THE STATE CONSTITUTION OF DELAWARE.

We the people, hereby ordain and establish this constitution of government for the State of Delaware. PREAMBLE Through Divine goodness, all men have by nature the rights of worshiping. and serving their Creator according to the dictates of their consciences , of enjoying and defending life and liberty, of acquiring and protecting reputation and property, and in general of attaining objects suitable to their condition, without injury by one to another; and as these rights are essential to their welfare, for the due exercise thereof, power is inherent in them; and theref ore all just authority in the institutions of political society is derived from the people, and established with their consent, to advance their happiness; and they may for this end, as circumstances require, from time to time, alter their Constitution of government. ARTICLE I BILL OF RIGHTS SECTION 1. Althou gh it is the duty of all men frequently to assemble together for the public worship of Almighty God; and piety and morality, on which the, prosperity of communities depends, are thereby promoted; yet no man shall or ought to be compelled to attend any religious worship, to contribute to the erection or sup port of any place of worship, or to the maintenance of any ministry, against his own free will and consent; and no power shall or ought to be vested in or assumed by any magistrate that shall in any case interfere with, or in any manner control the rights of conscience, in the free exercise of religious worshi p, nor a preference given by law to any religious societies, denominations, or modes of worship. SECTION 2. No religious test shall be required as a qualification to any office, or public trust, under this State. SECTION 3. All elections shall be free and equal. SECTION 4. Trial by jury shall be as heretofore. SE CTION 5. The press shall be free to every citizen who undertakes to examine the official conduct of men acting in a public capacity; and any citizen may print on any subject, being responsible for the abuse of that liberty. In prosecutions for publications, investigating the proceedings of officers, or where th e matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libels the jury may determine the facts and the law, as in other cases. SECTION 6. The people shall be secure in their persons, houses, papers and possessions, from unreasonable searc hes and seizures, and no warrant to search any place, or to seize any person or thing, shall issue without describing them as particularly as may be; nor then, unless there be probable cause supported by oath or affirmation. SECTION 7. In all criminal prosecutions, the accused hath a right to be heard by hi mself and his counsel, to be plainly and fully informed of the nature and cause of the accusation against him, to meet the witnesses in their examination face to face, to have compulsory process in due time, on application by himself, his friends or counsel, for obtaining witnesses in his favor, and a speedy and public trial by an impartial jury; he shall not be compelled to give evidence against himself, nor shall he be deprived of life, liberty or property, unless by the judgment of his peers or by the law of the land. SECTION 8. No person shall for any indictable offence be proceeded against criminally by informa tion, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, and no person shall be for the same offence twice put in jeopardy of life or limb; nor shall any man's property be taken or applied to public use without the consent of his representa tives, and without compensation being made. SECTION 9. All courts shall be open; and every man for an injury done him in his reputation, person, movable or immovable possessions, shall have remedy by the due course of law, and justice administered according to the very right of the cause and the law of the land, without sale, denial, or unreasonable delay or expense; and every action shall be tried in the county in which it shall be commenced, unless when the judges of the court in which the cause is to be tried shall determine that an impartial trial thereof cannot be had in that county. Suits may be brou ght against the State, according to such regulations as shall be made by law. SECTION 10. No power of suspending laws shall be exercised but by authority of the General Assembly. SECTION 11. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted; and in the c onstruction of jails a proper regard shall be had to the health of Prisoners. SECTION 12. All prisoners shall be bailable by sufficient sureties, unless for capital offences when the proof is positive or the presumption great; and when persons are confined on accusation for such offences their friends and cou nsel may at proper seasons have access to them. SECTION 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it. SECTION 14. No commission of oyer and terminer, or jail delivery, shall be issued. SECTION 15. N o attainder shall work corruption of blood, nor except during the life of the offender forfeiture of estate. The estates of those who destroy their own lives shall descend or vest as in case of natural death, and if any person be killed by accident no forfeiture shall thereby be incurred. SECTION 16. Alth6ugh dis obedience to laws by a part of the people, upon suggestions of impolicy or injustice in them, tends by immediate effect and the influence of example not only to endanger the public welfare and safety, but also in governments of a republican form contravenes the social principles of such governments, foun ded on common consent for common good; yet the citizens have a right in an orderly manner to meet together, and to apply to persons intrusted with the powers of government, for redress grievances or other proper purposes, by petition, remonstrance or address. SECTION 17. No standing army shall be k ept up without the consent of the General Assembly, and the military shall in all cases and at all times be in strict subordination to the civil power. SECTION 18. No soldier shall in time of peace be quartered in any house without the consent of the owner; nor in time of war but by a civil magistrate, in manner to be prescribed by law. SECTION 19. No hereditary