

CONSTITUTIONAL CONVENTION OF MARYLAND

PROPOSED CONSTITUTION OF 1968

CONSTITUTION OF 1867

**Section 10.02. Effect of Constitution on Existing Law.**

All legislation, including local legislation, and all other law, including common law, in force on June 30, 1968, insofar as it is not in conflict with this Constitution, shall continue in force until it expires by its own limitation or is lawfully changed. A law in effect on June 30, 1968, shall not be deemed in conflict with this Constitution solely because it was enacted pursuant to authority granted by a provision of the Constitution of 1867 as amended. All existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, property titles, and rights

eenth day of September, in the year eighteen hundred and sixty-seven, at the usual places of holding elections for members of the House of Delegates in said City and Counties. At the said election the vote shall be by ballot, and upon each ballot, there shall be written or printed the words "For the Constitution," or "Against the Constitution," as the voter may elect; and the provisions of the Laws of this State, relating to the holding of general elections for members of the House of Delegates, shall, in all respects, apply to, and regulate the holding of the said election. It shall be the duty of the Judges of Election, in said City, and in the several Counties of the State, to receive, accurately count, and duly return the number of ballots, so cast for, or against the adoption of this Constitution, as well as any blank ballots which may be cast, to the several Clerks of the Circuit Courts of this State, and to the Clerk of the Superior Court of Baltimore City, in the manner now prescribed by Law, in reference to the election of members of the House of Delegates, and duplicates thereof directly to the Governor; and the several Clerks, aforesaid shall return to the Governor, within ten days after said election, the number of ballots cast for or against the Constitution, and the number of blank ballots; and the Governor, upon receiving the returns from the Judges of Election or the Clerks as aforesaid and ascertaining the aggregate vote throughout the State, shall, by this Proclamation, make known the same; and if a majority of the votes cast shall be for the adoption of this Constitution, it shall go into effect on Saturday, the Fifth day of October, eighteen hundred and sixty-seven.

**Declaration of Rights, Art. 5.** That the Inhabitants of Maryland are entitled to the Common Law of England, and the trial by Jury, according to the course of that Law, and to the benefit of such of the English Statutes as existed on the Fourth day of July, seventeen hundred and seventy-six; and which, by experience, have been found applicable to their local and other circumstances, and have been introduced, used and practiced by the Courts of Law or Equity; and also of all Acts of Assembly in force on the first day of June, eighteen hundred and sixty-seven; except such as may have since expired, or may be inconsistent with the provisions of this Constitution; subject, nevertheless, to the revision of, and amend-