

Revolutionary State Constitutions: Excerpts

Pennsylvania (1776), Virginia (1776), New York (1777), Georgia (1777), South Carolina (1778), Massachusetts (1780), and New Hampshire (1784).

PLAN OR FRAME OF GOVERNMENT FOR THE COMMONWEALTH OR STATE OF PENNSYLVANIA (1776)

SECTION 1. The commonwealth or state of Pennsylvania shall be governed hereafter by an assembly of the representatives of the freemen of the same, and a president and council, in manner and form following-

SECT. 2. The supreme legislative power shall be vested in a house of representatives of the freemen of the commonwealth or state of Pennsylvania.

SECT. 3. The supreme executive power shall be vested in a president and council....

SECT. 6. Every freemen of the full age of twenty-one Years, having resided in this state for the space of one whole Year next before the day of election for representatives, and paid public taxes during that time, shall enjoy the right of an elector: Provided always, that sons of freeholders of the age of twenty-one years shall be intitled to vote although they have not paid taxes.

SECT. 8. No person shall be capable of being elected a member to serve in the house of representatives of the freemen of this commonwealth more than four years in seven.

SECT. 9. The members of the house of representatives shall be chosen annually by ballot, by the freemen of the commonwealth,...

SECT. 11. Delegates to represent this state in congress shall be chosen by ballot by the future general assembly at their first meeting, and annually forever afterwards, as long as such representation shall be necessary. Any delegate may be superseded at any time, by the general assembly appointing another in his stead. No man shall sit in congress longer than two years successively, nor be capable of reelection for three Years afterwards: and no person who holds any office in the gift of the congress shall hereafter be elected to represent this commonwealth in congress. ...

SECT. 19. For the present the supreme executive council of this state shall consist of twelve persons chosen in the following manner....[after an initial period of staggered terms] the freemen of the city of Philadelphia, and of the several counties in this state, respectively, shall elect one person to serve as counsellor for three years and no longer; and so on every third year forever.

By this mode of election and continual rotation, more men will be trained to public business, there will in every subsequent year be found in the council a number of persons acquainted with the proceedings of the foregoing Years, whereby the business will be more consistently

conducted, and moreover the danger of establishing an inconvenient aristocracy will be effectually prevented.

The president and vice-president shall be chosen annually by the joint ballot of the general assembly and council... *[editor's note: the president, in some cases with the consent of the popularly elected council, exercised executive powers akin to state governors]*

Virginia Constitution (1776)

...The legislative shall be formed of two distinct branches, who, together, shall be a complete Legislature. They shall meet once, or oftener, every year, and shall be called, The General Assembly of Virginia.

One of these shall be called, The House of Delegates, and consist of two Representatives, to be chosen for each county.... annually, of such men as actually reside in, and are freeholders of the same, or duly qualified according to law, and also of one Delegate or Representative, to be chosen annually for [those....] cities and boroughs, as may hereafter be allowed particular representation by the legislature....

The other shall be called The Senate, and consist of twenty-four members.... for whose election, the different counties shall be divided into twenty-four districts; and each county of the respective district, at the time of the election of its Delegates, shall vote for one Senator, who is actually a resident and freeholder within the district, or duly qualified according to law, and is upwards of twenty-five years of age..... To keep up this Assembly by rotation, the districts shall be equally divided into four classes and numbered by lot. At the end of one year after the general election, the six members, elected by the first division, shall be displaced, and the vacancies thereby occasioned supplied from such class or division, by new election, in the manner aforesaid. This rotation shall be applied to each division, according to its number, and continued in due order annually....

The right of suffrage in the election of members for both Houses shall remain as exercised at present...

A Governor, or chief magistrate, shall be chosen annually by joint ballot of both Houses (to be taken in each House respectively) deposited in the conference room; the boxes examined jointly by a committee of each House, and the numbers severally reported to them, that the appointments may be entered (which shall be the mode of taking the joint ballot of both Houses, in all cases) who shall not continue in that office longer than three years successively...

The Delegates for Virginia to the Continental Congress shall be chosen annually, or superseded in the mean time, by joint ballot of both Houses of Assembly.

New York Constitution (1777)

II. This convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare that the supreme legislative power within this State shall be vested in two separate and distinct bodies of men; the one to be called the assembly of the State of New York, the other to be called the senate of the State of New York; who together shall form the legislature, and meet once at least in every year for the despatch of business.

III. And whereas laws inconsistent with the spirit of this constitution, or with the public good, may be hastily and unadvisedly passed: Be it ordained, that the governor for the time being, the chancellor [*the highest judge in the state*], and the judges of the supreme court, or any two of them, together with the governor, shall be, and hereby are, constituted a council to revise all bills about to be passed into laws by the legislature...