distinction shall be granted, nor any office created or exercised, the appointment to which shall be for a longer term than during good behaviour; and no person holding any office under this State shall accept of any office or title of any king whatever from any king, prince, or foreign State. Ve declare that every thing in this article is reserved out of the general powers of government hereinafter mentioned. ARTICLE II LEGISLATURE SECTION 1. The legislative power of this State shall be vested in a General Assembly, which shall consist of a Senate and Hous e of Representatives. SECTION 2. The House of Representatives shall be composed of thirty-five members, who shall be chosen for two years. The Senate shall be composed of seventeen members, who shall be chosen for four years. The State is hereby divided into thirty-five Representative Districts, from each of which shall be chosen, by the qualified electors thereof, one Representative. In New Castle County there shall be fifteen Representative Districts, numbered from one to fifteen inclusive; in Kent County, ten Representative Districts, numbered from one to ten inclusive; and in Sussex County, ten Rep resentative Districts, numbered from one to ten inclusive. The State is also hereby divided into seventeen Senatorial Districts, from each of which shall be chosen, by the qualified electors thereof, one Senator. In New Castle County there shall be seven Senatorial Districts, numbered from one to seven inclu sive; in Kent County, five Senatorial Districts, numbered from one to five inclusive; and in Sussex County, five Senatorial Districts, from one to five inclusive. The Representative Districts in New Castle County are and shall be as follows: Number One. All that portion of the City of Wilmington included within the Second and Fourth Wards, and those parts of the Sixth and Eighth Wards, respectively, lying south of and bounded by the central line of Eighth street. Number Two. All that portion of the said city included within the Ninth Ward, and those parts of the Sixth and Eighth Wards, respectively, lying north of and bounded by the central line of Eighth street. Number Three. All that portion of the said city included within the Sevent h Ward, and that part of the Fifth Ward lying north of and bounded by a straight line including the central line of Eighth street. Number Four. All that portion of t he said city included within the First and Third Wards, and that part of the Fifth Ward lying south of and bounded by the central line of Eighth street, east of and bounded by the central line of Adams street, and west of and bounded by the central line of Market street. N umber Five. All that portion of the said city included within the Tenth, Eleventh and Twelfth Wards, and that part of the Fifth Ward lying south of and bounded by a straight line including the central line of Eighth street, west of and bounded by the central line of A dams street, and bounded on the west by the westerly boundary line of the said city. Number Six. Brandywine Hundred. Number Seven. Christiana Hundred. Number Eight. Mill Creek Hundred. Number Nine. White Clay Creek Hundred. Number Ten. New Cas tle Hundred. Number Eleven. Pencader Hundred. Number Twelve. Red Lion Hundred. Number Thirteen. St. G eorges Hundred. Number Fourteen. Appoquinimink Hundred. Number Fifteen. Blackbird Hundred. The Representative Districts in Kent County ar e and shall be as follows: Number One. Duck Creek Hundred. Number Two. Little Creek Hundred and the F irst Election District of East Dover Hundred. Number Three. Kenton Hundred. Number Four. West Dover Hundred and all that portion of East Dov er Hundred lying next to West Dover Hundred and separated from the rest of East Dover Hundred by the following boundary lines: beginning at the middle of the public road leading from the Horsehead road to Kenton at the point of intersection of Kento n Hundred and East Dover Hundred, thence running along the middle of the said road to the Horsehead road, thence running in a westerly direction along the middle of the said Horsehead road a short distance to a short road leading from the said Horseh ead road to the road from Dover to Hazlettville, known as the Hazlettville road, thence running along th e middle of the said short road from the Horsehead road to the said Hazlettville road, thence running in a westerly direction along the middle of the said H azlettville road a short distance to the road leading therefrom to Wyoming, thence running along the middle of the said road leading from the said Hazlettville road to Wyoming to the point of intersection of East Dover Hundred and North Murderkill Hundred. Number Five. All that portion of East Dover Hundred not included in Districts numbers two and four . Number Six. Parts of North Murderkill, South Murderkill and Mispillion Hundreds included within the following boundary lines beginning at the intersection of the southern line of South Murderkill Hundred with the State of Maryland, thence. running along the division line between Mispillion Hundred and South Murderkill Hundred to the public road leading from Whiteleysburg to Harrington, thence running in a southeasterly and easterly direction along the middle of said public road to the public road lead ing from Masten's Corner to Nernon, at or near White's Church, thence running in a northeasterly direction along the middle of said public road leading from Masten's Corner to Vernon, a short distance to the public road leading therefrom to the town of Harrington, being a continuation of the road leading from Whiteleysburg to Harrington, thence running in a southeasterly direction to the intersection of We st street in the town of Harrington, thence running in a northerly direction along the middle of said West street to the middle of Wolcott street in said town of Harrington, thence running in an easterly direction along the middle of said Wolcott street to th e middle of Dorman street in said town of Harrington, thence running in a northerly direction along the middle of said Dorman street to Brown's Branch, thence running in an easterly direction with the course of said Branch to the Delaware Railroad, the nce running in a northerly direction along said Delaware