THE STATE CONSTITUTION OF MISSISSIPPI. We the people of Mississippi, in Convention assembled, grateful to Almighty God, and invoking His blessing on our work, do ordain and establish this Constitution. ARTICLE I DISTRIBUTION OF POWERS SECTION 1. The powers of the government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate magistracy, to-wit: those which are legislative to one; those which are judicial to another; and those which are executive to another. SEC. 2. No person or collection of persons, being one, or belonging to one, of these departments, shall exercise any power properly belonging to either of the others. The acceptance of an office in either of said departments shall, of itself, and at once, vacate any and all offices held by the person so accepting in either of the other departments. ARTICLE 2 BOUNDARIES OF THE STATE SEC. 3. The limits and boundaries of the State of Mississippi are as follows, to-wit: Beginning on the Mississippi river (meaning thereby the center of said river or thread of the stream) where the southern boundary line of the State of Tennessee strikes the same, as run by B. A. Ludlow, D.W. Connelly and W. Petrie, commissioners appointed for that purpose on the part of the State of Mississippi in A. D., 1837, and J. D. Graham and Austin Miller, commissioners appointed for that purpose on the part of Tennessee; thence east along the said boundary line of the State of Tennessee to a point on the west bank of the Tennessee river, six four-pole chains south of and above the mouth of Yellow Creek; thence up the said river to the mouth of Bear Creek; thence by a direct line to what was formerly the northwest corner of the county of Washington, Alabama; thence on a direct line to a point ten miles east of the Pascagoula river on the Gulf of Mexico; thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl river with Lake Borgne; thence up said Pearl river to the thirty-first degree of north latitude; thence west along the said degree of latitude to the middle or thread of the stream of the Mississippi river; thence up the middle of the Mississippi river, or thread of the stream, to the place of beginning, including all islands lying cast of the thread of the stream of said river, and also including any lands which were at any time heretofore a part of this State. SEC. 4. The legislature shall have power to consent to the acquisition of additional territory by the State and to make the same a part thereof; and the legislature may settle disputed boundaries between this State and its coterminous States whenever such disputes arise. ARTICLE 3 BILL OF RIGHTS SEC. 5. All political power is vested in, and derived from, the people; all government of right originates with the people, is founded upon their will only, and is instituted solely for the good of the whole. SEC. 6. The people of this State have the inherent, sole and exclusive right to regulate the internal government and police thereof, and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness; provided, such change be not repugnant to the constitution of the United States. SEC 7. The right to withdraw from the Federal Union on account of any real or supposed grievance, shall never be assumed by this State, nor shall any law be passed in derogation of the paramount allegiance of the citizens of this State to the government of the United States. SEC. 8. All persons resident in this State, citizens of the United States, are hereby declared citizens of the State of Mississippi. SEC. 9. The military shall be in strict subordination to the civil power. SEC. 10. Treason against the State shall consist only in levying war against the same or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. SEC. 11. The right of the people peaceably to assemble and petition the government on any subject shall never be impaired. SEC. 12. The right of every citizen to keep and bear arms in defense of his home, person or property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but the legislature may regulate or forbid carrying concealed weapons. SEC. 13. The freedom of speech and of the press shall be held sacred, and in all prosecutions for libel the truth may be given in evidence, and the jury shall determine the law and the facts under the direction of the court; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted. SEC. 14. No person shall be deprived of life, liberty or property, except by due process of law. SEC. 15. There shall be neither slaver nor involuntary servitude in this State, otherwise than in the punishment of crime, whereof the party shall have been duly convicted. SEC. 16. Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed. SEC. 17. Private property shall not be taken or damaged for public use except on due compensation being first made to the owner or owners thereof, in a manner to be prescribed by law; and whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be public shall be a judicial question, and as such determined without regard to legislative assertion that the use is public. SEC. 18. No religious test as a qualification for office shall be required; and no preference shall be given by law to any religious sect, or mode of worship; but the free enjoyment of all religious sentiments and the different modes of worship shall be held sacred. The rights hereby secured shall not be construed to justify acts of licentiousness injurious to morals or dangerous to the peace and safety of the State, or to exclude the Holy Bible from use in any public school of this State. SEC. 19. Human life shall not be imperiled by the practice of dueling; and any citizen of this State who shall