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West virginia constitution

Constitution of West Virginia. ARTICLE I. THE STATE. 1. The State of West Virginia shall and shall remain one of the United States of America. The Constitution of the United States, and the laws and treaties made under them, will be the supreme law of the land. 2. The following counties, formerly part of the State of Virginia, shall be included in the State of West Virginia and shall be part of the State of West Virginia, Namely: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Pleasants, Tyler, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, , Boone, Logan, Wyoming, Mercer, McDowell, Webster, Pocahontas, Fayette, Raleigh, Greenbrier and Monroe. And if a majority of the votes cast in the elections or elections held, as provided for in the timetable herein, in the district composed of the counties of Pendleton, Hardy, Hampshire and Morgan, will be in favor of the adoption of this Constitution, those four counties shall also be included and form part of the State of West Virginia; and if the same will be included, and most votes cast in such elections or elections, in the district composed of Berkeley, Jefferson, and Frederick counties will be in favor of adopting this Constitution, then the last three counties mentioned will also be included and will be part of the West Virginia State. The state of West Virginia will also include much of the bed, banks and banks of the Ohio River as so far appertained to the state of Virginia; and the territorial rights and property in, and jurisdiction of any kind over, such bed, banks and coasts so far reserved by, or vested in, the State of Virginia, shall be conferred and exercised thereafter by the State of West Virginia. 3. The powers of the Government reside in all citizens of the State, and can only be exercised with reason according to their will and appointment. 4. The Legislative, Executive and Judicial Departments of the government shall be separated and distinct. Nor shall it exercise the powers that belong properly to any of the others. No person shall be vested or exercise the powers of more than one of them at the same time. 5. The briefs, grants and commissions, issued under the authority of the State, shall be executed on behalf of, and the official bonds shall be paid to, the State of West Virginia. The accusations will end against the peace and dignity of the State of West Virginia. 6. The citizens of the State are the citizens of the United States residing there; but no person in U.S. military, naval, or marine service will be resident of this State due to being stationed in it. 7. Every citizen shall have the right to in the Government, and in all distributions of representation, equal numbers to which they are entitled will be preserved as far as possible. ARTICLE II. BILL OF RIGHTS. 1. The privilege of the habeas corpus order shall not be suspended, except where at the time of invasion, insurrection or other public danger, public safety may require it. No person shall be considered to be held responding for treason, felony or other crime not recognizable by a judge, unless in the filing or indictment of a grand jury. No achievement bill, ex post facto law or law that undermines the obligation of a contract will be passed. 2. Excessive bail shall not be required, excessive fines or cruel and unusual punishments shall not be imposed. Sanctions shall apply to the nature and degree of the infringement. No person shall be compelled to witness against himself, or be jeopardy twice for the same crime. 3. The right of citizens to be safe in their homes, persons, papers and effects against unreachably searches and seizures shall not be violated. No arrest warrant will be issued but by probable cause, supported by oath or affirmation, and in particular describing the place to be searched, and the people and things to be seized. 4. No law opening up freedom of expression or the press shall be adopted; but the Legislature may provide for the restriction and punishment of the publication and sale of obscene books, papers and images, and of defamation and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of adequate damage to such defamation or defamation. Attempts to justify and maintain an armed invasion of the State, or an insurrection organized therein, during the continuation of such invasion or insurrection, speaking publicly, writing or printing, or publishing or distributing such writing or printing, may, by law, be declared misdemeanors and punished accordingly. 5. In civil defamation trials and lawsuits, truth may be given in evidence; and if it seems to the jury that the matter charged as defamatory is true, and was published on good grounds and for justifiable purposes, the verdict will be for the defendant. 6. Private property shall not be taken for public use without fair compensation. No person, in peacetime, shall be deprived of life, liberty or property without due process of law. The military will be subordinate to civilian power. 7. In claims under common law, where the disputed value exceeds twenty dollars, the right to trial per jury shall be retained, if required by either party. Under no circumstances shall any fact judged by a jury other than in accordance with the rules of common law be re-examined. 8. The misdemeanors and misdemeanors, unless otherwise provided for, will be per jury, and will be conducted publicly and without unreasonable delay, in the county where the alleged crime committed, unless at the request of the accused and for a good cause shown, or inconsequential of the existence of war or insurrection in that county, he retires to, or instituted in, any other county. In all these trials, the accused will be informed of the nature and cause of the prosecution, and will face the witnesses against him, and will have the help of a lawyer for his defense, and a mandatory process for obtaining witnesses on his behalf. 9. No man shall be obliged to frequent or support any religious worship, place or ministry of any kind; neither man shall be forced, restricted, abused or burdened in his body or property, or otherwise suffered, because of his religious opinions or beliefs; but all men will be free to profess, and by argument to maintain, their opinions on matters of religion, and the same will not affect, diminish or wisely expand their civilian capacities. And the Legislature will not prescribe any religious criteria anything, or confer peculiar privileges or advantages on any sectoral name; or pass any law that requires or authorizes any religious society, or the people of any district within this state, to collect upon themselves or others any tax for the construction or repair of any house for public worship, or for the support of any church or ministry; but each person will be without being without to select their religious instructor, and to make for their support, the private contract they please. 10. Betrayal against the State shall consist only of charging them for war, or adhering to their enemies, giving them help and comfort. No person shall be convicted of treason unless it is in the testimony of two witnesses of the same open act, or in confession in the open court. The betrayal shall be punished, in accordance with the nature of the acts committed, by the infliction of one or more of the penalties of death, imprisonment, fine or confiscation of the actual and personal property of the infringer, as prescribed by law. ARTICLE III. ELECTIONS AND OFFICIALS. 1. White citizens of the State shall have the right to vote in all elections held within the electoral districts in which they reside respectively; but no person who is a minor, or of a foolish mind, or a poor person, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the State for a year, and of the county in which he offers to vote for thirty days, the next one prior to such offer, may vote for as long as that disability continues. 2. In all elections by the people, the voting mode shall be by vote. 3. No voter, during the continuation of an election in which he has the right to vote, or for as long as necessary and convenient to come and go from it, arrested to be arrested in civil proceedings, or will be responsible for attending any judicial or judicial proceedings as a suitor, jury or or work on public roads; or, except in time of war or public danger, serve in the military. 4. No person, except citizens with

