

# **Documents of Connecticut Government**

*The Connecticut Constitution and its Antecedents*

Compiled by the  
Office of the Secretary of the State of Connecticut,  
2005

## **Contents:**

Connecticut: The Constitution State	1
Declaration of Independence	3
Constitution of the United States	8
Amendments to the Constitution Of the United States	17
Constitution of the State of Connecticut, Approved 1965	24
Amendments to the Constitution Of the State of Connecticut	36
The Fundamental Orders	47
The Charter of the Colony Of Connecticut	50

## **Connecticut:** *The Constitution State*

Connecticut was designated the *Constitution State* by the General Assembly in 1959.

As early as the 19th Century, John Fiske, a popular historian from Connecticut, made the claim that the Fundamental Orders of 1638/39 were the first written constitution in history.

Some contemporary historians dispute Fiske's analysis. However, Simeon E. Baldwin, a former Chief Justice of the Connecticut Supreme Court, defended Fiske's view of the Fundamental Orders in Osborn's *History of Connecticut in Monographic Form* by stating that "never had a company of men deliberately met to frame a social compact for immediate use, constituting a new and independent commonwealth, with definite officers, executive and legislative, and prescribed rules and modes of government, until the first planters of Connecticut came together for their great work on January 14th, 1638-9."

The text of the Fundamental Orders is reproduced in Section I of this volume and the original is on permanent display at the Museum of Connecticut History at the State Library.

Connecticut has also been known as the *Nutmeg State*, the *Provisions State*, and the *Land of Steady Habits*.

## **PREFACE TO THE DECLARATION OF INDEPENDENCE**

The Declaration of Independence is generally regarded as one of the most famous documents in the history of the world. On June 10, 1776, the Continental Congress appointed a committee, consisting of Thomas Jefferson, Benjamin Franklin, John Adams, Roger Sherman and Robert R. Livingston to draft a Declaration of Independence.

Jefferson wrote out a rough draft of the Declaration, which was carefully revised by the committee and presented to Congress for adoption. After some further slight revisions by that body, it was adopted on July 4, 1776, at Philadelphia.

The parchment with the original signatures was deposited with the Department of State when the government was organized in 1789.

The original Declaration of Independence was transferred from the Department of State, by direction of the late President Warren G. Harding, to the Library of Congress. In 1952, at the direction of Congress, it was transferred to the National Archives Building, Washington, D.C., where it rests today.

# THE DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776

## THE UNANIMOUS DECLARATION

of the

## THIRTEEN UNITED STATES OF AMERICA

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed, by their Creator, with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.--That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established, should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining, in the meantime, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, *free and independent States*; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as *free and independent States*, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which *independent States* may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

JOHN HANCOCK.

<i>New Hampshire,</i>	<i>Massachusetts Bay,</i>
Josiah Bartlett, Wm. Whipple, Matthew Thornton;	Saml. Adams, John Adams, Robt. Treat Pain, Elbridge Gerry;
<i>Rhode Island, etc.,</i>	<i>Delaware,</i>
Step. Hopkins William Ellery;	Caesar Rodney, Geo. Read, Tho. M'Kean;
<i>Connecticut,</i>	<i>Maryland,</i>
Roger Sherman, Saml. Huntington, Wm. Williams, Oliver Wolcott;	Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll, of Carrolton;
<i>New York,</i>	<i>Virginia,</i>
Wm. Floyd, Phil Livingston, Frans. Lewis, Lewis Morris;	George Wythe, Richard Henry Lee, Thos. Jefferson, Benja. Harrison,

Thos. Nelson, jr.,  
Francis Lighfoot Lee,  
Carter Braxton;

*New Jersey,*

Richd. Stockton,  
Jno. Witherspoon,  
Fras. Hopkinson,  
John Hart,  
Abra. Clark;

*North Carolina,*

Wm. Hooper,  
Joseph Hewes,  
John Penn;

*Pennsylvania,*

Robt. Morris,  
Benjamin Rush,  
Benja. Franklin,  
John Morton,  
Geo. Clymer,  
Jas. Smith,  
Geo. Taylor,  
James Wilson,  
Geo. Ross;

*South Carolina,*

Edward Rutledge,  
Thos. Heyward, junr.,  
Thomas Lynch, junr.,  
Arthur Middleton;

*Georgia,*

Button Gwinnett,  
Lyman Hall,  
Geo. Walton.

IN CONGRESS,  
January 18, 1777.

*Ordered,*

That an authenticated copy of the Declaration of Independence, with the names of the Members of Congress subscribing the same, be sent to each of the United States, and that they be desired to have the same put on record.

JOHN HANCOCK,  
*President.*

By Order of Congress,  
Attest, CHAS. THOMSON,  
*Secy.*

A true copy,  
JOHN HANCOCK,  
*Presidt.*



## **PREFACE TO THE UNITED STATES CONSTITUTION**

The United States Constitution is the oldest federal constitution in existence. It was so well framed that it has served as the basis for this government for two centuries. Only once has it been seriously endangered, this being during the Civil War. Many of its principles have been adopted by other countries.

The Constitution was the outgrowth of a convention of delegates from the different states that met in Philadelphia in May 1787, Rhode Island not being represented. George Washington presided over the convention, which lasted from May to September.

The Constitution was then submitted to the then existing states for ratification, with a provision that it should become effective when ratified by nine states. New Hampshire was the ninth state to ratify, June 21, 1788, and the Constitution went into effect in 1789.

The states ratified the Constitution in the following order: Delaware, Dec. 7; Pennsylvania, Dec. 12, and New Jersey, Dec. 18, 1787; Georgia, Jan. 2; Connecticut, Jan. 9; Massachusetts, Feb. 6; Maryland, Apr. 28; South Carolina, May 23; New Hampshire, June 21; Virginia, June 25, and New York, July 26, 1788; North Carolina, Nov. 21, 1789, and Rhode Island, May 29, 1790.

# CONSTITUTION OF THE UNITED STATES OF AMERICA \*

## (PREAMBLE.)

WE THE PEOPLE OF THE UNITED STATES, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes.

The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote unless they be equally divided.

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\* Connecticut ratified the Constitution Jan. 9, 1788, having been the fifth State to vote for ratification.  
The spelling in the original document has been retained.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meetings shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, 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.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve he shall sign it, but if not, he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their 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, together with the objections to the other House, by which it shall likewise 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 President within ten Days (Sundays

excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation to the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of Training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards and other needful Building;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any office of Profit or Trust under them, shall, without the Consent of the Congress accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws; and the net Produce of All Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States: and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## ARTICLE II.

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative or Person holding an office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the list the said House shall in like Manner chuse the

President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the age of thirty five Years, and been fourteen Years a Resident within the United States.

In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect, and defend the Constitution of the United States."

Section 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. The President, Vice President, and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### **ARTICLE III.**

Section 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a party;--to Controversies between two or more States;--between a State and Citizens of another State;--between Citizens of different States;--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original jurisdiction. In all other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their 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.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

### **ARTICLE IV.**

Section 1. Full Faith and Credit shall be given in each State to the Public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE VI.

All debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word "the," being interlined between the seventh and eighth Lines of the first Page. The Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page. The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth lines of the second Page.

Attest William Jackson Secretary

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

Go. WASHINGTON--Presidt.  
and deputy from Virginia

New Hampshire JOHN LANGDON,  
NICHOLAS GILMAN;

Massachusetts NATHANIEL GORHAM,  
RUFUS KING;

Connecticut WM. SAM L. JOHNSON,  
ROGER SHERMAN;



New York	ALEXANDER HAMILTON;
New Jersey	WIL: LIVINGSTON, DAVID BREARLEY, WM. PATERSON, JONA: DAYTON;
Pennsylvania	B. FRANKLIN, THOMAS MIFFLIN, ROBT. MORRIS, GEO. CLYMER, THOS. FITZSIMONS, JARED INGERSOLL, JAMES WILSON, GOUV MORRIS;
Delaware	GEO: READ, GUNNING BEDFORD JUN, JOHN DICKINSON, RICHARD BASSETT, JACO: BROOM
Maryland	JAMES MCHENRY, DAN OF ST. THOS. JENIFER, DAN L CARROLL;
Virginia	JOHN BLAIR, JAMES MADISON JR.;
North Carolina	WM. BLOUNT, RICHD. DOBBS SPAIGHT, HU WILLIAMSON;
South Carolina	J. RUTLEDGE, CHARLES COTESWORTH PINCKNEY, CHARLES PINCKNEY, PIERCE BUTLER;
Georgia	WILLIAM FEW, ABR BALDWIN.

**AMENDMENTS TO THE CONSTITUTION  
OF THE UNITED STATES**

**Articles**

IN ADDITION TO, AND AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA,

Proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

**ARTICLE I.<sup>1</sup>**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**ARTICLE II.**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

**ARTICLE III.**

No Soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

**ARTICLE IV.**

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 Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**ARTICLE V.**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**ARTICLE VI.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

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<sup>1</sup> The first ten Amendments were ratified December 15, 1791, and form what is known as the "Bill of Rights." Ratified by this State April 19, 1939.

## **ARTICLE VII.<sup>2</sup>**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

## **ARTICLE VIII.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## **ARTICLE IX.**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## **ARTICLE X.**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## **ARTICLE XI.<sup>3</sup>**

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

## **ARTICLE XII.<sup>4</sup>**

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;--The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;--The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.--The person having the greatest number of votes as Vice-President, shall be Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

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<sup>2</sup> This applies only to United States courts.

<sup>3</sup> Ratified by this State May 15, 1794 (See House Journal 1794 and State Records 1794).

<sup>4</sup> Proposed by Congress December 12, 1803. Not ratified by this State. Ratification announced by Secretary of State, September 25, 1804.

### **ARTICLE XIII.<sup>5</sup>**

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

### **ARTICLE XIV.<sup>6</sup>**

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

### **ARTICLE XV<sup>7</sup>**

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

### **ARTICLE XVI.<sup>8</sup>**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

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<sup>5</sup> Proposed by Congress February 1, 1865. Ratified by this State May 5, 1865. Ratification announced by Secretary of State, December 18, 1865.

<sup>6</sup> Proposed by Congress June 16, 1866. Ratified by this State June 1866. Ratification announced by Secretary of State, July 28, 1868.

<sup>7</sup> Proposed by Congress February 27, 1869. Ratified by this State May 19, 1869. Ratification announced by Secretary of State, March 30, 1870.

<sup>8</sup> Proposed by Congress July 12, 1909. Not ratified by this State. Ratification announced by the Secretary of State of the United States, February 25, 1913.

## **ARTICLE XVII.<sup>9</sup>**

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

## **ARTICLE XVIII.<sup>10</sup>**

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof, into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

## **ARTICLE XIX.<sup>11</sup>**

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

## **ARTICLE XX.<sup>12</sup>**

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

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<sup>9</sup> Proposed by Congress May 13, 1912. Ratified by this State April 15, 1913. Ratification announced by the Secretary of State of the United States, May 31, 1913.

<sup>10</sup> Proposed by Congress December 18, 1917. Ratification announced by the Acting Secretary of the United States, January 29, 1919. Became effective January 16, 1920. Not ratified by this State. Repealed by Article XXI effective December 5, 1933.

<sup>11</sup> Proposed by Congress June 4, 1919. Ratification announced by the Secretary of State of the United States, August 26, 1920. Ratified by this State September 14, 1920, and September 21, 1920.

<sup>12</sup> Proposed by Congress March 2, 1932. Ratification announced by the Secretary of State of the United States, February 6, 1933. Ratified by this State January 27, 1933.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

#### **ARTICLE XXI.**<sup>13</sup>

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

#### **ARTICLE XXII.**<sup>14</sup>

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

#### **ARTICLE XXIII.**<sup>15</sup>

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the district and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

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<sup>13</sup> Proposed by Congress February 20, 1933. Ratified by this State July 11, 1933. Ratification announced by the Secretary of State of the United States, December 5, 1933.

<sup>14</sup> Proposed by Congress March 24, 1947. Ratified by this State May 21, 1947. Ratification announced by the Secretary of State of the United States, March 1, 1951.

<sup>15</sup> Proposed by Congress June 16, 1960. Ratified by this State March 9, 1961. Ratification announced by the Administrator of General Services of the United States, April 3, 1961.

#### **ARTICLE XXIV.<sup>16</sup>**

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

#### **ARTICLE XXV.<sup>17</sup>**

Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

#### **ARTICLE XXVI.<sup>18</sup>**

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

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<sup>16</sup> Proposed by Congress August 27, 1962. Ratified by this State March 20, 1963. Ratification announced by the Administrator of General Services of the United States, February 4, 1964. Became effective on January 23, 1964.

<sup>17</sup> Proposed by Congress January 6, 1965. Ratified by this State February 14, 1967. Ratification consummated February 10, 1967 and announced by the Administrator of General Services of the United States, February 23, 1967.

<sup>18</sup> Proposed by Congress March 23, 1971. Ratified by this State March 23, 1971. Ratification consummated June 30, 1971 and announced by the Administrator of General Services of the United States, July 5, 1971.

**ARTICLE XXVII.**<sup>19</sup>

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

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<sup>19</sup> Proposed by Congress on September 25, 1789. Ratified in this state by House Joint Resolution No. 54, which was adopted by the House of Representatives on May 6, 1987, and by the Senate on May 13, 1987 and certified by the Archivist of the United States on May 18, 1992.



# CONSTITUTION OF THE STATE OF CONNECTICUT

(Approved at referendum on December 14, 1965; proclaimed by the Governor as adopted on December 30, 1965.)

## PREAMBLE.

The People of Connecticut acknowledging with gratitude, the good providence of God, in having permitted them to enjoy a free government; do, in order more effectually to define, secure, and perpetuate the liberties, rights and privileges which they have derived from their ancestors; hereby, after a careful consideration and revision, ordain and establish the following constitution and form of civil government.

## ARTICLE FIRST. DECLARATION OF RIGHTS

That the great and essential principles of liberty and free government may be recognized and established,

### WE DECLARE:

**SEC. 1.** All men when they form a social compact, are equal in rights; and no man or set of men are entitled to exclusive public emoluments or privileges from the community.

**SEC. 2.** All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit; and they have at all times an undeniable and indefeasible right to alter their form of government in such manner as they may think expedient.

**SEC. 3.** The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in the state; provided, that the right hereby declared and established, shall not be so construed as to excuse acts of licentiousness, or to justify practices inconsistent with the peace and safety of the state.

