Constitution of 1844

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this constitution.

ARTICLE 1.

RIGHTS AND PRIVILEGES.

One. All men are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

Two. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right at all times to alter or reform the same, whenever the public good may require it.

Three. No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretence whatever be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately and voluntarily engaged to perform.

Four. There shall be no establishment of one religious sect in preference to another; no religious test shall be required as a qualification for any office or public trust; and no person shall be denied the enjoyment of any civil right merely on account of his religious principles.

Five. Every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

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

Seven. The right of trial by jury shall remain inviolate; but the legislature may authorize the trial of civil suits, when the matter in dispute does not exceed fifty dollars, by a jury of six men.

Eight. In all criminal prosecutions the accused shall have a right to a speedy and public trial by an impartial jury; 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 in his defence.

Nine. No person shall be held to answer for a criminal offence, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy; or in the militia, when in actual service in time of war or public danger.

http://www.njstatelib.org/Research_Guides/Historical_Documents/nj/CON1844.TXT
Ten. No person shall, after acquittal, be tried for the same
offence. All persons shall, before conviction, be bailable by
sufficient sureties, except for capital offences, when the proof
is evident or presumption great.

Eleven. The privilege of the writ of habeas corpus shall not be
suspended, unless in case of rebellion or invasion the public
safety may require it.

Twelve. The military shall be in strict subordination to the
civil power.

Thirteen. No soldier shall, in time of peace, be quartered in
any house without the consent of the owner, nor in time of war,
except in a manner prescribed by law.

Fourteen. Treason against the State shall consist only in
levying war against it, or in adhering to its enemies, giving
them aid and comfort. No person shall be convicted of treason,
unless on the testimony of two witnesses to the same overt act,
or on confession in open court.

Fifteen. Excessive bail shall not be required, excessive fines
shall not be imposed, and cruel and unusual punishments shall not
be inflicted.

Sixteen. Private property shall not be taken for public use,
without just compensation; but land may be taken for public
highways, as heretofore, until the legislature shall direct
compensation to be made.

Seventeen. No person shall be imprisoned for debt in any action
or on any judgment founded upon contract, unless in case of
fraud; nor shall any person be imprisoned for a militia fine in
time of peace.

Eighteen. The people have the right freely to assemble together
to consult for the common good, to make known their opinions to
their representatives, and to petition for redress of grievances.

Nineteen. This enumeration of rights and privileges shall not
be construed to impair or deny others retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

One. Every white male citizen of the United States, of the age
of twenty-one years, who shall have been a resident of this State
one year, and of the county in which he claims his vote five
months, next before the election, shall be entitled to vote for
all officers that now are, or hereafter may be, elective by the
people: Provided, That no person in the military, naval, or
marine service of the United States shall be considered a
resident in this State, by being stationed in any garrison, bar-
rack, or military or naval place or station within this State;
and no pauper, idiot, insane person, or person convicted of a
crime which now excludes him from being a witness, unless
pardoned or restored by law to the right of suffrage, shall enjoy
the right of an elector.

Two. The legislature may pass laws to deprive persons of the
right of suffrage who shall be convicted of bribery at
elections.

ARTICLE III.

DISTRIBUTION OF THE POWERS OF GOVERNMENT.

The powers of the government shall be divided into three distinct
departments— the legislative, executive, and judicial; and no
person or persons belonging to or constituting one of these
departments shall exercise any of the powers properly belonging
to either of the others, except as herein expressly provided.

ARTICLE IV.

LEGISLATIVE

SECTION i. One. The legislative power shall be vested in a
Two. No person shall be a member of the senate who shall not have attained the age of thirty years, and have been a citizen and inhabitant of the State for four years, and of the county for which he shall be chosen one year, next before his election; and no person shall be a member of the general assembly who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the State for two years, and of the county for which he shall be chosen one year next before his election: Provided, That no person shall be eligible as a member of either house of the legislature, who shall not be entitled to the right of suffrage.

Three. Members of the senate and general assembly shall be elected yearly and every year, on the second Tuesday of October; and the two houses shall meet separately on the second Tuesday in January next after the said day of election; at which time of meeting the legislative year shall commence; but the time of holding such election may be altered by the legislature.

SEC. 2. One. The senate shall be composed of one senator from each county in the State, elected by the legal voters of the counties, respectively, for three years:
Two. As soon as the senate shall meet after the first election to be held in pursuance of this constitution, 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 first year; of the second class at the expiration of the second year, and of the third class at the expiration of the third year, so that one class may be elected every year; and if vacancies happen by resignation or otherwise, the persons elected to supply such vacancies shall be elected for the unexpired terms only.

SEC. 3. One. The general assembly shall be composed of members annually elected by the legal voters of the counties, respectively, who shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. The present apportionment shall continue until the next census of the United States shall have been taken, and an apportionment of members of the general assembly shall be the legislature at its first session after the next and every subsequent enumeration or census, and when made shall remain unaltered until another enumeration shall have been taken: Provided, That each county shall at all times be entitled to one member; and the whole number of members shall never exceed sixty.

SEC. 4. One. Each house shall direct writs of election for supplying vacancies occasioned by death, resignation, or otherwise; but if vacancies occur during the recess of the legislature, the writs may be issued by the governor, under such regulations as may be prescribed by law.