hereafter fight a duel, or assist in the same as second, or send, accept, or knowingly carry a challenge therefor, whether such act be done in the State, or out of it, or who shall go out of the State to fight a duel, or to assist in the same as second, or to send, accept or carry a challenge, shall be disqualified from holding any office under this constitution and shall be disfranchised. SEC. 20. No person shall be elected or appointed to office in this State for life or during good behavior, but the term of all offices shall be for some specified period. SEC. 21. The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion, the public safety may require it, nor ever without the authority of the legislature. SEC. 22. No person's life or liberty shall be twice placed in jeopardy for the same offense; but there must be an actual acquittal or conviction on the merits to bar another prosecution. SEC. 23. The people shall be secure in their persons, houses and possessions, from unreasonable seizure or search; and no warrant shall be issued without probable cause, supported by oath or affirmation, specially designating the place to be searched and the person or thing to be seized. SEC. 24. All courts shall be open; and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice shall be administered without sale, denial or delay. SEC. 25. No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself before any tribunal in this State, by him or herself, or counsel, or both. SEC. 26. In all criminal prosecutions the accused shall have a right to be heard by himself or counsel, or both, to demand the nature and cause of the accusation, to be confronted by the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and in all prosecutions by indictment or information, a speedy and public trial by an impartial jury of the county where the offense was committed; and he shall not be compelled to give evidence against himself; but in prosecutions for rape adultery, fornication, sodomy or the crime against nature, the court may in its discretion exclude from the court room all persons except such as are necessary in the conduct of the trial. SEC. 27. No person shall for any indictable offense, be proceeded against criminally by information, except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the court for misdemeanor in office; but the legislature in cases not punishable by death or by imprisonment in the penitentiary, may dispense with the inquest of the grand jury, and may authorize prosecutions before justices of the peace, or such other inferior court or courts as may be established, and the proceedings in such cases shall be regulated by law. SEC. 28. Cruel or unusual punishment shall not be inflicted, nor excessive fines be imposed. SEC. 29. Excessive bail shall not be required; and all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses when the proof is evident or presumption great. SEC. 30. There shall be no imprisonment for debt. SEC. 31. The right of trial by jury shall remain inviolate. SEC. 32. The enumeration of rights in this constitution shall not be construed to deny or impair others retained by, and inherent in, the people. ARTICLE 4 LEGISLATIVE DEPARTMENT SEC. 33. The legislative power of this State shall be vested in the legislature, which shall consist of a senate, and a house of representatives. SEC. 34. The house of representatives shall consist of members chosen every four years by the qualified electors of the several counties and representative districts. SEC. 35. The senate shall consist of members to be chosen every four years by the qualified electors of the several districts. SEC. 36. The legislature shall meet at the seat of government in regular session, on the first Tuesday after the first Monday in January of the year A. D., 1892, and every four years thereafter; and in special session on the first Tuesday after the first Monday in January of the year A. D., 1894, and every four years thereafter, unless sooner convened by the governor. The special sessions shall not continue longer than thirty days unless the governor, deeming the public inter- est to require it, shall extend the sitting by proclamation in writing to be sent to and entered upon the journals of each house for a specific number of days, and then it may continue in session to the expiration of that time. At such special sessions the members shall receive no more compensation or salary than ten cents mileage, and a per diem of not exceeding five dollars; and none but appropriation and revenue bills shall be considered except such other matters as may be acted upon at an extraordinary session called by the governor. SEC. 37. Elections for members of the legislature shall be held in the several counties and districts as provided by law. SEC. 38. Each house shall elect its own officers, and shall judge of the qualifications, return and election of its own members. SEC. 39. The Senate shall choose a president pro tempore to act in the absence or disability of its presiding officer. QUALIFICATIONS AND PRIVILEGES 0F LEGISLATORS SEC. 40. Members of the legislature before entering upon the discharge of their duties shall take the following oath: " I, ---- ----, do solemnly swear (or affirm) that I will faithfully support the constitution of the United States and of the State of Mississippi; that I am not disqualified from holding office by the constitution of this State; that I will faithfully discharge my duties as a legislator; that I will, as soon as practicable hereafter, carefully read (or have read to me) the constitution of this State, and will endeavor to note, and as a legislator, to execute all