**SEC. 4.** Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

**SEC. 5.** No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

**SEC. 6.** In all prosecutions or indictments for libels, the truth may be given in evidence, and the jury shall have the right to determine the law and the facts, under the direction of the court.

**SEC. 7.** The people shall be secure in their persons, houses, papers and possessions from unreasonable searches or seizures; and no warrant to search any place, or to seize any person or things, shall issue without describing them as nearly as may be, nor without probable cause supported by oath or affirmation.

**SEC. 8.** In all criminal prosecutions, the accused shall have a right to be heard by himself and by counsel; to be informed of the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process to obtain witnesses in his behalf; to be released on bail upon sufficient security, except in capital offenses, where the proof is evident or the presumption great; and in all prosecutions by indictment or information, to a speedy, public trial by an impartial jury. No person shall be compelled to give evidence against himself, nor be deprived of life, liberty or property without due process of law, nor shall excessive bail be required nor excessive fines imposed. No person shall be held to answer for any crime, punishable by death or life imprisonment, unless on a presentment or an indictment of a grand jury, except in the armed forces, or in the militia when in actual service in time of war or public danger.

(Sec. 8 amended in 1982. See Art. XVII of Amendments to the Constitution of the State of Connecticut.)

**SEC. 9.** No person shall be arrested, detained or punished, except in cases clearly warranted by law.

**SEC. 10.** All courts shall be open, and every person, for an injury done to him in his person, property or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

**SEC. 11.** The property of no person shall be taken for public use, without just compensation therefor.

**SEC. 12.** The privileges 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 in any case, but by the legislature.

**SEC. 13.** No person shall be attainted of treason or felony, by the legislature.

**SEC. 14.** The citizens have a right, in a peaceable manner, to assemble for their common good, and to apply to those invested with the powers of government, for redress of grievances, or other proper purposes, by petition, address or remonstrance.

**SEC. 15.** Every citizen has a right to bear arms in defense of himself and the state.

**SEC. 16.** The military shall, in all cases, and at all times, be in strict subordination to the civil power.

**SEC. 17.** No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

**SEC. 18.** No hereditary emoluments, privileges or honors, shall ever be granted, or conferred in this state.

**SEC. 19.** The right of trial by jury shall remain inviolate.

(Sec. 19 amended in 1972. See Art. IV of Amendments to the Constitution of the State of Connecticut.)

**SEC. 20.** No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his civil or political rights because of religion, race, color, ancestry or national origin.

(Sec. 20 amended in 1974. See Art. V of Amendments to the Constitution of the State of Connecticut.)

(Art. V of the Amendments to the Constitution of the State of Connecticut amended in 1984. See Art. XXI of the Amendments to the Constitution of the State of Connecticut.)

## **ARTICLE SECOND. OF THE DISTRIBUTION OF POWERS.**

(ARTICLE SECOND amended in 1982. See Art. XVIII of Amendments to the Constitution of the State of Connecticut.)

The powers of government 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 executive, to another; and those which are judicial, to another.

## **ARTICLE THIRD. OF THE LEGISLATIVE DEPARTMENT.**

**SEC. 1.** The legislative power of the state shall be vested in two distinct houses or branches; the one to be styled the senate, the other the house of representatives, and both together the general assembly. The style of their laws shall be: Be it enacted by the Senate and House of Representatives in General Assembly convened.

**SEC. 2.** There shall be a regular session of the general assembly to commence on the Wednesday following the first Monday of the January next succeeding the election of its members, and at such other times as the general assembly shall judge necessary; but the person administering the office of governor may, on special emergencies, convene the general assembly at any other time. All regular and special sessions of the general assembly shall be held at Hartford, but the person administering the office of governor may, in case of special emergency, convene the assembly at any other place in the state. The general assembly shall adjourn each regular session not later than the first Wednesday after the first Monday in June following its organization and shall adjourn each special session upon completion of its business. If any bill passed by any regular or special session or any appropriation item described in Section 16 of Article Fourth has been disapproved by the governor prior to its adjournment, and has not been reconsidered by the assembly, or is so disapproved after such adjournment, the secretary of the state shall reconvene the general assembly on the second Monday after the last day on which the governor is authorized to transmit or has transmitted every bill to the secretary with his objections pursuant to Section 15 of Article Fourth of this constitution, whichever occurs first; provided if such Monday falls on a legal holiday the general assembly shall be reconvened on the next following day. The reconvened session shall be for the sole purpose of reconsidering and,

if the assembly so desires, repassing such bills. The general assembly shall adjourn sine die not later than three days following its reconvening.

(Sec. 2 amended in 1970. See Art. III of Amendments to the Constitution of the State of Connecticut.)

**SEC. 3.** The senate shall consist of not less than thirty and not more than fifty members, each of whom shall be an elector residing in the senatorial district from which he is elected. Each senatorial district shall be contiguous as to territory and shall elect no more than one senator.

(Sec. 3 amended in 1970. See Art. II, Sec. 1 of Amendments to the Constitution of the State of Connecticut.)

**SEC. 4.** The house of representatives shall consist of not less than one hundred twenty-five and not more than two hundred twenty-five members, each of whom shall be an elector residing in the assembly district from which he is elected. Each assembly district shall be contiguous as to territory and shall elect no more than one representative. For the purpose of forming assembly districts no town shall be divided except for the purpose of forming assembly districts wholly within the town.

(Sec. 4 amended in 1970. See Art. II, Sec. 2 of Amendments to the Constitution of the State of Connecticut.)

**SEC. 5.** The establishment of districts in the general assembly shall be consistent with federal constitutional standards.

(Sec. 5 amended in 1980. See Art. XVI, Sec. 1 of Amendments to the Constitution of the State of Connecticut.)

**SEC. 6. a.** The assembly and senatorial districts as now established by law shall continue until the regular session of the general assembly next after the completion of the next census of the United States. Such general assembly shall, upon roll call, by a yea vote of at least two-thirds of the membership of each house, enact such plan of districting as is necessary to preserve a proper apportionment of representation in accordance with the principles recited in this article. Thereafter the general assembly shall decennially at its next regular session following the completion of the census of the United States, upon roll call, by a yea vote of at least two-thirds of the membership of each house, enact such plan of districting as is necessary in accordance with the provisions of this article.

b. If the general assembly fails to enact a plan of districting by the first day of the April next following the completion of the decennial census of the United States, the governor shall forthwith appoint a commission consisting of the eight members designated by the president pro tempore of the senate, the speaker of the house of representatives, the minority leader of the senate and the minority leader of the house of representatives, each of whom shall designate two members of the commission, provided that there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the commission in lieu of the designation by the minority leader of that house.

c. The commission shall proceed to consider the alteration of districts in accordance with the principles recited in this article and it shall submit a plan of districting to the secretary of the state by the first day of the July next succeeding the appointment of its members. No plan shall be submitted to the secretary unless it is certified by at least six members of the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law.

d. If by the first day of the July next succeeding the appointment of its members the commission fails to submit a plan of districting, a board of three persons shall forthwith be empaneled. The speaker of the house of representatives and the minority leader of the house of representatives shall each designate, as one member of the board, a judge of the superior court of the state, provided that there are members of no more than two political parties in the house of representatives. In the event that there are members of more than two political parties in the house of representatives, all members belonging to the parties other than that of the speaker shall select one of their number, who shall then designate, as one member of the board, a judge of the superior court of the state, in lieu of the designation by the minority leader of the house of representatives. The two members of the board so designated shall select an elector of the state as the third member.

e. The board shall proceed to consider the alteration of districts in accordance with the principles recited in this article and shall, by the first day of the October next succeeding its selection, submit a plan of districting to the

secretary. No plan shall be submitted to the secretary unless it is certified by at least two members of the board. Upon receiving such plan, the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have full force of law.

(Sec. 6 subsections a through e, amended in 1976. See Art. XII of Amendments to the Constitution of the State of Connecticut; 1976 amendment amended in 1980. See Art. XVI, Sec. 2 of Amendments to the Constitution of the State of Connecticut. 1980 amendment amended in 1990. See Art. XXVI of Amendments to the Constitution of the State of Connecticut.)

**SEC. 7.** The treasurer, secretary of the state, and comptroller shall canvass publicly the votes for senators and representatives. The person in each senatorial district having the greatest number of votes for senator shall be declared to be duly elected for such district, and the person in each assembly district having the greatest number of votes for representative shall be declared to be duly elected for such district. The general assembly shall provide by law the manner in which an equal and the greatest number of votes for two or more persons so voted for for senator or representative shall be resolved. The return of votes, and the result of the canvass, shall be submitted to the house of representatives and to the senate on the first day of the session of the general assembly. Each house shall be the final judge of the election returns and qualifications of its own members.

**SEC. 8.** A general election for members of the general assembly shall be held on the Tuesday after the first Monday of November, biennially, in the even-numbered years. The general assembly shall have power to enact laws regulating and prescribing the order and manner of voting for such members, for filling vacancies in either the house of representatives or the senate, and providing for the election of representatives or senators at some time subsequent to the Tuesday after the first Monday of November in all cases when it shall so happen that the electors in any district shall fail on that day to elect a representative or senator.

**SEC. 9.** At all elections for members of the general assembly the presiding officers in the several towns shall receive the votes of the electors, and count and declare them in open meeting. The presiding officers shall make and certify duplicate lists of the persons voted for, and of the number of votes for each. One list shall be delivered within three days to the town clerk, and within ten days after such meeting, the other shall be delivered under seal to the secretary of the state.

**SEC. 10.** The members of the general assembly shall hold their offices from the Wednesday following the first Monday of the January next succeeding their election until the Wednesday after the first Monday of the third January next succeeding their election, and until their successors are duly qualified.

**SEC. 11.** No member of the general assembly shall, during the term for which he is elected, hold or accept any appointive position or office in the judicial or executive department of the state government, or in the courts of the political subdivisions of the state, or in the government of any county. No member of congress, no person holding any office under the authority of the United States and no person holding any office in the judicial or executive department of the state government or in the government of any county shall be a member of the general assembly during his continuance in such office.

**SEC. 12.** The house of representatives, when assembled, shall choose a speaker, clerk and other officers. The senate shall choose a president pro tempore, clerk and other officers, except the president. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

**SEC. 13.** Each house shall determine the rules of its own proceedings, and punish members for disorderly conduct, and, with the consent of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free and independent state.

**SEC. 14.** Each house shall keep a journal of its proceedings, and publish the same when required by one-fifth of its members, except such parts as in the judgment of a majority require secrecy. The yeas and nays of the members of either house shall, at the desire of one-fifth of those present, be entered on the journals.

**SEC. 15.** The senators and representatives shall, in all cases of civil process, be privileged from arrest, during any session of the general assembly, and for four days before the commencement and after the termination of any session thereof. And for any speech or debate in either house, they shall not be questioned in any other place.

**SEC. 16.** The debates of each house shall be public, except on such occasions as in the opinion of the house may require secrecy.

**SEC. 17.** The salary of the members of the general assembly and the transportation expenses of its members in the performance of their legislative duties shall be determined by law.

(Section 18 added in 1992. See Art. XXVIII of the Amendments to the Constitution of the State of Connecticut.)

#### **ARTICLE FOURTH. OF THE EXECUTIVE DEPARTMENT.**

**SEC. 1.** A general election for governor, lieutenant-governor, secretary of the state, treasurer and comptroller shall be held on the Tuesday after the first Monday of November, 1966, and quadrennially thereafter.

(Sec. 1 amended in 1970. See Art. I of Amendments to the Constitution of the State of Connecticut.)

**SEC. 2.** Such officers shall hold their respective offices from the Wednesday following the first Monday of the January next succeeding their election until the Wednesday following the first Monday of the fifth January succeeding their election and until their successors are duly qualified.

**SEC. 3.** In the election of governor and lieutenant-governor, voting for such offices shall be as a unit. The name of no candidate for either office, nominated by a political party or by petition, shall appear on the voting machine ballot labels except in conjunction with the name of the candidate for the other office.

**SEC. 4.** At the meetings of the electors in the respective towns held quadrennially as herein provided for the election of state officers, the presiding officers shall receive the votes and shall count and declare the same in the presence of the electors. The presiding officers shall make and certify duplicate lists of the persons voted for, and of the number of votes for each. One list shall be delivered within three days to the town clerk, and within ten days after such meeting, the other shall be delivered under seal to the secretary of the state. The votes so delivered shall be counted, canvassed and declared by the treasurer, secretary, and comptroller, within the month of November. The vote for treasurer shall be counted, canvassed and declared by the secretary and comptroller only; the vote for secretary shall be counted, canvassed and declared by the treasurer and comptroller only; and the vote for comptroller shall be counted, canvassed and declared by the treasurer and secretary only. A fair list of the persons and number of votes given for each, together with the returns of the presiding officers, shall be, by the treasurer, secretary and comptroller, made and laid before the general assembly, then next to be held, on the first day of the session thereof. In the election of governor, lieutenant-governor, secretary, treasurer, comptroller and attorney general, the person found upon the count by the treasurer, secretary and comptroller in the manner herein provided, to be made and announced before December fifteenth of the year of the election, to have received the greatest number of votes for each of such offices, respectively, shall be elected thereto; provided, if the election of any of them shall be contested as provided by statute, and if such a contest shall proceed to final judgment, the person found by the court to have received the greatest number of votes shall be elected. If two or more persons shall be found upon the count of the treasurer, secretary and comptroller to have received an equal and the greatest number of votes for any of said offices, and the election is not contested, the general assembly on the second day of its session shall hold a joint convention of both houses, at which, without debate, a ballot shall be taken to choose such officer from those persons who received such a vote; and the balloting shall continue on that or subsequent days until one of such persons is chosen by a majority vote of those present and voting. The general assembly shall have power to enact laws regulating and prescribing the order and manner of voting for such officers. The general assembly shall by law prescribe the manner in which all questions concerning the election of a governor or lieutenant-governor shall be determined.

**SEC. 5.** The supreme executive power of the state shall be vested in the governor. No person who is not an elector of the state, and who has not arrived at the age of thirty years, shall be eligible.

**SEC. 6.** The lieutenant-governor shall possess the same qualifications as are herein prescribed for the governor.

**SEC. 7.** The compensations of the governor and lieutenant-governor shall be established by law, and shall not be varied so as to take effect until after an election, which shall next succeed the passage of the law establishing such compensations.

