THE CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS. PREAMBLE The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquility their natural rights, and the blessings of life: and whenev
er these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness. The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governe
d by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them; that every man may, at all times, find his security in them. We, therefore, the people of Massachusetts, acknowledging, with grateful
hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His
direction in so interesting a design, do agree upon, ordain and establish the following Declaration of Rights, and Frame of Government, as the Constitution of the Commonwealth of Massachusetts. PART THE FIRST A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts Article I. All men are born free and equal, and have certain natural, essen
tial, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness. [Annulled by Amendments, Art. CVI.] Article II. It is the right as well as the duty of all men in society, publicly, and at stated seasons to
worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct othe
rs in their religious worship. [See Amendments, Arts. XLVI and XLVIII.] Article III. As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of God, and of public instructions in piety, r
eligion and morality: Therefore, to promote their happiness and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religi
ous societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily. And the people of this commonwealth have also a right to, and do, invest their legislature with autho
rity to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend. Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclus
ive right of electing their public teachers, and of contracting with them for their support and maintenance. And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on wh
ose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised. Any every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or den
omination to another shall ever be established by law.] [Art. XI of the Amendments substituted for this]. Article IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not herea
fter, be by them expressly delegated to the United States of America in Congress assembled. Article V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them. Article
VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a
man born a magistrate, lawgiver, or judge, is absurd and unnatural. Article VII. Government is instituted for the common good; for the protection, safety, prosperity and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and indefeasible right to insti
tute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity and happiness require it. Article VIII. In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to
return to private life; and to fill up vacant places by certain and regular elections and appointments. Article IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. [See Amendments, Arts. XL
V and XLVIII, The Initiative, sec. 2.] [For compulsory voting, see Amendments, Art. LXI.] [For use of voting machines at elections, see Amendments, Art. XXXVIII.] [For absent voting, see Amendments, Art. LXXVI.] Article X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws. He is obliged,
consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controlla
ble by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor. [See Amendments, Arts. XXXIX, XLIII, XLVII, XLVIII, The Initiative, II, sec. 2, XLIX, L, LI and XCV
II.] Article XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws. A
rticle XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favorable to him; to meet the witnesses against him face to face, and to be fully hear
d in his defense by himself, or his council at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land. And the legislature shall not make any law, that shall
subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2.] Article XIII. In criminal prosecutions, the verification of facts in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.
Article XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in the warrant to a civil officer, to make searc
h in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2]. Article
XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practiced, the parties have a right to a trial by jury; and this metho d of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, t
he legislature shall hereafter find it necessary to alter it. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2]. Article XVI. [The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be r estrained in this commonwealth.] [See Amendments, Art. XLVIII, The Initiative, II, sec. 2.] [Annulled and superseded by
Amendments, Art. LXXVII. Article XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent o f the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be go
verned by it. Article XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a pa
rticular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates, an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth. Article XIX. The people have a ri
ght, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstran ces, redress of the wrongs done them, and of the grievances they suffer. [See Amendments, Art. XLVIII, The Initiativ
e, II, sec. 2.] Article XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as t he legis lature shall expressly provide for. [See Amendments, Arts. XLVIII, I, Definition and LXXXIX.] Article XXI
. The freedom of deliberation, speech and debate, in e ither house of the legislature, is so essential to the rights of the people, that it cannot be the foundati on of any accusation or prosecution, action or comp laint, in any other court or place whatsoever. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2.]
Article XXII. The legislature ought frequently to asse mble for the redress of grievances, for correcting, strengthening and confirming the laws, and for maki ng new laws, as the common good may require. Art icle XXIII. No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under an
y pretext whatsoever, without the consent of the pe ople or their representatives in the legislature. Article XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been d eclared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a f
ree government. Article XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature. Article XXVI. No magistrate or cour t of law, shall demand excessive bail or sureties, i mpose excessive fines, or inflict cruel or unusual punishments. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2, and CX
VI.] Article XXVII. In time of peace, no soldier oug ht to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature. Article XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by vir
tue of that law, except those employed in the ar my or navy, and except the militia in actual service, but by authority of the legislature. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2.] Article XXIX. It is essential t o the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpr
etation of the laws, and administration of justic e. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. It is, th erefore, not only the best policy, but for the se curity of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as
long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws. [See Amendments, Arts. XLVIII, The Initiat ive, II, sec. 2, and The Referendum, III, sec. 2, LXVIII and XCVIII.] Article XXX. In the government of this commonwealth, the legislative department shall never exercise the execu