the right to vote, shall be elected or appointed in any state, county or municipal office. Judges must have reached the age of thirty-five, the Governor, the age of thirty, and the Attorney General and Senators at the age of twenty-five, at the beginning of their respective service mandates, and must have been citizens of the State for five years the next before, or at the time this Constitution enters into operation. 5. Any person elected or appointed to any office or trust, civil or military, shall, before exercising authority or fulfilling their duties, take an oath or affirm that he shall support the Constitution of the United States, and the Constitution of this State; and every citizen of this State may, in time of war, insurrection or public danger, be required by law to take the oath or similar affirmation, in the face of the pain of the suspension of his right to vote, and the office under this Constitution. 6. All officials elected or appointed under this Constitution may be removed from office for misconduct, incompetence, negligence of duty or other causes, in the manner prescribed by general laws; and unless they withdraw it, they will continue to perform the functions of their respective positions, until their successors are elected or appointed and qualified. 7. General elections of state and county officials, and members of the Legislature, will be held on the fourth Thursday of October. The terms of office of such officers and members, not elected or appointed to fill a vacancy, shall commout, unless otherwise provided, on the first day of January following their election. Elections to fill vacancies will be for the undue period. Vacancies will be filled in any manner prescribed by law. 8. The Legislature shall, in cases not provided for in this Constitution, prescribe by general law the mandates, powers, duties and compensation of all civil servants and public servants, as well as how they shall be elected, appointed and dismissed. 9. No additional compensation shall be granted or permitted to any public official, agent or contractor, after the services have been provided, or the contract concluded. Nor will the salary or compensation of any public official be increased or reduced during his term of office. 10. Any State official may be prosecuted for mismanagement, corruption, incompetence, negligence in duty or any misdemeanor or crime. The House of Delegates will have the sole power of impeachment. The Senate will have the sole power to judge impeachments. Sitting down for that purpose, senators shall be under oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Present, in cases of impeachment it will not extend beyond the removal of office and disqualification to hold any position of honor, trust or benefit under the State; but the convicted party will, however, be liable and subject to indictment, trial, trial and punishment in accordance with the law. The Senate may sit during the Legislature's recess for the impeachment trial. 11. Any citizen of this State who, after the adoption of this Constitution, whether inside or outside the State, fights a duel with deadly weapons, or sends or accepts a challenge to be made; or who will act as a second, or knowingly help or assist in such bereavement, will always be unable to hold any position of honor, trust or benefit under this State. 12. The Legislature may provide for voter registration. Prescribe how to conduct and return elections and determine the contested elections; and pass laws that are necessary and appropriate to prevent intimidation, disorder or violence at the ballot box, and corruption or voting fraud. ARTICLE IV. Legislature. 1. Legislative power shall fall to a Senate and a House of Delegates. The style of his actions will be: Be promulgated by the West Virginia Legislature. 2. The Senate shall consist of eighteen, and the House of Delegates of forty-seven members shall, without prejudice to increase in accordance with the provisions hereinafter. 3. The term of office of the senators shall be two years, and that of the Delegates one year. Senators elected for the first time will be divided into two classes, one senator from each district assigned to each class; and of these classes, the first, which will be designated by lot in the way that the Senate can determine, will hold its positions for one year, and the second for two years; so that after the first election half of the senators will be elected annually. 4. For the election of Senators, the State shall be divided into nine Senator Districts; the number of which should not be decreased, but may be increased thereafter. Each district will elect two senators, but after the first election both will not be elected from the same county. Districts will be the same, as far as possible, in the white population, according to U.S. census yields. They will be compact, formed in contiguous territory and delimited by county lines. After each census of this kind, the Legislature will alter the Senator Districts, to the extent necessary to make them in place of the above provisions. 5. Any Senator District may be divided at any time, by county lines or otherwise, into two sections, which shall be equal, as close as possible, to the white population. If such division is made, each section will choose one of the senators for the district; and the senators thus elected will be classified in such a way that the can determine. 6. Until Senator Districts are altered by the Legislature after the next census, Hancock, Brooke, and Ohio counties will constitute the first Senator District; Marshall, Wetzel and Marion the second; Monongalia, Preston and Taylor the third; Pleasants, Tyler, Ritchie, Doddridge and Harrison the fourth; Wood, Jackson, Wirt, Roane, Calhoun and Gilmer the fifth; Barbour, Tucker, Lewis, Braxton, Upshur and Randolph the sixth; Mason, Putnam, Kanawha, Clay and Nicholas on the seventh; Cabell, Wayne, Boone, Logan, Wyoming, Mercer and McDowell on the eighth; and Webster, Pocahontas, Fayette, Raleigh, Greenbrier and Monroe on the ninth. 7. For the election of Delegates, each county containing a white population of less than half of the representative proportion of the House of Delegates shall be attached, in each apportionment, to an adjoining county or county, to form a Delegated District. 8. When two or more counties are formed in a Delegated District, the Legislature shall by law provide that Delegates who shall be elected by district voters shall be, in rotation, residents of each county, by a greater or lesser number of terms, provided, as close as can be done conveniently, to the white population of the various counties in the District. 9. After each census, delegates shall be apportioned as follows: The proportion of representation of the House of Delegates shall be determined by dividing the entire white population of the State by the number of which the House shall consist, and rejecting the fraction of a unit, if any, resulting from that division. Dividing the white population of each Delegated District, and of each county not included in a Delegated District, by the proportion thus determined, each will be assigned a number of delegates equal to the quotient obtained by this division, excluding the remaining fractional. Additional Delegates required to compensate for the number of which the House will consist will be allocated to those Delegated Districts, and counties not included in a Delegated District, which would otherwise have the largest fractions unrepresented. But each Delegated District and county not included in a Delegated District will be entitled to at least one Delegate. 10. Until a new apportionment is declared, Pleasants and Wood counties will form the first Delegate District; Calhoun and Gilmer the second; Clay and Nicholas the third; Webster and Pocahontas the room; Tucker and Randolph the fifth; and McDowell, Wyoming and Raleigh on sixth. The first Delegate District will elect two Delegates, and the other five, one each. 11. Delegates to be elected by the first Delegated District shall be, during the first term, residents of Wood County, and for the second term, one shall be a resident of Wood, and the other of Pleasants County; and so on rotation. The elected by the second Delegated District will be, for the first time, a resident of Gilmer, and for the second, of Calhoun County. The Delegate who will be elected by the third Delegate District will be, for the first two terms, a resident of Nicholas, and for the third period of Clay County. The Delegate elected by the fourth Delegate District shall be, by the first two terms, a resident of Pocahontas, and for the third term of Webster County. The Delegate elected by the fifth Delegate District shall be, by the first three terms, a resident of Randolph, and for the fourth term of Tucker County. And the Delegate to be elected by the sixth Delegate District will be, for Raleigh's first resident term, for Wyoming's second term, for Raleigh's third term, for the fourth period of Wyoming, and for the fifth term of McDowell County; and so, in each case, in rotation. 