Two. 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 shall provide.

Three. Each house shall choose its own officers, determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, may expel a member.

Four. Each house shall keep a journal of its proceedings, and from time to time publish the same; 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.

Five. Neither house, during the session of the legislature, 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.

Six. All bills and joint resolutions shall be read three times in each house before the final passage thereof, and no bill or joint resolution shall pass unless there be a majority of all the members of each body personally present and agreeing thereto, and the yeas and nays of members voting on such final passage shall be entered on the journal.

Seven. Members of the senate and general assembly shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the State, which compensation shall
Constitution of 1844

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty conferred upon us by the same, do ordain and establish this Constitution, in order to frame a Government for the said State, which shall be free, equal, just, and equal to all its citizens, and to all men within its jurisdiction, and which shall endure as long as the consent of the governed shall continue to make it so; and for the end aforesaid, do ordain and establish the following

ARTICLE I.

Right of Suffrage.

One. All men are by nature free and independent, and have certain natural, unalienable, and intrinsic rights, among which are: Liberty, the enjoyment of the fruits of their own labor, and protection against侵犯.

Two. The right of the people to elect their representatives, to be taxed only for public duties, and to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be invaded.

Three. No persons shall be held to answer for any libel on the press, or public documents, unless the libelous words be proved to have been spoken or written by them, or published with their consent, nor shall any law be passed to restrain them from speaking freely on any subject, or from publishing the truth, nor shall any person be held to answer for the non-payment of a debt, unless such debt be supported by lawful writing.

Four. Public documents shall not be examined in any criminal case, nor shall any private letter or the papers of any particular person, be a proper subject of evidence in any court.

Five. No man shall be deprived of his life, liberty or property, except by the authority of law, and proceedings shall be regular in all cases.

Six. No ex post facto law, no law impairing the obligation of contracts, no bill of attainder, or law disqualifying a citizen for holding an office under the State, shall be passed.

Seven. No soldier or general shall be tried by court-martial except for treason or mutiny.

Eight. No taxes shall be laid but for the public use.

ARTICLE II.

Executive Power.

One. The supreme executive power of this State shall be vested in a Governor.

Two. The Governor of this State shall be elected by the people and shall hold his office for the term of two years.

Three. The Governor shall be a resident of this State, and shall have attained the age of thirty-five years.

Four. The Governor shall have power to convene the legislature when the Senate or the House of Assembly shall so require.

Five. The Governor shall have power to grant reprieves and pardons, after conviction of a crime, in all cases short of treason, unless the same be proceeded against during the lifetime of the Governor.

Six. The Governor shall have power to receive the addresses of the legislature and the people of this State.

Seven. The Governor shall have power to make appointments to the several offices in the service of this State, with the approbation of the Senate, or the House of Assembly, as the case may require.

Eight. The Governor shall have power to recommend to the legislature such measures as he shall judge necessary for the promotion of the welfare of this State.

Nine. The Governor shall have power to suspend the laws of this State in cases of public emergency, and to call out of the militia, when necessary, to repel invasion or suppress insurrection.

ARTICLE III.

Legislative Power.

One. The legislative power of this State shall be vested in a Senate and a House of Assembly.

Two. The Senate shall consist of one senator from each county in the State, elected by the legal voters of the same county for the term of two years. The House of Assembly shall consist of one representative for each town of the State, elected by the legal voters of the same town for the term of two years.

Three. The Senate and the House of Assembly shall assemble on the third Tuesday of January next ensuing the date of their respective commissions; but no commission or any appointment made under this constitution shall take effect until the first day of May next.

Four. They shall hold the offices for one year, and until their respective successors shall be elected or appointed under this constitution.

Five. They shall enter on their journals, with the yeas and nays taken and entered, the time of sitting and adjournment, all the proceedings of the session; and all bills, resolutions, and other documents that shall be read and passed in either house, and the names of those who shall vote for or against the same.

Six. The Senate and the House of Assembly shall choose their respective officers, and determine the rules of their proceedings, and may make all other rules and regulations for the government of themselves, and of the officers and members of the Senate and House of Assembly, which shall be not in violation of this constitution.

Seven. They shall have power to make all laws necessary or expedient for the internal peace and safety of this State, and for the preservation and increase of the public wealth and revenue.

Eight. They shall have power to provide for the punishment of crimes and public offenses.

Nine. They shall have power to grant reprieves, commutations, and pardons, after conviction of crime; and to vest the power of impeachment in the Senate, and the power of trial in the House of Assembly.

Ten. They shall have power to impeach and try judges of the supreme court, chancellor, and the courts of errors and appeals, who shall be guilty of contempts or other misbehaviors in office.

ARTICLE IV.

Judicial Power.

One. The judicial power of this State shall be vested in a supreme court, a court of errors and appeals, a court of general sessions, and a court of chancery, with such inferior courts as shall be established by law.

Two. The supreme court shall consist of a court of errors and appeals, and of a chancellor.

Three. The court of errors and appeals shall consist of not more than three judges, appointed by the legislature every other year.

Four. The court of chancery shall consist of a chancellor and the number of judges which shall be appointed by the legislature, and shall make the same as may be needed.

ARTICLE V.

The Right of Trial by Jury.