the requirements thereof imposed on the legislature; and I will not vote for any measure or person because of a promise of any other member of this legislature to vote for any measure or person, or as a means of influencing him or them to do so. So help me God." SEC. 41. No person shall be a member of the house of representatives who shall not have attained the age of twenty-one years, and who shall not be a qualified elector of the State, and who shall not have been a resident citizen of the State four years, and of the county two years, immediately preceding his election. The seat of a member of the house of representatives shall be vacated on his removal from the county or flotorial district from which he was elected. SEC. 42. No person shall be a senator who shall not have attained the age of twenty-five years, and who shall not be an actual resident of the district or territory he may be chosen to represent, for two years before his election. The seat of a senator shall be vacated upon his removal from the district from which he was elected. SEC. 43. No person liable as principal for public moneys unaccounted for shall be eligible to a seat in either house of the legislature, or to any office of profit or trust, until he shall have accounted for and paid over all sums for which he may have been liable. SEC. 44. No person shall be eligible to a seat in either house of the legislature, or to any office of profit or trust, who shall have been convicted of bribery, perjury, or other infamous crime; and any person who shall have been convicted of giving, or offering, directly, or indirectly, any bribe to procure his election or appointment; and any person who shall give, or offer any bribe to procure the election or appointment of any person to office, shall, on conviction thereof, be disqualified from holding any office of profit or trust under the laws of this State. SEC. 45. No senator or representative during the term for which he was elected, shall be eligible to any office of profit, which shall have been created, or the emoluments of which have been increased, during the time such senator or representative was in office, except to such offices as may be filled by an election of the people. SEC. 46. The members of the legislature shall severally receive from the State treasury, compensation for their services, to be proscribed by law, which may be increased or diminished, but no alteration of such compensation of members shall take effect during the session at which it is made. SEC. 47. No member of the legislature shall take any fee or reward, or be counsel in any measure pending before either house of the legislature, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the house, of which he is a member. SEC. 48. Senators and representatives shall, in all cases except treason, felony, theft or breach of the peace, be privileged from arrest during the session of the legislature, and for fifteen days before the commencement and after the termination of each session. TRIAL OF OFFICERS SEC. 49. The house of representatives shall have the sole power of impeachment; but two-thirds of all the members present must concur therein. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be sworn to do justice according to law and the evidence. SEC. 50. The governor, and all other civil officers of this State, shall be liable to impeachment for treason, bribery, or any high crime or misdemeanor in office. SEC. 51. Judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit in this State; but the party convicted shall, nevertheless, be subject to indictment, trial, judgment and punishment according to law. SEC. 52. When the governor shall be tried, the chief justice of the supreme court shall preside; and when the chief justice is disabled, disqualified, or refuses to act, the judge of the supreme court, next oldest in commission, shall preside; and no person shall be convicted without the concurrence of two-thirds of all the senators present. SEC. 53. For reasonable cause, which shall not be sufficient ground of impeachment, the governor shall, on the joint address of two-thirds of each branch of the legislature, remove from office the judges of the supreme and inferior courts; but the cause or causes of removal shall be spread on the journal, and the party charged be notified of the same and have an opportunity to be heard by himself or counsel or both, before the vote is finally taken and decided. RULES OF PROCEDURE SEC. 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each shall provide. SEC. 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior; and with the concurrence of two-thirds of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled a second time for the same offense. Both houses shall from time to time, publish journals of their proceedings, except such parts as may in their opinion require secrecy; and the yeas and nays, on any question, shall be entered on the journal, at the request of one-tenth of the members present; and the yeas and nays shall be entered on the journals on the final passage of every bill. SEC. 56. The style of the laws of the State shall be: "Be it enacted by the legislature of the State of Mississippi." SEC. 57. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting. SEC. 58. The doors of each house, when in session, or in committee of the whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment, any person not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session. SEC. 59. Bills may originate in either house, and be amended or rejected in the other; every bill shall be read on three different days in each house unless two-thirds of the house where the same is pending shall dispense with the rules; and every bill shall be read in full immediately before the vote on its final passage; and every bill having passed both houses, shall be signed by the president of the senate and the speaker of the house of representatives, in open session; but before either shall sign any bill, he shall give notice thereof, suspend business in the house over which he presides, have the bill read by its title, and on demand of any member, have it read in full; and all such proceedings shall be entered on the journal. SEC. 60. No bill shall be so amended in its passage through either house as to change its original purpose, and no law shall be passed except by bill; but orders, votes and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the constitution, to the investigation of public officers, and the like, shall not require the signature of the governor; and such resolutions, orders and votes, may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigators effective. SEC. 61. No law shall be revived or amended by reference to its title only, but the section or sections as amended, or revived, shall be inserted at length. SEC. 62. No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority thereof, taken by yeas and nays and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house. SEC. 63. No appropriation bill shall be passed by the legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the treasury. SEC. 64. No bill passed after the adoption of this constitution to make appropriations of money out of the State treasury, shall continue in force more than six months after the meeting of the legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all the members elected to each house of the legislature. SEC. 65. All votes on the final passage of any measure shall be subject to reconsideration for or at least one whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session. SEC. 66. No law granting a donation, or gratuity, in favor of any person or object shall be enacted, except by the concurrence of two-thirds of each branch of the legislature, nor by any vote for a sectarian purpose or use. SEC. 67. No new bills shall be introduced into either house of the legislature during the last three days of the session. SEC. 68. Appropriation and revenue bills shall, at regular sessions of the legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five days of the session. SEC. 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government, to pay interest on State bonds, and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid. SEC. 70. No revenue bill nor any bill providing for assessments of property for taxation, shall become a law, except by a vote of at least three-fifths of the members of each house present, and voting. SEC. 71. Every bill introduced in the legislature shall have a title, and the title ought to indicate clearly the subject matter, or matters, of the proposed legislation. Each committee to which a bill may be referred, shall express in writing its judgment of the sufficiency of the title of the bill, and this, too, whether the recommendation be that the bill do pass, or do not pass. SEC. 72. Every bill which shall pass both houses shall be presented to the governor of the State. If he approve, he shall sign it, but if he does not approve, he shall return it, with his objection, to the house in which it originated, which shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered, and if approved by two-thirds of that house, it shall become a law; but in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for, and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor, within five days, (Sunday excepted), after it has been presented to him, it shall become a law, in like manner as if he had signed it, unless the legislature, by adjournment, prevent its return; in which case it shall be a law unless sent back within three days after the beginning of the next session of the legislature. No bill shall be approved when the legislature is not in session. SEC. 73. The governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law. SEC. 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing. SEC. 75. No law or a general nature, unless therein otherwise provided, shall be enforced until sixty days after its passage. SEC. 76. In all elections by the legislature the members shall vote viva voce, and the votes shall be entered on the journals. SEC. 77. The governor shall issue writs of election to fill such vacancies as may occur in the legislature, and the persons thereupon chosen shall hold their seats for the unexpired term. SEC. 78. It shall be the duty of the legislature to regulate by law the cases in which deductions shall be made from salaries of public officers, for neglect of official duty and the amount of said deduction. SEC. 79. The legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate, for the non-payment of taxes, or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two years. SEC. 80. Provision shall be made by general laws to prevent the abuse by cities, towns and other municipal corporations of their powers of assessment, taxation, borrowing money and contracting debts. SEC. 81. The legislature shall never authorize the permanent obstruction of any of the navigable waters of this State; but may provide for the removal of such obstructions as now exist, whenever the public welfare demands; this section shall not prevent the construction, under proper authority, of draw-bridges for railroads, or other roads, nor the construction of " booms and chutes " for logs in such manner as not