**SEC. 8.** The governor shall be captain general of the militia of the state, except when called into the service of the United States.

**SEC. 9.** He may require information in writing from the officers in the executive department, on any subject relating to the duties of their respective offices.

**SEC. 10.** The governor, in case of a disagreement between the two houses of the general assembly, respecting the time of adjournment, may adjourn them to such time as he shall think proper, not beyond the day of the next stated session.

**SEC. 11.** He shall, from time to time, give to the general assembly, information of the state of the government, and recommend to their consideration such measures as he shall deem expedient.

**SEC. 12.** He shall take care that the laws be faithfully executed.

**SEC. 13.** The governor shall have power to grant reprieves after conviction, in all cases except those of impeachment, until the end of the next session of the general assembly, and no longer.

**SEC. 14.** All commissions shall be in the name and by authority of the state of Connecticut; shall be sealed with the state seal, signed by the governor, and attested by the secretary of the state.

**SEC. 15.** Each bill which shall have passed both houses of the general assembly shall be presented to the governor. Bills may be presented to the governor after the adjournment of the general assembly, and the general assembly may prescribe the time and method of performing all ministerial acts necessary or incidental to the administration of this section. If the governor shall approve a bill, he shall sign and transmit it to the secretary of the state, but if he shall disapprove, he shall transmit it to the secretary with his objections, and the secretary shall thereupon return the bill with the governor's objections to the house in which it originated. After the objections shall have been entered on its journal, such house shall proceed to reconsider the bill. If, after such reconsideration, that house shall again pass it, but by the approval of at least two-thirds of its members, it shall be sent with the objections to the other house, which shall also reconsider it. If approved by at least two-thirds of the members of the second house, it shall be a law and be transmitted to the secretary; but in such case the votes of each house shall be determined by yeas and nays and the names of the members voting for and against the bill shall be entered on the journal of each house respectively. In case the governor shall not transmit the bill to the secretary, either with his approval or with his objections, within five calendar days, Sundays and legal holidays excepted, after the same shall have been presented to him, it shall be a law at the expiration of that period; except that, if the general assembly shall then have adjourned any regular or special session, the bill shall be a law unless the governor shall, within fifteen calendar days after the same has been presented to him, transmit it to the secretary with his objections, in which case it shall not be a law unless such bill is reconsidered and repassed by the general assembly by at least a two-thirds vote of the members of each house of the general assembly at the time of its reconvening.

(See Art. III of Amendments to the Constitution of the State of Connecticut.)

**SEC. 16.** The governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items while at the same time approving the remainder of the bill, and the part or parts of the bill so approved shall become effective and the item or items of appropriations so disapproved shall not take effect unless the same are separately reconsidered and repassed in accordance with the rules and limitations prescribed for the passage of bills over the executive veto. In all cases in which the governor shall exercise the right of disapproval hereby conferred he shall append to the bill at the time of signing it a statement of the item or items disapproved, together with his reasons for such disapproval, and transmit the bill and such appended statement to the secretary of the state. If the general assembly be then in session he shall forthwith cause a copy of such statement to be delivered to the house in which the bill originated for reconsideration of the disapproved items in conformity with the rules prescribed for legislative action in respect to bills which have received executive disapproval.

**SEC. 17.** The lieutenant-governor shall by virtue of his office, be president of the senate, and have, when in committee of the whole, a right to debate, and when the senate is equally divided, to give the casting vote.

**SEC. 18.** In case of the death, resignation, refusal to serve or removal from office of the governor, the lieutenant-governor shall, upon taking the oath of office of governor, be governor of the state until another is chosen at the next regular election for governor and is duly qualified. In case of the inability of the governor to exercise the powers and

perform the duties of his office, or in case of his impeachment or of his absence from the state, the lieutenant-governor shall exercise the powers and authority and perform the duties appertaining to the office of governor until the disability is removed or, if the governor has been impeached, he is acquitted or, if absent, he has returned.

(Sec. 18 amended in 1984. See Art. XXII of Amendments to the Constitution of the State of Connecticut.)

**SEC. 19.** If the lieutenant-governor succeeds to the office of governor, or if the lieutenant-governor dies, resigns, refuses to serve or is removed from office, the president pro tempore of the senate shall, upon taking the oath of office of lieutenant-governor, be lieutenant-governor of the state until another is chosen at the next regular election for lieutenant-governor and is duly qualified. Within fifteen days of the administration of such oath the senate, if the general assembly is in session, shall elect one of its members president pro tempore. In case of the inability of the lieutenant-governor to exercise the powers and perform the duties of his office or in case of his impeachment or absence from the state, the president pro tempore of the senate shall exercise the powers and authority and perform the duties appertaining to the office of lieutenant-governor until the disability is removed or, if the lieutenant-governor has been impeached, he is acquitted or, if absent, he has returned.

**SEC. 20.** If, while the general assembly is not in session, there is a vacancy in the office of president pro tempore of the senate, the secretary of the state shall within fifteen days convene the senate for the purpose of electing one of its members president pro tempore.

**SEC. 21.** If, at the time fixed for the beginning of the term of the governor, the governor-elect shall have died or shall have failed to qualify, the lieutenant-governor-elect, after taking the oath of office of lieutenant-governor, may qualify as governor, and, upon so qualifying, shall become governor. The general assembly may by law provide for the case in which neither the governor-elect nor the lieutenant-governor-elect shall have qualified, by declaring who shall, in such event, act as governor or the manner in which the person who is so to act shall be selected, and such person shall act accordingly until a governor or a lieutenant-governor shall have qualified.

**SEC. 22.** The treasurer shall receive all monies belonging to the state, and disburse the same only as he may be directed by law. He shall pay no warrant, or order for the disbursement of public money, until the same has been registered in the office of the comptroller.

**SEC. 23.** The secretary of the state shall have the safe keeping and custody of the public records and documents, and particularly of the acts, resolutions and orders of the general assembly, and record the same; and perform all such duties as shall be prescribed by law. He shall be the keeper of the seal of the state, which shall not be altered.

**SEC. 24.** The comptroller shall adjust and settle all public accounts and demands, except grants and orders of the general assembly. He shall prescribe the mode of keeping and rendering all public accounts. He shall, ex officio, be one of the auditors of the accounts of the treasurer. The general assembly may assign to him other duties in relation to his office, and to that of the treasurer, and shall prescribe the manner in which his duties shall be performed.

**SEC. 25.** Sheriffs shall be elected in the several counties, on the Tuesday after the first Monday of November, 1966, and quadrennially thereafter, for the term of four years, commencing on the first day of June following their election. They shall become bound with sufficient sureties to the treasurer of the state, for the faithful discharge of the duties of their office. They shall be removable by the general assembly. In case the sheriff of any county shall die or resign, or shall be removed from office by the general assembly, the governor may fill the vacancy occasioned thereby, until the same shall be filled by the general assembly.

(Sec. 25 repealed in 2000. See Art. XXX of Amendments to the Constitution of the State of Connecticut.)

**SEC. 26.** A statement of all receipts, payments, funds, and debts of the state, shall be published from time to time, in such manner and at such periods, as shall be prescribed by law.

(New Section added in 1984. See Art. XXIII of Amendments to the Constitution of Connecticut.)

## **ARTICLE FIFTH. OF THE JUDICIAL DEPARTMENT.**

**SEC. 1.** The judicial power of the state shall be vested in a supreme court, a superior court, and such lower courts as the general assembly shall, from time to time, ordain and establish. The powers and jurisdiction of these courts shall be defined by law.

(Sec. 1 amended in 1982. See Art. XX, Sec. 1 of Amendments to the Constitution of the State of Connecticut.)

**SEC. 2.** The judges of the supreme court and of the superior court shall, upon nomination by the governor, be appointed by the general assembly in such manner as shall by law be prescribed. They shall hold their offices for the term of eight years, but may be removed by impeachment. The governor shall also remove them on the address of two-thirds of each house of the general assembly.

(Sec. 2 amended in 1982. See Art. XX, Sec. 2 of Amendments to the Constitution of the State of Connecticut. See also Art. XI of Amendments to the Constitution of the State of Connecticut.)

**SEC. 3.** Judges of the lower courts shall, upon nomination by the governor, be appointed by the general assembly in such manner as shall by law be prescribed, for terms of four years.

**SEC. 4.** Judges of probate shall be elected by the electors residing in their respective districts on the Tuesday after the first Monday of November, 1966, and quadrennially thereafter, and shall hold office for four years from and after the Wednesday after the first Monday of the next succeeding January.

**SEC. 5.** Justices of the peace for the several towns in the state shall be elected by the electors in such towns; and the time and manner of their election, the number for each town, the period for which they shall hold their offices and their jurisdiction shall be prescribed by law.

(Sec. 5 repealed in 1974. See Art. VIII, Sec. 1 of Amendments to the Constitution of the State of Connecticut.)

**SEC. 6.** No judge or justice of the peace shall be eligible to hold his office after he shall arrive at the age of seventy years, except that a chief justice or judge of the supreme court, a judge of the superior court, or a judge of the court of common pleas, who has attained the age of seventy years and has become a state referee may exercise, as shall be prescribed by law, the powers of the superior court or court of common pleas on matters referred to him as a state referee.

(Sec. 6 amended in 1974. See Art. VIII, Sec. 2 of the Amendments to the Constitution of the State of Connecticut.)

(**New section added in 1976.** See Art. XI of the Amendments to the Constitution of the State of Connecticut.)

## **ARTICLE SIXTH OF THE QUALIFICATIONS OF ELECTORS.**

**SEC. 1.** Every citizen of the United States who has attained the age of twenty-one years, who has resided in the town in which he offers himself to be admitted to the privileges of an elector at least six months next preceding the time he so offers himself, who is able to read in the English language any article of the constitution or any section of the statutes of the state, and who sustains a good moral character, shall, on his taking such oath as may be prescribed by law, be an elector.

(Sec. 1 amended in 1976. See Art. IX of the Amendments to the Constitution of the State of Connecticut. See also Art. XXVI of Amendments to the Constitution of the United States of America.)

**SEC. 2.** The qualifications of electors as set forth in Section 1 of this article shall be decided at such times and in such manner as may be prescribed by law.

**SEC. 3.** The general assembly shall by law prescribe the offenses on conviction of which the privileges of an elector shall be forfeited and the conditions on which and methods by which such rights may be restored.

(Sec. 3 amended in 1974. See Art. VII of Amendments to the Constitution of the State of Connecticut.)

**SEC. 4.** Laws shall be made to support the privilege of free suffrage, prescribing the manner of regulating and conducting meetings of the electors, and prohibiting, under adequate penalties, all undue influence therein, from power, bribery, tumult and other improper conduct.

**SEC. 5.** In all elections of officers of the state, or members of the general assembly, the votes of the electors shall be by ballot, either written or printed, except that voting machines or other mechanical devices for voting may be used in all elections in the state, under such regulations as may be prescribed by law. The right of secret voting shall be preserved. At every election where candidates are listed by party designation and where voting machines or other mechanical devices are used, each elector shall be able at his option to vote for candidates for office under a single



party designation by operating a straight ticket device, or to vote for candidates individually after first operating a straight ticket device, or to vote for candidates individually without first operating a straight ticket device.

(Sec. 5 amended in 1986. See Art. XXIV of Amendments to the Constitution of the State of Connecticut.)

**SEC. 6.** At all elections of officers of the state, or members of the general assembly, the electors shall be privileged from arrest, during their attendance upon, and going to, and returning from the same, on any civil process.

**SEC. 7.** The general assembly may provide by law for voting in the choice of any officer to be elected or upon any question to be voted on at an election by qualified voters of the state who are unable to appear at the polling place on the day of election because of absence from the city or town of which they are inhabitants or because of sickness, or physical disability or because the tenets of their religion forbid secular activity.

**SEC. 8.** The general assembly may provide by law for the admission as electors in absentia of members of the armed forces, the United States merchant marine, members of religious or welfare groups or agencies attached to and serving with the armed forces and civilian employees of the United States, and the spouses and dependents of such persons.

(Sec. 8 amended in 1992. See Art. XXVII of Amendments to the Constitution of the State of Connecticut.)

**SEC. 9.** Any person admitted as an elector in any town shall, if he removes to another town, have the privileges of an elector in such other town after residing therein for six months. The general assembly shall prescribe by law the manner in which evidence of the admission of an elector and of the duration of his current residence shall be furnished to the town to which he removes.

(Sec. 9 repealed in 1980. See Art. XIII of Amendments to the Constitution of the State of Connecticut.)

**SEC. 10.** Every elector shall be eligible to any office in the state, except in cases provided for in this constitution.

(Sec. 10 amended in 1970. See Art. II, Sec. 3 of Amendments to the Constitution of the State of Connecticut.)

(New section added in 1976. See Art. X of Amendments to the Constitution of the State of Connecticut.)

## **ARTICLE SEVENTH. OF RELIGION.**

It being the right of all men to worship the Supreme Being, the Great Creator and Preserver of the Universe, and to render that worship in a mode consistent with the dictates of their consciences, no person shall by law be compelled to join or support, nor be classed or associated with, any congregation, church or religious association. No preference shall be given by law to any religious society or denomination in the state. Each shall have and enjoy the same and equal powers, rights and privileges, and may support and maintain the ministers or teachers of its society or denomination, and may build and repair houses for public worship.

## **ARTICLE EIGHTH. OF EDUCATION.**

**SEC. 1.** There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation.

**SEC. 2.** The state shall maintain a system of higher education, including The University of Connecticut, which shall be dedicated to excellence in higher education. The general assembly shall determine the size, number, terms and method of appointment of the governing boards of The University of Connecticut and of such constituent units or coordinating bodies in the system as from time to time may be established.

**SEC. 3.** The charter of Yale College, as modified by agreement with the corporation thereof, in pursuance of an act of the general assembly, passed in May, 1792, is hereby confirmed.

**SEC. 4.** The fund, called the SCHOOL FUND, shall remain a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public schools throughout the state, and for the equal benefit of all the people thereof. The value and amount of said fund shall be ascertained in such manner as the general assembly may prescribe, published, and recorded in the comptroller's office; and no law shall ever be made,

authorizing such fund to be diverted to any other use than the encouragement and support of public schools, among the several school societies, as justice and equity shall require.