tive and judicial powers, or either of them: th e executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislati ve and executive powers, or either of them: t o the end it may be a government of laws and not of men. PART THE SECOND The Frame of Government. The people, inhabiting
the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independen t body politic, or state by the name of "THE COMMONWEALTH OF MASSACHUSETTS" Chapter I, LEGISLATIVE POWER, Section I The General Court. Article I. The department of l
egislation shall be formed by two branches , a Senate and House of Representatives: each of which shall have a negative on the other. The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wedn
esday in May;] and shall be stiled, The Gen eral Court of Massachusetts. [See Amendments, Arts. X, LXXII, and LXXV.] Article II. No bill or resolve of the senate or hous e of representatives shall become a law, a nd have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revi
sion, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his object ions thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have origin
ated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if af ter such reconsideration, two thirds of t he said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the s
ame, it shall, together with the objectio ns, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two thirds of the members present, sha ll have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas a
nd nays; and the names of the person s voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth. [And in order to prev ent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been pres ented, the same shall have the forc e of a law.] [See Amendments, Arts. I, XLVIII, LIV, LXIII, s
ec. 5, and XC, sec. 1.] Article III. The general court shall forever have full power a nd authority to erect and constitute judicatories an d courts of record, or other courts, t o be held in the name of the commonwealth, for the hearing, trying, and determining of all m anner of crimes, offences, pleas, pro cesses, plaints, actions, matters, causes and things, whatsoever, arising or happening withi n the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same, whether the same b e criminal or civil, or whether the sai id pleas be real, personal, or mixed; and for the awarding and making out of execution there upon. To which courts and judicatories are hereby given and granted full power and authorit y, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy, or depending before them. [See Amendments, Art. XLVIII, The Initiative, II, sec. 2, and The
Referendum, III, sec. 2.] Article IV. And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reas onable orders, laws, statutes, and ordina nc es, directions and instructions, either with
penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of th e subjects of the same, and for the necessar y support and defence of the government
thereof; and to name and settle annually, or provide by fixed laws, for the naming and settling all civil officers within the said commonwealth; the election and constitution of whom are not hereafter in this form of g overnment otherwise provided for; and to set forth the several duties, powers, and limi
ts, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to t his constitution; and to impose and levy
proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy, reasonable duties and excis es, upon any produce, goods, wares, merchan dise, and commodities, whatsoever, bro
ught into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the counc il, for the public service, in the necessary def ence and support of the government of
the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same. And while the public charges of government, or any part thereof, s hall be assessed on polls and estates, in the manner that has hitherto been practice
d, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth taken anew once in every ten years at least, and as much oftener as the general court shall or der. [See Amendments, Arts. XLI, XLIV, X CIX and CXII.] [For the authority of the
general court to charter cities and establish limited town meeting form of government, see Amendments, Arts. II and LXX. For power of the general court to establish voting precincts in towns, see Amendments. Art. XX IX. For additional taxing power give n to the general court, see Amendme
nts, Arts. XLI and XLIV. For the authority of the general court to take land, etc., for relieving congestion of population and providing homes for citizens, see Amendments, Art. XLIII. For the power given the general court to provide by ordinance, etc., by tee and compulsory voting, see Ame
ndments, Art. XLV, Amendments, Art. LXI and Amendments, Art. LXXVI. For the power of the general court to determine the manner of providing and distributing the necessaries of life, etc., during time of war, public distr ess, etc., by the Commonwealth and the cities an
d towns, therein, see Amendments, Art. LXVII. For provisions relative to taking the vote on emergency measures, see Amendments, Arts. XLVIII, The Referendum, II, and LXVII. For new provisions authorizing the general court to provi de for the taking of lands for certain p
ublic uses, see Amendments, Art. XLIX. For provisions authorizing the general court to take a recess or recesses amounting to not more than thirty days, see Amendments, Art. LII. For new provision authorizing the governor to return a bill with a recommendation of amend
ment, see Amendments, Art. LVI. For the power of the general court to limit the use of construction of buildings, see Amendments, Art. LX. For new provisions relative to the biennial election of senators and representatives and t heir terms of office, s ee Amendments, Art. LXIV. For new pr
ovisions that no person elected to the general court shall be appointed to any office which was created or the emoluments of which were increased during the term for which he was elected, nor received additional salary or compe nsation fo r service upon r ecess committees or commissions, see
Amendments, Art. LXV. For the power of the general court to prescribe the terms and conditions upon which a pardon may be granted in the case of a felony, see Amendments, Art. LXXIII.] Chapter I, Section II The Senate Article I. [Th ere shall be an nu ally elected, by the freeholders and other inhabitants of this
commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts, into which the commonwealth may from time to time ed by the general court for that purpose: and the general court in assigni
ng the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts: and timely make known to the inhabitants of the commonwealth, the limits of each district, r of councillors and senators to be chosen therein; provided that the number
of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators. [See Amendments, Arts. XIII, XVI, XXII, LXIV, LXXI, CXII, CI and CIX.] And the several counties in thi s commonwealth shall, until the general court shall determine it necessary to alter the said distri
cts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.: -- Suffolk sex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York,
two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.] Article II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz. there , Six; Essex, six; Middle shall be a meeting on th e [fi rst Monday in April], [annually], forever, of the inhabitants of each town in the seve
ral counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April], for the purpose of electing persons to be senators and councillors; [and at such me etings every male inhabi tant of twenty-one years of age and upwards, having a freehold estate within the commonwea
lth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in th is constitution, every person shall be considered as an inhabitant, for the purpose of electing a
