Nebraska Herald Supplement

THE NEW CONSTITUTION.

PREAMBLE.

We, the people, grateful to Almighty frame of government, as the constitution of the State of Nebraska.

ARTICLE Le

BILL OF RIGHTS. Section 1. All persons are by nature free and independent, and have certain inalienable rights: among these are life liberty and the pursuit of happiness. To secure these rights, and the protection of property governments are instituted among people, deriving their just powers

from the consent of the governed. SEC. 2. There shall be neither slavery nor involuntary servitude in this State, otherwise than for punishment of crime, whereof the party shall have been duly

SEC. 3. No person shall be deprived of life, liberty, or property, without due process of law.

indefeasible right to worship Almighty God according to the dictates of their own consciences. No person shall be compelled to attend, erect or support any place of worship against his consent, and no preference shall be given by law to any religious society, nor shall any interference with the rights of conscience be permitted. No religious test shall be re, quired as a qualification for office, no shall any person be incompetent to be a witness on account of his religious belief: but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality and knowledge however. being essential to good government, it shall be the duty of the legislature to pass suitable laws to protect every religious denomination in the peaceable enjoyment encourage schools and the means of in-

SEC. 5. Every person may freely speak write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives, and for justifiable ends, shall be a sufficient defense.

Sec. 6. The right of trial by jury shall remain inviolate, but the legislature may authorize trial by a jury of a less number than twelve men in courts inferiior to the district court.

SEC. 7. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable moved from such district. cause, supported by oath or affirmation, and particularly describing the place to

SEC. 8. The privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety requires it, and then only in such manner as shall be prescribed by

SEC. 9. All persons shall be bailable by sufficient sureties, except for treason and murder where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punish-

ments inflicted. SEC. 10. No person shall be held to answer for a criminal offense, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in case of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, unless on a presentment or indictment of a grand jury; Provided, That the legislature may by law provide for holding persons to answer for criminal offenses on information of a public prosecutor; and may by law abolish, limit, change, amend or

otherwise regulate the grand jury system. Sec. 11. In all criminal prosecutions the accused shall have the right to appear and defend in person or by counsel, to demand the nature and cause of accusation, and to have a copy thereof; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in uts benalt: and a speedy publie trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

SEC. 12. No person shall be compelled, in any criminal case, to give evidence against himself, or be twice put in jaopardy for the same offense.

Sec. 13. All courts shall be, and every person, for any injury done him in his lands, goods, person, or reputation, shall have a remedy by due course of law, and justice administered without denial or SEC. 14. Treason against the State shall

consist only in levying war against the State, 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. 15. All penalties shall be proportioned to the nature of the offense, and no

conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the State for any offense committed within the State. SEC. 16. No bill of attainder, ex post

facto law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed. Sec. 17. The miltary shall be in strict

subordination to the civil power. SEC. 18. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by

SEC. 19. The right of the people peaceably to assemble to consult for the common good, and to petition the government, or any department thereof, shall never be

SEC. 20. No person shall be imprisonedfor debt in any civil action on mesne or be repealed. The presiding officer of each tion of a warrant issued final process, unless in cases of fraud. shall be taken or damaged for public use

without just compensation therefor. SEC, 22. All elections shall be free: and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

of right in all cases of felony; and islature, and for fifteen days next before of each item, and to whom and for what in capital cases shall operate as a super- the commencement and after the termina- paid. sedeas to stay the execution of the sen- tion thereof. tence of death, until the further order of

joyment or descent of property.

ARTICLE II. DISTRIBUTION OF POWERS.

Section 1. The powers of the govern- a majority of the members elected must ment of this State are divided into three

ARTICLE III.

LEGISLATIVE. Section 1. The legislative authority is vested in a Senate and House of Repre-

sentatives. Sec. 2. The Legislature shall provide by law for an enumeration of the inhabitants of the State in the year eighteen hundred and eighty-five, and every ten years thereafter, and at its first regular session after each enumeration, and also after each enumeration made by the authority of the United States, but at no other time, the Legislature shall apportion the Senators and Representatives according to the SEC. 4. All persons have a natural and number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

SEC. 3. The House of Representatives shall consist eighty-four members, and the Senate shall consist of thirty members, until the year of eighteen hundred and eighty, after which time the number of members of each house shall be regulated by law. But the number of Representatives shall never exceed one hundred, nor that of Senators thirty-three. The sessions of the Legislature shall be biennial, except as otherwise provided in this constitution.