to prevent the safe passage of vessels, or logs, under regulations to be provided by law. SEC. 82. The legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guarantee company or companies. SEC. 83. The legislature shall enact laws to secure the safety of persons from fires in hotels, theatres and other public places of resort. SEC. 84. The legislature shall enact laws to limit, restrict or prevent the acquiring and holding of land in this State by non-resident aliens, and may limit or restrict the acquiring or holding of lands by corporations. SEC. 85. The legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable. SEC. 86. It shall be the duty of the legislature to provide by law for the treatment and care of the insane; and the legislature may provide for the care of the indigent sick in the hospitals in the State. LOCAL LEGISLATION SEC. 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are, or can be provided for by a general law, or where the relief sought can be given by any court of this State; nor shall the operation of any general law be, suspended by the legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted. SEC. 88. The legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment. SEC. 89. There shall be appointed in each house of the legislature a standing committee on local and private legislation; the house committee to consist of seven representatives, and the senate committee, of five senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof, and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by a general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as are prohibited in the next section, the courts shall not, because of its local, special or private nature, refuse to enforce it. SEC. 90. The legislature shall not pass local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz: (a) Granting divorces. (b) Changing the names of persons, places or corporations. (c) Providing for changes of venue in civil and criminal cases. (d) Regulating the rate of interest on money. (e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person. (f) The removal of disability, or the disability of infancy. (g) Granting to any person, corporate, or associaton, the right to have any ferry, bridge, road or fish-trap. (h) Exemption of property from taxation, or from levy or sale. (i) Providing for the adoption or legitimation of children. (j) Changing the law of decent and distribution. (k) Exempting any person from jury, road, or other civil duty (and no person shall be exempted therefrom by force of any local or private law). (l) Laying out, opening, altering and working roads and highways. (m) Vacating any road or highway, town plat, street, alley or public grounds. (n) Selecting, drawing, summoning or empaneling grand or petit juries. (o) Creating, increasing, or decreasing the fees, salary or emoluments of any public officer. (p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges. (q) Relating to stock laws, water courses and fences. (r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks, or street car tracks, in any other manner than that prescribed by general law. (s) Regulating the practice in courts of justice. (t) Providing for the creation of districts for the election of justices of the peace and constables. (u) Granting any lands under control of the State to any person or corporation. PROHIBITIONS SEC. 91. The legislature shall not enact any law for one or more counties, not applicable to all the counties in the State, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers. SEC. 92. The legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death. SEC. 93. The legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer. SEC. 94. The legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy, and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the legislature from regulating contracts between husband and wife; nor shall the legislature be prevented from regulating the sale of homesteads. SEC. 95. Lands belonging to, or under the control of the State, shall never be donated directly, or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the legislature from granting a right of way, not exceeding one hundred feet in width, as a mere easement, to railroads across State land, and the legislature shall never dispose of the land covered by said right of way so long as such easement exists. SEC. 96. The legislature shall never grant extra compensation, fee or allowance, to any public officer, agent, servant or contractor, after service rendered, or contract made, nor authorize payment, or part payment, of any claim under any contract, not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing, or suppressing insurrections. SEC. 97. The legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this State. SEC. 98. No lottery shall ever be allowed, or be advertised by newspapers, or otherwise, or its tickets be sold in this State; and the legislature shall provide by law for the enforcement of this provision; nor shall any lottery heretofore authorized be permitted to be drawn or its tickets sold. SEC. 99. The legislature shall not elect any other than its own officers, State librarian, and United States senators; but this section shall not prohibit the legislature from appointing presidential electors. SEC. 100. No obligation or liability of any person, association, or corporation held or owned by this State, or levee board, or any county, city, or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the legislature, nor shall such liability, or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability, or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the