

AMENDMENTS TO THE MARYLAND CONSTITUTION OF 1776

(RATIFIED 1792)

Art. 2 – Be it enacted by the general assembly of Maryland, That no member of Congress, or person holding any office of trust or profit under the United States, shall be capable of having a seat in the general assembly, or being an elector of the senate, or holding any office of trust or profit under this State; and if any member of the general assembly, elector of the senate, or person holding any office of trust or profit under this State, shall take his seat in Congress, or accept of any office of trust or profit under the United States, or being elected to Congress, or appointed to any office of trust or profit under the United States, not make his resignation of his seat in Congress, or of his office, as the case may be, within thirty days after notice of his election or appointment to office, as aforesaid, his seat in the legislature of this State, or as elector of the senate, or of his office held under this State as aforesaid, shall be void: Provided, That no person who is now, or may be at any time when this act becomes part of the constitution, a member both of Congress and of the legislature of the State, or who now holds, or may hold at the time when this act becomes part of the constitution, an office as aforesaid, both under this State and the United States, shall be affected by this act, if within fifteen days after the same shall become part of the constitution he shall resign his seat in Congress or his office held under the United States.

(RATIFIED 1795)

Art. 3 – That every person being a member of either of the religious sects or societies called Quakers, Menonists, Tunkers, or Nicolites, or New Quakers, and who shall be conscientiously scrupulous of taking an oath on any occasion, being otherwise qualified and duly elected a senator, delegate, or elector of the senate, or being otherwise qualified and duly appointed or elected to any office of profit or trust, on making affirmation instead' of taking the several oaths appointed by the constitution and form of government, and the several acts of assembly of this State now in force, or that hereafter may be made, such persons may hold and exercise any office of profit or trust to which he may be appointed or elected, and may, by such affirmation, qualify himself to take a seat in the legislature, and to act therein as a member of the same in all cases whatsoever, or to be an elector of the senate, in as full and ample a manner, to all intents and purposes whatever, as persons are now competent and qualified to act who are not conscientiously scrupulous of taking such oaths.

(RATIFIED 1798)

Art. 5 – Sec. 1 – That the people called Quakers, those called Nicolites, or New Quakers, those called Tunkers, and those called Menonists, holding it unlawful to take an oath on any occasion,

shall be allowed to make their solemn affirmation as witnesses, in the manner that Quakers have been heretofore allowed to affirm, which affirmation shall be of the same avail as an oath, to all intents and purposes whatever.

Sec. 2 – Before any of the persons aforesaid shall be admitted as a witness in any court of justice in this State, the court shall be satisfied, by such testimony as they may require, that such person is one of those who profess to be conscientiously scrupulous of taking an oath.

(RATIFIED 1799)

Art. 6 – Sec 1 – That the several counties of this State, for the purpose of holding all future elections for delegates, electors of the senate, and sheriffs of the several counties, shall be divided into separate districts, in the manner hereinafter directed, viz: Saint Mary's County shall be divided and laid off into separate districts; Kent County shall be divided and laid off into three separate districts; Calvert County shall be divided and laid off into three separate districts; Charles County shall be divided and laid off into four separate districts; Talbot County shall be divided and laid off into four separate districts; Somerset County shall be divided and laid off into three separate districts; Dorchester County shall be divided and laid off into three separate districts; Cecil County shall be divided and laid off into four separate districts; Prince George's County shall be divided and laid off into five separate districts; Queen Anne's County shall be divided and laid off into three separate districts; Worcester County shall be divided and laid off into five separate districts; Frederick County shall be divided and laid off into separate districts; Harford County shall be divided and laid off into five separate districts; Caroline County shall be divided and laid off into three separate districts; Washington County shall be divided and laid off into five separate districts; Montgomery County shall be divided and laid off into five separate districts; Alleghany County shall be divided and laid off into six separate districts; Anne Arundel County, including the city of Annapolis, shall be divided and laid off into five separate districts; Baltimore County, out of the limits of the city of Baltimore, shall be divided and laid off into seven districts; and that the city of Baltimore shall be laid off into eight districts.

Sec. 2 – All and every part of the constitution and form of government relating to the judges, time, place, and manner of holding elections in the City of Baltimore, and all and every part of the second, third, fifth, fourteenth, and forty second sections of the constitution and form of government of this State, which relate to the judges, place, time, and manner of holding the several elections for delegates, electors of the senate and the sheriffs of the several counties. be, and the same are hereby, abrogated, repealed, and annulled, and the same shall hereafter be regulated by law.

