

bly at its next session shall provide by law for the election of delegates and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution agreed upon by any convention assembled 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 any 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.

Sec. 5. The 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.

Sec. 6. All officers, civil and military, now holding office, whether by election or appointment under the State, shall continue to hold and exercise their offices, according to their present tenure, unless otherwise provided in

this constitution, until they shall be superseded pursuant to its provisions, and until their successors be duly qualified, and the compensation of such officers which has been increased by this constitution, shall take effect from the first day of January, eighteen hundred and sixty-five.

Sec. 7. General elections shall be held throughout the State on the Tuesday next after the first Monday in the month of November of each and every year; at the election held in the year eighteen hundred and sixty-four, all State officers required to be elected under this constitution during that year shall be elected, and in like manner in every second year thereafter, an election shall be held for those State officers whose terms are about to expire; at the election held in the year eighteen hundred and sixty-five, all county officers required to be elected under this constitution in that year shall be elected, and in like manner in every second year thereafter, an election shall be held for those county officers, whose terms are about to expire; *Provided*, however, the judges of the several courts of this State, except the judges of the orphans' courts, shall be elected at the regular election, whether for State or county officers, as the case may be, immediately preceding the expiration of the term of the incumbent whose place is to be filled.

VOICE ON THE CONSTITUTION.

Sec. 8. For the purpose of ascertaining the sense of the people of this State in regard to the adoption or rejection of this constitution, the governor shall issue his proclamation within five days after the adjournment of this convention, directed to the sheriff of the city of Baltimore, and to the sheriffs of the several counties of this State, commanding them to give notice, in the manner now prescribed by law, that an election will be held in the city of Baltimore on the twelfth day of October, in the year eighteen hundred and sixty-four, and in the several counties of this State on the twelfth and thirteenth days of October, in the same year, at the usual places of holding elections in said city and counties, for the adoption or rejection of this constitution, which election shall be held in the said city of Baltimore on the twelfth day of October, eighteen hundred and sixty-four, between the hours of 8 o'clock A. M. and five o'clock P. M., and in the said several counties of this State on the said twelfth and thirteenth days of October, eighteen hundred and sixty-four, between the hours of eight o'clock A. M. and five o'clock P. M., and the judges of election of said city and of the several counties of the State, shall receive at said election the votes only of such electors as are qualified according to the provisions of this constitution, who may offer to vote at such election, and the said sheriffs shall also give notice on or after the twelfth day of October, eighteen hundred and