And that all bills which have passed the senate and assembly shall, before they become laws, be presented to the said council for their revision and consideration; and if, upon such revision and consideration, it should appear improper to the said council, or a majority of them, that the said bill should become a law of this State, that they return the same, together with their objections thereto in writing... who shall enter the objection sent down by the council at large in their minutes, and proceed to reconsider the said bill. But if, after such reconsideration, two-thirds of the said senate or house of assembly shall, notwithstanding the said objections, agree to pass the same, it shall together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and, if approved by two-thirds of the members present, shall be a law...

IV. That the assembly shall consist of at least seventy members, to be annually chosen in the several counties . . .

VII. That every male inhabitant of full age, who shall have personally resided within one of the counties of this State for six months immediately preceding the day of election, shall, at such election, be entitled to vote for representatives of the said county in assembly; if, during the time aforesaid, he shall have been a freeholder, possessing a freehold [*land ownership*] of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this State....

XI. That the members of the senate be elected for four years; and, immediately after the first election, they be divided by lot into four classes, six in each class, and numbered one, two, three, and four; that the seats of the members of the first class shall be vacated at the expiration of the first year, the second class the second year, and so on continually; to the end that the fourth part of the senate, as nearly as possible, may be annually chosen...

XII. That the election of senators shall be after this manner: That so much of this State as is now parcelled into counties be divided into four great districts... That the senators shall be elected by the freeholders of the said districts, qualified as aforesaid...

XVII. And this convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare that the supreme executive power and authority of this State shall be vested in a governor; and that statedly, once in every three years, and as often as

the seat of government shall become vacant, a wise and discreet freeholder of this State shall be, by ballot, elected governor, by the freeholders of this State, qualified, as before described, to elect senators; which elections shall be always held at the times and places of choosing representatives in assembly for each respective county; and that the person who hath the greatest number of votes within the said State shall be governor thereof...

Georgia Constitution (1777)

...ART. II. The legislature of this State shall be composed of the representatives of the people, as is hereinafter pointed out; and the representatives shall be elected yearly, and every year, on the first Tuesday in December...

On the first day of the meeting of the representatives so chosen, they shall proceed to the choice of a governor, who shall be styled "*honorable*;" and of an executive council, by ballot out of their own body, viz: two from each county, except those counties which are not yet entitled to send ten members.... The remaining number of representatives shall be called the house of assembly; and the majority of the members of the said house shall have power to proceed on business...

ART. IX. All male white inhabitants, of the age of twenty-one years, and possessed in his own right of ten pounds value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident six months in this State, shall have a right to vote at all elections for representatives, or any other officers, herein agreed to be chosen by the people at large; and every person having a right to vote at any election shall vote by ballot personally....

ART. XXIII. The governor shall be chosen annually by ballot, and shall not be eligible to the said office for more than one year out of three, nor shall he hold any military commission under any other State or States...

South Carolina Constitution (1778)

II. That the legislative authority be vested in a general assembly, to consist of two distinct bodies, a senate and house of representatives...

III. That as soon as may be after the first meeting of the senate and house of representatives, and at every first meeting of the senate and house of representatives thereafter, to be elected by virtue of this constitution, they shall jointly in the house of representatives choose by ballot from among themselves or from the people at large a governor and commander-in-chief, a lieutenant-governor, both to continue for two years,...

VI. That no future governor and commander-in-chief who shall serve for two years shall be eligible to serve in the said office after the expiration of the said term until the full end and term of four Years....

XIII... The qualification of electors shall be that every free white man, and no other person, who acknowledges the being of a God, and believes in a future state of rewards and punishments, and who has attained to the age of one and twenty years, and hath been a resident and an inhabitant in this State for the space of one whole year before the day appointed for the election he offers to give his vote at, and hath a freehold at least of fifty acres of land, or a town lot, and hath been legally seized and possessed of the same at least six months previous to such election, or hath paid a tax the preceding year, or was taxable the present year, at least six months previous to the said election, in a sum equal to the tax on fifty acres of land, to the support of this government, shall be deemed a person qualified to vote for, and shall be capable of electing, a representative or representatives to serve as a member or members in the senate and house of representatives, for the parish or district where he actually is a resident, or in any other parish or district in this State where he hath the like freehold.

Massachusetts Constitution (1780)

Chapter I, Section I

The General Court.

Article I.

The department of legislation shall be formed by two branches, a Senate and House of Representatives: each of which shall have a negative on the other.

The legislative body shall assemble every year ... shall be stiled, **The General Court of Massachusetts**

Article II.