Sec. 4. The terms of office of members of the Legislature shall be two years, and they shall each receive for their services three dollars for each day's attendance during the session, and ten cents for every of its own mode of public worship, and to mile they shall travel in going to and returning from the place of meeting of the Legislature on the most usual route; Procided, however, that they shall not receive pay for more than forty days at any one session; and neither members of the Legislature nor employees shall receive any pay or perquisites other than their per

diem and mileage. Sec. 5. No person shall be eligible to the office of Senator, or member of the House of Representatives, who shall not be an elector and have resided within the district from which he is elected for the term of one year next before his election, unless he shall have been absent on the public business of the United States, or of this State. And no person elected as aforesiad shall hold his office after he shall have re-

Sec. 6. No person holding office under the authority of the United States, or any State, shall be eligible to, or have a seat in the Legislature, but this provision shall not extend to precinct or township officers, Justices of the Peace, Notaries Public, or officers of the militia, nor shall any person interested in a contract with, or an unadjusted claim, against the State, shall hold a seat in the Legislature.

SEC. 7. The session of the Legislature shall commence at 12 o'clock, (noon), on the first Tuesday in January, in the year next ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each House shall constitute a quorum; each House shall determine the rules of its proceedings, and be the judge of the election, returns, and qualifications of its members, shall choose its own officers, and the Senate shall choose a Lieutent-Governor shall not attend as president, or shall act as Governor. The individual, Secretary of State shall call the House of Representatives to order at the opening of each new Legislature, and preside over it where a general law can be made applicauntil a temporary presiding officer thereof shall have been chosen, and shall have taken his seat. No member shall be expelled by either House, except by a vote of two-thirds of all the members elected to that House, and no member shall be twice expelled for the same offense. Each House may punish by imprisonment any person not a member thereof who shall be of office. guilty of disrespect to the House by disorlerly or contemptuous behavior in its presence, but no such imprisonment shall | State. extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous be-

SEC. 8. Each House shall keep a journal of its proceedings and publish them except such parts as may require secrecy), and the yeas and nays or the members on any question, shall, at the desire of any two of them, be entered on the journal. All votes in either House shall be vivanoce. The doors of each House, and of Committee of the Whole shall be open, unless when the business shall be such as ought to be kept secret. Neither House shall, without the consent of the other, adjourn for more than three days.

SEC. 9. Any bill may originate in either House of the Legislature, except bills appropriating money, which shall originate only in the House of Representatives, and shall contain no provision on any other all bills passed by one House, may be amended by the other.

Sec. 10. The enacting clause of a law shall be, "Be it enacted by the Legislature of the State of Nebraska," and no law shall be enacted except by bill. No bill shall be passed unless by assent of a majority of all the members elected to each House of the Legislature, and the question upon final passage shall be taken immediately upon its last reading, and the yeas and nays shall be entered upon the journal. Sec. 11. Every bill and concurrent

resolution shall be read at large on three different days in each House, and the bill and all amendments thereto shall be prinexpressed in its title. And no law shall the section or sections so amended shall by SEC. 21. The property of no person House over which he presides, while the diverted from any appropriation made for

resolutions passed by the Legislature.

SEC. 13. No person elected to the Legislature shall receive any civil appoint- tion whatever for words spoken in debate. of Fillmore, and be entitled to one Repre-SEC. 24. The right to be heard in all ment within this State from the Governor | SEC. 24. No act shall take effect until sentative. ment within this State from the Governor appeal, error, or otherwise, shall not be denied.

Show the first to be least to the country appeal, error, or otherwise, shall not be denied.

