

Art. 34. That a long continuance in the Executive Departments of power or trust is dangerous to liberty; a rotation, therefore, in those departments is one of the best securities of permanent freedom.

Art. 35.⁶ That no person shall hold, at the same time, more than one office of profit, created by the Constitution or Laws of this State; nor shall any person in public trust receive any present from any foreign Prince or State, or from the United States, or any of them, without the approbation of this State. The position of Notary Public shall not be considered an office of profit within the meaning of this Article.

Art. 36.⁷ That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought by any law to be molested in his person or estate, on account of his religious persuasion, or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any person to be compelled to frequent, or maintain, or contribute, unless on contract, to maintain, any place of worship, or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief; provided, he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor either in this world or in the world to come.

Nothing shall prohibit or require the making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place.

Nothing in this article shall constitute an establishment of religion.

Art. 37. That no religious test ought ever to be required as a qualification for any office of profit or trust

in this State, other than a declaration of belief in the existence of God; nor shall the Legislature prescribe any other oath of office than the oath prescribed by this Constitution.

Art. 38.⁸ Vacant.

Art. 39. That the manner of administering an oath or affirmation to any person, ought to be such as those of the religious persuasion, profession, or denomination, of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

Art. 40. That the liberty of the press ought to be inviolably preserved; that every citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects, being responsible for the abuse of that privilege.

Art. 41. That monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not to be suffered.

Art. 42. That no title of nobility or hereditary honors ought to be granted in this State.

Art. 43.⁹ That the Legislature ought to encourage the diffusion of knowledge and virtue, the extension of a judicious system of general education, the promotion of literature, the arts, sciences, agriculture, commerce and manufactures, and the general melioration of the condition of the People. The Legislature may provide that land actively devoted to farm or agricultural use shall be assessed on the basis of such use and shall not be assessed as if sub-divided.

Art. 44. That the provisions of the Constitution of the United States, and of this State, apply, as well in time of war, as in time of peace; and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good Government, and tends to anarchy and despotism.

Art. 45. This enumeration of Rights shall not be construed to impair or deny others retained by the People.

Art. 46.¹⁰ Equality of rights under the law shall not be abridged or denied because of sex.

CONSTITUTION

ARTICLE I.

ELECTIVE FRANCHISE.

SECTION 1.¹¹ All elections shall be by ballot. Every citizen of the United States, of the age of 18 years or upwards, who is a resident of the State as of the time

for the closing of registration next preceding the election, shall be entitled to vote in the ward or election district in which he resides at all elections to be held in this State. A person once entitled to vote in any election district, shall be entitled to vote there until he shall have acquired a residence in another election district or ward in this State.

⁶ Thus amended by Chapter 129, Acts of 1964, ratified November 8, 1964.

⁷ See the effect of the cases of *Torcaso v. Watkins*, 367 U.S. 488 (1961); and *Schowgurow v. State*, 240 Md. 121 (1965) and the *Schowgurow* related cases on this Article 36. The section was thus amended by Chapter 558, Acts of 1970, ratified November 3, 1970.

⁸ Repealed by Chapter 681, Acts of 1977, ratified November 7, 1978.

⁹ Thus amended by Chapter 65, Acts of 1960, ratified November 8, 1960.

¹⁰ Added by Chapter 366, Acts of 1972, ratified November 7, 1972.

¹¹ Thus amended by Chapter 681, Acts of 1977, ratified November 7, 1978.