12. Until a new distribution is declared, the distribution of Delegates to counties not included in the Delegated Districts, it will be as follows: A Barbour, Boone, Braxton, Brooke, Cabell, Doddridge, Fayette, Hancock, Jackson, Lewis, Logan, Mason, Mercer, Putnam, Ritchie, Roane, Taylor, Tyler, Upshur, Wayne, Wayne, Harrison, Kanawha, Marion, Marshall, Monongalia and Preston counties, two delegates each. Ohio County, three delegates. To Greenbrier and Monroe counties together, three Delegates; of which, for the first period, two will be residents of Greenbrier, and one of Monroe County; and by the second term, two will be residents of Monroe and one of Greenbrier County; and so on rotation. 13. If the counties of Pendleton, Hardy, Hampshire and Morgan become part of this State, they shall constitute, until the next cast, the tenth Senator District, and shall elect two senators. And if Frederick, Berkeley, and Jefferson counties become part of this state, until the next cast they will form the eleventh Senator District and elect two senators. And the Senate number will be, in the first case, twenty, and in the last, twenty-two, instead of eighteen. 14. If the last seven counties appointed become part of this State, the distribution of Delegates to it shall be, until the next apportionment: (a) Pendleton and Hardy, one each; hampshire, Frederick and Jefferson, two each; and Morgan and Berkeley counties will form the seventh Delegate District, and elect two Delegates; of which, during the first period, one will be a resident of Berkeley and the other of Morgan County; and for the second period, both will be residents of Berkeley County; and so on rotation. But if the counties of Pendleton, Hardy, Hampshire and Morgan each become part of this state, and Frederick, Berkeley and Jefferson do not, then the counties of Pendleton, Hardy and Morgan will each elect a Delegate Hampshire two, until the next apportionment. The number of the House of Delegates will be, instead of forty-seven, in the first case fifty-seven, and in the last, fifty-two. 15. The provision of the Senate and Delegated Districts, and the distribution of Delegates, shall be declared thereafter by law, as soon as possible after each subsequent census conducted by the authority of the United States. When declared, they will apply to the first general election for members of the Legislature to be held thereafter, and will remain in force, unchanged, until such districts are altered and Delegates are apportioned under the subsequent census. 16. The additional territory may be admitted and part of this State with the consent of the Legislature. And in such a case, the law will provide for the representation of the white population of it in the Senate and the House of Delegates, in accordance with the principles established in this Constitution. And the number of members of each branch of the Legislature will then be increased by the representation assigned to that additional territory. 17. No person shall be a member of the Legislature who has not resided in the district or county for which he was elected one year after his election; and if a Senator or Delegate retires from the district or county for which he or she was elected, his or her office will be vacated. 18. No person holding a benefit charge under this State or the United States shall be a member of the Legislature. 19. No person who has been raised, or entrusted with public money, whether state, county, municipality or municipal, shall be eligible for the Legislature, or for any office of honor, trust or benefit, until he has duly accounted for and paid such money in accordance with the law. 20. The Legislature shall meet once each year, and not more often, unless convened by the Governor. Regular sessions will begin on the third Tuesday in January. 21. The Governor may convene the Legislature by proclamation, provided that, in his opinion, public safety or well-being requires it. It will be their duty to convene them in application of most of the members elected for each branch. 22. Government Headquarters shall be in the city of Wheeling, until the law establishes a Permanent Government Seat. 23. Where, for any reason, the Legislature, in the Governor's view, cannot meet safely at The Seat of Government, the Governor may, by proclamation, convene them elsewhere. 24. No session of the Legislature, after the first, shall continue for more than forty-five days, without the attendance of three-quarters of the members elected for each branch. 25. Neither branch, during the session, was for more than two days, without the other's consent. Nor, without such consent, shall any other that the Legislature sits on then. 26. Each branch shall be the judge of the elections, qualifications and performances of its own members. 27. Most of each branch will constitute a quorum for doing business. But a smaller number can defer from day to day, and force the attendance of absentee members, in the manner prescribed by law. 28. The Senate shall elect from its own body a President, and the House of Delegates as President. Each branch will appoint its own officers and remove them at pleasure; and will determine their own procedural rules. 29. Each branch may punish its own members for disorderly conduct; and, with the concurrence of two-thirds of the members present, expel a member, but not for the second time for the same offence. 30. Each branch shall have the power necessary to ensure its own security and the unaltered transaction of its activity, and may punish, with imprisonment, any person who is not a member, for disrespectful conduct in his presence; obstructing any of its procedures, or any of its officers in the performance of their duties; or for any aggression, threat or abuse of a member by the words spoken in the debate. But such imprisonment will not extend beyond the end of the session, and will not prevent the penalty of any crime for the course of ordinary law. 31. In the case of the words spoken in the debate, or any report, motion or proposal made, in any of the branches, a member shall not be questioned anywhere else. 32. Members of the Legislature, in all cases except treason, felony and violation of peace, shall have the privilege of being detained during the session, and for ten days before and after the session. 33. Senators and delegates shall receive compensation not more than three dollars per day for their services during the Session of the Legislature, and also ten cents for each mile they will travel to and from the meeting place, along the most direct route. The President of the Senate and the President of the Chamber of Conditions will receive, respectively, additional compensation of two dollars per day. 34. Bills and rulings may originate in either branch, which shall be approved, amended or rejected by the other. 35. No bill shall become law until it has been fully and clearly read in three different days in each branch; unless, in cases of urgency, three-quarters of the members present dispense with this rule. 36. No law shall cover more than one object, which shall be expressed in its title. 37. In the adoption of each bill, the vote shall be carried out by yeas and nays and shall be recorded in the journal; and neither branch will approve any project without the affirmative vote of the majority of elected members. 38. The Chairperson of each branch shall sign, before the end of the session, all draft laws and joint decisions adopted by the legislator. 39. Each branch branch keep a journal of your procedures, and have it published from time to time; and yeas and not in any questions, if requested by one-fifth of those present, will be recorded in the journal. ARTICLE V. EXECUTIVE. 1. The chief executive power shall be conferred on a Governor, who shall be elected by the voters of the State, and shall hold office for the period of two years, to begin on the fourth day of March following his election. The person acting as Governor shall not be elected or appointed to any other office during his term of office. 2. The Governor shall reside at the seat of the Government; you will receive two thousand dollars for each year of your service, and during your tenure you will not receive any other emoluments from this or any other government. 