Show the first to the first to the first the adjournant this state from the Governor and Senate during the term for which they are convened, and the such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which it passed, under the country and such appointment of the session at which they are convened, and the country and such appointment of the session at which they are convened, and the country and such appointment of the session at which they are convened, and the country are convened, and the country and such appointment of the session at which they are convened, and the country are convened, and the country are SEC. 25. No distinction shall ever be member, for any such office or appoint in the preamble or body of the act, the made by law between resident aliens and ment, shall be void. Nor shall any mem. Legislature shall, by a vote of two-thirds of Seward, and be entitled to two Repre citizens in reference to the possession, en-SEC. 26. This enumeration of rights in any contract with the State, County or lished in book form within sixty days af of York, and be entitled to two Representations on the same being certified to him by the shall not be construed to impair or deny City, authorized by any law passed duthe adjournment of each session, and distatives. expiration thereof. - .

distinct departments—the legislative, ex- of a resolution to impeach by either be formed and Senators and Representa-God for our freedom, do ordain and estab-ecutive, and judicial, and no person or House, the other House snall at once be the following declaration of rights collection of persons, being one of these notified thereof and the two Houses shall ecutive, and judicial, and no person or House, the other House shall at once be tives apportioned as follows: departments, shall exercise any power meet in joint convention for the purpose properly belonging to either of he others, of acting upon such resolution within except as hereinafter expressly directed or three days of such notification. A notice county of Richardson, and be entitled to of an impeachment of any officer, other two Senators. than a Justice of the Supreme Court, shall be forthwith served upon the Chief Justice of Nemaha, and be entitled to one Sena by the Secretary of the Senate, who shall tor thereupon call a session of the Supreme Court to meet at the Capital within ten ty of Otoe, and be entitled to two Senadays after such notice to try the impeach- tors ment. A notice of an impeachment of a Justice of the Supreme Court shall be ty of Cass, and be entitled to one Senator. within which the Capital is located, and tors. he thereupon shall notify all the Judges with him within thirty days at the Capi-

SEC. 14. The Senate and House of Rep-

resentatives in joint convention shall

have the sole power of impeachment, but

tal, to sit as a court to try such impeachment, which court shall organize by electing one of its number to preside. No person shall be convicted without the concurrence of two-thirds of the members of ty of Dodge, and be entitled to one Senthe court of impeachment, but judgment in cases of impeachment shall not extend further than removal from office and discounty of Cuming, and be entitled to one qualification to hold and enjoy any office Senator. of honor, profit, or trust, in this State, but the party impeached, whether convicted or acquitted shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his of

have been acquitted. ing cases, that is to say:

For granting divorces. Laying out, opening, altering and work-

ing roads or highways. Vacating roads, town plats, streets, allevs, and public grounds. Locating or changing county seats.

Regulating the practice of courts of one Senator. Regulating the jurisdiction and duties ty of Saunders, and be entitled to one of justices of the peace, police magistrates Senator. and constables.

Providing for changes of venue in civil and criminal case-Incorporating cities, towns and villages, or changing or amending the charter of

any town, city or village. Providing for the election of officers in ownships, incorporated towns, or cities. Summoning or impanelling grand or titled to one Senator.

Providing for the bonding of cities, lucrative office under the authrity of this towns, precincts, school districts, or other Providing for the management of public schools Regulating the interest on money, the

opening and conducting of any election, or designating the place of voting. The sale or mortgage of real estate belonging to minors, or others under disa-

The protection of game or fish. Chartering or licensing ferries, or toll bridges, remitting fines, penalties or forfeitures; creating, increasing and decreasing fees, percentage or allowances of pubsaid officers are elected or appointed. Changing the law of descent.

Granting to any corporation, association, or individual, the right to lay down railroad tracks, or amending existing temporary president, to preside when the charters for such purpose. Granting to corporation, association. any special or excluprivileges, sive immunity franchise whatever. In all other cases

> ble, no special law shall be enacted. Sec. 16. The Legislature shall never grant any extra compensation to any pubic officer, agent, servant, or contractor, after the services shall have been rendered or the contract entered into. Nor shall sentatives. the compensation of any public officer be increased or diminished during his term of Gage, and be entitled to two Represen-

Sec. 17. The Legislature shall never alienate the salt springs belonging to this

SEC. 18. Lands under control of the State shall never be donated to railroad companies, private orporations, or individuals.