**ARTICLE NINTH.  
OF IMPEACHMENTS.**

**SEC. 1.** The house of representatives shall have the sole power of impeaching.

**SEC. 2.** All impeachments shall be tried by the senate. When sitting for that purpose, they shall be on oath or affirmation. No person shall be convicted without the concurrence of at least two-thirds of the members present. When the governor is impeached, the chief justice shall preside.

**SEC. 3.** The governor, and all other executive and judicial officers, shall be liable to impeachment; but judgments in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit under the state. The party convicted, shall, nevertheless, be liable and subject to indictment, trial and punishment according to law.

**SEC. 4.** Treason against the state shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of at least two witnesses to the same overt act, or on confession in open court. No conviction of treason, or attainder, shall work corruption of blood, or forfeiture.

**ARTICLE TENTH.  
OF HOME RULE.**

**SEC. 1.** The general assembly shall by general law delegate such legislative authority as from time to time it deems appropriate to towns, cities and boroughs relative to the powers, organization, and form of government of such political subdivisions. The general assembly shall from time to time by general law determine the maximum terms of office of the various town, city and borough elective offices. After July 1, 1969, the general assembly shall enact no special legislation relative to the powers, organization, terms of elective offices or form of government of any single town, city or borough, except as to (a) borrowing power, (b) validating acts, and (c) formation, consolidation or dissolution of any town, city or borough, unless in the delegation of legislative authority by general law the general assembly shall have failed to prescribe the powers necessary to effect the purpose of such special legislation.

**SEC. 2.** The general assembly may prescribe the methods by which towns, cities and boroughs may establish regional governments and the methods by which towns, cities, boroughs and regional governments may enter into compacts. The general assembly shall prescribe the powers, organization, form, and method of dissolution of any government so established.

**ARTICLE ELEVENTH.  
GENERAL PROVISIONS.**

**SEC. 1.** Members of the general assembly, and all officers, executive and judicial, shall, before they enter on the duties of their respective offices, take the following oath or affirmation, to wit:

You do solemnly swear (or affirm, as the case may be) that you will support the constitution of the United States, and the constitution of the state of Connecticut, so long as you continue a citizen thereof; and that you will faithfully discharge, according to law, the duties of the office of.....to the best of your abilities. So help you God.

**SEC. 2.** Neither the general assembly nor any county, city, borough, town or school district shall have power to pay or grant any extra compensation to any public officer, employee, agent or servant, or increase the compensation of any public officer or employee, to take effect during the continuance in office of any person whose salary might be increased thereby, or increase the pay or compensation of any public contractor above the amount specified in the contract.

(Sec. 2 amended in 1982. See Art. XIX of Amendments to the Constitution of the State of Connecticut.)

**SEC. 3.** In order to insure continuity in operation of state and local governments in a period of emergency resulting from disaster caused by enemy attack, the general assembly shall provide by law for the prompt and temporary

succession to the powers and duties of all public offices, the incumbents of which may become unavailable for carrying on their powers and duties.

**SEC. 4.** Claims against the state shall be resolved in such manner as may be provided by law.

**SEC. 5.** The rights and duties of all corporations shall remain as if this constitution had not been adopted; with the exception of such regulations and restrictions as are contained in this constitution. All laws not contrary to, or inconsistent with, the provisions of this constitution shall remain in force, until they shall expire by their own limitation, or shall be altered or repealed by the general assembly, in pursuance of this constitution. The validity of all bonds, debts, contracts, as well of individuals as of bodies corporate, or the state, of all suits, actions, or rights of action, both in law and equity, shall continue as if no change had taken place. All officers filling any office by election or appointment shall continue to exercise the duties thereof, according to their respective commissions or appointments, until their offices shall have been abolished or their successors selected and qualified in accordance with this constitution or the laws enacted pursuant thereto.

#### **ARTICLE TWELFTH. OF AMENDMENTS TO THE CONSTITUTION.**

(Art. Twelfth amended in 1974. See Art. VI of Amendments to the Constitution of the State of Connecticut.)

Amendments to this constitution may be proposed by any member of the senate or house of representatives. An amendment so proposed, approved upon roll call by a ye a vote of at least a majority, but by less than three-fourths, of the total membership of each house, shall be published with the laws which may have been passed at the same session and be continued to the regular session of the general assembly elected at the general election to be held on the Tuesday after the first Monday of November in the next even-numbered year. An amendment so proposed, approved upon roll call by a ye a vote of at least three-fourths of the total membership of each house, or any amendment which, having been continued from the previous general assembly, is again approved upon roll call by a ye a vote of at least a majority of the total membership of each house, shall, by the secretary of the state, be transmitted to the town clerk in each town in the state, whose duty it shall be to present the same to the electors thereof for their consideration at the general election to be held on the Tuesday after the first Monday of November in the next even-numbered year. If it shall appear, in a manner to be provided by law, that a majority of the electors present and voting on such amendment at such election shall have approved such amendment, the same shall be valid, to all intents and purposes, as a part of this constitution. Electors voting by absentee ballot under the provisions of the statutes shall be considered to be present and voting.

#### **ARTICLE THIRTEENTH. OF CONSTITUTIONAL CONVENTIONS.**

**SEC. 1.** The general assembly may, upon roll call, by a ye a vote of at least two-thirds of the total membership of each house, provide for the convening of a constitutional convention to amend or revise the constitution of the state not earlier than ten years from the date of convening any prior convention.

**SEC. 2.** The question "Shall there be a Constitutional Convention to amend or revise the Constitution of the State?" shall be submitted to all the electors of the state at the general election held on the Tuesday after the first Monday in November in the even-numbered year next succeeding the expiration of a period of twenty years from the date of convening of the last convention called to revise or amend the constitution of the state, including the Constitutional Convention of 1965, or next succeeding the expiration of a period of twenty years from the date of submission of such a question to all electors of the state, whichever date shall last occur. If a majority of the electors voting on the question shall signify "yes", the general assembly shall provide for such convention as provided in Section 3 of this article.

**SEC. 3.** In providing for the convening of a constitutional convention to amend or revise the constitution of the state the general assembly shall, upon roll call, by a ye a vote of at least two-thirds of the total membership of each house, prescribe by law the manner of selection of the membership of such convention, the date of convening of such convention, which shall be not later than one year from the date of the roll call vote under Section 1 of this article or one year from the date of the election under Section 2 of this article, as the case may be, and the date for final adjournment of such convention.

**SEC. 4.** Proposals of any constitutional convention to amend or revise the constitution of the state shall be submitted to all the electors of the state not later than two months after final adjournment of the convention, either as a whole or in such parts and with such alternatives as the convention may determine. Any proposal of the convention to amend or revise the constitution of the state submitted to such electors in accordance with this section and approved by a majority of such electors voting on the question shall be valid, to all intents and purposes, as a part of this constitution. Such proposals when so approved shall take effect thirty days after the date of the vote thereon unless otherwise provided in the proposal.

**ARTICLE FOURTEENTH.**  
**OF THE EFFECTIVE DATE OF THIS CONSTITUTION.**

This proposed constitution, submitted by the Constitutional Convention of 1965, shall become the constitution of the state of Connecticut upon approval by the people and proclamation by the governor as provided by law.

**SEE NEXT PAGE FOR AMENDMENTS TO THE  
CONSTITUTION OF THE STATE OF CONNECTICUT.**

## AMENDMENTS TO THE CONSTITUTION OF THE STATE OF CONNECTICUT

### ARTICLE I.

(Adopted November 25, 1970.)

Section 1 of article fourth of the constitution is amended to read as follows: A general election for governor, lieutenant-governor, secretary of the state, treasurer, comptroller and attorney general shall be held on the Tuesday after the first Monday of November, 1974, and quadrennially thereafter.

### ARTICLE II.

(Adopted November 25, 1970.)

(Secs. 1 through 3 of Article II amended in 1980. See Art. XV of Amendments to the Constitution of the State of Connecticut.)

SEC. 1. Section 3 of article third of the constitution is amended to read as follows: The senate shall consist of not less than thirty and not more than fifty members, each of whom shall have attained the age of twenty-one years and be an elector residing in the senatorial district from which he is elected. Each senatorial district shall be contiguous as to territory and shall elect no more than one senator.

SEC. 2. Section 4 of said article third is amended to read as follows: The house of representatives shall consist of not less than one hundred twenty-five and not more than two hundred twenty-five members, each of whom shall have attained the age of twenty-one years and be an elector residing in the assembly district from which he is elected. Each assembly district shall be contiguous as to territory and shall elect no more than one representative. For the purpose of forming assembly districts no town shall be divided except for the purpose of forming assembly districts wholly within the town.

SEC. 3. Section 10 of article sixth of the constitution is amended to read as follows: Every elector who has attained the age of twenty-one years shall be eligible to any office in the state, but no person who has not attained the age of twenty-one shall be eligible therefor, except in cases provided for in this constitution.

### ARTICLE III.

(Adopted November 25, 1970.)

Section 2 of article third of the constitution is amended to read as follows: There shall be a regular session of the general assembly on the Wednesday following the first Monday of January in the odd-numbered years and on the Wednesday following the first Monday of February in the even-numbered years, and at such other times as the general assembly shall judge necessary; but the person administering the office of governor may, on special emergencies, convene the general assembly at any other time. All regular and special sessions of the general assembly shall be held at Hartford, but the person administering the office of governor may, in case of special emergency, convene the assembly at any other place in the state. The general assembly shall adjourn each regular session in the odd-numbered years not later than the first Wednesday after the first Monday in June and in the even-numbered years not later than the first Wednesday after the first Monday in May and shall adjourn each special session upon completion of its business. If any bill passed by any regular or special session or any appropriation item described in Section 16 of Article Fourth has been disapproved by the governor prior to its adjournment, and has not been reconsidered by the assembly, or is so disapproved after such adjournment, the secretary of the state shall reconvene the general assembly on the second Monday after the last day on which the governor is authorized to transmit or has transmitted every bill to the secretary with his objections pursuant to Section 15 of Article Fourth of this constitution, whichever occurs first; provided if such Monday falls on a legal holiday the general assembly shall be reconvened on the next following day. The reconvened session shall be for the sole purpose of reconsidering and, if the assembly so desires, repassing such bills. The general assembly shall adjourn sine die not later than three days following its reconvening. In the even year session the general assembly shall consider no business other than budgetary, revenue and financial matters, bills and resolutions raised by committees of the general assembly and those matters certified in writing by the speaker of the house of representatives and president pro tempore of the senate to be of an emergency nature.

**ARTICLE IV.**

(Adopted December 22, 1972.)

Section 19 of article first of the constitution is amended to read as follows: The right of trial by jury shall remain inviolate, the number of such jurors, which shall not be less than six, to be established by law; but no person shall, for a capital offense, be tried by a jury of less than twelve jurors without his consent. In all civil and criminal actions tried by a jury, the parties shall have the right to challenge jurors peremptorily, the number of such challenges to be established by law. The right to question each juror individually by counsel shall be inviolate.

**ARTICLE V.**

(Adopted November 27, 1974.)

(Article V amended in 1984. See Art. XXI of the Amendments to the Constitution of the State of Connecticut.)

Section 20 of article first of the constitution is amended to read as follows: No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin or sex.

**ARTICLE VI.**

(Adopted November 27, 1974.)

Article Twelfth of the constitution is amended to read as follows: Amendments to this constitution may be proposed by any member of the senate or house of representatives. An amendment so proposed, approved upon roll call by a yea vote of at least a majority, but by less than three-fourths, of the total membership of each house, shall be published with the laws which may have been passed at the same session and be continued to the regular session of the general assembly elected at the next general election to be held on the Tuesday after the first Monday of November in an even-numbered year. An amendment so proposed, approved upon roll call by a yea vote of at least three-fourths of the total membership of each house, or any amendment which, having been continued from the previous general assembly, is again approved upon roll call by a yea vote of at least a majority of the total membership of each house, shall, by the secretary of the state, be transmitted to the town clerk in each town in the state, whose duty it shall be to present the same to the electors thereof for their consideration at the next general election to be held on the Tuesday after the first Monday of November in an even-numbered year. If it shall appear, in a manner to be provided by law, that a majority of the electors present and voting on such amendment at such election shall have approved such amendment, the same shall be valid, to all intents and purposes, as a part of this constitution. Electors voting by absentee ballot under the provisions of the statutes shall be considered to be present and voting.

**ARTICLE VII.**

(Adopted November 27, 1974.)

Section 3 of article sixth of the constitution is amended to read as follows: The general assembly shall by law prescribe the offenses on conviction of which the right to be an elector and the privileges of an elector shall be forfeited and the conditions on which and methods by which such rights may be restored.

**ARTICLE VIII.**

(Adopted November 27, 1974.)

SEC. 1. Section 5 of article fifth of the constitution is repealed.

SEC. 2. Section 6 of said article fifth is amended to read as follows: No judge shall be eligible to hold his office after he shall arrive at the age of seventy years, except that a chief justice or judge of the supreme court, a judge of the superior court, or a judge of the court of common pleas, who has attained the age of seventy years and has become a state referee may exercise, as shall be prescribed by law, the powers of the superior court or court of common pleas on matters referred to him as a state referee.

**ARTICLE IX.**

(Adopted November 24, 1976.)

Section 1 of article sixth of the constitution is amended to read as follows: Every citizen of the United States who has attained the age of eighteen years, who is a bona fide resident of the town in which he seeks to be admitted as an elector and who takes such oath, if any, as may be prescribed by law, shall be qualified to be an elector.

**ARTICLE X.**

(Adopted November 24, 1976.)

(Article X amended in 1980. See Art. XIV of Amendments to the Constitution of the State of Connecticut.)

Article sixth of the constitution is amended by adding the following section:

Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector within the period of four months prior to such election, at such times and in such manner as may be prescribed by law, and, if qualified, shall become an elector on the day of his or her eighteenth birthday.

**ARTICLE XI.**

(Adopted November 24, 1976.)

Article fifth of the constitution is amended by adding a new section to read as follows:

In addition to removal by impeachment and removal by the governor on the address of two-thirds of each house of the general assembly, judges of all courts, except those courts to which judges are elected, may, in such manner as shall by law be prescribed, be removed or suspended by the supreme court. The general assembly may establish a judicial review council which may also, in such manner as shall by law be prescribed, censure any such judge or suspend any such judge for a definite period not longer than one year.

**ARTICLE XII.**

(Adopted November 24, 1976.)

(Article XII amended in 1980. See Art. XVI of Amendments to the Constitution of the State of Connecticut.)