Railroad to Beaver Dam, Branch in South Murderkill Hundred, thence following the course of said Beaver Dam Branch in a northwesterly direction to the public road leading from Felton to Whiteley sburg, thence running in a northeasterly direction along the middle of the said public road fr om Felton to Whiteleysburg to the Owl's Nest road, thence running in a northerly direction along the middle of the said Owl's Nest road to the intersection of the C owgill road from Woodside to Petersburg, thence running in a northerly direction along the middle of the said Cowgill road to the road running from Woodside to DuPont's school house, thence running in a northwesterly direction along the middle of the sai d Reed road to DuPont's school house, thence running in a northerly direction along the mid dle of the public road running from Willow Grove, to Camden, a short distance to Stubb's Corner, thence running in a westerly and northwesterly and westerly direct on along the middle of the public road leading from DuPont's school house to the Almshous e to Gray's Corner, thence continuing in a direct westerly line to the southern boundary line of West Dover Hundred, thence following the southern boundary line of We st Dover Hundred in a westerly direction to the State of Maryland, thence running in a southe rly direction along the eastern boundary line of the State of Maryland to the place of beginning. Number Seven. All that portion of North Murderkill Hundred not included i n District number six. Number Eight. All that portion of South Murderkill hundred not include d in District number six. Number Nine. All that portion of Mispillion Hundred not included in District number six. Number Ten. Milford Hundred The Representative Districts in Sussex County are and shall be as follows: Number One. Cedar Creek Hundred. Number Tw o. All that portion of Nanticoke Hundred which lies north and west of Gravelly Branch, beginning at a point where the said Gravelly Branch intersects the dividing line between G eorgetown and Nanticoke Hundreds and running in a southwesterly course to what was form erly known as Rest's Old Mill, thence along said branch to what was formerly known as Collins' Mills, to its mouth being at the head of Middleford Mill Pond; together with North West Fork Hundred. Number Three. All that portion of Nanticoke Hundred which lies south a nd east of said Gravelly Branch, beginning at a point where the said Gravelly Branch intersects the dividing line between Nanticoke and Georgetown Hundreds, running in a south westerly course to what was formerly known as Rest's Old Mill, thence along the said branch to what was formerly known as Collins' Mills, to its mouth at the head of Middleford Mill Pond; together with Seaford Hundred. Number Four. Broad Creek Hundred. Number Five. L ittle Creek Hundred. Number Six. Dagsboro and Gumboro Hundred. Number Seven. Baltimor e Hundred. Number Eight. Indian River Hundred. Number Nine. Georgetown Hundred. Number Ten. Broadkiln and Lewes and Rehoboth Hundreds. The Senatorial Districts in New Ca stle County are and shall be as follows: Number One. All that portion of the City of Wilmingto n lying north of and bounded by a straight line including the central line of Eighth street extending from the Delaware River to the westerly boundary of said city. Number Two. All th at portion of the said city lying south of and bounded by the straight line aforesaid including the central line of Eighth street. Number Three. Brandywine Hundred, together with all that portion of Christiana Hundred lying north of and bounded by the central line of Lancast er Turnpike. Number Four. Mill Creek Hundred, together with all that portion of Christiana Hu ndred lying south of and bounded by the central line of the Lancaster Turnpike. Number Five. White Clay Creek Hundred, Red Lion Hundred and New Castle Hundred. Number Si x. Pencader Hundred and St. Georges Hundred. Number Seven. Appoquinimink Hundred and Blackbird Hundred. The Senatorial Districts in Kent County are and shall be as follows: Number One. The first and Second Representative Districts. Number Two. The third an d fourth Representative Districts. Number Three. The fifth and seventh Representative Distric ts. Number Four. The sixth and ninth Representative Districts. Number Five. The eighth and tenth Representative Districts. The Senatorial Districts in Sussex County are and shall be as follows: Number One. The first and second Representative Districts. Number Two . The third and fourth Representative Districts. Number Three. The fifth and sixth Representative Districts. Number Four. The seventh and eighth Representative Districts. N umber Five. The ninth and tenth Representative Districts. All territory which shall hereafter be added to and included within the city of Wilmington shall become part of the Representative Districts in New Castle County, as follows: All lying east of a straight line inclu ding the central line of Market street, below Eighth street, as the said two streets now exist, a nd south of a straight line including the central line of Eighth street, as the same now exists, shall become part of Representative District number one. All lying north of a st raight line including the central line of Eighth street, as the same now exists, extending; from the northeasterly side of Brandywine Creek to the Delaware River, or north of the Brandywine Creek, westerly from the point of intersection of the said straight line with th e northeasterly side of the said Creek, shall become part of Representative District number tw o. All lying north of a straight line including the central line of Eighth street, as the same now exists, south of the Brandywine Creek, and west of the central line of Market s treet, as the same now exists, shall become part of Representative District number three. All l ying between a straight line including the central line of Market street extended southerly and a straight line including the central line of Washington street extended southe rly shall become part of Representative District number four. All lying south of a straight line i ncluding the central line of Eighth street, as the same now exists, and west of a straight line including the central line