(RATIFIED 1803)

Art. 8 – That Frederick County shall be divided and laid off into nine separate districts.

(RATIFIED 1805)

Art. 9 – Sec. 1 – That this State shall be divided into six judicial districts, in manner and form following, to wit: Saint Mary's, Charles, and Prince George's Counties shall be the first district; Cecil, Kent, Queen Anne's, and Talbot Counties shall be the second district; Calvert, Anne Arundel, and Montgomery Counties shall be the third district; Caroline, Dorchester, Somerset, and Worcester Counties shall be the fourth district; Frederick, Washington, and Alleghany Counties shall be the fifth district; Baltimore and Harford Counties shall be the sixth district; and there shall be appointed for each of the said judicial districts three persons of integrity and sound legal knowledge, residents of the State of Maryland, who shall, previous to, and during their acting as judges, reside in the district for which they shall respectively be appointed, one of whom shall be styled in the commission chief Judge, and the other two associate judges of the district for which they shall be appointed; and the chief judge, together with the two associate judges, shall compose the county courts in each respective district; and each judge shall hold his commission during good behavior; removal for misbehavior, on conviction in a court of law, or shall be removed by the governor, upon the address of the general assembly, provided that two-thirds of the members of each house concur in such address; and the county courts, so as aforesaid established, shall have, hold, and exercise, in the several counties of this State, all and every the powers, authorities, and jurisdictions which the county courts of this State now have, use, and exercise, and which shall be hereafter prescribed by law; and the said county courts established by this act shall respectively hold their sessions in the several counties at such times and places as the legislature shall direct and appoint; and the salaries of the said judges shall not be diminished during the period of their continuance in office.

Sec. 2 – In any suit or action at law hereafter to be commenced or instituted in any county court of this State, the judges thereof, upon suggestion in writing, by either of the parties thereto, supported by affidavit, or other proper evidence, that a fair and impartial trial cannot be had in the county court of the county where such suit or action is depending, shall and may order and direct the record of their proceedings in such suit or action to be transmitted to the judges of any county court within the district, for trial, and the judges of such county court, to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such suit or action had been originally instituted therein: Provided, nevertheless, That such suggestion shall be made as aforesaid, before or during the term in which the issue or issues may be joined in said suit or action: And provided also, That such further remedy may be provided by law in the premises as the legislature shall from time to time direct and enact.

Art. 3 – If any party presented or indicted, in any of the county courts of this State. shall suggest, in writing, to the court in which such prosecution is depending, that a fair and impartial trial cannot be had in such court, it shall and may be lawful for the said court to order and direct the record of their proceedings in the said prosecution to be transmitted to the judge of any adjoining county court, for trial; and the judges of such adjoining county court shall hear and determine the same, in the same

manner as if such prosecution had been originally instituted therein: Provided, That such further and other remedy may be provided by law in the premises as the legislature may direct and enact.

Art. 4 – If the attorney-general, or the prosecutor for the State, shall suggest, in writing, to any county court before whom an indictment is or may be depending that the State cannot have a fair and impartial trial in such court, it shall and may be lawful for the said court, in their discretion, to order and direct the record of their proceedings in the said prosecution to be transmitted to the budes of any adjoining county court for trial; and the judges of such county court shall hear and determine the same, as if such prosecution had been originally instituted therein.

Art. 5 – There shall be a court of appeals, and the same shall be composed of the chief judges of the several judicial districts of the State; which said court of appeals shall hold, use, and exercise all and singular the powers, authorities, and jurisdictions, heretofore held, used, and exercised by the court of appeals of this State, and also the appellate jurisdiction heretofore used and exercised by the general court; and the said court of appeals hereby established shall sit on the western and eastern shores, for transacting and determining the business of the respective shores, at such times and places as the future legislature of this State shall direct and appoint; and any three of the said judges of the court of appeals shall form a quorum to hear and decide in all cases pending in said court; and the judge who has given a decision in any case in the county court shall withdraw front the bench upon the deciding of the same case before the Court of appeals; and the judges of the court of appeals may appoint the clerks of said court for the western and eastern shores respectively, who shall hold their appointments during good behavior: removable only for misbehavior, on conviction in a court of law; and, in case of death, resignation, disqualification, or removal out of the State, or from their respective shores, of either of the said clerks, in the vacation of the said court, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the next meeting of the said court; and all laws passed after this act shall take effect shall be recorded in the office of the court of appeals of the western shore.