3. The Governor shall be Commander-in-Chief of the military forces of the State; will have the power to call on the militia to repel the invasion, suppress the insurrection and enforce law enforcement; carry out in person, or in the manner prescribed by law, all sexual relations with other States; and during the recess of the Legislature will temporarily fill all vacancies in office, not provided for in this Constitution or the Legislature, for commissions that will expire at the end of thirty days after the start of the next session of the Legislature. It will ensure that laws are faithfully enforced; communicate to the Legislature at each session of the Legislature the status of the State, and recommend to its consideration the measures it deems appropriate. You shall have the power to submit fines and penalties in cases and under the regulations prescribed by law; commute the death penalty and, except where the Prosecutor's Office has been carried out by the House of Delegates, grant pardons and pardons after the conviction; but it shall communicate to the Legislature, at each session, the details of each case of a fine or penalty referred, of commuted punishment, and of pardon or pardon granted, with its reasons for referring, commuting or granting it. 4. The Governor may require written information from Executive Department officials on any matter relating to their respective offices; and also the Attorney General's written opinion on any business law issue of the Executive Department. 5. Returns from the election of the Governor shall be made, in the form and by the persons appointed by the Legislature, to the Secretary of State, who shall deliver them to the President of the House of Delegates on the first day of the next session of the Legislature. The President, within ten days, in the presence of the majority of each branch of the Legislature, will open such returns, when the votes are counted. The person who has the highest number of votes, if properly they will be declared elected; but if two or more have the largest and equal number of votes, one of them will be elected Governor by the joint vote of the two branches. The contested elections for the Governor shall be decided by a similar vote, and the manner in which to proceed in such cases shall be prescribed by law. 6. In the event of removal from the Governor of office, or death, failure to qualify within the time limit prescribed by law, resignation, removal of the Government Seat, or inability to perform the functions of the office, such office with its compensation, duties and authority shall fall to the President of the Senate; and in the event of his inability or lack of any cause to act, in the President of the House of Delegates. The Legislature shall, by law, provide for the performance of executive functions in other necessary cases. 7. A Secretary of State, a Treasurer and an Auditor shall be elected at the same time, and by the same term, as the Governor. Your duties will be prescribed by law. The Secretary of State shall receive thirteen hundred, the Treasurer fourteen hundred and the Auditor five hundred dollars per year. 8. The Governor shall appoint, and by and with the advice and consent of the Senate, appoint all military officers above the rank of colonel. ARTICLE VI. Judiciary. 1. The judiciary of the State shall be the responsibility of a Supreme Court of Appeals and Circuit Courts, and the authorized lower courts. 2. The State shall be divided into nine Circuits. Hancock, Brooke, Ohio and Marshall counties will be the first; Monongalia, Preston, Tucker and Taylor, the second; Marion, Harrison and Barbour the third; Wetzel, Tyler, Pleasants, Ritchie, Doddridge and Gilmer, the fourth; Randolph, Upshur, Lewis, Braxton, Webster and Nicholas, the fifth; Wood, Wirt, Calhoun, Roane, Jackson and Clay, the sixth; Kanawha, Mason, Putnam and Fayette, the seventh; Cabell, Wayne, Boone, Logan, Wyoming and Raleigh, the eighth; and Pocahontas, Greenbrier, Monroe, Mercer and McDowell, the ninth. If Pendleton, Hardy, Hampshire and Morgan counties become part of the state, they will constitute another Circuit, which will be called the tenth. And if Frederick, Berkeley, and Jefferson counties become part of this state, they will constitute the eleventh Circuit. 3. The Legislature may, from time to time, reorganize the Circuits; and after the expiration of five years from the time this Constitution comes into operation, and thereafter, over ten-year periods, it may increase or decrease the number of Circuits, or the number of Courts in one year, as required by the need. 4. For each Circuit a Judge shall be elected by the voters of the Circuit, who shall hold his office for the period of six years. During his persition in office, he will reside in the Circuit of which he is a Judge. 5. A Court shall be considered in each county at least four times a year, unless otherwise provided by law, in accordance with the third section of this article. Judges may be required or authorized to hold the Courts of their respective Circuits alternately, and a Circuit Judge to have a Court on any other Circuit. 6. The Circuit Courts shall have the supervision and control of all proceedings before judges and other lower courts, by mandamus, prohibition or certiorari. They shall, except in cases entrusted exclusively by this Constitution to any other court, have original and general jurisdiction over all matters in law, where the amount in dispute excluded from interest exceeds twenty dollars, and of all cases in equity, and of all crimes and misdemeanors. They shall have jurisdiction of appeal in all civil and criminal cases, where an appeal, injunction of error or substitution is permitted to the judgment or proceeding of any lower court. They will also have other jurisdiction, whether supervisory, original, appeal or concurrent, as required by law. 7. The Supreme Court of Appeals shall be composed of three Judges, either of whom shall be a quorum. They shall be elected by the constituents of the State, and shall have office for a period of twelve years; except for the first chosen one, one, who will be designated by draw in any way they can determine, will hold his position for four years; another, which is designated in the same way, for eight years, and the third for twelve years; for one to be elected every four years after the first election. 8. The Supreme Court of Appeals shall have original jurisdiction in cases of habeas corpus, mandamus and prohibition. You will have appeal jurisdiction in civil cases where the matter at issue, excluding costs, is greater than two hundred dollars; in disputes relating to the title or boundaries of the land, the will of wills, the appointment or qualification of a personal representative, guardian, committee or conservator, or with respect to a mill, road, road, ferry or landing, or the right of a corporation or county to collect tolls or taxes; and also in cases of habeas corpus, mandamus and prohibition, and cases related to freedom, or the constitutionality of a law. You will have an appeal jurisdiction in criminal cases where there has been a felony or misdemeanor conviction in a Circuit Court, and any other appellate jurisdiction in both civil and criminal cases prescribed by law. 9. Where a judgment or decree is overturned or affirmed by the Supreme Court of Appeals, each point made and clearly stated in writing in the case, and which arises fairly in case file, will be considered and decided, and the reasons for this will be indicated concisely and briefly in writing, and will be kept with the records of the case. 10. 10. any judge of the Court of Appeals is so placed in connection with any case pending before him that it makes it inappropriate for him to assist in the trial of the same, or is under any other disability, the remaining Judges may call his assistance to a Circuit Court Judge, who will act as a Judge of the Court of Appeals in cases where such disability relates. 11. Judges shall be commissioned by the Governor. The salary of a Supreme Court Judge of Appeals will be two thousand, and that of a Circuit Court Judge eighteen hundred dollars a year, and each will receive the same allowance for the necessary travel as members of the Legislature. 12. No Judge shall, during his term of office, hold any other office, appointment or public trust, under this or any other government, and his acceptance shall evict his or her judicial office; nor may he, during his continuation, be eligible for any political office. : 13. Judges may be removed from office for misconduct, incompetence or negligence of duty, or for conviction of an infamous crime, by the concurrent vote of the majority of all members elected for each branch of the Legislature, and the cause of removal will be entered in the newspapers. The Judge, against whom the Legislature may be about to proceed, will receive notification of it, accompanied by a copy of the alleged cases for expulsion, at least twenty days before the day on which any branch of the Legislature will act in this regard. 