One. The right of trial by jury as defined by law in the State of New Jersey, shall be preserved inviolate, and shall not be suspended, except in cases of rebellion or invasion, and in such cases only as shall be prescribed by law.

Two. In all criminal prosecutions the accused shall have the right of a speedy and public trial, by an impartial jury,

Three. The accused shall be informed of the nature and cause of the accusation; he shall be entitled to be heard by himself, his counsel or his sureties.

Four. He shall be accorded the privilege of vouching for the character of any of his witnesses; and no evidence shall be allowed against him, unless it be given in open court.

ARTICLE VI.

Annexation of Territories.

One. The legislature shall have power to annex to this State such territories as shall be acquired by the United States by the authority of Congress, under the Constitution of the United States.

ARTICLE VII.

Debt and Expenditure.

One. No money shall be paid out of the public treasury, unless it be under the authority of law; and no public law shall take effect until it shall be approved by the Governor; and no such law shall be valid until it shall have been submitted to the people of this State by popular vote, after a period of forty days from the date of its passage by the legislature.

Two. No law shall be passed to establish any religious or sectarian denomination, or to aid or support any religious sect, or to require the support of religion in any way.

Three. No person shall be deprived of life, liberty, or property, without due process of law, or without the benefit of trial by jury, or without the privilege of being heard in his defense, or without the privilege of being tried by an impartial jury of the State.

Four. No person shall be deprived of the equal protection of the laws, or of equal privileges and immunities under the laws.

ARTICLE VIII.

The Right of Vote.

One. The right of vote in the State, shall not be denied or abridged, except for participation in rebellion, or other crimes.

Two. The qualifications of voters, and the manner of voting, shall be prescribed by law.

ARTICLE IX.

The Constitution and Government.

One. The legislature shall not pass any law impairing the obligation of contracts, or degrading a remedy for enforcing a contract which existed when the contract was made.

Eight. Members of the senate or of the general assembly shall, in all cases except treason, felony, and breach of peace, be privileged from arrest during their attendance at the sitting 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.

Sec. 5. One. No member of the senate and general assembly shall, during the time for which he was elected, be nominated or appointed by the governor, or by the legislature in joint meeting, to any civil office under the authority of this State which shall have been created or the emoluments thereof shall have been increased during such time.

Two. If any member of the senate or general assembly shall be elected to represent this State in the Senate or House of Representatives of the United States, and shall accept thereof, or shall accept appointment under the Government of the United States, his seat in the legislature of this State shall thereby be vacated.

Three. No justice of the supreme court, nor judge of any other court, sheriff, justice of the peace, nor any person or persons possessed of any office of profit under the government of this State shall be entitled to a seat either in the senate or in the general assembly; but on being elected and taking his seat his office shall be considered vacant, and no person holding any office of profit under the Government of the United States shall be entitled to a seat in either house.

Sec. 6. One. All bills for raising revenue shall originate in the house of assembly, but the Senate may propose or concur with amendments, as on other bills.

Two. No money shall be drawn from the treasury but for appropriations made by law.

Three. The credit of the State shall not be directly or indirectly loaned in any case.

Four. The legislature shall not, in any manner, create any debt or debts, liability or liabilities of the State, which shall singly or in the aggregate, with any previous debts or liabilities, at any time exceed one hundred thousand dollars, except for purposes of war, or to repel invasion, or to suppress insurrection, unless the same shall be authorized by a law for some single object or work, to be distinctly specified therein, which law shall provide the means, exclusive of loans, to pay the interest of each debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within thirty-five years from the time of the contracting thereof, and shall be irrepealable until such debt or liability, and the interest thereon, are fully paid and discharged, and no such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election, and all money to be raised by the authority of such law shall be applied only to the specific object stated therein, and to the payment of the debt thereby created. This section shall not be construed to refer to any money that has been or may be deposited with this State by the Government of the United States.

Sec. 7. One. No divorce shall be granted by the legislature.

Two. No lottery shall be authorized by this State, and no ticket in any lottery not authorized by a law of this State shall be bought or sold within the State.

Three. The legislature shall not pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or depriving a party of any remedy for enforcing a contract which existed when the contract was made.
Constitution of 1844

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious happiness which we enjoy, do ordain and establish this Constitution for the government of the said State.

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious happiness which we enjoy, do ordain and establish this Constitution for the government of the said State.

ALEXANDER WURTZ, President.
WILLIAM PATERSON, Secretary.
Tn. J. SAUNDERS, Assistant Secretary.

Four. To avoid improper influences which may result from intermixing in one and the same act such as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title.

Five. The laws of this State shall begin in the following style: "Be it enacted by the senate and great assembly of the State of New Jersey."

Six. The fund for the support of free schools, and all money, stock, and other property which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore paid to augment the said fund, shall be securely invested and remain a perpetual fund, and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public schools, for the equal benefit of all the people of the State, and it shall not be competent for the legislature to borrow, appropriate, or use the said fund, or any part thereof, for any other purpose under any pretence whatever.

Seven. No private or special law shall be passed authorizing the sale of any lands belonging in whole or in part to a minor or minors, or other persons who may at the time be under any legal disability to act for themselves.

Eight. The assent of three-fifths of the members elected to each house shall be requisite to the passage of every law for granting, continuing, altering, amending, or renewing charters for banks or money corporations, and all such charters shall be limited to a term not exceeding twenty years.