Sec. 19. The Legislature shall make appropriations for the expenses of the overnment until the expiration of the first fiscal quarter after the adjournment of the next regular session, and all appropriations shall end with such fiscal quarter. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a twothirds vote of all the members elected to each house, and shall not exceed the amount of revenue authorized by law to be raised in such time. Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the government,

subject. SEC. 20. All offices created by this Constitution shall become vacant by the death of the incumbent, by removal from the State, resignation, conviction of a felony, impeachment, or becoming of unsound mind. And the Legislature shall provide by general law for the filling of such vacancy, when no provision is made

for that purpose in this Constitution. Sec. 21. The Legislature shall not au. horize any games of chance, lottery, or gift enterprise, under any pretence, or for

any purpose whatever. Sec. 22. No allowance shall be made ted before the vote is taken upon its final for the incidental expenses of any State passage. No bill shall contain more than officer except the same be made by genone subject, and the same shall be clearly eral appropriation and upon an account specifying each item. No money shall be be amended unless the new act contain drawn from the Treasury, except in purthe section or sections so amended and suance of a specific appropriation made law, and on the presenta House shall sign in the presence of the Auditor thereon, and no money shall be same is in session and capable of trans, any purpose or taken from any fund whatacting business, all bills and concurrent ever, either by joint or separate resolu-resolutions passed by the Legislature. Sec. 12. Members of the Legislature days after the adjournment of each sesin all cases except treason, felony, or sion of the Legislature, prepare and pubbreach of the peace, shall be - privileged | lish a full statement of all moneys expend-SEC. 23. The writ of error shall be a writ from arrest during the session of the Leg. ed at such session, specifying the amount

SEC. 23. No member of the Legislature | tative. shall be liable in any civil or criminal ac vide.

ARTICLE IV.

LEGISLATIVE APPORTIONMENT.

Until otherwise provided by law, Senaconcur therein. Upon the entertainment torial and Representative Districts shall

Dist. No. 3-shall consist of the coun-

Dist. No. 2-shall consist of the county

Dist. No. 4-shall consist of the counserved by the Secretary of the Senate, upon the Judge of the Judicial District of Douglas, and be entitled to the Senate. Dist. No. 5-shall consist of the county Dist. No. 6-shall consist of the coun-

of the District Court in the State to meet ties of Douglas and Sarpy, and be entitled to one Senator. Dist No. 7-shall consist of the county of Washington, and be entitled to one

Dist. No. 8-shall consist of the coun-

Dist. No. 9-shall consist of the Dist. No. 10-shall consist of the counties of Burt and Oakdale, and be entitled

Disk No. 11-shall consist of the counties of Madison, Stanton, Wayne, Pierce, fficial duties after he shall have been im- Antelope and Boone, and be entitled to one peached and notified thereof, until he shall | Senator.

Dist. No. 12-shall consist of the coun-SEC. 15. The legislature shall not pass ties of Dixon, Cedar, Knox, Holt, and local or special laws in any of the follow. the unorganized territory west of Holt, and be entitled to one Senator.

Dist. No. 13—shall consist of the coun-

Changing the names of persons or ties of Hall, Howard, Merrick, Greeley, and the unorganized territory north of Greeley, and be entitled to one Senator. Dist. No. 14-shall consist of the counties of Platte and Colfax, and be entitled to one Senator.

Dist. No. 15-shall consist of the coun-Regulating county and township offices. ties of Butler and Polk, and be entitled to Dist. No. 16-shall consist of the coun-

> Dist. No: 17-shall consist of the county of Lancaster, and be entitled to two Sen-

> Dist. No. 18-shall consist of the counties of Johnson and Pawnee, and be entitled to one Senator. Dist. No. 19-shall consist of the counties of Gage and Jefferson, and be enti-

> Dist. No. 20-shall consist of the county of Saline, and be entitled to one Sen-Dist No. 21—shall consist of the county

> of Seward, and be entitled to one Senator. Dist. No. 22—shall consist of the counties of York and Hamilton, and be entitled to one Senator. Dist. No. 23-shall consist of the coun-

ties of Fillmore and Clay, and be entitled to one Senator. Dist. No. 24-shall consist of the coun-

ties of Adams, Webster, Nuckolls, and Thayer, and be entitled to one Senator. Dist. No. 25-shall consist of the counties of Buffalo, Kearney, Franklin, Harlan, Phelps, Sherman, Valley, and the unorganlic officers, during the term for which ized territory west of Sherman, Valley, and Senatorial District No. thirteen (13), and be entitled to one Senator.

