

THE MARYLAND CONSTITUTION OF 1851

INTRODUCTION

The original constitution of Maryland, framed at an early period of the Revolutionary War, remained for three-quarters of a century the fundamental law of the State, until it was superseded by the Constitution of 1851. At the time of its formation the constitution was well adapted to the wants and circumstances of the people. But the rapid growth of population, and the great commercial and industrial development of the State rendered necessary the alteration of the constitution then framed, so as to conform to social and economic progress.

Many of the more objectionable features of the constitution were amended or abolished. Among these changes were the abolition of the property qualification for the right of suffrage, and the repeal of the clause which prevented those who were conscientiously scrupulous of taking the oath from sitting in the General Assembly, or serving as a witness in criminal cases where capital punishment was involved. The electoral college for selecting the members of the Senate had been abolished, and the people had been given the right, with some restrictions, of electing their governor.

All of these changes in the constitution had been effected by successive acts of the General Assembly; but these alterations, so far from producing the desired result, had in many instances tended to destroy the harmony of the original instrument, and instead of improving had served to render it a "shapeless mass of unintelligible and contradictory provisions," so that in many of its features it bore little or no resemblance to the original constitution.