Nine. Individuals or private corporations shall not be authorized to take private property for public use without just compensation first made to the owners.

Ten. The legislature may vest in the circuit courts or courts of common pleas within the several counties of this State chancery powers, so far as relates to the foreclosure of mortgages and sale of mortgaged premises.

Sec. 8. Members of the legislature shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear or affirm, as the case may be that I will support the Constitution of the United States and the constitution of the State of New Jersey, and that I will faithfully discharge the duties of senator or member of the general assembly, as the case may be according to the best of my ability."

And members-elect of the senate or general assembly are hereby empowered to administer to each other the said oath or affirmation.

ARTICLE V.
EXECUTIVE.

One. The executive power shall be vested in a governor.

Two. The governor shall be elected by the legal voters of this State. The person having the highest number of votes shall be the governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by the vote of a majority of the members of both houses in joint meeting.

Contested elections for the office of governor shall be determined in such manner as the legislature shall direct by law.

When a governor is to be elected by the people, such election shall be held at the time when and at the places where the people shall respectively vote for members of the legislature.

Three. The governor shall hold his office for three years, to commence on the third Tuesday of January next ensuing the election for governor by the people, and to end on the Monday preceding the third Tuesday of January, three years thereafter, and he shall be incapable of holding that office for three years next after his term of service shall have expired, and no appointment or nomination to office shall be made by the governor during the last week of his said term.

Four. The governor shall be not less than thirty years of age, and shall have been for twenty years, at least, a citizen of the United States, and a resident of this State seven years next before his election, unless he shall have been absent during that time on the public business of the United States or of this State.
State.

Five. The governor shall, at stated times, receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected.

Six. He shall be the commander-in-chief of all the military and naval forces of the State; he shall have power to convene the legislature whenever in his opinion public necessity requires it; he shall communicate by message to the legislature at the opening of each session, and at such other times as he may deem necessary, the condition of the State, and recommend such measures as he may deem expedient; he shall take care that the laws be faithfully executed, and grant, under the great seal of the State, commissions to all such officers as shall be required to be commissioned.

Seven. Every bill which shall have passed both houses shall be presented to the governor; if he approve he shall sign it, but if not he shall return it, with his objections, to the 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, a majority of the whole number 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 of by a majority of the whole number of that house, it shall become a law; but in neither house shall the vote be taken on the same day on which the bill shall be returned to it, and in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within five days (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 legislature, by their adjournment, prevent its return, in which case it shall not be a law.

Eight. No member of Congress or person holding an office under the United States or this State shall exercise the office of governor, and in case the governor, or person administering the government, shall accept of any office under the United States or this State, his office of governor shall thereupon be vacant.

Nine. The governor, or person administering the government, shall have power to suspend the collection of fines and forfeitures, and to grant reprieves to extend until the expiration of a time not exceeding ninety days, after conviction, but this power shall not extend to cases of impeachment.

Ten. The governor, or person administering the government, the chancellor, and the six judges of the court of errors and appeals, or a major part of them, of whom the governor, or person administering the government, shall be one, may remit fines and forfeitures and grant pardons, after conviction, in all cases except impeachment.

Eleven. The governor and all other officers under this State shall be liable to impeachment for misdemeanor in office, during their continuance in office, and for two years thereafter.

Twelve. In case of the death, resignation, or removal from office of the governor, the powers, duties, and emoluments of the office shall devolve upon the president of the senate, and in case of his death, resignation, or removal, then upon the speaker of the house of assembly, for the time being, until another governor shall be elected and qualified, but in such case another governor shall be chosen at the next election for members of the State legislature, unless such death, resignation, or removal shall occur within thirty days immediately preceding such next election, in which case a governor shall be chosen at the second succeeding election for members of the legislature. When a vacancy happens during the recess of the legislature, in any office which is to be filled by the governor and senate, or by the legislature, in joint meeting, the governor shall fill such vacancy, and the commission shall expire at the end of the next session of the legislature, unless a successor shall be sooner appointed. When a vacancy happens in the office of clerk or surrogate of any county, the governor shall fill such vacancy, and the commission shall expire when a successor is elected and qualified.

Thirteen. In case of the impeachment of the governor, his absence from the State, or inability to discharge the duties of his office, the powers, duties, and emoluments of the office shall devolve upon the president of the senate; and in case of
We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious freedom vouchsafed to us, and with a conscious regard for the welfare of posterity, do ordain and establish this Constitution of Government for the purpose of securing to ourselves and our posterity the blessings of liberty, and of establishing justice, doing equity, and securing the blessings of domestic tranquility.

ARTICLE I. POLITICAL POWER.

One. The legislative power shall be vested in a general assembly, which shall consist of representatives of the people of the State of New Jersey.

Two. The general assembly shall be composed of members elected by the people of the State of New Jersey, on the first Monday in November of every second year, for the term of two years, who shall have been a resident of this State one year immediately preceding the election. The members of the general assembly shall be apportioned among the several counties as nearly as may be, according to the last federal census, and also a representative for each city or town of more than five thousand inhabitants. The Senate and Assembly shall be elected on the same ticket; and the same ticket shall be voted for, unless the voter shall direct otherwise.