Section 6 of article third of the constitution is amended to read as follows:

a. The assembly and senatorial districts as now established by law shall continue until the regular session of the general assembly next after the completion of the next census of the United States. On or before the fifteenth day of February next following the completion of the decennial census of the United States, the general assembly shall appoint a reapportionment committee consisting of four members of the senate, two who shall be designated by the president pro tempore of the senate and two who shall be designated by the minority leader of the senate, and four members of the house of representatives, two who shall be designated by the speaker of the house of representatives and two who shall be designated by the minority leader of the house of representatives, provided there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the commission in lieu of the designation by the minority leader of that house. Such committee shall advise the general assembly on matters of apportionment. Such general assembly shall, upon roll call, by a yea vote of at least two-thirds of the membership of each house, enact such plan of districting as is necessary to preserve a proper apportionment of representation in accordance with the principles recited in this article. Thereafter the general assembly shall decennially at its next regular session following the completion of the census of the United States, upon roll call, by a yea vote of at least two-thirds of the membership of each house, enact such plan of districting as is necessary in accordance with the provisions of this article.

b. If the general assembly fails to enact a plan of districting by the fifteenth day of the May next following the completion of the decennial census of the United States, the governor shall forthwith appoint a commission designated by the president pro tempore of the senate, the speaker of the house of representatives, the minority leader of the senate and the minority leader of the house of representatives, each of whom shall designate two members of the commission, provided that there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a

house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the commission in lieu of the designation by the minority leader of that house. The eight members of the commission so designated shall within fifteen days select an elector of the state as a ninth member.

c. The commission shall proceed to consider the alteration of districts in accordance with the principles recited in this article and it shall submit a plan of districting to the secretary of the state by the first day of the September next succeeding the appointment of its members. No plan shall be submitted to the secretary unless it is certified by at least five members of the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law. If the commission shall fail to submit such a plan by the first day of September, the secretary of the state shall forthwith so notify the chief justice of the supreme court.

d. Original jurisdiction is vested in the supreme court to be exercised on the petition of any registered voter whereby said court may compel the commission, by mandamus or otherwise, to perform its duty or to correct any error made in its plan of districting, or said court may take such other action to effectuate the purposes of this article, including the establishing of a plan of districting if the commission fails to file its plan of districting by the first day of September as said court may deem appropriate. Any such petition shall be filed within forty-five days of the date specified for any duty or within forty-five days after the filing of a plan of districting. The supreme court shall render its decision not later than sixty days following the filing of such petition or shall file its plan with the secretary of the state not later than the fifteenth day of December next following the completion of the decennial census of the United States. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law.

#### **ARTICLE XIII.**

(Adopted November 26, 1980.)

Section 9 of article sixth of the constitution is repealed.

#### **ARTICLE XIV.**

(Adopted November 26, 1980.)

Article tenth of the amendments to the constitution is amended to read as follows: Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector at such times and in such manner as may be prescribed by law, and, if qualified, shall become an elector on the day of his or her eighteenth birthday.

#### **ARTICLE XV.**

(Adopted November 26, 1980.)

SEC. 1. Section 1 of article two of the amendments to the constitution is amended to read as follows: The senate shall consist of not less than thirty and not more than fifty members, each of whom shall have attained the age of eighteen years and be an elector residing in the senatorial district from which he is elected. Each senatorial district shall be contiguous as to territory and shall elect no more than one senator.

SEC. 2. Section 2 of article two of the amendments to the constitution is amended to read as follows: The house of representatives shall consist of not less than one hundred twenty-five and not more than two hundred twenty-five members, each of whom shall have attained the age of eighteen years and be an elector residing in the assembly district from which he is elected. Each assembly district shall be contiguous as to territory and shall elect no more than one representative. For the purpose of forming assembly districts no town shall be divided except for the purpose of forming assembly districts wholly within the town.

SEC. 3. Section 3 of article two of the amendments to the constitution is amended to read as follows: Every elector who has attained the age of eighteen years shall be eligible to any office in the state, but no person who has not attained the age of eighteen shall be eligible therefor, except in cases provided for in this constitution.



## **ARTICLE XVI.**

(Adopted November 26, 1980.)

SEC. 1. Section 5 of article third of the constitution is amended to read as follows: The establishment of congressional districts and of districts in the general assembly shall be consistent with federal constitutional standards.

SEC. 2. Article twelve of the amendments to the constitution is amended to read as follows:

a. The assembly and senatorial districts and congressional districts as now established by law shall continue until the regular session of the general assembly next after the completion of the taking of the next census of the United States. On or before the fifteenth day of February next following the year in which the decennial census of the United States is taken, the general assembly shall appoint a reapportionment committee consisting of four members of the senate, two who shall be designated by the president pro tempore of the senate and two who shall be designated by the minority leader of the senate, and four members of the house of representatives, two who shall be designated by the speaker of the house of representatives and two who shall be designated by the minority leader of the house of representatives, provided there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the committee in lieu of the designation by the minority leader of that house. Such committee shall advise the general assembly on matters of apportionment. Upon the filing of a report of such committee with the clerk of the house of representatives and the clerk of the senate, the speaker of the house of representatives and the president pro tempore of the senate shall, if the general assembly is not in regular session, convene the general assembly in special session for the sole purpose of adopting a plan of districting. Upon the request of the speaker of the house of representatives and the president pro tempore of the senate, the secretary of the state shall give notice of such special session by mailing a true copy of the call of such special session, by registered or certified mail, return receipt requested, to each member of the house of representatives and of the senate at his or her address as it appears upon the records of said secretary not less than ten nor more than fifteen days prior to the date of convening of such special session or by causing a true copy of the call to be delivered to each member by a sheriff, deputy sheriff, constable, state policeman or indifferent person at least twenty-four hours prior to the time of convening of such special session. Such general assembly shall, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary to preserve a proper apportionment of representation in accordance with the principles recited in this article. Thereafter the general assembly shall decennially at its next regular session or special session called for the purpose of adopting a plan of districting following the completion of the taking of the census of the United States, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary in accordance with the provisions of this article.

b. If the general assembly fails to adopt a plan of districting by the first day of the August next following the year in which the decennial census of the United States is taken, the governor shall forthwith appoint a commission designated by the president pro tempore of the senate, the speaker of the house of representatives, the minority leader of the senate and the minority leader of the house of representatives, each of whom shall designate two members of the commission, provided that there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the commission in lieu of the designation by the minority leader of that house. The eight members of the commission so designated shall within thirty days select an elector of the state as a ninth member.

c. The commission shall proceed to consider the alteration of districts in accordance with the principles recited in this article and it shall submit a plan of districting to the secretary of the state by the thirtieth day of the October next succeeding the appointment of its members. No plan shall be submitted to the secretary unless it is certified by at least five members of the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law. If the commission shall fail to submit such

a plan by the thirtieth day of October, the secretary of the state shall forthwith so notify the chief justice of the supreme court.

d. Original jurisdiction is vested in the supreme court to be exercised on the petition of any registered voter whereby said court may compel the commission, by mandamus or otherwise, to perform its duty or to correct any error made in its plan of districting, or said court may take such other action to effectuate the purposes of this article, including the establishing of a plan of districting if the commission fails to file its plan of districting by the thirtieth day of October as said court may deem appropriate. Any such petition shall be filed within thirty days of the date specified for any duty or within thirty days after the filing of a plan of districting. The supreme court shall render its decision not later than forty-five days following the filing of such petition or shall file its plan with the secretary of the state not later than the fifteenth day of January next following the time for submission of a plan of districting by the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law.

(Sec. 2 Amended in 1990. See Article XXVI of the Amendments to the Constitution of the State of Connecticut.)

#### **ARTICLE XVII.**

(Adopted November 24, 1982.)

(Article XVII amended in 1996. See Article XXIX of the Amendments to the Constitution of the State of Connecticut.)

Section 8 of the article first of the constitution is amended to read as follows: In all criminal prosecutions, the accused shall have a right to be heard by himself and by counsel; to be informed of the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process to obtain witnesses in his behalf; to be released on bail upon sufficient security, except in capital offenses, where the proof is evident or the presumption great; and in all prosecutions by information, to a speedy, public trial by an impartial jury. No person shall be compelled to give evidence against himself, nor be deprived of life, liberty or property without due process of law, nor shall excessive bail be required nor excessive fines imposed. No person shall be held to answer for any crime, punishable by death or life imprisonment, unless upon probable cause shown at a hearing in accordance with procedures prescribed by law, except in the armed forces, or in the militia when in actual service in time of war or public danger.

#### **ARTICLE XVIII.**

(Adopted November 24, 1982.)

Article second of the constitution is amended to read as follows: The powers of government 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 executive, to another; and those which are judicial, to another. The legislative department may delegate regulatory authority to the executive department; except that any administrative regulation of any agency of the executive department may be disapproved by the general assembly or a committee thereof in such manner as shall by law be prescribed.

#### **ARTICLE XIX.**

(Adopted November 24, 1982.)

Section 2 of the article eleventh of the constitution is amended to read as follows: Except as provided in this section, neither the state nor any political subdivision of the state shall pay or grant to any elected official of the state or any political subdivision of the state, any compensation greater than the amount of compensation set at the beginning of such official's term of office for the office which such official holds or increase the pay or compensation of any public contractor above the amount specified in the contract. The provisions of this section shall not apply to elected officials in towns in which the legislative body is the town meeting. The compensation of an elected official of a political subdivision of the state whose term of office is four years or more may be increased once after such official has completed two years of his term by the legislative body of such political subdivision. The term "compensation" means, with respect to an elected official, such official's salary, exclusive of reimbursement for necessary expenses or any other benefit to which his office would entitle him.

**ARTICLE XX.**

(Adopted November 24, 1982.)

SEC. 1. Section 1 of article fifth of the constitution is amended to read as follows: The judicial power of the state shall be vested in a supreme court, an appellate court, a superior court, and such lower courts as the general assembly shall, from time to time, ordain and establish. The powers and jurisdiction of these courts shall be defined by law.

SEC. 2. Section 2 of article fifth of the constitution is amended to read as follows: The judges of the supreme court, of the appellate court and of the superior court shall, upon nomination by the governor, be appointed by the general assembly in such manner as shall by law be prescribed. They shall hold their offices for the term of eight years, but may be removed by impeachment. The governor shall also remove them on the address of two-thirds of each house of the general assembly.

(Sec. 2 amended in 1986. See Art. XXV of Amendments to the Constitution of the State of Connecticut.)

**ARTICLE XXI.**

(Adopted November 28, 1984.)

Article fifth of the amendments to the constitution is amended to read as follows: No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin, sex or physical or mental disability.

**ARTICLE XXII.**

(Adopted November 28, 1984.)

Section 18 of article fourth of the constitution is amended to read as follows:

a. In case of the death, resignation, refusal to serve or removal from office of the governor, the lieutenant-governor shall, upon taking the oath of office of governor, be governor of the State until another is chosen at the next regular election for governor and is duly qualified.

b. In case of the impeachment of the governor or of his absence from the State, the lieutenant-governor shall exercise the powers and authority and perform the duties appertaining to the office of governor until, if the governor has been impeached, he is acquitted or, if absent, he has returned.

c. Whenever the governor transmits to the lieutenant-governor his written declaration that he is unable to exercise the powers and perform the duties of his office, and until the governor transmits to the lieutenant-governor a written declaration to the contrary, the lieutenant-governor shall exercise the powers and authority and perform the duties appertaining to the office of governor as acting governor.

d. In the absence of a written declaration of incapacity by the governor, whenever the lieutenant-governor or a majority of the members of the Council on Gubernatorial Incapacity transmits to the Council on Gubernatorial Incapacity a written declaration that the governor is unable to exercise the powers and perform the duties of his office, the Council shall convene within forty-eight hours after the receipt of such written declaration to determine if the governor is unable to exercise the powers and perform the duties of his office. If the Council, within fourteen days after it is required to convene, determines by two-thirds vote that the governor is unable to exercise the powers and perform the duties of his office, it shall transmit a written declaration to that effect to the president pro tempore of the Senate and the speaker of the House of Representatives and to the lieutenant-governor and the lieutenant-governor, upon receipt of such declaration, shall exercise the powers and authority and discharge the duties appertaining to the office of the governor as acting governor; otherwise, the governor shall continue to exercise the powers and discharge the duties of his office. Upon receipt by the president pro tempore of the Senate and the speaker of the House of Representatives of such a written declaration from the Council, the General Assembly shall, in accordance with its rules, decide the issue, assembling within forty-eight hours for that purpose if not in session. If the General Assembly, within twenty-one days after receipt of the written declaration or, if the General Assembly is not in session, within twenty-one days after the General Assembly is required to assemble, determines by two-thirds vote of each house that the governor is unable to exercise the powers and discharge the duties of his office, the

lieutenant-governor shall continue to exercise the powers and authority and perform the duties appertaining to the office of governor; otherwise, the governor shall resume the powers and duties of his office.

e. In the absence of a written declaration of incapacity by the governor and in an emergency, when the governor is unable to exercise the powers and perform the duties of his office and the business of the State requires the immediate exercise of those powers and performance of those duties, the lieutenant-governor shall transmit to the Council on Gubernatorial Incapacity a written declaration to that effect and thereupon shall exercise the powers and authority and discharge the duties appertaining to the office of governor as acting governor. The Council shall convene or the members of the Council shall otherwise communicate with each other collectively within twenty-four hours after the receipt of such written declaration to determine if the governor is unable to exercise the powers and perform the duties of his office. If the Council, within fourteen days after it is required to convene, determines by two-thirds vote that the governor is unable to exercise the powers and perform the duties of his office, it shall transmit a written declaration to that effect to the president pro tempore of the Senate and the speaker of the House of Representatives and to the lieutenant-governor and the lieutenant-governor shall continue to exercise the powers and authority and perform the duties appertaining to the office of governor as acting governor; otherwise, the governor shall resume the powers and duties of his office. Upon receipt by the president pro tempore of the Senate and the speaker of the House of Representatives of such a written declaration from the Council, the General Assembly shall, in accordance with its rules, decide the issue, assembling within forty-eight hours for that purpose if not in session. If the General Assembly, within twenty-one days after receipt of the written declaration or, if the General Assembly is not in session, within twenty-one days after the General Assembly is required to assemble, determines by two-thirds vote of each house that the governor is unable to exercise the powers and discharge the duties of his office, the lieutenant-governor shall continue to exercise the powers and authority and perform the duties appertaining to the office of governor; otherwise, the governor shall resume the powers and duties of his office.

f. Whenever the governor transmits to the president pro tempore of the Senate and the speaker of the House of Representatives his written declaration that no inability exists he shall resume the powers and duties of his office upon the determination by a majority vote of each house of the General Assembly, in accordance with its rules, that he is able to exercise the powers and perform the duties of his office.

g. There shall be a Council on Gubernatorial Incapacity, the membership, procedures and terms of office of the members of which the General Assembly shall establish by law.

h. The Supreme Court shall have original and exclusive jurisdiction to adjudicate disputes or questions arising under this section.