of Washington street, as the same now exists, shall bec ome part of Representative District number five. In case of any change in the boundary line be tween this State and the State of Pennsylvania any of the said Senatorial and Representative Districts in New Castle Count affected thereby shall conform to any new boundar y line between the said States. All territory which shall hereafter be added to and included wit hin the City of Wilmington shall become part of the Senatorial Districts in New Castle County as follows: All lying north of a straight line including the central line of Eighth stre et, extended from the Delaware River westwardly, shall become part of Senatorial District num ber one. All lying south of a straight line including the central line of Eighth street, extended from the Delaware River westwardly shall become part of Senatorial District number two. Whenever by the extension of the limits of the City of Wilmington territory forming part o f any Representative or Senatorial District, as hereby established shall be included within the limits of said city, such Representative or Senatorial District shall thereafter consis t of the residue thereof, not so included within said limits. The several Representative and Sen atorial Districts in the State shall, except as herein otherwise provided, continue to be bounded, described and defined by the lines of the hundreds, wards, election district, pub lic roads, railroad and other boundaries herein mentioned, as the same are now established a nd located. SECTION 3. No person shall be a Senator who shall not have attained the age of twenty-seven years and have been a citizen and inhabitant of the State three years next preceding the day of his election and the last year of that term an inhabitant of the Sena torial District in which he shall be chosen, unless he shall have been absent on the public business of the United States or of this State. No person shall be a Representative w ho shall not have attained the age of twenty-four years, and have been a citizen and inhabitant of the State three years next preceding the day of his election, and the last year of that term an inhabitant of the Representative District in which he shall be chosen, unless he shall have been absent on the public business of the United States or of this State. SECTIO N 4. The General Assembly shall meet on the first Tuesday of January, biennially, and at such other times as the Governor shall convene the same. SECTION 5. The General Assembly shall meet and sit in Dover the capital of the State; provided, however, that in case of insurrection, conflagration or epidemic disease the General Assembly may temporarily meet and sit elsewhere. SECTION 6. Whenever there shall be a vacancy in either House of the General Assembly, by reason of failure to elect, ineligibility, death, resignation or otherwise, a writ of election shall be issued by the presiding officer of the House in which the vacancy exists, or in case of necessity in such other manner as shall be p rovided by law; and the person thereupon chosen to fill such vacancy shall hold office for the r esidue of the term. And whenever there shall be such vacancy in either House, and the General Assembly is not in session, the Governor shall have power to issue a w rit of election to fill such vacancy, which writ shall be executed as a writ issued by the presid- ing officer of either House in case of vacancy, and the person thereupon chosen to fill such vacancy shall hold office for the residue of the term. SECTION 7. The Senat e at each biennial session shall choose one of its members president pro tempore, who shall p reside in the absence of the Lieutenant-Governor, or in case the latter shall become Governor or while he continues in the exercise of the office of Governor by reaso n of disability of the Governor. The Senate shall also choose its other officers and in the absen ce of the Lieutenant Governor and its president pro tempore may, from time to time, as occasion may require, appoint one of its members to preside. The House of Representatives shall choose one of its members speaker and also choose its other officers, a nd in the absence of the speaker may, from time to time as occasion may require, appoint one of its members to preside. SECTION 8. Each House shall be the judg e of the elections, returns and qualifications of its own members; and a majority of all the mem bers elected to each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and shall have power to compel the atte ndance of absent members, in such manner, and under such penalties, as shall be deemed exp edient. SECTION 9. Each House may determine the rules of its proceedings, punish any of its members for disorderly behavior, and with the concurrence of two-t hirds of all the members elected thereto expel a member, and shall have all other powers neces sary for a branch of the Legislature of a free and independent State. SECTION 10. Each House shall keep a journal of its proceedings, and publish the same imm ediately after every session, except such parts as may require secrecy, and the yeas and nays of the members on any question shall, at the desire of any member, be entered on the journal. No bill or joint resolution, except in relation to adjournment, shall pass either House unless the final vote shall have been taken by yeas and nays, and the names of the members voting for and against the same shall be entered on the journal, nor without the concurrence of a majority of all the members elected to e ach House. SECTION 11. The doors of each House, and of Committees of the Whole, shall be op en unless when the business is such as ought to be kept secret. SECTION 12. Neither House shall, without the consent of the other, adjourn for more th an three days, nor to any other place than that in which the two Houses shall be sitting. SECTIO N 13. The Senators and Representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attenda nce at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place. SECTION 14. No Senator or Representative shall, during th e time for which he shall have been elected, be appointed to any civil office under this State whi ch shall have been created, or the emoluments