legislature from providing by general law for the compromise of doubtful claims. SEC. 101. The seat of government of the State shall be at the city of Jackson, and shall not be removed or relocated without the assent of a majority of the electors of the State. MISCELLANEOUS SEC. 102. All general elections for State and county officers shall commence and be holden every four years, on the first Tuesday after the first Monday in November, until altered by law; and the electors, in all cases except in cases of treason, felony and breach of the peace, shall be privileged from arrest during their attendance at elections and in going to and returning therefrom. SEC. 103. In all cases not otherwise provided for in this constitution, the legislature may determine the mode of filling all vacancies, in all offices, and in cases of emergency provisional appointments may be made by the governor, to continue until the vacancy is regularly filled; and the legislature shall provide suitable compensation for all officers , and shall define their respective powers. SEC. 104. Statues of limitation in civil causes shall not run against the State, or any subdivision, or municipal corporation thereof. SEC. 105. The legislature shall provide for the enumeration of the whole number of inhabitants, and the qualified electors of the State, once in every ten years; and the first enumeration shall be made during the two months beginning on the first Monday of June, 1895, and the legislature shall provide for the same by law. SEC. 106. There shall be a State librarian, to be chosen by the legislature, on joint vote of the two houses, to serve for four years, whose duties and compensation shall be prescribed by law. Any woman, a resident of the State four years, and who has attained the age, of, twenty years, shall be eligible to said office. SEC. 107. All stationery, printing, paper, and fuel, used by the legislature, and other departments of the government, shall be furnished, and the printing and binding of the laws, journals, depart- ment reports, and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the legislature, and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum and under such regulations as may be prescribed by law. No member of the legislature or officer of any department shall be in any way interested in such contract; and all such contracts shall be subject to the approval of the governor and State treasurer. SEC. 108. Whenever the legislature shall take away the duties pertaining to any office, then the salary of the officer shall cease. SEC. 109. No public officer or member of the legislature shall be interested directly or indirectly in any contract with the State, or any district, county, city or town thereof, authorized by any law passed, or order made by any board of which he may be or may have been a member, during the term for which he shall have been chosen, or within one year after the expiration of such term. SEC. 110. The legislature may provide, by general law, for condemning rights of way for private roads, where necessary for ingress and egress by the party applying, on due compensation being first made to the owner of the property; but such rights of way shall not be provided for in incorporated cities and towns. SEC. 111. All lands comprising a single tract sold in pursuance of decree of court, or execution, shall be first offered in subdivisions not exceeding one hundred and sixty acres, or one-quarter section, and then offered as an entirety, and the price bid for the latter shall control only when it shall exceed the aggregate of the bids for the same in subdivisions as aforesaid; but the chancery court, in cases before it, may decree otherwise if deemed advisable to do so. SEC. 112. Taxation shall be uniform and equal throughout the State. Property shall be taxed in proportion to its value. The legislature may, however, impose a tax per capita upon such domestic animals as from their nature and habits are destructive of other property. Property shall be assessed for taxes under general laws, and by uniform rules, according to its true value. But the legislature may provide for a special mode of valuation and assessment for railroads, and railroad and other corporate property, or for particular species of property belonging to persons, corporations or associations not situated wholly in one county. But all such property shall be assessed at its true value, and no county shall be denied the right to levy county and special taxes upon such assessment as in otter cases of property situated and assessed in the county. SEC. 113. The auditor shall, within sixty days after the adjournment of the legislature, prepare and publish a full statement of all money expended at such session, specifying the items and amount of each item, and to whom, and for what paid; and he shall also publish the amounts of all appropriations. SEC. 114. Returns of all elections by the people shall be made to the secretary of state in such manner as shall be provided by law. SEC. 115. The fiscal year of the State of Mississippi shall commence on the first day of October, and end on the thirtieth day of September of each year; and the auditor of public accounts and the treasurer of the State shall compile, and have published, a full and complete report, showing the transactions of their respective offices on or before the thirty-first day of December of each year for the preceding fiscal year. ARTICLE 5 EXECUTIVE SEC. 116. The chief executive power of the State shall be vested in a governor, who shall hold his office for four years, and who shall be ineligible as his immediate