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The Proposed Constitution with its Alterations from, and Additions to, the Constitution of 1851.

PREAMBLE. The preamble recites the formation of the constitution in 1776, its amendments in 1829, and in 1851, copied from the old constitution verbatim, and adds the following: And whereas the General Assembly of Virginia, by an act passed on the 21st day of December, in the year 1863, did provide for the election, by the people, of delegates to meet in general convention to consider, discuss and adopt alterations and amendments to the existing constitution of this Commonwealth, the delegates so assembled did, therefore, having maturely considered the premises, adopt a revised and amended constitution as the form of government of Virginia.

ARTICLE I. That all men are by nature equally free and independent, and have certain inherent rights, which shall not be taken away from them, the right of life, liberty and the pursuit of happiness; that no man shall be deprived of his life, liberty or property, without due process of law; and that every man shall be entitled to the protection of the laws.

ARTICLE II. That neither slavery nor involuntary servitude, except as a punishment for crime, shall exist within this Commonwealth; that all citizens of the State are hereby declared to possess equal civil and political rights and public privileges.

ARTICLE III. That the rights enumerated in this Bill of Rights shall not be construed to limit other rights or liberties which the people may possess; that the declaration of the political rights and privileges of the inhabitants of this State is hereby declared to be a part of the constitution of this Commonwealth, and shall not be violated in any manner whatsoever.

ARTICLE IV. That the Legislative, Executive and Judiciary Departments shall be separate and distinct, and that neither exercise the powers properly belonging to either of the other; nor shall any person exercise the power of more than one of them at the same time, except as hereinafter provided.

ARTICLE V. That every male citizen of the United States, twenty-one years old, who shall have been a resident in this State twelve months, and of the county, city or town in which he shall vote, shall be entitled to vote upon all questions submitted to the people at such election; provided, that no officer, soldier, seaman or mariner in the United States Army, Navy or Marine Corps shall be considered a resident of this State by reason of being stationed therein; and provided also, that the following persons shall be excluded from voting: 1. Persons convicted of bribery in any election, embezzlement of public funds, treason, or felony.

ARTICLE VI. That no person who, while a citizen of this State, has since the adoption of this Constitution, been a resident in a foreign country, or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be eligible to vote or hold any office of honor, profit, or trust under this Constitution.

ARTICLE VII. That every person who has been a senator or representative in Congress, or an elector of President or Vice President, or who held any office, civil or military, under any State, or any other State, or any foreign power, or who has been a member of any of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. This clause shall include the following officers: Governor, lieutenant governor, secretary of state, auditor of public accounts, second auditor, register of the land and office, state treasurer, attorney general, sheriff, sergeant of a city or town, commissioner of the revenue, county surveyors, constables, overseers of the poor, commissioner of the board of public works, judges of the supreme court, judge of the circuit courts, judge of the county courts, mayor, recorder, aldermen, councilmen of a city or town, coroners, excochers; inspectors of tobacco, flour, &c.; clerks of the supreme, district, circuit and county courts, and of the court of hustings; and attorneys for the commonwealth.

ARTICLE VIII. That the Legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates. The House of Delegates shall be elected biennially by the voters of the several cities and counties on the Tuesday succeeding the first Monday in November. The Senators shall be elected for the term of four years, by the election of whom all persons entitled to vote shall be eligible to any office within the gift of the people, except as restricted in this Constitution.

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