### **ARTICLE XXIII.**

(Adopted November 28, 1984.)

Article fourth of the constitution is amended by adding a new section to read as follows: There shall be established within the executive department a division of criminal justice which shall be in charge of the investigation and prosecution of all criminal matters. Said division shall include the chief state's attorney, who shall be its administrative head, and the state's attorneys for each judicial district, which districts shall be established by law. The prosecutorial power of the state shall be vested in a chief state's attorney and the state's attorney for each judicial district. The chief state's attorney shall be appointed as prescribed by law. There shall be a commission composed of the chief state's attorney and six members appointed by the governor and confirmed by the General Assembly, two of whom shall be judges of the Superior Court. Said commission shall appoint a state's attorney for each judicial district and such other attorneys as prescribed by law.

### **ARTICLE XXIV.**

(Adopted November 19, 1986.)

Section 5 of article sixth of the constitution is amended to read as follows:

In all elections of officers of the state, or members of the general assembly, the votes of the electors shall be by ballot, either written or printed, except that voting machines or other mechanical devices for voting may be used in all elections in the state, under such regulations as may be prescribed by law. No voting machine or device used at any state or local election shall be equipped with a straight ticket device. The right of secret voting shall be preserved.

**ARTICLE XXV.**

(Adopted November 19, 1986.)

Section 2 of article twenty of the amendments to the constitution is amended to read as follows:

Judges of all courts, except those courts to which judges are elected, shall be nominated by the governor exclusively from candidates submitted by the judicial selection commission. The commission shall seek and recommend qualified candidates in such numbers as shall by law be prescribed. Judges so nominated shall be appointed by the general assembly in such manner as shall by law be prescribed. They shall hold their offices for the term of eight years, but may be removed by impeachment. The governor shall also remove them on the address of two-thirds of each house of the general assembly and the supreme court may also remove them as is provided by law.

**ARTICLE XXVI.**

(Adopted November 28, 1990.)

Section 2 of article sixteen of the amendments to the constitution is amended to read as follows:

a. The assembly and senatorial districts and congressional districts as now established by law shall continue until the regular session of the general assembly next after the completion of the taking of the next census of the United States. On or before the fifteenth day of February next following the year in which the decennial census of the United States is taken, the general assembly shall appoint a reapportionment committee consisting of four members of the senate, two who shall be designated by the president pro tempore of the senate and two who shall be designated by the minority leader of the senate, and four members of the house of representatives, two who shall be designated by the speaker of the house of representatives and two who shall be designated by the minority leader of the house of representatives, provided there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the committee in lieu of the designation by the minority leader of that house. Such committee shall advise the general assembly on matters of apportionment. Upon the filing of a report of such committee with the clerk of the house of representatives and the clerk of the senate, the speaker of the house of representatives and the president pro tempore of the senate shall, if the general assembly is not in regular session, convene the general assembly in special session for the sole purpose of adopting a plan of districting. Upon the request of the speaker of the house of representatives and the president pro tempore of the senate, the secretary of the state shall give notice of such special session by mailing a true copy of the call of such special session, by registered or certified mail, return receipt requested, to each member of the house of representatives and of the senate at his or her address as it appears upon the records of said secretary not less than ten nor more than fifteen days prior to the date of convening of such special session or by causing a true copy of the call to be delivered to each member by a sheriff, deputy sheriff, constable, state policeman or indifferent person at least twenty-four hours prior to the time of convening of such special session. Such general assembly shall, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary to preserve a proper apportionment of representation in accordance with the principles recited in this article. Thereafter the general assembly shall decennially at its next regular session or special session called for the purpose of adopting a plan of districting following the completion of the taking of the census of the United States, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary in accordance with the provisions of this article.

(Subsection a. amended in 2000. See Article XXX of the Amendments to the Constitution of the State of Connecticut.)

b. If the general assembly fails to adopt a plan of districting by the fifteenth day of the September next following the year in which the decennial census of the United States is taken, the governor shall forthwith appoint a commission designated by the president pro tempore of the senate, the speaker of the house of representatives, the minority leader of the senate and the minority leader of the house of representatives, each of whom shall designate two members of the commission, provided that there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the commission in lieu of the designation by the minority leader of

that house. The eight members of the commission so designated shall within thirty days select an elector of the state as a ninth member.

c. The commission shall proceed to consider the alteration of districts in accordance with the principles recited in this article and it shall submit a plan of districting to the secretary of the state by the thirtieth day of the November next succeeding the appointment of its members. No plan shall be submitted to the secretary unless it is certified by at least five members of the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of law. If the commission shall fail to submit such a plan by the thirtieth day of November, the secretary of the state shall forthwith so notify the chief justice of the supreme court.

d. Original jurisdiction is vested in the supreme court to be exercised on the petition of any registered voter whereby said court may compel the commission, by mandamus or otherwise, to perform its duty or to correct any error made in its plan of districting, or said court may take such other action to effectuate the purposes of this article, including the establishing of a plan of districting if the commission fails to file its plan of districting by the thirtieth day of November as said court may deem appropriate. Any such petition shall be filed within thirty days of the date specified for any duty or within thirty days after the filing of a plan of districting. The supreme court shall render its decision not later than forty-five days following the filing of such petition or shall file its plan with the secretary of the state not later than the fifteenth day of February next following the time for submission of a plan of districting by the commission. Upon receiving such plan the secretary shall publish the same forthwith, and, upon publication, such plan of districting shall have the full force of the law.

#### **ARTICLE XXVII.**

(Adopted November 25, 1992.)

Section 8 of article sixth of the constitution is amended to read as follows:

The general assembly may provide by law for the absentee admission of electors.

#### **ARTICLE XXVIII.**

(Adopted November 25, 1992.)

Article third of the constitution is amended by adding section 18 as follows:

Sec. 18. a. The amount of general budget expenditures authorized for any fiscal year shall not exceed the estimated amount of revenue for such fiscal year.

b. The general assembly shall not authorize an increase in general budget expenditures for any fiscal year above the amount of general budget expenditures authorized for the previous fiscal year by a percentage which exceeds the greater of the percentage increase in personal income or the percentage increase in inflation, unless the governor declares an emergency or the existence of extraordinary circumstances and at least three-fifths of the members of each house of the general assembly vote to exceed such limit for the purposes of such emergency or extraordinary circumstances. The general assembly shall by law define "increase in personal income", "increase in inflation" and "general budget expenditures" for the purposes of this section and may amend such definitions, from time to time, provided general budget expenditures shall not include expenditures for the payment of bonds, notes or other evidences of indebtedness. The enactment or amendment of such definitions shall require the vote of three-fifths of the members of each house of the general assembly.

c. Any unappropriated surplus shall be used to fund a budget reserve fund or for the reduction of bonded indebtedness; or for any other purpose authorized by at least three-fifths of the members of each house of the general assembly.

#### **ARTICLE XXIX.**

(Adopted November 27, 1996.)

Article seventeen of the amendments to the constitution is amended to read as follows:

a. In all Criminal prosecutions, the accused shall have a right to be heard by himself and by counsel; to be informed of the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process to obtain witnesses in his behalf; to be released on bail upon sufficient security, except in capital offenses, where the

proof is evident or the presumption great; and in all prosecutions by information, to a speedy, public trial by an impartial jury. No person shall be compelled to give evidence against himself, nor be deprived of life, liberty or property without due process of law, nor shall excessive bail be required nor excessive fines imposed. No person shall be held to answer for any crime, punishable by death or life imprisonment, unless upon probable cause shown at a hearing in accordance with procedures prescribed by law, except in the armed forces, or in the militia when in actual service in time of war or public danger.

b. In all criminal prosecutions, a victim, as the general assembly may define by law, shall have the following rights: (1) the right to be treated with fairness and respect throughout the criminal justice process; (2) the right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged; (3) the right to be reasonably protected from the accused throughout the criminal justice process; (4) the right to notification of court proceedings; (5) the right to attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such person's testimony would be materially affected if such person hears other testimony; (6) the right to communicate with the prosecution; (7) the right to object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused; (8) the right to make a statement to the court at sentencing; (9) the right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law; and (10) the right to information about the arrest, conviction, sentence, imprisonment and release of the accused. The general assembly shall provide by law for the enforcement of this subsection. Nothing in this subsection or in any law enacted pursuant to this subsection shall be construed as creating a basis for vacating a conviction or ground for appellate relief in any criminal case.

#### **ARTICLE XXX.**

(Adopted November 29, 2000.)

Sec. 1. Section 25 of article fourth of the constitution is repealed.

Sec. 2. Subsection a. of article twenty-sixth of the amendments to the constitution is amended to read as follows:

a. The assembly and senatorial districts and congressional districts as now established by law shall continue until the regular session of the general assembly next after the completion of the taking of the next census of the United States. On or before the fifteenth day of February next following the year in which the decennial census of the United States is taken, the general assembly shall appoint a reapportionment committee consisting of four members of the senate, two who shall be designated by the president pro tempore of the senate and two who shall be designated by the minority leader of the senate, and four members of the house of representatives, two who shall be designated by the speaker of the house of representatives and two who shall be designated by the minority leader of the house of representatives, provided there are members of no more than two political parties in either the senate or the house of representatives. In the event that there are members of more than two political parties in a house of the general assembly, all members of that house belonging to the parties other than that of the president pro tempore of the senate or the speaker of the house of representatives, as the case may be, shall select one of their number, who shall designate two members of the committee in lieu of the designation by the minority leader of that house. Such committee shall advise the general assembly on matters of apportionment. Upon the filing of a report of such committee with the clerk of the house of representatives and the clerk of the senate, the speaker of the house of representatives and the president pro tempore of the senate shall, if the general assembly is not in regular session, convene the general assembly in special session for the sole purpose of adopting a plan of districting. Upon the request of the speaker of the house of representatives and the president pro tempore of the senate, the secretary of the state shall give notice of such special session by mailing a true copy of the call of such special session, by registered or certified mail, return receipt requested, to each member of the house of representatives and of the senate at his or her address as it appears upon the records of said secretary not less than ten nor more than fifteen days prior to the date of convening of such special session or by causing a true copy of the call to be delivered to each member by a constable, state policeman or indifferent person at least twenty-four hours prior to the time of convening of such special session. Such general assembly shall, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary to preserve a proper apportionment of representation in accordance with the principles recited in this article. Thereafter the general assembly shall decennially at its next regular session or special session called for the purpose of adopting a plan of districting following the completion of the taking of the census of the United States, upon roll call, by a yea vote of at least two-thirds of the membership of each house, adopt such plan of districting as is necessary in accordance with the provisions of this article.

## HISTORICAL ANTECEDENTS.

### THE FIRST CONSTITUTION OF CONNECTICUT

#### The "Fundamental Orders," 1638-9.<sup>1</sup>

*"Voted" January 14, 1638, the Fundamental Orders were the beginning of Connecticut as a commonwealth. Their spirit was that of a sermon preached by the Rev. Thomas Hooker a short time before their adoption, in the course of which he laid down the proposition "The foundation of authority is laid in the free consent of the people," and which he closed with the challenge: "As God has given us liberty let us take it." They recognized no allegiance on the part of the colonists to England but in effect set up an independent government. In the sense that they were intended to be a framework of government more permanent than the usual orders adopted by the General Court, they were in essence a constitution. The historian John Fiske was justified in his statement that this instrument was "the first written constitution known to history that created a government and it marked the beginning of American democracy." While in 1662 the Fundamental Orders were in a sense superseded by the charter, that document, drawn up in the colony and taken to England by its representative, was never regarded by the colonists as the source of their government, but as a protection for and guaranty of the government they had already set up for themselves. So it was that for forty years after the independence of this nation, Connecticut could still carry on its government under the charter. And so it is that this commonwealth has preserved a continuity of development beyond that of almost any other state or nation in the world.*

*By: William M. Maltbie*

Forasmuch as it hath pleased the Almighty God by the wise disposition of his divine providence so to order and dispose of things that we the Inhabitants and Residents of Windsor, Hartford, and Wethersfield are now cohabiting and dwelling in and upon the River of Connectecotte and the lands thereunto adjoining; and well knowing where a people are gathered together the word of God requires that to maintain the peace and union of such a people there should be an orderly and decent Government established according to God, to order and dispose of the affairs of the people at all seasons as occasion shall require; do therefore associate and conjoin ourselves to be as one Public State or Commonwealth; and do for ourselves and our Successors and such as shall be adjoined to us at any time hereafter, enter into Combination and Confederation together, to maintain and preserve the liberty and purity of the Gospel of our Lord Jesus which we now profess, as also the discipline of the Churches, which according to the truth of the said Gospel is now practiced amongst us; as also in our Civil affairs to be guided and governed according to such Laws, Rules, Orders, and Decrees as shall be made, ordered, and decreed as followeth:—

1. It is Ordered, sentenced, and decreed, that there shall be yearly two General Assemblies or Courts, the one the second Thursday in April, the other the second Thursday in September following; the first shall be called the Court of Election, wherein shall be yearly chosen from time to time so many Magistrates and other public Officers as shall be found requisite: Whereof one to be chosen Governor for the year ensuing and until another be chosen, and no other Magistrate to be chosen for more than one year: provided always there be six chosen besides the Governor, which being chosen and sworn according to an Oath recorded for that purpose, shall have power to administer justice according to the Laws here established, and for want thereof, according to the rule of the Word of God; which choice shall be made by all that are admitted freemen and have taken the Oath of Fidelity, and do cohabit within this Jurisdiction (Having been admitted Inhabitants by the major part of the Town wherein they live)<sup>2</sup> or the major part of such as shall be then present.

