

bled in pursuance of this Article shall take effect until the same shall have been submitted to the electors of the State, and adopted by a majority of those voting thereon.

ARTICLE XII.

SCHEDULE.

SECTION 1. Every person holding any office created by or existing under the Constitution or laws of the State, the entire amount of whose pay or compensation received for the discharge of his official duties shall exceed the yearly sum of three thousand dollars, except wherein otherwise provided by this Constitution, shall keep a book in which shall be entered every sum or sums of money received by him or on his account as a payment or compensation for his performance of official 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, and each of the 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.

Returns to be made of fees of Officers over \$3,000.

1853, ch. 444.
1854, ch. 196.

Excess to be paid over to Treasurer.

Courts to continue until Judiciary organized.

Cases of tie.
1854, ch. 26.

Jury judges of law and fact
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