successor in office. SEC. 117. The governor shall be at least thirty years of age, and shall have been a citizen of the United States twenty years, and shall have resided in this State five years next preceding the day of his election. SEC. 118. The governor shall receive for his services such compensation as may be fixed by law, which shall neither be increased nor diminished during his term of office. SEC. 119. The governor shall be commander-in-chief of the army and navy of the State, and of the militia, except when they shall be called into the service of the United States. SEC. 120. The governor may require information, in writing, from the officers in the executive departments of the State on any subject relating to the duties of their respective offices. SEC. 121. The governor shall have power to convene the legislature in extraordinary session whenever in his judgment the public interest requires it. Should the governor deem it necessary to convene the legislature, he shall do so by public proclamation, in which he shall state the subjects and matters to be considered by the legislature when so convened; and the legislature when so convened, as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the governor, by which the sessions is called, except impeachments, and examination into the accounts of State offices. The legislature when so convened may also act on and consider such other matters as the governor may in writing submit to them while in session. The governor may convene the legislature at the seat of government, or at a different place, if that shall become dangerous from an enemy, or from disease; and in case of a disagreement between the two houses, with respect to time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the legislature. SEC. 122. The governor shall, from time to time, give the legislature information of the state of the government, and recommend for consideration such measures as may be deemed necessary and expedient. SEC. 123. The governor shall see that the laws are faithfully executed. SEC. 124. In all criminal and penal cases, excepting those of treason and impeachment, the governor shall have power to grant reprieves and pardons, to remit fines, and in cases of forfeiture, to stay the collection, until the end of the next session of the legislature, and by and with the consent of the senate to remit forfeitures. In cases of treason, he shall have power to grant reprieves, by and with the consent of the senate, but may respite the sentence until the end of the next session of the legislature; but no pardon shall be granted before conviction, and in cases of felony after conviction no pardon shall be granted until the applicant therefor shall have published for thirty days, in some newspaper in the county where the crime was committed, and in case there be no newspaper published in said county, then in an adjoining county, his petition for pardon, setting forth therein the reasons why such pardon should be granted. SEC. 125. The governor shall have the power, and it is hereby made his duty, to suspend alleged defaulting State and county treasurers, and defaulting tax collect pending the investigation of their respective accounts, and to make temporary appointments of proper persons to fill the offices while such investigations are being made, and the legislature shall provide for the enforcement of this provision by appropriate legislation. SEC. 126. There shall be a seal of the State kept by the governor, and used by him officially, and be called the great seal of the State of Mississippi. SEC. 127. All commissions shall be in the name and by the authority of the State of Mississippi, be sealed with the great seal of State, and be signed by the governor, and attested by the secretary of state. SEC. 128. There shall be a lieutenant-governor, who shall be elected at the same time, in the same manner, and for the same term, and who shall possess the same qualifications as required of the governor. SEC. 129. The lieutenant-governor shall, by virtue of his office, be president of the senate. In committee of the whole, he may debate all questions, and when there is an equal division in the senate, or on a joint vote of both houses, he shall give the casting vote. SEC. 130. The lieutenant-governor shall receive for his services the same compensation as the speaker of the house of representatives. SEC. 131. When the office of governor shall become vacant, by death or otherwise, the lieu tenant- governor shall possess the powers and discharge the duties of said office. When the governor shall be absent from the State, or unable from protracted illness, to perform the duties of the office, the lieutenant-governor shall discharge the duties of said office until the governor be able to resume his duties; but, if from disability or otherwise, the lieutenant-governor shall be incapable of performing said duties, or if he be absent from the State, the president of the senate pro tempore shall act in his stead; but if there be no such president, or if he be disqualified by like disability, or be absent from the State, then the speaker of the house of representatives shall assume the office of governor, and perform said duties; and in case of the inability of the foregoing officers to discharge the duties of governor, the secretary of state shall convene the senate to elect a president pro tempore. The officer discharging the duties of governor shall receive the compensation as such. Should a doubt arise as to whether a vacancy has occurred in the office of governor or as to whether any one of the disabilities mentioned in this section exists or shal