

duties, a copy of which entries in said book, verified by the oath of the officer, by whom it is directed to be kept, shall be returned yearly to the Comptroller of the State for his inspection, and that of the General Assembly of the State, to which the Comptroller shall, at each regular session thereof, make a report showing what officers have complied with this Section; and each of the said officers, when the amount received by him for the year shall exceed the sum which he is by Law entitled to retain, as his salary or compensation for the discharge of his duties, and for the expenses of his office, shall yearly pay over to the Treasurer of the State the amount of such excess, subject to such disposition thereof as the General Assembly may direct; if any of such officers shall fail to comply with the requisitions of this Section for the period of thirty days after the expiration of each and every year of his office, such officer shall be deemed to have vacated his office, and the Governor shall declare the same vacant, and the vacancy therein shall be filled as in case of vacancy for any other cause, and such officer shall be subject to suit by the State for the amount that ought to be paid into the Treasury.

**SEC. 2.** The several Courts existing in this State at the time of the adoption of the Constitution shall, until superseded under its provisions, continue with like powers and jurisdiction, and in the exercise thereof, both at Law and in Equity, in all respects, as if this Constitution had not been adopted; and when said Courts shall be so superseded, all causes, then depending in said Courts shall pass into the jurisdiction of the several Courts, by which they may, respectively,<sup>1</sup> superseded.

**<sup>2</sup>SEC. 3.** Vacant.

**SEC. 4.** 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 by the Governor, except in cases specially provided for by this Constitution.

**<sup>3</sup>SEC. 5.** In the trial of all criminal cases, the jury shall be the Judges of the Law, as well as of fact, except that the Court may pass upon the sufficiency of the evidence to sustain a conviction.

**SEC. 6.** The right of trial by Jury of all issues of fact in civil proceedings in the several Courts of Law in this State,

<sup>1</sup>The word "be" evidently omitted.

<sup>2</sup>Repealed by Chapter 99, Acts of 1956, ratified November 6, 1956.

<sup>3</sup>Thus amended by Chapter 407, Acts of 1949, ratified November 7, 1950.