Dist. No. 26-shall consist of the counties of Lincoln, Dawson, Gosper, Furnas, I Red Willow, Frontier, Hitchcock, Dundy, Chase, Keith, Cheyenne, and the unorgan-Frontier and Chase, and be entitled to one

REPRESENTATIVE DISTRICTS.

Dist. No. I-shall consist of the county Representatives.

Dist. No. 2-shall consist of the county of Pawnee, and be entitled to two Repre-Dist. No. 3-shall consist of the county

tatives. Dist. No. 4-shall consist of the county of Johnson, and be entitled to two Representatives. Dist. No. 5-shall consist of the county

of Nemaha, and be entitled to three Rep-Dist. No. 6-shall consist of the county of Otoe, and be entitled to four Representatives.

Dist. No. 7-shall consist of the county of Lancaster, and be entitled to four Representatives. Dist. No. 8-shall consist of the county

of Saunders, and be entitled to three Representatives. Dist. No. 9-shall consist of the county of Cass, and be entitled to three Representatives. Dist. No. 10-shall consist of the county of Sarpy, and be entitled to one Repre-

sentative. Dist. No. 11-shall consist of the county of Douglas, and be entitled to eight Rep-

Dist No. 12-shall consist of the county of Dodge, and be entitled to two Represen-Dist. No. 13-shall consist of the county

of Washington, and be entitled to two Representatives.

Dist No. 14-shall consist of the county of Burt, and be entitled to one Represen-Dist. No. 15-shall consist of the county of Cuming, and be entitled to two Repre-

sentatives Dist. No. 16-shall consist of the county of Dakota, and be entitled to one Representative. Dist. No. 17-shall consist of the county

of Dixon, and be entitled to one Represen-Dist. No. 18-shall consist of the county of Jefferson, and be entitled to one Representative.

Dist. No. 19-shall consist of the county of Thayer, and be entitled to one Representative. Dist. No. 20-shall consist of the county

of Nuckolls, and be entitled to one Representative Dist. No. 21-shall consist of the county sentative.

Dist. No. 22-shall consist of the county of Adams, and be entitled to one Repre-Dist. No. 23-shall consist of the county of Clay, and be entitled to one Represen

Dist. No. 24-shall consist of the county

Dist. No. 26-shall consist of the county gether.

resentative.

Dist. No. 29-shall consist of the county of Hall, and be entitled to one Represen-

tative. Dist. No. 30-shall consist of the county of Buffalo, and be entitled to one Representative

of Lincoln, and be entitled to one Representative.

Dist. No. 32-shall consist of the county of Harlan, and be entitled to one Representative. Dist. No. 33-shall consist of the coun-

ties of Howard and Greeley, and be entitled to one Representative. Dist. No. 34-shall consist of the county of Merrick, and be entitled to one Repre-

of Polk, and be entitled to one Represen-Dist. No. 36—shall consist of the county of Butler, and be entitled to one Represen-

Dist. No. 35-shall consist of the county

Dist. No. 37-shall consist of the county of Colfax, and be entitled to one Repre-Dist. No. 38-shall consist of the county

of Platte, and be entitled to one Represenof Madison, and be entitled to one Repre-

Dist. No. 40-shall consist of the county of Cedar, and be entitled to one Represen-

Dist. No. 41-shall consist of the counties of Burt and Dodge, and be entitled to and pardons, after conviction, for all ofone Representative. Dist. No. 42-shall consist of the coun-

ties of Stanton, Wayne, and Pierce, and be entitled to one Representative. Dist. No. 43—shall consist of the counties of Knox and Holt, and the unorganto to the manner of applying for pardons. ized territory west of Holt, and be entitled Upon conviction for treason, he shall have to one Representative.