of which shall have been increased, during such time. No member of Congress, nor any person hold ing any 6ffice under this State, or the United States, except officers usually appointed by the co urts of justice respectively, attorneys-at-law and officers in the militia, holding no disqualifying office, shall during his continuance in Congress or in office be a Senator or Representative; nor shall any person while concerned in any army or n avy contract be a Senator or Representative. SECTION 15. The members of the General Assembly, except the presiding officers of the respective Houses, shall receive as compensation for their services a per diem allowance of five dollars, an d the presiding officers a per them allowance of six dollars for each day of the session, not exceeding sixty days; and should they remain togethe r in session they shall serve without compensation in case a special or extra session of the Gen eral Assembly be called the members and presiding officers shall receive like compensation for a period not exceeding thirty days. The compen sation of members of the General Assembly and of the Lieutenant Governor as president of the Senate shall be paid out of the Treasury of the State. The cost to the State for stationery and other supplies for each member of the General Ass embly shall not exceed the sum of twenty-five dollars for any regular session, or the sum of ten dollars for any special session. SECTION 16. No bill or joint resolution, except bills appropriating money for public purposes, shall embrace m ore than one subject, which shall be expressed in its title. SECTION 17. Lotteries, the sale of lott ery tickets, pool selling and all other forms of gambling are prohibited in this State. The General Assembly shall enforce this section by appro priate legislation. SECTION 18. No divorce shall be granted., nor alimony allowed, except by the judgment of a court as shall be prescribed by general and uniform law. SECTION 19. The General Assembly shall not pass any local or specia l law relating to fences; the straying of live stock; ditches; the creation or changing the boundari es of school districts; or the laying out, opening, alteration, maintenance or vacation, in whole or in part, of any road, highway, street, lane or alley. SECTION 20. Any member of the General Assembly who has a personal or private interest in any measure or bill pending in the General Assembly shall disclose the fact to the House of which he is a member and shall not vote there on. SECTION 21. No person who shall be convicted of embezzlement of the public money, briber y, perjury or other infamous crime, shall be eligible to a seat in either House of the General Assembly, or capable of holding any office of trust , honor or profit under this State. SECTION 22. Every person who shall give, offer or promise, dir ectly or indirectly, any money, testimonial, privilege, personal advantage, or thing of value to any executive or judicial officer of this State or t o any member of either House of the General Assembly for the purpose of influencing him in the performance of any of his official or public duties shall be deemed guilty of bribery, and shall he punished in such manner as shall be provide d by law. SECTION 23. Every statute shall be a public law unless otherwise declared in the statut e itself. SECTION 24. The State Treasurer shall settle his accounts annually with the General Assembly or a joint committee thereof, which shal l be appointed at every biennial session. No person who has served in the office of State Treasur er shall be eligible to a seat in either House of the General Assembly until he shall have made a final settlement of his accounts as treasurer an d discharged the balance, if any, due thereon. ARTICLE III EXECUTIVE SECTION 1. The supreme executive powers of the State shall be vested in a Governor. SECTION 2. The Governor shall be chosen by the qualified electors of the State, o nce in every four years, at the general election. SECTION 3. The returns of every election for Gov ernor shall be sealed up and immediately transmitted to the President of the Senate, or in case of a vacancy in the office of President of the Se nate, or his absence from the State, to the Secretary of State, who shall keep the same until a Pre sident of the Senate shall be chosen, to whom they shall be immediately transmitted after his election, who shall open and publish the same in the presence of the members of both Houses of the General Assembly. Duplicates of the said ret urns shall also be immediately lodged with the Prothonotary of each county. The person having the highest, number of votes shall be Governor ; but if two or more shall be equal in the highest number of votes, the members of the two House s shall, by joint ballot, choose one of them to be Governor; and if, upon such ballot, two or more of them shall still be equal and highest in vote s, the President of the Senate shall have the casting vote. SECTION 4. Contested elections of the Governor or Lieutenant-Governor shall be determined by a joint committee, consisting of one-third of all the members elected to each House o f the General Assembly, to be selected by ballot of the Houses respectively. Every member of the committee shall take an oath or affirmation that in determining the said election he will faithfully discharge the trust reposed in him; and the committee shall always sit with open doors. The Chief Justice, or, in case of his absence or disab ility, the Chancellor shall preside at the trial of any contested election of Governor or Lieutenant-Governor, and shall decide questions regar ding the admissibility of evidence, and shall, upon request of the committee, pronounce his opini on upon other questions of law involved in the trial. SECTION 5. The Governor shall hold his office during four years from the third Tuesday in January next ensuing his election; and shall not be elected a third time to said office. SECTION 6. The Governor shall be at least thirty years of age, and have been a citizen and inhabitant of the United States twelve years next before the day of his election, and the last six years of that term an inhabitant of this State, unless he shall have been absent on public