14. Officers of the Supreme Court of Appeals shall be appointed by the Court, or by the Judges of the Court on holiday. Your duties, compensation and stay in office will be prescribed by law. 15. Voters in each county shall elect a Secretary of the Circuit Court, whose term of office shall be four years. Your duties and compensation, and how to remove you from office, will be prescribed by law; and when a vacancy occurs in the office, the Circuit Court Judge will appoint a Clerk, who will perform the office functions until the vacancy is filled. In any case, for which the Secretary shall be so positioned as to make him inappropriate to act, the Tribunal shall appoint a substitute. 16. In each regular election of a Governor, a Attorney-General shall also be elected. You will be commissioned by the Governor; perform such functions and receive the compensation prescribed by law, and shall be detachable in the same way as the Judges. 17. The Legislature may establish courts of limited jurisdiction within any city or city constituted, subject to appeal to the Circuit Courts. ARTICLE VII. COUNTIES AND MUNICIPALITIES. 1. Each County shall be divided into no less than three municipalities, nor more than ten, dismissed as compactly as possible, with reference to natural boundaries, and containing, as far as possible, an equal number of white populations, but but less than four hundred. Each Municipality will be designated, The Municipality of

..... in the county of....., by which the name can sue and be sued. 2. The voters of each Municipality, meeting at a declared or special meeting of Municipalities, shall conduct all businesses related exclusively to their Municipality as found herein, or may be by law, required or authorized. Annually they will elect a Supervisor, Secretary of the Municipality, Road Surveyor for each district of their Municipality, Supervisor of the Poor, and other officers who may be led by law. They will also choose, every four years, a Justice, and if the white population of their Municipality exceeds twelve hundred in number, they will be able to choose additional Justice; and every two years he will choose as many cops as judges. The Supervisor, or, in his absence, a voter elected by those present, shall preside over all meetings and elections of the Municipality, and the Secretary shall act as secretary thereof. 3. Supervisors elected in the Municipalities of each county shall constitute a Board, which shall be known as the County Supervisors of..... for whose name they may sue and be sued, and make and use a common seal, and promulgate ordinances and statutes not inconsistent with the laws of the State. They will meet on a declared basis at least four times each year in your county court, and may hold special and deferred meetings. At their first meeting after Township's annual election, and whenever a vacancy may occur, they will elect one of their board presidents, and appoint a Secretary, who will keep a diary of their procedures, and transact any other business related to their office as required by them or by law, and whose compensation they will set by ordinance and pay from the county treasury. 4. The Board of Supervisors of each County, most of which shall be a quorum, shall, under general regulations prescribed by law, have the superintendency and administration of your County's internal affairs and tax concerns, including the establishment and regulation of roads, public landings, ferries and mills; the granting of ordinary and other licences; and placement, and disbursement of county levies; but all ad quod damnun orders will be issued by the Circuit Courts. Occasionally they will appoint election venues in the various municipalities of their county; and will be the judges of the election, qualifications and returns of their own members, and of all County and Municipality officials. 5. Voters in each county shall elect a Sheriff, Prosecutor, Land Bulldozer, Registrar, one or more Evaluators, and any other county officer that the Legislature may from time to time direct or authorize; the duties of all of which will be prescribed and defined, such as as possible, by general laws. All county officers will hold their positions for two years, except the Sheriff, whose term will be four years. The same person shall not be elected Sheriff for two consecutive full terms, nor shall any person who has acted as deputy to any sheriff be elected as his successor; nor will any Sheriff act as the deputy to his successor; but the retired Sheriff will terminate all matters left in his hands at the expiration of his term of office, for which his commission and official bail will remain in force. The duties of all officers shall be fulfilled by the holders thereof in person, or under their superintendency. The Board of Supervisors shall designate one or more Accountants from their respective counties to serve executions of processes and levies, where the Sheriff of the same is a defendant of the party to a claim instituted therein, or is under any other disability. 6. The Registrar, in addition to duties relating to the recording of inventories, and other documents relating to property, and deeds and other writings; the registration of births, marriages and deaths, and the issuance of marriage licenses, shall have authority, under the regulations prescribed by law, to receive proof of wills and admit them for will, to appoint and qualify personal representatives, guardians, committees and curators, to administer oaths, take recognitions of deeds and other writings, and dower waivers. 7. The Legislature shall, at its first session, by general laws, lay down the application of the previous provisions of this Article. They shall also provide for the commissioning of the above-mentioned officials as they deem appropriate, and may require any kind of officials to provide a guarantee for the faithful performance of the duties of their respective charges, and to account for and pay, as required by law, all money that may reach their hands under them. In addition, they shall provide for compensation from such officials for fees, or for the county treasury; and for the appointment, where necessary, of Members and assistants, whose roles and responsibilities will be prescribed and defined by general laws. When an officer's compensation is paid from the county treasury, the amount will be set by the Board of Supervisors, within the limits to be determined by law. 8. A Judge's civil jurisdiction shall extend to the actions of assumpsit, debt, detainue and trover, if the amount claimed, excluding interest, does not exceed one hundred dollars, when the respondent resides, or, being a non-resident of the State, is, or has effects or assets within its Municipality, or where the cause of the action arose therein; but any other judge of the county may issue a subpoena to the defendant to appear before the appropriate Municipality Judge, who be attended by a constable from any of the municipalities. In the event of a vacancy in the Office of Justice or Constable in any Municipality that has only one, or of the disability to act of the holder, any other Judge or Constable of the same county may fulfill the functions of their respective offices within that Municipality. The way in which the aforementioned actions are carried out, as well as of issuing subpoenas and executions, as well as the execution and return thereof, will be prescribed by law; and the Legislature may give magistrates and police the additional jurisdiction and civil powers, within their respective municipalities, that may be deemed appropriate. 9. All Justice and Constable shall be a peace conservator throughout its county, and shall have jurisdiction and powers in criminal cases in the same as may be prescribed by law. The jurisdiction of all misdemeanors and violations of peace, punishable by fines not more than ten dollars, or imprisonment of no more than thirty days, may, by law, be conferred on judges. 10. Either party to a civil lawsuit filed before a judge, where the value at issue, or the damage claimed, exceeds twenty dollars, and the defendant, in cases of misdemeanor or violation of the peace that may make the law cognizable by a single judge, when the sentence is imprisonment or a fine of more than five dollars, shall be entitled to a trial by the six jurors by six jurors, if required, under the regulations prescribed by law. 11. In all cases, an appeal shall fall, under the regulations prescribed by law, from the judgment or proceedings of a judge or registrar, to the County Circuit Court, except for judgments of Judges in aestos, debts, debts and trols, and fines, where the amount does not exceed ten dollars excluding interest and costs , and where the case does not imply a person's freedom, the validity of a law, or the right of the corporation or county to collect tolls or taxes. 