2. It is Ordered, sentenced, and decreed, that the Election of the aforesaid Magistrates shall be on this manner: every person present and qualified for choice shall bring in (to the persons deputed to receive them) one single paper with the name of him written in it whom he desires to have Governor, and he that hath the greatest number of papers shall be Governor for that year. And the rest of the Magistrates or public officers to be chosen in this manner: the Secretary for the time being shall first read the names of all that are to be put to choice and then shall severally nominate them distinctly, and every one that would have the person nominated to be chosen shall bring in one single paper written upon, and he that would not have him chosen shall bring in a blank; and every one that hath more written papers than blanks shall be a Magistrate for that year; which papers shall be received and told by one or more that shall be then chosen by the court and sworn to be faithful therein; but in case there should not be six

<sup>1</sup> The original "Fundamental Orders" of 1638-39 are on permanent exhibition at the Museum of Connecticut History, 231 Capitol Ave., Hartford.

<sup>2</sup> This clause was interlined in a different handwriting, and is of a later date. It was adopted by the General Court of November 1643.



chosen as aforesaid, besides the Governor, out of those which are nominated, then he or they which have the most written papers shall be a Magistrate or Magistrates for the ensuing year, to make up the aforesaid number.

3. It is Ordered, sentenced, and decreed, that the Secretary shall not nominate any person, nor shall any person be chosen newly into the Magistracy which was not propounded in some General Court before, to be nominated the next Election; and to that end it shall be lawful for each of the Towns aforesaid by their deputies to nominate any two whom they conceive fit to be put to election; and the Court may add so many more as they judge requisite.

4. It is Ordered, sentenced, and decreed, that no person be chosen Governor above once in two years, and that the Governor be always a member of some approved congregation, and formerly of the Magistracy within this Jurisdiction; and all the Magistrates, Freemen of this Commonwealth; and that no Magistrate or other public officer shall execute any part of his or their office before they are severally sworn, which shall be done in the face of the court if they be present, and in case of absence by some deputed for that purpose.

5. It is Ordered, sentenced, and decreed, that to the aforesaid Court of Election the several Towns shall send their deputies, and when the Elections are ended they may proceed in any public service as at other Courts. Also the other General Court in September shall be for making of laws, and any other public occasion, which concerns the good of the Commonwealth.

6. It is Ordered, sentenced, and decreed, that the Governor shall, either by himself or by the Secretary, send out summons to the Constables of every Town for the calling of these two standing Courts one month at least before their several times: And also if the Governor and the greatest part of the Magistrates see cause upon any special occasion to call a General Court, they may give order to the Secretary so to do within fourteen days' warning: And if urgent necessity so required, upon a shorter notice, giving sufficient grounds for it to the deputies when they meet, or else be questioned for the same; And if the Governor and major part of Magistrates shall either neglect or refuse to call the two General standing Courts or either of them, as also at other times when the occasions of the Commonwealth require, the Freemen thereof, or the major part of them, shall petition to them so to do; if then it be either denied or neglected, the said Freemen, or the major part of them, shall have power to give order to the Constables of the several Towns to do the same, and so may meet together, and choose to themselves a Moderator, and may proceed to do any act of power which any other General Courts may.

7. It is Ordered, sentenced, and decreed, that after there are warrants given out for any of the said General Courts, the Constable or Constables of each Town, shall forthwith give notice distinctly to the inhabitants of the same, in some public assembly or by going or sending from house to house, that at a place and time by him or them limited and set, they meet and assemble themselves together to elect and choose certain deputies to be at the General Court then following to agitate the affairs of the Commonwealth; which said deputies shall be chosen by all that are admitted Inhabitants in the several Towns and have taken the oath of fidelity; provided that none be chosen a Deputy for any General Court which is not a Freeman of this Commonwealth.

The aforesaid deputies shall be chosen in manner following: every person that is present and qualified as before expressed, shall bring the names of such, written in several papers, as they desire to have chosen for that employment, and these three or four, more or less, being the number agreed on to be chosen for that time, that have greatest number of papers written for them shall be deputies for that Court; whose names shall be endorsed on the back side of the warrant and returned into the Court, with the constable or constables' hand unto the same.

8. It is Ordered, sentenced, and decreed, that Windsor, Hartford, and Wethersfield shall have power, each Town, to send four of their Freemen as their deputies to every General Court; and Whatsoever other Town shall be hereafter added to this Jurisdiction, they shall send so many deputies as the Court shall judge meet, a reasonable proportion to the number of Freemen that are in the said Towns being to be attended therein; which deputies shall have the power of the whole Town to give their votes and allowance to all such laws and orders as may be for the public good, and unto which the said Towns are to be bound.

9. It is Ordered and decreed, that the deputies thus chosen shall have power and liberty to appoint a time and a place of meeting together before any General Court, to advise and consult of all such things as may concern the good of the public, as also to examine their own Elections, whether according to the order, and if they or the greatest part of them find any election to be illegal they may seclude such for present from their meeting, and return the same and

their reasons to the Court; and if it prove true, the Court may fine the party or parties so intruding, and the Town, if they see cause, and give out a warrant to go to a new election in a legal way, either in part or in whole. Also the said deputies shall have power to fine any that shall be disorderly at their meetings, or for not coming in due time or place according to appointment; and they may return the said fines into the Court if it be refused to be paid, and the Treasurer to take notice of it, and to escheat or levy the same as he does other fines.

10. It is Ordered, sentenced, and decreed, that every General Court, except such as through neglect of the Governor and the greatest part of Magistrates the Freemen themselves do call, shall consist of the Governor, or some one chosen to moderate the Court, and four other Magistrates at least, with the major part of the deputies of the several Towns legally chosen; and in case the Freemen, or major part of them, through neglect or refusal of the Governor and major part of the Magistrates, shall call a Court, it shall consist of the major part of Freemen that are present or their deputies, with a Moderator chosen by them: In which said General Courts shall consist the supreme power of the Commonwealth, and they only shall have power to make laws or repeal them, to grant levies, to admit of Freemen, dispose of lands undisposed of, to several Towns or persons, and also shall have power to call either Court or Magistrate or any other person whatsoever into question for any misdemeanor, and may for just causes displace or deal otherwise according to the nature of the offense; and also may deal in any other matter that concerns the good of this Commonwealth, except election of Magistrates, which shall be done by the whole body of Freemen.

In which Court the Governor or Moderator shall have power to order the Court, to give liberty of speech, and silence unseasonable and disorderly speakings, to put all things to vote, and in case the vote be equal to have the casting voice. But none of these Courts shall be adjourned or dissolved without the consent of the major part of the Court.

11. It is Ordered, sentenced, and decreed, that when any General Court upon the occasions of the Commonwealth have agreed upon any sum, or sums of money to be levied upon the several Towns within this Jurisdiction, that a committee be chosen to set out and appoint what shall be the proportion of every Town to pay of the said levy, provided the committee be made up of an equal number out of each Town.

14th January 1638 the 11 Orders above said are voted.

## CHARTER OF THE COLONY OF CONNECTICUT, 1662<sup>1</sup>

CHARLES THE SECOND, BY THE GRACE OF GOD, King of England, Scotland, France and Ireland, defender of the Faith, &c.; To all to whome theis presents shall come Greetinge: WHEREAS, by the severall Navigacons, discoveries and susccessfull Plantacons of diverse of our loving Subjects of this our Realme of England, Severall Lands, Islands, Places, Colonies and Plantacons have byn obtayned and settled in that parte of the Continent of America called New England, and thereby the Trade and Comerce there hath byn of late yeares much increased, AND WHEREAS, wee have byn informed by the humble Peticon of our Trusty and welbeloved John Winthrop, John Mason, Samuell Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treat, Richard Lord, Henry Woollicott, John Talcott, Daniell Clerke, John Ogden, Thomas Wells, Obedias Brewen, John Clerke, Anthony Haukins, John Deming and Mathew Camfeild, being Persons Principally interested in our Colony or Plantacon of Connecticut in New England, that the same Colony or the greatest parte thereof was purchased and obteyned for greate and valuable Consideracons, And some other part thereof gained by Conquest and with much difficulty, and att the onely endeavours, expence and Charge of them and their Associates, and those vnder whome they Clayme, Subdued and improved, and thereby become a considerable enlargement and addicon of our Dominions and interest there.—NOW KNOW YEA, that in consideracion thereof, and in regard the said Colony is remote from other the English Plantacons in the Places aforesaid, And to the end the Affaires and Business which shall from tyme to tyme happen or arise concerning the same may be duely Ordered and managed. WEE HAVE thought fitt, and att the humble Peticon of the Persons aforesaid, and are graciously pleased to Create and Make them a Body Pollitique and Corporate, with the powers and Priviliges herein after menconed; And Accordingly Our will and pleasure is, and of our especial grace, certeine knowledge and meere mocon wee have Ordeyned, Constituted and Declared, And by theis presents, for vs, our heires and Successors, Doe Ordeine, Constitute and Declare That they, the said John Winthrop, John Mason, Samuell Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treat, Richard Lord, Henry Woolcot, John Talcot, Daniell Clerke, John Ogden, Thomas Wells, Obadiah Brewen, John Clerke, Anthony Hawkins, John Deming and Mathew Camfeild, and all such others as now are or hereafter shall bee Admitted and made free of the Company and Society of our Collony of Connecticut in America, shall from tyme to tyme and forever hereafter, bee one Body Corporate and Pollitique in fact and name, by the Name of Governour and Company of the English Collony of Connecticut in New England in America; And that by the same name they and their Successors shall and may have perpetuall Succession, and shall and mey bee Persons able and Capable in the law to Plead and bee Impleaded, to Answere and to be Answered vnto, to Defend and bee Defended in all and Singular, Suits, Causes, quarrelles, Matters, Accons and things of what kind or nature soever, And alsoe to have, take, possesse, acquire and purchase lands Tenements or hereditaments, or any goods or Chattells, and the same to, Lease, Graunt, Demise, Alien, bargaine, Sell and dispose of, as other our leige People of this our Realme of England, or any other Corporacon or Body Politique within the same may lawfully doe. AND FURTHER, that the said Governour and Company, and their Successors shall and may for ever hereafter have a Comon Seale to serve and vse for all Causes, matters, things and affaires, whatsoever of them and their Successors, and the same Seale to alter, change, breake and make new from tyme to tyme att their wills and pleasures, as they shall thinke fitt. And further, wee will and Ordeine, and by theis presents for vs, our heires and Successors Doe Declare and appoint, that for the better ordering and manageing of the affaires and businesse of the said Company and their Successors, there shall be one Governour, one Deputy Governour and Twelve Assistants to bee from tyme to tyme Constituted, Elected and Chosen out of the Freemen of the said Company for the tyme being, in such manner and forme as hereafter in these presents is expressed; which said Officers shall apply themselves to take care for the best disposing and Ordering of the Generall business and affaires of and concerning the lands and hereditaments herein after menconed to bee graunted, and the Plantacon thereof and the Government of the People thereof. And for the better execucon of our Royall Pleasure herein, WEE DOE for vs, our heires and Successors, Assigne, name, Constitute and appoint the aforesaid John Winthrop to bee *the* first and present Governour of the said Company; And the said John Mason to bee *the* Deputy Governour; And the said Samuell Willis, Mathew Allen, Nathan Gold, Henry Clerke, Richard Treat, John Ogden, Thomas Tappen, John Talcott, Thomas Wells, Henry Woolcot, Richard Lord and Daniell Clerke to bee the Twelve present Assistants of the said Company; to contynue in the said severall Offices respectively, vntill the second Thursday which shall bee in the moneth of October now next comeing. AND further, wee will, and by theis presents for vs, our heires and Successors DOE Ordaine and Graunt

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<sup>1</sup> The original Charter of the Colony of Connecticut, 1662, is on permanent exhibition at the Museum of Connecticut History, 231 Capitol Ave., Hartford.

that the Governour of the said Company for the tyme being, or, in his absence by occasion of sicknes, or otherwise by his leave or permission, the Deputy Governour for the tyme being, shall and may from tyme to tyme vpon all occasions give Order for the assembling of the said Company and calling them together to Consult and advise of the businesse and Affaires of the said Company, And that for ever hereafter Twice in every yeare, (That is to say,) on every Second Thursday in October and on every Second Thursday in May, or oftener, in Case it shall bee requisite, The Assistants and freemen of the said Company, or such of them, (not exceeding twoe Persons from each Place, Towne or City) whoe, shall bee from tyme to tyme therevnto Elected or deputed by the major parte of the freemen of the respective Townes, Cittyes and Places for which they shall bee soe elected or Deputed, shall have a generall meeting or Assembly, then and their to Consult and advise in and about the Affaires And businesse of the said Company; And that the Governour, or in his absence the Deputy Governour of the said Company for the tyme being, and such of the Assistants and freemen of the said Company as shall be soe Elected or Deputed and bee present att such meeting or Assembly, or the greatest number of them, whereof the Governour or Deputy Governour and Six of the Assistants, at least, to bee Seaven, shall be called the Generall Assembly, and shall have full power and authority to alter and change their dayes and tymes of meeting or Generall Assemblies for Electing the Governour, Deputy Governour and Assistants or other Officers or any other Courts, Assemblies or meetings, and to Choose, Nominate and appoint such and soe many other Persons as they shall thinke fitt and shall bee willing to accept the same, to bee free of the said Company and Body Politique, and them into the same to Admitt and to Elect, and Constitute such Officers as they shall thinke fitt and requisite for the Ordering, Manageing and disposing of the Affaires of the said Governour and Company and their Successors. AND WEE DOE hereby for vs, our heires and Successors, Establish and Ordeine, that once in the yeare for ever hereafter, namely, the said Second Thursday in May, the Governour, Deputy Governour, and Assistants of the said Company and other Officers of the said Company, or such of them as the said Generall Assembly shall thinke fitt, shall bee in the said Generall Court and Assembly to be held from that day or tyme, newly Chosen for the yeare ensuing, by such greater parte of the said Company for the tyme being then and there present. And if the Governour, Deputy Governour and Assistants by these presents appointed, or such as hereafter bee newly Chosen into their Roomes, or any of them, or any other the Officers to bee appointed for the said Company shall dye or bee removed from his or their severall Offices or Places before the said Generall day of Eleccion, whome wee doe hereby Declare for any misdemeanour or default to bee removeable by the Governour, Assistants and Company, or such greater part of them in any of the said publique Courts to be Assembled as is aforesaid, That then and in every such Case itt shall and may bee lawfull to and for the Governour, Deputy Governour and Assistants and Company aforesaid, or such greater parte of them soe to bee Assembled as is aforesaid in any of their Assemblies, to proceede to a New Eleccion of one or more of their Company in the Roome or place, Roomes or Places of such Governour, Deputy Governour, Assistant or other Officer or Officers soe dyeing or removed, according to their discretions; and immediately vpon and after such Eleccion or Eleccions made of such Governour, Deputy Governour, Assistant or Assistants, or any other Officer of the said Company in manner and forme, Aforesaid, The Authority Office and Power before given to the former Governour, Deputy Governour or other Officer and Officers soe removed, in whose stead and Place new shall be chosen, shall as to him and them and every of them respectively cease and determine. PROVIDED, alsoe, and our will and pleasure is, That as well such as are by theis presents appointed to bee the present Governour, Deputy Governour and Assistants of the said Company as those that *shall* succeed them, and all other Officers to bee appointed and Chosen as aforesaid, shall, before they vndertake the Execucon of their said Offices and places respectively, take their severall and respective Corporall Oathes for the due and faithfull performance of their duties in their severall Offices and Places, before such Person or Persons as are by these Presents hereafter appoynted to take and receive the same; That is to say, the said John Winthrop, whoe is herein before nominated and appointed the present Governour of the said Company, shall take the said Oath before one or more of the Masters of our Court of Chancery for the tyme being, vnto which Master of Chancery WEE DOE, by theis presents, give full power and authority to administer the said Oath to the said John Winthrop accordingly. And the said John Mason, whoe is herein before nominated and appointed the present Deputy Governour of the said Company, shall take the said Oath before the said John Winthrop, or any twoe of the Assistants of the said Company, vnto whome WEE DOE by these presents, give full power and authority to Administer the said Oath to the said John Mason accordingly. And the said Samuells Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treat, Richard Lord, Henry Woolcott, John Talcott, Daniell Clerke, John Ogden and Thomas Welles, whoe are herein before Nominated and appointed the present Assistants of the said Company, shall take the Oath before the said John Winthrop and John Mason, or one of them, to whome WEE DOE hereby give full power and authority to Administer the same accordingly. And our further will and pleasure, is that all and every Governour or Deputy Governour to bee Elected and Chosen by vertue of theis presents, shall take the said Oath before two or more of the Assistants of the said Company for the tyme being, vnto whom wee doe, by theis presents, give full power and authority to give and Administer the said Oath accordingly. And the said