Three. No justice of the supreme court, nor judge of any other court, shall have been a member of the general assembly during the term for which he shall have been chosen, nor shall any person hold any office under the State, or in the United States, which immediately precedes the holding of an office in the executive department.

Four. Each house shall keep a journal of its proceedings, and cause the same to be printed for the information of the people. Members of the general assembly shall receive such compensation as shall be fixed from time to time by law, but no member shall receive more than one dollar per day for the period of the session, and the clerk and sergeant-at-arms shall receive such sums as shall be fixed by law.

Five. The clerks of the house, who shall be appointed by the members of said house, shall have the power of inspecting the books of the several officers of the executive department of the State, in whose hands they may be; and the members of the general assembly shall have the power of inspecting and controlling all the funds of the State, and the county and town funds respectively, who shall be apportioned among the said counties as nearly as may be, according to the last federal census, and also a representative for each city or town of more than five thousand inhabitants.

Six. No justice of the supreme court, nor judge of any other court, shall have been a member of the general assembly during the term for which he shall have been chosen, nor shall any person hold any office under the State, or in the United States, which immediately precedes the holding of an office in the executive department.

Seven. No private or special law shall be passed authorizing the use of the acknowledged natural funds of the State, or the sale of any lands or other property for public uses, or the raising of money that has been or may be deposited with this State by the United States, except in cases and under regulations which shall be provided by law; which inferior courts the legislature may alter or abolish, as the public good shall require.

Eight. Militia Officers.

Seven. The right of trial by jury shall remain inviolate; but the legislature may, by law, abolish the same, in all cases in which the right of trial by jury has heretofore been abolished, and may also abolish any other court or courts, or any inferior court or courts, which shall be hereby done shall be irrepealable until such debt or liability within thirty years shall have been paid, or otherwise provided for.

Nine. No person shall be held to answer for a criminal offence, unless on presentment or indictment of a grand jury, except in cases in which the law expressly authorizes conviction of another description.

Ten. No bill of attainder shall be passed; nor shall any person be deprived of life, liberty, or property, except by the lawful judgment of his peers or by the law of the land.

Eleven. No bill of attainder shall be passed; nor shall any person be deprived of life, liberty, or property, except by the lawful judgment of his peers or by the law of the land.

Twelve. The military shall be in strict subordination to the civil authority of the State.

Thirteen. The military shall be in strict subordination to the civil authority of the State.

Fourteen. In case of a vacancy in the office of governor, from any other cause than those herein enumerated, or in case of the death of the governor-elect, before he is qualified into office, the powers, duties, and emoluments of the office shall devolve upon the president of the senate or speaker of the house of assembly, as above provided for, until a new governor be elected and qualified.

ARTICLE VI. JUDICIARY.

Section 14. The judicial power shall be vested in a court of errors and appeals in the last resort in all causes, as heretofore; a court for the trial of impeachments; a court of chancery; a prerogative court; a supreme court; circuit courts, and such inferior courts as now exist; and as may be hereafter ordained and established by law; which inferior courts the legislature may alter or abolish, as the public good shall require.

SEC. 2. One. The court of errors and appeals shall consist of the chancellor, the justices of the supreme court, and six judges, or a major part of them; which judges are to be appointed for six years.

Two. Immediately after the court shall first assemble, the six judges shall arrange themselves in such manner that the seat of one of them shall be vacated every year, in order that thereafter one judge may be annually appointed.

Three. Such of the six judges as shall attend the court shall receive respectively a per diem compensation, to be provided by law.

Four. The secretary of state shall be the clerk of this court.

Five. When an appeal from an order or decree shall be heard, the chancellor shall inform the court, in writing, of the reason for his order or decree; but he shall not sit as a member, or have a voice in the hearing or final sentence.

Six. When a writ of error shall be brought, no justice who has given a judicial opinion in the cause, in failure of or against any error complained of, shall sit as a member, or have a voice on the hearing, or for its affirmance or reversal; but the reasons for such opinion shall be assigned to the court in writing.

Sec. 3. One. The house of assembly shall have the sole power of impeaching, by a vote of a majority of all the members; and all impeachments shall be tried by the senate; the members when sitting for that purpose to be on oath or affirmation, truly and impartially to try and determine the charge in question according to evidence; and no person shall be convicted without the concurrence of two-thirds of all the members of the senate.

Two. Any judicial officer impeached shall be suspended from exercising his office until his acquittal.

Three. Judgment, in cases of impeachment, shall not extend farther than to removal from office and to disqualification to hold and enjoy any office of honor, profit, or trust under this State; but the partly convicted shall nevertheless be liable to indictment, trial, and punishment, according to law.

Four. The secretary of state shall be the clerk of this court.

Sec. 4. One. The court of chancery shall consist of a chancellor.

Two. The chancellor shall be the ordinary, or surrogate-general, and judge of the prerogative court.

Three. All persons aggrieved by any order, sentence, or decree of the orphans' court, may appeal from the same, or from any part thereof, to the prerogative court; but such order, sentence, or
Constitution of 1844

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious blessings which he has vouchsafed to us, and conscious of our dependence upon his favor in the continuance of our liberties, do ordain and establish this constitution of government; and do hereby freely grant and set apart for public use, under the supervision and control of the legislature, the lands, revenues, and other public property, necessary for the support of the government, and for the promotion of the public welfare.