12. No new county shall be formed with an area less than four hundred square miles; or if another county shrinks below that area; or if any territory is taken in this way from a county containing less than four hundred square miles. And no new county containing a white population of less than four thousand will be formed; or if the white population of another county falls below that number; or if any county containing less than four thousand white inhabitants is reduced in the area. But the Legislature may, at any time, annex any county containing less than four thousand white residents to an adjoining county or counties as part of it. 13. The Board of Supervisors may alter the boundaries of a Municipality of county, or erect new Municipalities in it, with the consent of the majority of voters of each municipality concerned, gathered at a declared meeting of Municipalities, or in a meeting duly convened for the subject to the provisions of the first section of this Article. 14. Nothing contained in this article shall prejudice or affect the letter of any municipal corporation, nor shall it restrict the power of the Legislature to create or regulate such corporations. ARTICLE VIII. TAXES AND FINANCES. 1. Taxation shall be equal and uniform throughout the State, and all assets, both real and personal, shall be taxed in proportion to their value, which shall be determined as required by law. None of the species of goods from which a tax may be collected shall be taxed in higher than any other species of property of equal value; but property used for educational, literary, scientific, religious or charitable purposes, and public property, may, by law, be exempt from taxation. 2. A captain's tax of one dollar shall apply to each white inhabitant who has reached the age of twenty-one years. 3. The Legislature shall establish an annual tax, sufficient to cover the estimated state expenditure for each year; and provided that the regular expenditures of any year exceed the income, they will levy a tax for the following year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of that year. 4. Money shall not be extracted from the Treasury, but in compliance with the appropriations made by law, and an accurate and detailed statement of the income and expenses of the public money shall be published annually. 5. This State shall not take on any debt, except to deal with casual deficits in income, to redeem prior responsibility of the State, to suppress insurrection, to repel invasion or to defend the State in time of war. 6. State credit shall not be granted to, or in the aid of, any county, city, city, municipality, corporation or person; neither the State shall assume or be liable for the debts or liabilities of any county, city, city, municipality, corporation or person, unless time of war or insurrection is incurred for the benefit of the State. 7. The Legislature may at any time direct a sale of State-owned shares in banks and other companies, but the product of such sale shall apply to the settlement of public debt; and thereafter the State will not become a shareholder in any bank. If the State becomes a shareholder of any association or corporation for internal improvement purposes, such action will be paid at the time of subscription, or a tax will be levied for the following year, sufficient to pay the subscription in full. 8. This State shall assume an equitable share of the public debt of the Commonwealth of Virginia before the first day of January of the year thousand eight hundred and sixty-one; and the Legislature will check the same as soon as possible, and liquidation thereof, by a sinking fund sufficient to pay the accrual of accrual and redeem the director in thirty-four years. ARTICLE IX. LANDS OF FORFEITED AND NOPROPRIAD. 1. All private rights and interests in the lands of this State, arising out of or under the laws of the State of Virginia prior to the time this Constitution comes into operation, shall remain valid and secure, and shall be determined by the laws in force in the State of Virginia. 2. No entry by court order shall be made to the lands of this State; and in all cases where an entry has been made so far and has been or is perfected so that the locator of a grant is entitled to the locator of a grant, the Legislature shall by law provide for the issuance of the grant. 3. The Legislature shall provide for the sale of all land in this State previously confiscated from the State of Virginia for non-payment of taxes collected for the year one thousand eight hundred and thirty-one, or any year prior to it, or for the fact that the former owners have not entered the land books of the appropriate county and are charged the taxes owed to that or any year prior to it , or for the fact that former owners have entered the appropriate county land books and are charged the taxes owed to them, under the laws of the State of Virginia, and also from all uns appropriate waste and land, for procedures in the Circuit Courts of the county where those lands are located. 4. All lands within this State, returned delinquentlly for non-payment of taxes to the State of Virginia from one thousand eight hundred and thirty-one, where taxes, excluding damages, do not exceed twenty dollars; and all land confiscated by the fact that the owners have not entered the land books of the appropriate county, and are charged the taxes that are collected since the year thousand eight hundred and thirty-one, where the tract contains no more than a thousand acres, are released and exempted from confiscation, and from the delinquent taxes and damages collected therein. 5. All lands in this State so far granted to the State of Virginia by confiscation, or by purchase in the Sheriff's sales for delinquent taxes, and not released or waived by the laws thereof, or by the operation of the previous section, may be redeemed by the former owners, by paying this State the amount of taxes and damages due at the time of such redemption , may be redeemed by the former owners, by paying to this State the amount of taxes and damages due to them at the time of such redemption, within five years from the day on which this Constitution enters into operation; and all those lands not liberated, exonerated or redeemed, will be treated as and against which they are proceeded and sold in accordance with the provisions of the third section of this article. 6. The former owner of any land in this State sold under the provisions of this Article shall be entitled to receive the excess of the sum for which such treaty may be sold on taxes and damages collected and enforceable in this regard, and costs, if his claim is filed at the Circuit Court which decreed the sale , within two years. ARTICLE X. EDUCATION. 1. All accruing to this State, the income being confiscated, delinquent, wasteful and unscathed; and land so far sold for taxes and purchased by the State of Virginia, if they are hereinafter redeemed, or sold to others other than this State; all grants, conceived or legacies that may be made to this State for educational purposes, or where the purposes of such grants, conceived or legacies are not specified; the fair participation of this state in the Virginia literary fund, whether paid or otherwise liquidated, and any sum of money, shares or property that this State has the right to claim from the State of Virginia for educational purposes; the income of the estates of all people who can die without leaving a will or heir, and of all the escheated lands; the proceeds of any tax that may be collected on the income of any corporation created thereafter; all funds that may be paid as equivalent to the exemption from military service, and sums that may from time to time be appropriated by the Legislature for the purpose, shall be established as a separate fund, to be called the School Fund, and invested under regulations that may be prescribed by law, in securities with interest from the United States , or of this State; and its interest will apply annually to the support of free schools throughout the State, and to no other purpose. For any part of such interest that remains unsized at the end of a fiscal year, they will be added and will continue to be part of the school fund's capital. 