

COMPARISON OF CONSTITUTIONS

CONSTITUTION OF 1867	PROPOSED CONSTITUTION OF 1968
<p>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.</p>	
<p>Sec. 2. The several Courts existing in this State at the time of the adoption of this Constitution shall, until superseded, under its provisions, continue with like powers and jurisdiction, and in the exercise thereof, both at Law and in Equity, in all respects, as if this Constitution had not been adopted; and when said Courts shall be so superseded, all causes, then depending in said Courts, shall pass into the jurisdiction of the several Courts, by which they may be, respectively, superseded.</p>	<p><i>See Section 10.02, Effect of Constitution on Existing Law, p. 1.</i></p>
<p>Sec. 3. Vacant.</p>	
<p>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.</p>	<p>Section 2.09. Pluralities. The candidates receiving the highest number of votes shall be elected to the offices for which they were candidates.</p>
<p>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.</p>	<p><i>See Section 1.07, Rights of Accused, p. 5.</i></p>
<p>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, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.</p>	<p><i>See Section 1.13, Jury Trial in Civil Cases, p. 1.</i></p>
<p>Sec. 7. All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur.</p>	<p><i>See Section 2.08, General Elections, p. 114.</i></p>