nd being elected into any office, or place within this state, in that town, district or plantation where he dwelleth, or hath his home. [See Amendments, Arts. II, III, X, XV, XX, XXII, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XLV, LXIV, LXXI, LXXVI, LX XX, XCII, XCIII, XCIV, XCV, C,, CI and CIX.] The selectmen of the several towns shall preside at such meetings impartially; and
shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the se lectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a
fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and de livered by the town clerk of such t owns, to the sheriff of the county in which such town lies, thirty days at least before [the last
Wednesday in May] [annually]; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May]: and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before t h e said [last Wednesday in May]. [See Amendments, Arts. II, and X.] And the inhabitants of
plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; [and the plantation meet
ings for that purpose shall be held annually on the same first Monday in April], at such place in the plantations respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the se lectmen and town clerks have in their several towns, by this constitution. And all other
persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assesse d, and be notified of the place of mee ting by the selectmen of the town where t
hey shall be assessed, for that purpose accordingly. [See Amendments, Arts. XV and LXIV.] Article III. And that there may be a due convention of senators on the [last Wednesday in May] [annually,] the governor with five of the council, for the time being, shall, as soon a s may be, examine the returned cop ies of such records; and fourteen days b
efore the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of t he former constitution of government;
and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid. [See Amendments, Arts. X, XIV, LXIV, LXXII and LXXV.] Article IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as poi nted out in the constitution; and shall,
[on the said last Wednesday in May] [annually,] determine and declare who are elected by each district, to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district , the deficiency shall be supplied in the following manner , viz.: The members of the house of r
epresentatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many vote d for; and out of these shall elect by ballot a num ber of senators sufficient to fill up th
e vacancies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.] [See Amendments , Arts. X, XIV and XXIV.] Article V. Pr
ovided nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same su m, and] who has not been an inhabita
nt of this commonwealth for the space of five years immediately preceding his election, and at the time of his election, he shall be an inhabitant in the district for which he shall be chosen. [See Amendments, Arts. XIII, XXII, LXXI, XCII, CI and CIX.] Article VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time. [S
ee Amendments, Arts. LII and CII.] Article VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings. Article VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-a
dministration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, unde
r this commonwealth: but the party so convicted, shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land. Article IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.] [See Amendments, Arts. XXII andXXXIII.] Chapter I, Section III House of Representatives Article I. There shall be
, in the legislature of this commonwealth, a representation of the people, [annually] elected, and founded upon the principle of equality. [See Amendments, Art. LXIV.] Article II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls, may ele
ct one representative: every corporate town, containing three hundred and seventy-five ratable polls may elect two representatives: every corporate town containing six hundred ratable polls, may elect three representatives: and proceeding in that manner, making two hundred and twenty-five ratable polls, the mean increasing number for every additional representative. [S
ee Amendments, Arts. XII, XIII, XXI, LXXI, XCII, CI and CIX.] Provided nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative: but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.] And the house of re
presentatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution. [The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall at
tend as seasonably as he can, in the judgment of the house, and does not depart without leave.] [See Amendments, Art. XXXV.] Article III. Every member of the house of representatives shall be chosen by written votes; [and for one year at least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of on
e hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.] [See Amendments, Arts. XIII, XXI, LXXI, XCII, CI and CIX.] Article IV. [Every male person, being twenty-one years of age, and resident in any partic
ular town in this commonwealth for the space of one year next preceding, having a freehold estate within the same town, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative, or representatives for the said town.] [See Amendments, Arts. III, XX, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XLV, L
XXVI, XCIII, XCIV, XCV, and C.] Article V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.] [See Amendments, Arts. X, XV and LXIV.] Article VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them, shall be he
ard and tried by the senate. Article VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills. Article VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time. [See Amendments, Arts. LII and CII.] Article IX. [No
t less than sixty members of the house of representatives, shall constitute a quorum for doing business.] [See Amendments, Arts.XXI and XXXIII.] Article X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle t
he rules and orders of proceeding in their own house: They shall have authority to punish by imprisonment, every person, not a member, who shall be guilty of disrespect to the house, by any disorderly, or contemptuous behavior, in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estat
e of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house. And no member of the house of representatives shall be arrested, or held to
bail on mesne process, during his going unto, returning from, or his attending the general assembly. Article XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases. Provided that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for e
ither of the above described offences, be for a term exceeding thirty days. And the senate and house of representatives may try, and determine, all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best. Ch
apter II, EXECUTIVE POWER. Section I The Governor Article I. There shall be a supreme executive magistrate, who shall be styled, The Governor of the Commonwealth of Massachusetts; and whose title shall be -- His Excellency. Article II. The governor shall be chosen [annually]; and no person shall be eligible to this office, unless at the time of his election, he shall have b
een an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time, be seised in his own right, of a freehold within the commonwealth of the value of one thousand pounds; and unless he shall declare himself to be of the Christian religion.] [See Amendments, Arts. VII,XXXIV, LXIV and LXXX.] Article III. Those persons who shall be
qualified to vote for senators and representatives within the several towns of this commonwealth, shall, at a meeting to be called for that purpose, on the [first Monday of April annually], give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town me
eting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the s