2. The Legislature shall have, as soon as possible, the establishment of a comprehensive and efficient system of free schools. They will provide the support of these schools by sepriating the interests of the inverted school fund, the net product of all seizures, seizures and fines accrued to this State under its laws; and by general tax on people and property, or otherwise. They shall also provide for the collection, in each municipality, by the authority of their people, of the amount necessary for the support of free schools therein, as prescribed by the general legislation. 3. The law may provide for the choice and limitation of the powers, duties and compensation of a Superintendent General of Free Schools for the State, whose term of office shall be the same as that of the Governor; and for a County Superintendent for each county, and for the election, in the various municipalities, by the voters thereof, of such officers, not specified in this Constitution, as may be necessary to carry out the objects of this article, and for the organization, whenever it may be deemed appropriate, of a State Board of Instruction. 4. The Legislature will promote and promote moral, intellectual, scientific and agricultural; wherever possible, they will make adequate for the blind, dumb and crazy, and for the organization of such learning institutions as the best interest of general education in the state may require. ARTICLE XI. Miscellaneous. 1. No lottery shall be authorized by law; and the purchase, sale or transfer of tickets or possibilities in any lottery will be prohibited. 2. No letter of constitution shall be granted to any church or religious denomination. General provisions may be provided for in order to ensure the title of ownership of the church, so that they are celebrated and used for the intended purposes. 3. The Circuit Courts shall have the power, under the general rules prescribed by law, to grant divorces, to change the names of persons and to direct the sale of property belonging to infants and other persons under legal disabilities, but compensation shall not be granted by special legislation in such cases. 4. Laws may be approved regulating or prohibiting the sale of intoxicating liquor within the limits of this State. 5. The Legislature shall adopt general laws where means that any number of persons associated with mining, manufacturing, warranty or other purpose useful to the public, except circulation banks and the construction of internal improvement works, may become a corporation, in compliance with the terms and conditions thus prescribed; and no special act shall be adopted incorporating, or granting peculiar privileges to any public limited company or association, without regard to the issuance of invoices to circulate as money or the construction of any work of internal improvement. No company or association, authorized by this section, will issue invoices to circulate as money. Under these general laws, no letter of incorporation shall be granted unless the right to modify or modify such letter, to the liking of the Legislature, is reserves to be declared by general law. No act shall be taken to incorporate any movement bank or company of internal improvement, or to confer additional privileges on it, unless the application provided for such an act is publicly notified under the regulations prescribed by law. 6. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number to the representatives to which it is entitled; districts will form from contiguous counties and be compact. Each district shall contain, as far as possible, an equal federal number, which shall be determined in accordance with the rule prescribed in the second section of the first article of the United States Constitution. (7. No slave shall be carried, or the colour-free person shall be permitted to come to this State for permanent residence.) * * * This section 7 was and a replacement provided by the Willey Amendment. See Vol. III, 473, 474, 528. 8. The parties to common law and the laws of the State of Virginia Virginia within the boundaries of the State of West Virginia when this Constitution enters into operation, and is not repugnant to it, the law of this State will be and continue until it is altered or repealed by the Legislature. All crimes against the laws of Virginia committed so far within the limits of this State shall be recognizable in the Courts of this State in the same way as they would be if they were committed thereafter within this State. All pending civil and criminal lawsuits and proceedings in the County Courts or Virginia State Circuit, held within such limits, shall be brought and subsequently brought before the appropriate County Circuit Court; and all such lawsuits and proceedings pending in the Supreme and District Courts of Appeals of the State of Virginia, if the defendant in court then resides within such limits, or the subject matter of the lawsuit is the property of land or other property located or in it, and the plaintiff has the right to prosecute in this State , will be docketed, and subsequently proceed to the Supreme Court of Appeals thereof. 9. Records, books, papers, stamps and other

property and theuuals of the former County Circuit and Courts, within the State of West Virginia, shall be transferred and remain in, the care and custody of the Circuit Courts of the respective counties, to which all pending process at the time this Constitution enters into operation shall be returned , and by which a new process will be refunded in then unpaid, or previously determined, claims in such previous courts, may be issued in appropriate cases. Copies and transcripts of the records and procedures of such previous courts shall be made and certified by the Courts which have the care and custody of such records and procedures, or the appropriate officials thereof, and shall have the same strength and effect as if they had been duly made and certified by such former Courts. ARTICLE XII. Amendments. 1. No Convention shall be convened, which has the authority to alter the Constitution of the State, unless it is under a law passed by the affirmative vote of the majority of the members elected for each branch of the Legislature, and provided that the ballot boxes are held throughout the State, on any day specified therein, which shall be no less than three months after the adoption of that law , in order to take the sense of voters on the issue of convening a convention. And that Convention shall not be con held unless the majority of the votes cast at those ballot boxes are in favour of convening it; members will not be elected to that Convention until at least one month after the ballot boxes is duly determined, declared and published. And all acts and ordinances of that Convention shall be submitted to the voters of the State for ratification, or rejection, and shall have no validity until and under no circumstances will any change or device have any retrospective operation or effect. 2. Any amendment to the Constitution of the State may be proposed in any branch of the Legislature; and if the same, being read in three different days in each branch, is agreed at its third reading, by a majority of the members elected therein, the proposed amendment, with the yeas and us, will be recorded in the magazines, and forwarded to the Legislature at the first session that will be held after the next general election; and will be published, at least three months before that election, in some newspapers in all counties where a newspaper is printed. And if the proposed amendment is agreed during that session, by a majority of the members elected for each branch, it will be the Duty of the Legislature to provide by law to submit it to state voters, for ratification or rejection. And if the majority of qualified voters, voting on the question at the ballot box held under that law, ratify the proposed amendment, it will be in force from the time of ratification, as part of the Constitution of the State. If two or more amendments are tabled at the time, the vote on ratification or rejection will each be assumed separately. JOHN HALL, President of the Convention. ELLERY R. HALL, Secretary. Schedule. 1. The President of this Convention shall authenticate by signature, attested by the Secretary, three originals of the previous Constitution with this Annexed List, and shall deliver one of them to the Governor of Virginia, and the others to the Commissioners hereinafter appointed. 2. It will be the duty of John Hall, James W. Paxton, Peter G. Van Winkle, Elbert H. Caldwell and Ephraim B. Hall, who are hereby appointed Commissioners, and a majority of whom may act, have this Constitution and The List published in such newspapers, printed in the proposed West Virginia State as they see fit, and distribute the hard copies of the Constitution provided by this Convention. 