Assistants and every of them, and all and every other Officer or Officers to bee hereafter Chosen from tyme to tyme, to take the said Oath before the Governour or Deputy Governour for the tyme being, vnto which said Governour or Deputy Governour wee doe, by theis presents, give full power and authority to Administer the same accordingly. AND FURTHER, of our more ample grace, certeine knowledge and meere mocon WEE HAVE given and Graunted, and by theis presents, for vs, our heires and Successors, ULME give and Graunt vnto the said Governour and Company of the English Colony of Connecticut in New England in America, and to every Inhabitant there, and to every Person and Persons Trading thither, And to every such Person and Persons as are or shall bee free of the said Collony, full power and authority from tyme to tyme and att all tymes hereafter, to take, Ship, Transport and Carry away, for and towards the Plantacon and defence of the said Collony such of our loveing Subjects and Strangers as shall or will willingly accompany them in and to their said Collony and Plantacon: (Except such Person and Persons as are or shall bee therein restrayned by vs, our heires and Successors:) And alsoe to Ship and Transport all and all manner of goods, Chattells, Merchandizes and other things whatsoever that are or shall be vsefull or necessary for the Inhabitants of the said Collony and may lawfully bee Transported thither; Neverthe lesse, not to bee discharged of payment to vs, our heires and Successors, of the Dutyes, Customes and Subsidies which are or ought to bee paid or payable for the same. AND FURTHER, Our will and pleasure is, and WEE DOE for vs, our heires and Successors, Ordeyne, Declare and Graunt vnto the said Governour and Company and their Successors, That all and every the Subjects of vs, our heires or Successors which shall goe to Inhabite within the said Colony, and every of their Children which shall happen to bee borne there or on the Sea in going thither or returneing from thence, shall have and enjoye all liberties and immunities of free and naturall Subjects within any the Dominions of vs, our heires or Successors, to all intents, Construccions and purposes whatsoever, as if they and every of them were borne within the Realme of England, AND WEE DOE authorize and impower the Governour, or in his absence the Deputy Governour for the tyme being, to appointe two or more of the said assistants att any of their Courts or Assemblies to bee held as aforesaid, to have power and authority to Administer the Oath of Supremacy and obedience to all and every Person and Persons which shall att any tyme or tymes hereafter goe or passe into the said Colony of Connecticut, vnto which said Assistants soe to bee appointed as aforesaid, WEE DOE, by these presents, give full power and authority to Administer the said Oath accordingly. AND WEE DOE FURTHER, of our especiall grace, certeine knowledge and meere mocon, give and Graunt vnto the said Governour and Company of the English Colony of Connecticut in New England in America, and their Successors, that itt shall and may bee lawful to and for the Governour or Deputy Governour and such of the Assistants of the said Company for the tyme being as shall bee Assembled in any of the Generall Courts aforesaid, or in any Courts to be especially Sumoned or Assembled for that purpose, or the greater parte of them, whereof the Governour or Deputy Governour and Six of the Assistants, to be all wayes Seaven, to Erect and make such Judicatories for the hearing and Determining of all Accons, Causes, matters and things happening within the said Colony or Plantacon and which shall bee in dispute and depending there, as they shall thinke fitt and convenient; And alsoe from tyme to tyme to Make, Ordaine and Establish All manner of wholesome and reasonable Lawes, Statutes, Ordinances, Direccions and Instruccions, not contrary to the laws of this Realme of England, as well for settling the formes and Ceremonies of Government and Magestracy fitt and necessary for the said Plantacon and the Inhabitants there as for naming and Stileing all sorts of Officers, both superior and inferior, which they shall find needfull for the Government and Plantacon of the said Colony, and the distinguishing and setting forth of the severall Dutyes, Powers and Lymitts of every such Office and Place, and the formes of such Oaths, not being contrary to the Laws and Statutes of this our Realme of England, to bee administered for the Execucon of the said severall Offices and Places; As alsoe for the disposing and Ordering of the Elecon of such of the said Officers as are to bee Annually Chosen, and of such others as shall succeed in case of death or removall, and Administering the said Oath to the new Elected Officers, and Granting necessary Comissions, and for imposicon of lawfull Fines, Mulcts, Imprisonment or other Punishment vpon Offenders and Delinquents, according to the Course of other Corporacons within this our Kingdome of England, and the same Lawes, fines, Mulcts and Execucons to alter, change, revoke, adnull, release or Pardon, vnder their Comon Seale, As by the said Generall Assembly or the major part of them shall be thought fitt; And for the directing, ruleing and disposing of all other matters and things whereby our said people, Inhabitants there, may bee soe religiously, peaceably and civilly Governed as their good life and orderly Conversacon may wynn and invite the Natives of the Country to the knowledge and obedience of the onely true God and Saviour of mankind, and the Christian faith, which in our Royall intencons and the Adventurers free profession is the onely and principall end of this Plantacon; WILLING, Commanding and requireing, and by these presents, for vs, our heires and Successors, Ordaineing and appointeing. That all such Lawes, Statutes and Ordinances, Instruccions, Imposicons, and Direccions as shall bee soe made by the Governour, Deputy Governour, and Assistants, as aforesaid, and published in writeing vnder their Comon Seale, shall carefully and duely bee observed, kept, performed and putt in execucon, according to the true intent and meaning of the same. AND these our letters Patents, or the Duplicate or Exemplification thereof, shall bee

to all and every such Officers, Superiors and inferiors, from tyme to tyme, for the Putting of the same Orders, Lawes, Statutes, Ordinances, Instruccions and Direccions in due Execucon, against vs, our heires and Successors, a sufficient warrant and discharge. AND WEE DOE FURTHER, for vs, our heires and Successors, give and Graunt vnto the said Governor and Company and their Successors, by these presents, That itt shall and may bee lawfull to and for the chiefe Commanders, Governours and Officers of the said Company for the tyme being whoe shall bee resident in the parts of New England hereafter menconed, and others inhabiting there by their leave, admittance, appointment or direcon, from tyme to tyme and att all tymes hereafter, for their speciall defence and safety, to Assemble, Martiall, Array, and putt in Warlike posture the Inhabitants of the said Colony, and to; Commissionate, Impower and authorize such Person or Persons as they shall thinke fitt to lead and Conduct the said Inhabitants, and to encounter, expulse, repell and resist by force of Armes, as well by Sea as by land, And alsoe to kill, Slay and destroy, by all fitting wayes, enterprizes and meanes whatsoever, all and every such Person or Persons as shall at any tyme hereafter Attempt or enterprize the destruccon, Invasion, detriment or annoyance of the said Inhabitants or Plantacon, And to vse and exercise the law Martiall, in such Cases onely as occasion shall require, And to take or surprize by all wayes and meanes whatsoever, all and every such Person and Persons, with their Shippes, Armour, Ammunicon, and other goods of such as shall in such hostile manner invade or attempt the defeating of the said Plantacon or the hurt of the said Company and Inhabitants; and vpon just Causes to invade and destroy the Natives or other Enemyes of the said Colony. NEVERTHELESSE, Our Will and pleasure is, AND WEE DOE hereby Declare vnto all Christian Kings, Princes and States, That if any Persons which shall hereafter Bee of the said Company or Plantacon, or any other, by appointment of the said Governor and Company for the tyme being, shall at any tyme or tymes hereafter Robb or Spoile by Sea or by land, and doe any hurt, violence or unlawful hostility to any of the Subjects of vs, our heires or Successors, or any of the Subjects of any Prince or State beinge then in league with vs, our heires or Successors, vpon Complaint of such injury done to any such Prince or State, or their Subjects WEE, our heires and Successors, will make open Proclamacon within any parts of our Realme of England fitt for that purpose, That the Person or Persons committinge any such Robbery or Spoile, shall within the tyme lymitted by such Proclamacon, make full restitucon or satisfaccon of all such injuries done or committed, Soe as the said Prince or others soe complayneing may bee fully satisfied and contented. And if the said Person or Persons whoe shall committ any such Robbery or Spoile shall not make satisfaccon accordingly, within such tyme soe to bee limited, That then itt shall and may bee lawful for vs, our heires and Successors, to put such Person or Persons out of our Allegiance and Proteccon: And that it shall and may bee lawfull and free for all Princes or others to Prosecute with hostility such Offenders and every of them, their and every of their Procurers, ayders, Abettors and Councillors in that behalfe. PULMVIDED, alsoe, and our expresse will and pleasure is, AND WEE DOE by these presents for vs, our heires and Successors, Ordeyne and appointe that these presents shall not in any manner hinder any of our loveing Subjects whatsoever to vse and exercise the Trade of Fishinge vpon the coast of New England in America, but they and every or any of them shall have full and free power and liberty to contynue and vse the said Trade of Fishing upon the said Coast, in any of the Seas therevnto adioyning, or any Armes of the Seas or Salt Water Rivers where they have byn accustomed to Fish, and to build and sett vpon the wast land belonging to the said Colony of Connecticut, such Wharfes, Stages and workehouses as shall bee necessary for the Salting, dryeing and keeping of their Fish to bee taken or gotten vpon that Coast, any thinge in these presents conteyened to the contrary notwithstanding. AND KNOWE YEE FURTHER, That Wee, of our more abundant grace, certaine knowledge and meere mocon HAVE given, Graunted and Confirmed, And by theis presents for vs, our heires and Successors, DOE give, Graunt and Confirme vnto the said Governor and Company and their Successors, AULM that parte of our Dominions in Newe England in America bounded on the East by Norrogancett River, commonly called Norrogancett Bay, where the said River falleth into the Sea, and on the North by the lyne of the Massachusetts Plantacon, and on the South by the Sea, and in longitude as the lyne of the Massachusetts Colony, runinge from East to West, (that is to say,) from the Said Norrogancett Bay on the East to the South Sea on the West parte, with the Islands thervnto adioyneinge, Together with all firme lands, Soyles, Grounds, Havens, Ports, Rivers, Waters, Fishings, Mynes, Mynerals, Precious Stones, Quarries, and all and singular other Comodities, Iurisdiccions, Royalties, Priviledges, Franchises, Preheminenes, and hereditaments whatsoever within the said Tract, Bounds, lands and Islands aforesaid, or to them or any of them belonging. TO HAVE AND TO HOLD the same vnto the said Governor and Company, their Successors and Assignes, for ever vpon Trust and for the vse and benefitt of themselves and their Associates, freemen of the said Colony, their heires and Assignes, TO BEE HOLDEN of vs, our heires and Successors, as of our Mannor of East Greenwich, in Free and Common Soccage, and not in Capite nor by Knights Service, YULMLDING AND PAYINGE therefore to vs, our heires and Successors, onely the Fifth parte of all the Oare of Gold and Silver which from tyme to tyme and at all tymes hereafter shall bee there gotten, had or obteyned, in lieu of all Services, Dutes and Demaunds whatsoever, to bee to vs, our heires or Successors, therefore or thereout rendered, made or paid. AND LASTLY, Wee doe for vs, our heires, and Successors, Graunt to

the said Governor and Company and their Successors, by these presents, that these our Letters Patent shall bee firme, good and effectuell in the lawe to all intents, Construccons and purposes whatsoever, accordinge to our true intent and meaneing herein before Declared, as shall be Construed, reputed and adiudged most favourable on the behalfe and for the best benefitt and behoofe of the said Governor and Company and their Successors, ALTHOUGH EXPRESSE MENCON of the true yearely value or certeinty of the premises, or of any of them, or of any other Guifts or Graunts by vs or by any of our Progenitors or Predecessors heretofore made to the said Governor and Company of the English Colony of Connecticut in New England in America aforesaid in theis presents is not made, or any Statute, Act, Ordinance, Provision, Proclamacon or Restriccon heretofore had, made. Enacted, Ordeyned or Provided, or any other matter, Cause or thinge whatsoever to the contrary thereof in any wise notwithstanding. IN WITNES whereof, we have caused these our Letters to be made Patent; WITNES our Selfe, att Westminister, the three and Twentieth day of Aprill, in the Fowerteenth yeare of our Reigne.

By writt of Privy Seale

**HOWARD**