

kept, shall be returned yearly to the Comptroller of the State, for his inspection and that of the General Assembly of the State, and each of said officers, when the amount received by him for the year shall exceed three thousand dollars, shall yearly pay over to the Treasurer of the State the amount of such excess by him received, subject to such disposition thereof as the General Assembly may direct. Any such officer failing to comply with this requisition, shall be deemed to have vacated his office, and be subject to suit by the State, for the amount that ought to be paid into the Treasury.

Sec. 2. The several Courts, except as herein otherwise provided, shall continue with like powers and jurisdiction both at law and in equity, as if this Constitution had not been adopted, and until the organization of the Judicial Department provided by this Constitution.

Sec. 3. If at 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, except in cases specially provided for by this Constitution.

Sec. 4. In the trial of all criminal cases, the Jury shall be the judges of law as well as fact.

Sec. 5. 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. 6. All officers, civil and military, now holding office, whether by election or appointment under the State, shall continue to hold and exercise their offices according to their present tenure, unless otherwise provided in this Constitution, until they shall be superseded pursuant to its provisions, and until their successors be duly qualified; and the compensation of such officers which has been increased by this Constitution, shall take effect from the first day of January, eighteen hundred and sixty-five.

Sec. 7. General elections shall be held throughout the State, on the Tuesday next after the first Monday in the month of November of each and every year. At the election held in the year eighteen hundred and sixty-four, all State officers required to be elected under this Constitution during that year shall be elected, and in like manner in every second year thereafter an election shall be held for those State officers whose terms are about to expire. At the election held in the year eighteen hundred and sixty-five, all county officers required to be elected under this Constitution, in that year, shall be elected, and in like manner, in every second year