Sec. 1. One. The legislature shall consist of two houses, to be called the Senate and Assembly; and shall operate under the following rules, which may at any time be altered or repealed by the legislature; but no law altering the manner of choosing members of the legislature shall have any effect until the term for which the members last elected shall have expired.

Sec. 2. One. The governor shall be elected by the legal voters of this State, in the manner prescribed by this constitution. If a vacancy shall happen by death, resignation, or otherwise, the legislature shall proceed to fill the same, and the person chosen shall hold office during the remainder of the term for which the person vacating the same was elected, unless he shall resign before the expiration of that term.

Sec. 3. One. The persons elected to serve as members of the legislature shall reside in the county they are elected to represent, and shall have been citizens of the United States for the term for which they are elected, and of the State at least five years before their election.

Sec. 4. In case of the death, resignation, or disability of the secretary of state, the same shall be filled by the legislature, in the manner prescribed in the case of a vacancy in the governor. The same shall be filled for the term for which the person vacating it was elected.

Sec. 5. One. The supreme court shall consist of a chief justice and four associate justices. The number of associate justices may be increased or decreased by law, but shall never be less than two.

Two. The circuit courts shall be held in every county of this State, by one or more of the justices of the supreme court, or a judge appointed for that purpose, and shall, in all cases within the county, except in those of a criminal nature, have common law jurisdiction concurrent with the supreme court, and any final judgment of a circuit court may be docketed in the supreme court, and shall operate as a judgment obtained in the supreme court from the time of such docketing.

Three. Final judgments in any circuit court may be brought by writ of error into the supreme court, or directly into the court of errors and appeals.

Sec. 6. One. There shall be no more than five judges of the inferior court of common pleas in each of the counties in this State after the terms of the judges of said court now in office shall terminate. One judge for each county shall be appointed every year, and no more, except to fill vacancies, which shall be for the unexpired term only.

Two. The commissions for the appointments of judges of said court shall bear date and take effect on the first day of April next, and all subsequent commissions for judges of said court shall bear date and take effect on the first day of April in every successive year, except commissions to fill vacancies, which shall bear date and take effect when issued.

Sec. 7. One. There may be elected under this constitution two and not more than five justices of the peace in each of the townships of the several counties of this State, and in each of the wards in cities that may vote in wards. When a township or ward contains two thousand inhabitants or less, it may have two justices; when it contains more than two thousand inhabitants, and not more than four thousand, it may have four justices; and when it contains more than four thousand inhabitants, it may have five justices: Provided, That whenever any township not voting in wards contains more than seven thousand inhabitants, such township may have an additional justice for each additional three thousand inhabitants above four thousand.

Two. The population of the townships in the several counties of the State and of the several wards shall be ascertained by the last preceding census of the United States, until the legislature shall provide by law some other mode of ascertaining it.

ARTICLE VII.
APPOINTING POWER AND TENURE OF OFFICE.
Militia Officers.

SECTION 1. One. The legislature shall provide by law for enrolling, organizing, and arming the militia.

Two. Captains, subalterns, and non-commissioned officers shall be elected by the members of their respective companies.

Three. Field-officers of regiments, independent battalions, and squadrons shall be elected by the commissioned officers of their respective regiments, battalions, or squadrons.

Four. Brigadier-generals shall be elected by the field-officers of their respective brigades.

Five. Major-generals shall be nominated by the governor, and appointed by him, with the advice and consent of the senate.

Six. The legislature shall provide by law the time and manner of electing militia officers and of certifying their elections to the governor, who shall grant their commissions and determine their rank, when not determined by law, and no commissioned executive officer shall be entitled to sign any commission.
Seven. In case the electors of subalterns, captains, or field-officers shall refuse or neglect to make such elections, the governor shall have power to appoint such officers, and to fill all vacancies caused by such refusal or neglect.

Eight. Brigade-inspectors shall be chosen by the field-officers of their respective brigades.

Nine. The governor shall appoint the adjutant-general, quartermaster-general, and all other militia officers whose appointment is nor otherwise provided for in this constitution.

Ten. Major-generals, brigadier-generals, and commanding officers of regiments, independent battalions, and squadrons, shall appoint the staff-officers of their divisions, brigades, regiments, independent battalions, and squadrons, respectively.

Civil Officers.

SEC. 2. One. Justices of the supreme court, chancellor, and judges of the court of errors and appeals shall be nominated by the governor, and appointed by him, with the advice and consent of the senate.

The justices of the supreme court and chancellor shall hold their offices for the term of seven years; shall, at stated times, receive for their services a compensation which shall not be diminished during the term of their appointments; and they shall hold no other office under the government of this State or of the United States.

Two. Judges of the courts of common pleas shall be appointed by the senate and general assembly, in joint meeting.

They shall hold their offices for five years; but when appointed to fill vacancies, they shall hold for the unexpired term only.

Three. The State treasurer and the keeper and inspectors of the State prison shall be appointed by the senate and general assembly, in joint meeting.

They shall hold the offices for one year, and until their successors shall be qualified into office.

Four. The attorney-general, prosecuting attorneys of pleas, clerk of the supreme court, clerk of the court of chancery, and secretary of state shall be nominated by the governor, and appointed by him, with the advice and consent of the senate. They shall hold their offices five years.