business of the United States or of this State. SECTION 7. The Governor shall, at stated times, receive for his an adequate salary to be fixed by law, which shall be neither increased nor diminished during the pe riod for which he shall have been elected. SECTION 8. He shall be commander-in-chief of the army and navy of this State, and of the militia, e xcept when they shall be called into the service of the United States. SECTION 9. He shall have po wer, unless herein otherwise provided. to appoint, by and with the consent of a majority of all the members elected to the Senate, such office rs as he is or may be authorized by this Constitution or by law to appoint. He shall have power to fill all vacancies that may happen during the recess of the Senate, in offices to which he may appoint, except in the offices of Chancellor, C hief Justice and Associate Judges, by granting Commissions which shall expire at the end of the next session of the Senate. He shall have power to fill all vacancies that may happen in elective offices, except in the offices of Lieutena nt-Governor and members of the General Assembly, by granting Commissions which shall expire when their successors shall be duly qualified. In case of vacancy in an elective office, except as aforesaid, a person shall be chosen t o said office for the full term at the next general election, unless the vacancy shall happen within t wo months next before such election, in which case the election for said office shall be held at the second succeeding general electio n. Unless herein otherwise provided, confirmation by the Senate of officers appointed by the Gov ernor shall be required only where the salary, fees and emoluments of office shall exceed the sum of five hundred dollars annually. SECTION 10. The Governor shall appoint, by and with the consent of a majority of all the members elected to the Senate, a Secretary of State, who shall hold office during the pleasure of the Governor. He shall keep a fair register o f all the official acts and proceedings of the Governor, and shall, when required by either House of the General Assembly lay the same, and all papers; minutes and vouchers, relative thereto, before such House, and shall perform such other duties as shall be enjoined upon him by law. He shall have a compensation for his ser vice to be fixed by law. SECTION 11. No person shall be elected or appointed to an office within a county who shall not have a rig ht to vote for a Representative in the General Assembly, and have been a resident therein one yea r next before his election or appointment, nor hold the office longer than he continues to reside in the county, unless herein oth erwise provided. No member of Congress, nor any person holding or exercising any office under t he United States, except officers usually appointed by the courts of justice respectively and attorneys-at-law, shall at the same t ime hold or exercise any office of profit under this State, unless herein otherwise provided. No per son shall hold more than one of the following offices at the same time, to-wit: Secretary of State, Attorney-General, Insurance Commissioner, State Treasurer, Auditor of Accounts, Prothonotary, Clerk of the Peace, Register o f Wills, Recorder, Sheriff or Coroner. SECTION 12. All Commissions shall be in the name of the State, and shall be sealed with the great seal and signed by the Governor. SECTION 13. The Governor may for any reasonable ca use remove any officer, except the Lieutenant Governor and members of the General Assembly, upon the address of two-thir ds of all the members elected to each House of the General Assembly. Whenever the General Asse mbly shall so address the Governor, the cause of removal shall be entered on the journals of each House. The person against whom the General Assembly may be about to proceed shall receive notice thereof, accompanied with the cause alleged for his removal, at least ten days before the day on which either House of the General Assembly shall a ct thereon. SECTION 14. The Governor may require information in writing from the officers in the e xecutive department, upon any subject relating to the duties of their respective offices. SECTION 15. He shall, from time to ti me, give to the General Assembly information of affairs concerning the state and recommend to its consideration such measures as he shall judge expedient. SECTION 16. He may on extraordinary occasions convene the Ge neral Assembly by proclamation; and in case of disagreement between the two Houses with respe ct to the time of adiournment, adjourn them to such time as he shall think proper, not exceeding three months. He shall have power to convene the Senate in extraordinary session by proclamation, for the transaction of exec utive business. SECTION 17. He shall take care that the laws be faithfully executed. SECTION 18. Every bill which shall have passed both Houses of the General Assembly shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it; but if he shall not approve, he shall return it with his objections to the House in which it shall have originated, which House shall enter the objections at large on the journal and pr oceed to reconsider it. If, after such reconsideration,.three-fifths of all the members elected to that House shall agree t o pass the bill, it shall be sent together with the objections to the other House, by which it shall like wise be reconsidered, and if approved by three-fifths of all the members elected to that House, it shall become a law ; but in neither House shall the vote be taken on the day on which the bill shall be returned to it. In all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the members vo ting for and against the bill shall be entered on the journal of each House respectively. If any bill sh all not be returned by the Governor within ten days, Sundays excepted, after it shall have been presented to him , the same shall be a law in like manner as if he had signed it, unless the General Assembly shall, b y adjournment, prevent its return, in which case it shall not become law without the approval of the Governor. No bill shall become law after the final adjournment of the General Assembly, unless approved by t he Governor within thirty