No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the

legislature, where it shall also be reconsidered, and if approved by two thirds of the members present, shall have the force of a law...

Chapter I, Section II

The Senate

Article I.

There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts, into which the commonwealth may from time to time be divided by the general court for that purpose: and the general court in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts...

Article II.

The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner.... there shall be a meeting on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this commonwealth.... [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.

Chapter I, Section III

House of Representatives

Article I.

There shall be, in the legislature of this commonwealth, a representation of the people, [annually] elected, and founded upon the principle of equality...

Article II.

And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty [*males sixteen and older*], may elect one representative: every corporate town, containing three hundred and seventy-five [*males sixteen and older*] may elect two representatives: every corporate town containing six hundred [*males sixteen and older*], may elect three representatives: and proceeding in that manner, making two hundred and twenty-five [*males sixteen and older*], the mean increasing number for every additional representative... [*eds. note: in other words, each town would receive a number of representatives broadly proportionate to its population*]

Article IV.

Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the same town, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative, or representatives for the said town.

Article V.

The members of the house of representatives shall be chosen annually in the month of May....

Chapter II, EXECUTIVE POWER. Section I

The Governor

Article I.

There shall be a supreme executive magistrate, who shall be styled, **The Governor of the Commonwealth of Massachusetts**; and whose title shall be -- **His Excellency**.

Article II.

The governor shall be chosen [annually]...

Article III.

Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth, shall, at a meeting to be called for that purpose, on the [first Monday of April annually], give in their votes for a governor... But if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for, but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

New Hampshire Constitution (1784)

PART II.—THE FORM OF GOVERNMENT

THE people inhabiting the territory formerly called the Province of New-Hampshire, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent Body-politic, or State, by the name of the STATE OF NEW HAMPSHIRE.

THE GENERAL COURT

THE supreme legislative power within this state shall be vested in the senate and house of representatives, each of which shall have a negative on the other...

SENATE

THERE shall be annually elected by the freeholders and other inhabitants of this state, qualified as in this constitution is provided, twelve persons to be senators for the year ensuing their election; to be chosen in and by the inhabitants of the districts, into which this state may from time to time be divided by the general court, for that purpose, and the general court in assigning the number to be elected by the respective districts, shall govern themselves by the proportion of public taxes paid by the said districts...

The senate shall be the first branch of the legislature: and the senators shall be chosen in the following manner.... Every male inhabitant of each town and parish with town privileges in the several counties in this state, of twenty-one years of age and upwards, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes.... to vote in the town or parish wherein he dwells...

HOUSE OF REPRESENTATIVES

There shall be in the legislature of this state a representation of the people annually elected and founded upon principles of equality: and in order that such representation may be as equal as circumstances will admit, every town, parish or place intitled to town privileges, having one hundred and fifty ... male[s] ..., of twenty-one years of age, and upwards, may elect one representative; if four hundred and fifty [male[s] ..., of twenty-one years of age,], may elect two representatives; and so proceeding in that proportion, making three hundred such [male[s] ..., of twenty-one years of age,] the mean increasing number, for every additional representative...

The members of the house of representatives shall be chosen annually in the month of March, and shall be the second branch of the legislature.

All persons qualified to vote in the election of senators shall be intitled to vote within the town, district, parish, or place where they dwell, in the choice of representatives...

EXECUTIVE POWER.—PRESIDENT

There shall be a supreme executive magistrate, who shall be stiled, The President of the State of New-Hampshire; and whose title shall be His Excellency.

The President shall be chosen annually...

Those persons qualified to vote for senators and representatives, shall within the several towns, parishes or places, where they dwell, at a meeting to be called for that purpose, some day in the month of March annually, give in their votes for a president.... but if no person shall have a majority of votes, the house of representatives shall by ballot elect two out of the four persons who had the highest number of votes, if so many shall have been voted for; but if otherwise, out

of the number voted for; and make return to the senate of the two persons so elected, on which the senate shall proceed by ballot to elect one of them who shall be declared president.

The president of the state shall preside in the senate, shall have a vote equal with any other member; and shall also have a casting vote in case of a tie.

[Georgia](#), [New York](#), [Pennsylvania](#), [South Carolina](#), and [Virginia](#) found at the Avalon Project of Yale Law School.

[Massachusetts](#) from Massachusetts Legislature

[New Hampshire](#) from *The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the States and Territories now or heretofore forming the United States of America, compiled and edited by Francis Newton Thorpe* (Washington: Government Printing Office, 1909). Vol. IV Michigan-New Hampshire, found at Liberty Fund, Online Library of Liberty.