Five. The law-reporter shall be appointed by the justices of the supreme court, or a majority of them; and the chancery reporter shall be appointed by the chancellor. They shall hold their offices for five years.

Six. Clerks and surrogates of counties shall be elected by the people of their respective counties at the annual elections for members of the general assembly.

They shall hold their offices for five years.

Seven. Sheriffs and coroners shall be elected annually by the people of their respective counties, at the annual elections for members of the general assembly.

They may be reelected until they have served three years, but no longer; after which three years must elapse before they can be again capable of serving.

Eight. Justices of the peace shall be elected by ballot, at the annual meetings of the townships in the several counties of the State, and of the wards in the cities that may vote in wards, in such manner, under such regulations, as may be hereafter provided by law.

They shall be commissioned for the county, and their commissions shall bear date and take effect on the first day of May next after their election.

They shall hold their offices for five years; but when elected to fill vacancies, they shall hold for the unexpired term only; Provided, That the commission of any justice of the Peace shall...
Constitution of 1844
We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious freedom vouchsafed to us, do ordain and establish this Constitution in token of our faith in Almighty God, and of our confidence in the wisdom, patriotism, and virtue of our fellow citizens.

ARTICLE I.
Legislature.

One. The legislature consists of the senate and the house of assembly.

Two. The senate shall consist of fifteen members, to be chosen by the people, in wheeling order, for the term of two years, by which term they shall be elected in the following manner: The first five senators shall be elected at the first election after the organization of the government; the next five senators shall be elected at the second such election; and the remaining five senators shall be elected at the third such election. None of the senators so elected shall continue in office for a longer term than six years, or for a shorter term than two years. The senators shall be chosen in their respective counties by a majority of the electors for the purpose of electing them, and of selecting such other proper persons as the laws of the State may require.

Three. The house of assembly shall consist of forty members, to be elected by the people, for the term of two years, and of selecting such other proper persons as the laws of the State may require.

Four. The senators and representatives shall receive such compensation as the legislature shall from time to time provide.

ARTICLE II.
Executive.

One. The governor shall be the chief executive officer of the State, and shall hold his office for four years, unless impeached for and convicted of treason, bribery, or other high crimes and misdemeanors. He shall be eligible for re-election. The governor shall be chosen in the manner prescribed for the election of senators.

Two. The governor shall, at least once in each year, on the first day of December, lay before the legislature such state of the affairs of the State as he may judge necessary. He shall be present at all sessions of the legislature, and shall, when required by either branch thereof, communicate with them.

Three. The governor shall, when the legislature is not in session, appoint or suspend and appoint all officers of the State. He shall, at the end of each session of the legislature, communicate with the officers of the State, and shall direct them in the performance of their duties.

Four. The governor shall be president of the senate, and shall have the power of appointment in the senate. He shall have power to direct the proceedings of the senate, and to conduct all official business therein.

ARTICLE III.
Judiciary.

One. The supreme court of the State shall consist of a chief justice and four associate justices, to be elected by the people, in wheeling order, for the term of six years, by which term both the chief justice and the associate justices shall be elected in the following manner: The first associate justice shall be elected at the first election after the organization of the government; the second justice shall be elected at the second such election; and the remaining justices shall be elected at the third such election.

Two. The supreme court shall have power to decide all cases, except those committed to the circuit court, which may be presented to it, by the legislature, in the following manner: A joint resolution shall be passed by the legislature, requiring the supreme court to decide a case, and the resolution shall be presented to the governor, who shall transmit it to the court, and the court shall act thereon.

Three. The circuit court shall be a court of record with power and jurisdiction to hear and determine all cases in equity, and all criminal or civil suits of title, and all suits in equity, except those committed to the supreme court; and shall be constituted of a chief judge and five judges, to be elected by the people, in wheeling order, for the term of six years, by which term both the chief judge and the judges shall be elected in the following manner: The first judge shall be elected at the first election after the organization of the government; the second judge shall be elected at the second such election; and the remaining judges shall be elected at the third such election.

Four. The circuit court shall have power to decide all cases, except those committed to the supreme court, which may be presented to it, in the following manner: A joint resolution shall be passed by the legislature, requiring the circuit court to decide a case, and the resolution shall be presented to the governor, who shall transmit it to the court, and the court shall act thereon.

ARTICLE IV.
Military.

One. The military shall be in strict subordination to the authority of the State, and shall be maintained by the State for the defense thereof.

Two. The military shall be organized into regiments, independent battalions, and squadrons, respectively.

Three. The military shall be in charge of the governor, who shall be the general in chief of the State, and shall have power to call out the militia to execute the laws of the State, to suppress insurrections, and to repel invasions.

Four. The military shall be controlled by the legislature, and shall be maintained by the State for the defense thereof.

ARTICLE V.
Finance.

One. The legislature shall have power to provide for the public debt, to regulate the collection of taxes, to provide for the support and maintenance of a militia, and to make all other laws necessary for the protection of the State, and the promotion of its welfare.

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ARTICLE VI.
Taxes.

One. The legislature shall have power to provide for the public debt, to regulate the collection of taxes, to provide for the support and maintenance of a militia, and to make all other laws necessary for the protection of the State, and the promotion of its welfare.

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ARTICLE VII.
Police.