days after such adjournment. The Governor shall have power to disapprove of any i tem or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void, unless repassed according to the rules and limitations prescribed for the passage of other bills, ov er the Executive veto. Every order, resolution, or vote to which the concurrence of both Houses of the Gen eral Assembly may be necessary, except on a question of adjournment, shall be presented to the G overnor, and before the same shall take effect be approved by him, or being disapproved by him, shall b e repassed by three-fifths of all the members elected to each House of the General Assembly, accor ding to the rules and limitations prescribed in the case of a bill. SECTION 19. A Lieutenant-Governor sh all be chosen at the same time, in the same manner, for the same term, and subject to the same pro visions as the Governor; he shall possess the same qualifications of eligibility for office as the Gove rnor; he shall be President of the Senate, but shall have no vote unless the Senate be equally divide d. The Lieutenant Governor while acting as President of the Senate, or as member of the Board of Pardons, whenever attending the sessions of said Board, shall receive for his services the same co mpensation per day as the Speaker of the House of Representatives. SECTION 20. In case the person elected Governor shall die or become disqualified before the commencement of his term of office, or of his death, resignation, or inability to discharge the powers and duties he Governor from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Lieutenant-Governor; and in c ase of removal, death, resignation, or inability of both the Governor and Lieutenant-Governor, the S ecretary of State, or if there be none, or in case of his removal, death, resignatio n, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resign ation, or inability, then the President pro tempore of the Senate, or if there be n one, or in case of his removal, death, resignation, or inability, then the Speaker of the House of Repr esent shall act as Governor until the disability of the Governor or Lieutenant-G overnor is removed, or a Governor shall be duly elected and qualified. The foregoing provisions of t his Section shall apply only to such persons as are eligible to the office of Gov ernor under this Constitution at the time the powers and duties of the office of Governor shall devol ve upon them respectively. Whenever the powers and duties of the office of Go vernor shall devolve upon the Lieutenant- Governor, Secretary of State, or Attorney-General, his offi ce shall become vacant; and whenever the powers and duties of the office of G overnor shall devolve upon the President pro tempore of the Senate, or the Speaker of the House of Representatives, his seat as a member of the General Assembly shall become vacant; and any such vacancy shall be filled as directed by this Con- stitution; provided, however, th at such vacancy shall not be created in case either of the said persons shall b e acting as Governor during a temporary disability of the Governor. SECTION 21. The term of office o f the Attorney-General and Insurance Commissioner shall be four years; and t he terms of office of the State Treasurer and Auditor of Accounts shall be two years. These officers shall be c hosen by the qualified electors of the State at general elections, and be comm issioned by the Governor. SECTION 22. The terms of office of Prothonotaries, Clerks of the Peace, Re gisters in Chancery and Clerks of the Orphans' Court shall Wills, Recorders, Registers of Wills, Recorders, Reg be four years; and the terms of office of Sheriffs and Coroners shall be two years. These officers sha ll be chos en by the qualified electors of the respective counties at general elections, an d be commissioned by the Governor. No person shall be twice elected Sheriff in any term of four yea rs. SECTI ON 23. Prothonotaries, Clerks of the Peace, Registers of Wills, Recorders, Reg isters in Chancery, Clerks of the Orphans' Court and Sheriffs shall keep their offices in the town or pl ace in each co unty in which the Superior Court is usually held. ARTICLE IV JUDICIARY SECT ION 1. The judicial power of this State shall be vested in a Supreme Court, a Superior Court, a Court o f Chancery, a n Orphans' Court, a Court of Oyer and Terminer, a Court of General Sessions, a Register's Court, Justices of the Peace and such other courts as the General Assembly, with the co ncurrence of two-thirds of all the members elected to each House, shall from time to time b y law establish. SECTION 2. There shall be six State Judges who shall be learned in the law. One of th em shall be Chancellor, one of them Chief Justice and the other four of them Associate Judges. The Chancellor, Chief Justice and one of the Associate Judges may be appointed from and r eside in any part of the State. They shall be resident Associate Judges, and one of them shall reside in each co unty. In case th e commissions of two or more of the Associate Judges shall be of the same d ate, they shall, as soon as conveniently may be after their appointment, determine their seniority by l ot, and certify the resul t to the Governor. SECTION 3. The Chancellor, Chief Justice and Associate J udges shall be appointed by the Governor, by and with the consent of a majority of all the members e lected to the Senate, for the term of twelve years: Provided, however, that the Chancellor, Chief Justi ce and Associate Judges first to be appointed under this amended Constitution, shall be appointed b y the Governor without t he consent of the Senate, for the term of twelve years; and the persons so a ppointed shall enter upon the discharge of the duties of their respective offices upon taking the oath of offi ce pres cribed by this amended Constitution. If a vacancy shall occur, by expiration of term or otherwise, at a time when the Senate shall not be in session, the Governor shall within thirt y da ys af ter the happening of any such vacancy convene the Senate, for the term of t welve years; and the persons so appointed vacancy, and the transaction of such other executive busi ness as may come before it. Such vacancy shall be filled as aforesaid for the