Dist. No 44-shall consist of the county of Antelope, and be entitled to one Representative. Dist. No. 45-shall consist of the counties of Boone, Valley, Sherman, and the unorganized territory west of Sherman and

Valley counties, and west of the thirteenth every regular session, each case of re-Senatorial District, and be entitled to one prieve, commutation or pardon granted, Representative. Dist. No. 46-shall consist of the counties of Dawson and Frontier, and be enti.

tled to one Representative. Dist. No. 47-shall consist of the counties of Franklin and Kearney, and be entitled to one Representative. Dist. No. 48-shall consist of the coun-

ties of Furnas, Phelps, and Gosper, and be entitled to one Representative. Dist. No. 49-shall consist of the counties of Cheyenne, Keith, Dundy, Chase, Hitchcock, Ked Willow, and the unorganized territory of this State north of the

county of Hitchcock, and be entitled to one Representative. Dist. No. 50—shall consist of the coun-ies of Cass and Saunders, and be entitled approve he shall sign it, and thereupon it to one Representative.

ties of Platte, Colfax, and Butler, and be entitled to one Representative. Dist. No. 52-shall consist of the coun-

ARTICLE V.

to one Representative.

EXECUTIVE DEPARTMENT.

Section 1. The executive department shall consist of a governor, Lieutenantgovernor, secretary of state, auditor of public accounts, treasurer, superintendent of public instruction, attorney general, and commissioner of public lands and buildings, who shall each hold his office for the him, shall become a law in like manner as ized territory west of Frontier, and between | term of two years, from the first Thursday | if he had signed it; unless the legislature after the first Tuesday in January next at. by their adjournment prevent its return; ter his election, and until his successor is in which case it shall be filed, with his obelected and qualified. Provided, however, jections, in the office of secretary of state that the first election of said officers shall | within five days after such adjournment, or be held on the Tuesday succeeding the become a law. The governor may disapof Richardson, and be entitled to four first Monday in November, 1876, and each prove any item or items of appropriation succeding election shall be held at the contained in bills passed by the legislasame relative time, in each even year ture, and the item or items so disapproved thereafter. The governor, secretary of shall be stricken therefrom unless repassstate, auditor of public accounts and treas- ed in the manner herein prescribed in urer, shall reside at the seat of government | cases of disapproval of bills. during their terms of office, and keep the public records, books, and papers there, ment and notice thereof to the accused, and shall perform such duties as may be failure to qualify, resignation, absence

required by law. the office of governor or lieutenant govern. ments of the office for the residue of the or who shall not have attained the age of term, or until the disability shall be rethirty years, and been for two years next moved, shall devolve upon the lieutenant preceding his election a citizen of the Uni- governor. ted State and of this state. None of the officers of the executive department shall be president of the senate, and shall vote be eligible to any other state office during only when the senate is equally divided. the period for which they shall have been

tive terms for which he was elected. for the officers of the executive department or the Representatives, who shall immediately the same shall devolve upon the Speaker after the organization of the House, and of the House of Representatives. before proceeding to other business, open and publish the same in the presence | Lands and Buildings, the Secretary of of a majority of each House of the legis. State, Treasurer, and Attorney-General lature, who shall for that purpose assem. shall form a board, which shall have genble in the hall of the House of Represen- eral supervision and control of all the tatives. The person having the highest buildings, grounds and lands of the State, number of votes for either of said offices, the State Prison, Asylums, and all other shall be declared duly elected; but if two institutions thereof, except those for eduor more have an equal and the highest cational purposes; and shall perform such number of votes, the legislature shall, by duties, and be subject to such rules and joint vote, choose one of such persons for regulations as may be prescribed by law. said office. Contested elections for all of SEC. 20. If the office of Auditor of said offices shall be determined by both Public Accounts, Treasurer, Secretary of houses of the legislature, by joint vote, in State, Attorney-General, Commissioner

such manner as may be presented by law. of Public Lands and Buildings, shall be liable to impeachment for any struction, shall be vacated by death, misdemeanor in office.

