabitants of this State, shall have liberty to hunt and fish, in reasonable times, on the lands they hold, and on all other lands (not written) and in like manner to fish on all bearable, and other waters, not private property, under proper regulations to be hereafter made and provided by the General Assembly.

Section XL.

A school shall be established in each town by the Legislature, for the convenient instruction of youth, with such salaries to the master, paid by each town, and proper places for school lands in each town, thereby to enable them to instruct youth at low rates. One grammar school in each county, and one University in this State, ought to be established by direction of the General Assembly.

Section XLII.

Laws for the Encouragement of Virtue, and Prevention of Vice and Insanity, shall be made, and kept constantly in force; and Provision shall be made for
their declaration: And all religious societies, or bodies of men, that have, or may 
be hereafter united and incorporated, for the advancement of Religion and Learning, 
or for other pious and charitable Purposes, shall be encouraged and protected in the 
enjoyment of the Privileges, Immunities and Estates, which they or their successors 
ought to enjoy, under such Regulations as the General Assembly of this State shall 
ordain.

Section XLII.

All Field and Staff officers, and commissioned Officers of the Army, and all 
General officers of the Militia, shall be chosen by the General Assembly.

Section XLIII.

The Declaration of Rights is hereby declared to be a part of the Constitution of this 
State, and ought never to be questioned, or any Pretense whatever.

Section XLIV.

In order that the freedom of the Commonwealth may be preserved inviolate 
forever, there shall be chosen, by ballot, by the freemen of this State, on the last 
Wednesday in March, in the year one thousand seven hundred and eighty-two, 
and on the last Wednesday in March, in every seven years thereafter, thirteen 
Persons who shall be chosen in the same manner the council is chosen, except 
they shall not be of the Council of General Assembly, to be called the Council 
of Censors, who shall meet together on the first Wednesday of some next ensuing 
their election, the Majority of whom shall be a Lawyer in every case, except 
as to calling a Convention, or in which two thirds of the whole number elected 
shall agree, and whose duty it shall be to enquire whether the Constitution 
has been preserved inviolate in every part, and whether the Legislative and 
Executive Branches of the Government have performed their duty, as Guardians 
of the People, or as bound to themselves, or executed other or greater powers 
than they are entitled to by the Constitution. They are also to enquire 
whether the public Taxes have been justly laid and collected in all parts of 
this Commonwealth — in what manner the public Monies have been 
disposed of, and whether the Laws have been duly executed. For these 
Purposes they shall have power to send for Persons, papers and Records; 
they shall have Authority to call public Censors — to order Impeachments; 
and to recommend to the Legislature the repealing such Laws, as appear to 
them to have been enacted contrary to the Principles of the Constitution.
Provis.: they shall continue to have, hold and during the space of one year from the day of their election, and no longer. The said Council of Convo. shall also have power to call a convention, to meet within two years after their sitting, if there appears to them an absolute necessity of amending any Article of their Constitution which may be defective — explaining such as may be thought not clearly expressed, and of adding such as are necessary for the preservation of the rights and happiness of the people: But the Articles to be amended, and the amendments proposed, and such articles as are proposed to be added or abolished, shall be published at least six months before the day appointed for the election of such convention, for the proper consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

The End.