One. The legislature shall have power to provide for the public debt, to regulate the collection of taxes, to provide for the support and maintenance of a militia, and to make all other laws necessary for the protection of the State, and the promotion of its welfare.

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Three. The legislature shall have power to provide for the public debt, to regulate the collection of taxes, to provide for the support and maintenance of a militia, and to make all other laws necessary for the protection of the State, and the promotion of its welfare.

ARTICLE VIII.
General Provisions.

One. The secretary of state shall be ex officio an auditor of the accounts of the treasurer, and, as such, it shall be his duty to assist the legislature in the annual examination and settlement of said accounts, until otherwise provided by law.

Two. The seal of the State shall be kept by the governor or person administering the government, and used by him officially, and shall be called "The Great Seal of the State of New Jersey."

Three. All grants and commissions shall be in the name and by the authority of the State of New Jersey, sealed with the great seal, signed by the governor or person administering the government and countersigned by the secretary of state, and shall run thus: "The State of New Jersey to - - -, greeting." All writs shall be in the name of the State; and all indictments shall conclude in the following viz: "Against the peace of this State, the government and dignity of the same."

Four. This constitution shall take effect and go into operation on the second day of September, in the year of our Lord one thousand eight hundred and forty-four.

ARTICLE IX.
Amendments.

Any specific amendment or amendments to the constitution may be proposed in the senate or general assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken and referred to the legislature then next to be chosen, and shall be published, for three months previous to making such choice, in at least one newspaper of each county, if any be published therein; and if in the legislature next chosen, as aforesaid, such proposed amendment or amendments, or any of them, shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments, or such of them as have been agreed to as aforesaid by the two legislatures, to the people, in such manner and at such time, at least four months after the adjournment of the legislature, as the legislature shall prescribe; and if the people, at a special election to be held for that purpose only, shall approve and ratify such amendment or amendments, or any of them, by a majority of the electors qualified to vote for members of the legislature voting thereon, such amendment or amendments, so approved and ratified, shall become part of the constitution: Provided, That if more than one amendment be submitted, they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly; but no amendment or amendments shall be submitted to the people by the legislature oftener than once in five years.
ARTICLE X

SCHEDULE

That no inconvenience may arise from the change in the constitution of this State, and in order to carry the same into complete operation, it is hereby declared and ordained that—-

SECTION I. The common law and statute laws now in force not repugnant to this constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the legislature; and all writs, actions, causes of action, prosecution, contracts, claims, and rights of individuals and of bodies-corporate, and of the State and all charters of incorporation shall continue, and all indictments which shall have been found, or which may hereafter be found, for any crime or offence committed before the adoption of this constitution, may be proceeded upon as if no several courts of law and equity, except as herein otherwise provided, shall continue with the like powers and jurisdiction as if this constitution had not been adopted.

SEC. 2. All officers now filling any office or appointment shall continue in the exercise of the duties thereof, according to their respective commissions or appointments. unless by this constitution it is otherwise directed.

SEC. 3. The present governor, chancellor, and ordinary or surrogate-general, and treasurer, shall continue in office until successors elected or appointed under this constitution shall be sworn or affirmed into office.

SEC 4. In case of the death, resignation, or disability of the present governor, the person who may be vice-president of council at the time of the adoption of this constitution shall continue in office, and administer the government until a governor shall have been elected and sworn or affirmed into office under this constitution.

SEC. 5. The present governor, or in case of his death or inability to act, the vice-president of council, together with the present members of the legislative council and secretary of state, shall constitute a board of State canvassers, in the manner now by law, for the purpose of ascertaining and declaring the result of the next ensuing election for governor, members of the house of representatives, and electors of President and Vice-President.

SEC. 6. The returns of the votes for governor, at the said next ensuing election, be submitted to the secretary of state, the votes counted, and the election in the manner now provided by law in the case of the election of electors of President and Vice-President.

SEC. 7. The election of clerks and surrogates, in those counties where the term of office of the present incumbent shall expire previous to the general election of eighteen hundred and forty-five, shall be held at the general election next ensuing the adoption of this constitution; the result of which election shall be ascertained in the manner now provided by law for the election of sheriffs.

SEC. 8. The elections for the year eighteen hundred and forty-four shall take place a now provided by law.

SEC. 9. It shall be the duty of the governor to fill all vacancies in office happening between the adoption of this constitution and the first session of the senate, and not otherwise provided for; and the commissions shall expire at the end of the first session of the senate, or when successors shall be elected or appointed and qualified.

SEC. 10. The restriction of the pay of members of the legislature, after forty days from the commencement of the session, shall not be applied to the first legislature convened under this constitution.

SEC. 11. Clerks of counties shall be clerks of the inferior courts of common pleas and quarter sessions of the several counties, and perform the duties, and be subject to the regulations now required of them by law, until otherwise ordained by the legislature.

SEC. 12. The legislature shall pass all laws necessary to carry...
ALEXANDER WURTZ, President.

Done in convention, at the State-house in Trenton, on the twenty-ninth day of June, in the year of our Lord one thousand eight hundred and forty-four, and of the Independence of the United States of America the sixty-eighth.

ALEXANDER WURTZ, President.

WILLIAM PATERSON, Secretary.

Th. J. SAUNDERS, Assistant Secretary.