3. The voting books, with the oaths and forms of returns required here, attached to them, shall be prepared under the direction of the Commissioners, for each polling place in the fifty-one counties proposed to be included in that State, the book of which shall contain two separate columns, one to be headed for the Constitution, and the other against the Constitution. The Commissioners and officials who supervised and held the election last October, for Delegates to this Convention, or for others such as the Governor of Virginia, or the Appointed Commissioners, may appoint, attend their respective election venues, and supervise and conduct the election provided for herein; And do not attend or act, the two shareholders present may Commissioners, administer prescribed oaths to each other, and appoint and qualify a conductive officer and secretaries to record votes. 4. Such elections shall be held on the first Thursday of April next, and for the causes prescribed in the Virginia Code, the ballot boxes may remain open for three days; and if, at the time of such election, there is in any of the counties of such any military or hostile set of persons, or other cause to interfere with a free expression of the will of the voters, they may meet elsewhere within, or convenient for, their respective counties and hold an election as set forth herein; and if for any reason the election is not held in and for any of the counties mentioned, at the appointed time, it may be held at the time or later that the Commissioners appointed hereby may approve, if it does so so as not to delay the submission of the result to the Legislature for action. 5. Persons who will hold the elections, as has been said, each, before participating in the duties of their office, shall, in addition to the oaths now prescribed by law, take the following oath or affirmation, namely: I solemnly swear (to affirm) that I will support the Constitution of the United States, and the laws made in compliance with them, such as the supreme law of the earth , anything in the Constitution and laws of the State of Virginia, or in the ordinances of the Convention that met in Richmond on the thirteenth day of February, one thousand eight hundred and sixty-one, to the contrary. As soon as possible after the elections, the persons holding the elections shall determine the number of votes cast and recorded in favour of this Constitution and the number against this Constitution, and the expenses of such elections; and certify and return the same as soon as possible, by mail or otherwise, to individuals who make the election at your county Court House, who will verify and certify the outcome of your county to the Commissioners appointed hereby. The certificate and statements of the people who hold the elections will have the following effect: We..... and, the commissioners, and management officer, certify that we have made a choice in..... in the county of, in which we allowed all people to vote that they wanted, and had the right to do so, and none other, and that we have carefully added each column of our voting books and found the following result: For the Constitution..... Votes. Against the Votes. Given under our hands this..... day of..... 1862. To which will be added the following affidavit: County, ingenious: I,, a judge, (or other officer authorized to administer oaths, or one of the acting commissioners,) in and for that county, hereby certify that previously appointed management officer this day took an oath before me that the above certificate is correct and true. Given under my hand this..... day of....., 1862. 6. All persons qualified to vote under this Constitution shall have the right to vote on the issue of their adoption or rejection. The Commissioners appointed hereby shall provide for the participation of voters who, at the time of such election, are in the armies or in the service of the United States, either within or outside the limits of the proposed State; and any voter who may be prevented by danger or other cause of voting in their respective counties can vote anywhere in any other county by swearing that they have not voted anywhere else on the issue. 7. Election officials and commissioners shall deposit their voting books with the Clerk of their County Court, subject to the order of the authorities of the State of West Virginia. The Commissioners designated hereby shall verify and certify to the Governor of Virginia the outcome of such election; and if the same result is the adoption of this Constitution by voters of the forty-four counties first mentioned in the second section of the first article of this Constitution, they will ask you, as provided for in the eighth section of the ordinance convening this Convention, to meet, and to lie before the General Assembly of the State of Virginia , for your consent in accordance with the United States Constitution, an original certificate of this Constitution, resulting in such election in all counties voting, and to request the General Assembly, as provided for in the tenth section of that ordinance, to consent to the formation and erection of the State of West Virginia, as proposed , and forward to the United States Congress such consent, together with an official copy of this Constitution, with the request that the State of West Virginia be admitted immediately to the Union. 8. The Designated Commissioners shall take such measures as they deem appropriate, and shall do all things they deem appropriate, in order to seek, as soon as possible, the consent of the General Assembly and Congress to the formation and construction of the State of West Virginia. The Legislature of the same, at its first session, shall provide for reimbursement of the costs incurred by the Commissioners in the performance of the functions of their appointment, and may convert them into reasonable compensation for their services. 9. When the General Assembly of the State of Virginia and the United States Congress consent to the formation and erection of the State of West Virginia, as proposed, they will hereby immediately issue their proclamation, which will be inserted for three or more successive weeks into newspapers published within the limits of this declare this Constitution in operation, and conduct an election that will be held in all counties of it, in the usual places of the holding of elections, on that day, no less than forty or more than sixty days after the consent of the Congress will be obtained as mentioned, as will be designated, and under the superintendency of the persons or former officials of the county that designates , by name or otherwise, for the election and election of the Judges of the Circuit Courts, and of all State and County officials who will be elected under this Constitution, except the Supervisors, and shall do all necessary for the conclusion of such election and the determination and certification of the outcome. 10. The duties to be performed by persons making and carrying out such an election, and the privileges of voters shall be, in all things, as prescribed by law, and in this Programme. 11. The Commissioners designated hereby shall be empowered, if they deem necessary, to recon call back to the members of this Convention on the day they prescribe; and if this Convention is reunited, these Commissioners shall take the necessary measures to obtain representation of the proposed countries to be included in the new State, not currently represented, and to fill any vacancies that may occur. 12. If the first election of state and county senators, delegates, judges and officials takes place within six months prior to the first day of January of any year, or within six months, their respective terms of office shall begin twenty days after that election, but shall end on the day on which they would have begun if they had commenced on the first day of January , except that the Governor's term will be counted from the fourth day of March following the first day of January. 13. The Legislature elected under this Programme shall meet at Government Headquarters on the twenty-first day after its election. 14. All officials elected or appointed and qualified by the authority of the State of Virginia, who shall remain in the exercise of the functions of their respective positions within the limits of this State, until this Constitution enters into operation, may continue to exercise the same within their respective counties, under the authority and on behalf of this State , until officials first elected or appointed under this Constitution for the performance of similar functions are qualified. JOHN HALL, President of the Convention. ELLERY R. HALL, Secretary. The end. Chapter Eleven: Constitutional Convention West Virginia Archives and History

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