ful term. The said appointment shall be such that no more than three of the said five law judges, in off ice at the same time, shall have been appointed from the same political party. SECTION 4. The Chancellor, Chief Justice and Associate Judges shall respectively receive from the S tate for their services a compensation which shall be fixed by law and paid qu arterly, and shall not be less than the annual sum of three thousand dollars, and they shall not receive any fees or perquisites in addition to their salaries for business done by the m except as provided by law. They shall hold no other office of profit. SECTION 5. The Chief Justice a nd the four Associate Judges shall compose the Superior Court, the Court of General Sessions and the Court of Oyer and Terminer, as hereinafter prescribed. The said five judges shall designate those of their number who shall hold the said courts in the several counties. Whenever practicable the said courts shall consist of three of the said five judges bu t no more than three of them shall sit together in any of the said courts. In e ach of the said courts the Chief Justice when present shall preside, and in his absence the senior Ass ociate Judge present shall preside. Two shall constitute a quorum in the sai d courts respectively except in the court of Oyer and Terminer, where three shall constitute a quorum. One may open and adjourn court. SECTION 6. Two sessions of the Superi or Court, or Court of General Sessions, or one session of each of the said courts, or one session of th e Court of Oyer and Terminer and of either of the other of the said courts may at the same time be held in the same county or in different counties, and the business in the seve ral counties may be distributed and apportioned in such manner as shall be provided by the rules of the said courts respectively. SECTION 7. The Superior Court shall have, jur isdiction of all causes of a civil nature, real, personal and mixed, at comm on law and all other the Jurisdiction and powers vested by the laws of this State in the Superior Court. SECTION 8. The Court of General Sessions shall have all the jurisdiction a nd powers vested by the laws of this State in the Court of General Sessions of the Peace and Jail Delivery. SECTION 9. The Court of Oyer and Terminer shall have all the jurisdiction and powers vested by the law s of t his State in the Court of Oyer and Terminer. SECTION 10. The Chancellor sh all hold the Court of Chancery. This court shall have all the jurisdiction and powers vested by the laws of this State in the Court of Chancery. SECTION 11. The Orphans' Court in each County shall consist of the Chancellor and the resident Associate Judge of the county. The Chancellor when present shall p reside. One of them shall constitute a quorum. When their opinions are opposed, or when the decision is made by one of them, or when the decision is made by both of them in matters involving a right to real estate or the appraised value or other value thereof, and in all matters affecting guardians or guard ians' accounts, there shall be an appeal to the Superior Court for the county, which shall have final Jurisdiction in every such case. Upon such appeal, if the Associate Judge sat in the cause below, he shall not sit in the Superior Court. In all other cases the decision of the Orphans' Court shall be final. This court shall have all the jurisdiction and powers vested by the laws of this State in the Orphans' Court. SECTION 12. The Supreme Court shall have jurisdiction as follows: (1) To issue writs of error to the Superior Court and to determine finally all matters in error in the judgments and proceedings of said Sup erior Court. (2) To issue upon application of the accused, after conviction and sentence writs of error to the Court of Oyer and Terminer and the Court of General Sessions in all cases in which the sentence shall be death, imprisonment exceeding one month, or fine exceeding one hundred dollars, and in su ch other cases as shall be provided by law; and to determine finally all matters in error in the judgments and proceedings of said Court of Oyer and Terminer and Court of General Sessions in such eases; provided, however, that there shall be no writ of error to the Court of General Sessions in cases of pros ecution under Section 8 of Article V of this Constitution. (3) To receive appeals from the Court of General Sessions in cases of prosecution under Section 8 of Article V of this Constitution, and to determine finally all matters of appeal in such cases. (4) To receive appeals from the Court of Chancery, and to d etermine finally all matters of appeals in the interlocutory or final decrees and to proceedings in chancery. (5) To issue writs of prohibition, certiorari and mandamus to the Superior Court, the Court of Oyer and Terminer, the Court of General Sessions, the Court of Chancery and the Orphans' Court, or any of the judges of the said courts, and all orders, rules and processes proper to give effect to the same. The General Assembly shall have power to provide by law of what judges of the Supreme Court shall consist for the purpose of this paragraph and in what manner, and by what judges of the Supreme Court t he jurisdiction and power hereby conferred may be exercised in vacation. SECTION 13. The Supreme Court upon a writ of error to the Superior Court, Court of Oyer and Terminer, or Court of General Sessions, or upon appeal from the Court of General Sessions, shall consist of the Chancellor and such of th e other five judges as did not sit in the cause below. The Chancellor when present shall preside, and in his absence the Chief Justice when present shall preside, and in his absence the senior Associate Judge present shall preside. Any three of them shall constitute a quorum, and one of them may open an d adjourn court. SECTION 14. The Supreme Court upon an appeal from the Court of Chancery shall consist of the Chief Justice and the four Associate Judges. The Chief Justice when present shall preside, and in his absence the senior Associate Judge present shall preside. Any three of them shall constitu te a quorum, and one of them may open and adjourn court. SECTION 15. Whenever the Superior Court, Court of Over and Terminer or