take care that the laws be faithfully exe-SEC. 7. The governor shall, at the commencement of each session, and at the close of his term of othee, and whenever the legislature may require, give to the legisla- and of all the public institutious of the ture information by messsage of the con- State, of all monies received or disbursed dition of the state, and shall recommend such measures as he shall deem expediof Webster, and be entitled to one Repredent. He shall account to the legislature, all report thereof be made to the Governor and accompany his message with a state- under oath; and any officer who makes a ment of all moneys received and paid out false report, shall be guilty of perjury, and by him, from any sum subject to his order, with vouchers, and, at the commencement of each regular session, present estimates department and of all the public institu-

> raised by taxation for all purposes. SEC. 8. The governor may, on extraordinary occasions, convene the legislature | who shall transm't such reports to the Leg by proclamation, stating therein the pur- islature, together with the reports of the

> tween the two houses with respect to the tive department, and all officers and mantime of adjournment, the governor may, agers of State institutions, upon any subnext regular session.

Sec. 10. The governor shall nominate, and by and with the advice and consent of the senate (expressed by a majority of all the senators elected, voting by yeas and nays), appoint all officers whose offices are established by this constitution, or which Dist. No. 31-shall consist of the county | may be created by law, and whose appointment or election is not otherwise by law or herein provided for; and no such officer shall be appointed or elected by the legis-

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

office during the recess of the legislature. SEC. 12. The governor shall have power to remove any officer, whom he may Dist. No. 39-shall consist of the county appoint, in case of incompetency, neglect of duty, or malfeasance in office; and he may declare his office vacant, and fill the same as herein provided in other cases of

vacancy. Sec. 13. The governor shall have the power to grant reprieves, commutations fenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulapower to suspend the execution of the sentence until the case shall be reported to the legislature at its next session, when the legislature shall either pardon or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the legislature, at stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the reprieve,

commutation or pardon. SEC. 14. The governor shall be com-mander-in-chief of the military and naval forces of the State (except when they shall be called into the service of the United States) and may call out the same to execute the laws, suppress insurrection, and repel invasion.

SEC. 15. Every bill passed by the legislature, before it becomes a law, and every order, resolution or vote to which the concurrence of both houses may be necessary (except on questions of adjournment) shall become a law; but if he do not ap Dist. No. 51-shall consist of the counprove, he shall return it with his object tions to the house in which it shall have originated, which house shall enter the objections at large upon its journal, and ties of Fillmore and Clay, and be entitled proceed to reconsider the bill. If then three-fifths of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by three-fifths of the members elected to that house, it shall become a law, notwithstanding the objections of the governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered upon the journal. Any bill which shall not be returned by the governor within five days (Sunday excepted) after it shall have been presented to

SEC. 16. In case of the death, impeachfrom the State, or other disability of the Sec. 2. No person shall be eligible to governor, the powers, duties, and emolu-

SEC. 17. The lieutenant governor shall

SEC. 18. If there be no lieutenant gov. ernor, or if the lieutenant governor for SEC. 3. The treasurer shall be ineligion any of the causes specified in section sixble to the office of treasurer for two years | teen of this article, becomes incapable of next after the expiration of two consecu- performing the duties of the office the president of the senate shall act as SEC. 4. The returns of every election governor until the vacancy is filled, disability removed; and shall be sealed by and transmitted by the if the President of the Senate, for any of the returning officers to the secretary of state, above named causes, shall become incapadirected to the speaker of the House of ble of performing the duties of Governor,

SEC. 19. The Commissioner of Public

SEC. 5. All civil officers of this state or Superintendent of Public inresignation, or otherwise, it shall be the SEC. 6. The supreme executive power duty of the Governor to fill the same by shall be vested in the governor, who shall appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be proviided by law.

Sec. 21. An account shall be kept by the officers of the executive department by them severally from all sources, and for every service performed, and a semi-annu-

punished accordingly. Sec. 22. The officers of the executive of the amount of money required to be tions of the State shall at least ten days preceding each regular session of the Legislature, severally report to the Governor, SEC. 9. In case of a disagreement be- under oath, from the officers of the execu-

house moving the adjournment, adjourn and expenses of their respective offices. others retained by the people, and all powers not herein delegated remain with the nearly powers not herein delegated remain with the nearly proper, not beyond the first day of the State, which shall be a seal of the State, which shall be a seal of the Bright the legislature may pro- of Hamilton, and be entitled to one Rep-Seal of the State of Nebraska," which