

ject to suit by the State for the amount that ought to have been paid into the treasury.

SEC. 2. The legislature shall have power to pass all such laws as may be necessary and proper for carrying into execution the powers vested by this Constitution, in any department or office of the government, and the duties imposed upon them thereby.

SEC. 3. If in any election directed by this Constitution any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered, unless in cases specially provided for by the Constitution.

SEC. 4. The trial by jury of all issues of fact in civil proceedings, in the several courts of law in this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.

SEC. 5. In the trial of all criminal cases the jury shall be the judges of law as well as fact.

SEC. 6. The legislature shall have power to regulate by law all matters which relate to the judges, time, place and manner of holding elections in this State, and of making returns thereof, provided that the tenure and term of office, and the day of election shall not be affected thereby.

SEC. 7. All rights vested, and all liabilities incurred shall remain as if this Constitution had not been adopted.

SEC. 8. The Governor and all officers, civil and military, now holding commissions under this State shall continue to hold and exercise their offices, according to their present tenure, until they shall be superseded, pursuant to the provisions of this Constitution, and until their successors be duly qualified.

SEC. 9. The sheriffs of the several counties of this State, and of the city of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing laws for elections under the present Constitution.

SEC. 10. This Constitution, if adopted by a majority of the legal votes cast on the first Wednesday of June next, shall go into operation on the fourth day of July next, and on and after said day shall supersede the present Constitution of this State.

ARTICLE XI.

AMENDMENT OF THE CONSTITUTION.

It shall be the duty of the legislature, at its first session immediately succeeding the returns of every census of the United States hereafter taken, to pass a law for ascertaining, at the next general election of delegates, the sense of the people of Maryland in regard to the calling a convention for altering the Constitution; and in case the majority of votes cast at said election shall be in favor of calling a convention, the legislature shall provide for assembling such convention, and electing delegates thereto at the earliest convenient day; and the delegates to the said convention shall be elected by the several counties of the State and the city of Baltimore, in proportion to their representation respectively in the senate and house of delegates, at the time when said convention may be called.

Done in convention the 13th day of May, in the year of our Lord one thousand eight hundred and fifty-one, and of the Independence of the United States the seventy-fifth.

J. G. CHAPMAN,

President of the Convention.

Attest—GEORGE G. BREWER,

Secretary to Convention.

State of Maryland, Court of Appeals, W. S.

I, RICHARD W. GILL, Clerk of the Court of Appeals aforesaid, do hereby certify that this Constitution was this sixteenth day of May, in the year of our Lord eighteen hundred and fifty-one, filed in this Office. Witness my hand as Clerk.

R. W. GILL, *Clerk.*

THE CONVENTION BILL,

PASSED JANUARY SESSION, 1864, UNDER THE PROVISIONS OF WHICH THE CONVENTION ASSEMBLED.

SECTION 1. *And be it enacted by the General Assembly of Maryland,* That on the first Wednesday of April next, at the same places where the polls are by law held in the several counties and the city of Baltimore for the election of delegates to the general assembly, every person entitled to vote for delegates to the general assembly shall vote upon the question of the call of a convention to frame a new constitution and form of government, by expressing in writing or in printed form, on

the same ballot he may cast for delegates to said Convention, the words "For a Convention" or "Against a Convention," as the case may be; and in case there should be any ballots cast without the designation hereinbefore described, the same shall not be counted either for or against a Convention, but a separate return shall be made of the same by the judges of election as aforesaid; and that at the same election the legal voters of this State shall, by ballot, elect delegates to the