(RATIFIED 1807)

Art. 10 – That Saint Mary's County shall be divided into four separate districts, and that the additional district shall be laid oil adjoining and between the first and third districts, as they are now numbered.

(RATIFIED 1809)

Art. 11 – Sec. 1 – That, upon the death, resignation, or removal out of this State of the governor it shall not be necessary to call a meeting of the legislature to fill the vacancy occasioned thereby, but the first named of the council for the time being shall qualify and act as governor, until the next

meeting of the general assembly, at which meeting a governor shall be chosen in the manner heretofore appointed and directed.

Sec. 2 – No governor shall be capable of holding any other office of profit during the time for which he shall be elected.

(RATIFIED 1810)

Art. 12 – That all such parts of the constitution and form of government as require a property qualification in persons to be appointed or holding offices of profit or trust in this State, and in persons elected members of the legislature or electors of the senate, shall be, and the same are hereby, repealed and abolished.

Art. 13 – That it shall not be lawful for the general assembly of this State to lay an equal and general tax, or any other tax, on the people of this State, for the support of any religion.

Art. 14 – That every free white male citizen of this State, above twenty-one years of age, and no other, having resided twelve months within this State, and six months in the county, or in the city of Annapolis or Baltimore, next preceding the election at which he offers to vote, shall have a right of suffrage, and shall vote, by ballot, in the election of such county or city, or either of them, for electors of the President and Vice-President of the United States, for Representatives of this State in the Congress of the United States, for delegates to the general assembly of this State, electors of the senate, and sheriffs.

Art. 15 – That no person residing in the city of Annapolis shall have a vote in the county of Anne Arundel, for delegates of the said county; and all and every part of the constitution which enables persons holding fifty acres of land to vote in said county, be, and is hereby, abolished.

Art. 16 – That the forty-fifth article of the constitution and fore? of government be, and the same is hereby, repealed and utterly abolished.

(RATIFIED 1812)

Art. 17 – Sec. 1 – That the time of the meeting of the general assembly shall be on the first Monday in December in each year, instead of the first Monday in November, as prescribed by the constitution and form of government.

Sec. 2 – The governor of this State shall be chosen on the second Monday of December, in each and every year, in the same manner as is now prescribed TV the constitution and form of government; and the council to the governor shall be elected on the first Tuesday after the second Monday of December, in each and every year, in the same manner as is now prescribed by the constitution and form of government.

Sec. 3 – All annual appointments of civil officers in this State shall be made in the third week of December, in every year, in the same manner as the constitution and form of government now directs.

(RATIFIED 1837)

Sec. 1 – The term of office of the members of the present senate shall end and be determined whenever and as soon as a new senate shall be elected as hereinafter provided, and a quorum of its members shall have qualified, as directed by the constitution and laws of this State.

Sec. 2 – At the December session of the general assembly for the year of our Lord eighteen hundred and thirty-eight, and forever thereafter. the senate shall be composed of twenty-one members, to be chosen as hereinafter provided, a majority of whom shall be a quorum for the transaction of business.

Sec. 3 – At the time and place of holding elections in the several counties of this State, and in the city of Baltimore, for delegates to the general assembly for the December session of the year eighteen hundred and thirty-eight. and under the direction of the same Judges by whom such elections for delegates shall be held, an election shall also be held in each of the several counties of this State and in the city of Baltimore respectively, for the purpose of choosing a senator of the State of Maryland for and from such county or said city, as the case may be whose term of office shall commence on the day fixed by law for the commencement of the regular session of the general assembly next succeeding such election, and continue for two, four, or six years, according to the classification of a quorum of its members; and at every such election for senators, every person qualified to vote at the place at which he shall offer to vote for delegates to the general assembly, shall be entitled to vote for one person as senator; and of the persons voted for as senator in each of the several counties and in said city, respectively, the person having the highest number of legal votes, and possessing the qualifications hereinafter mentioned, shall be declared and returned as duly elected for said county or said city, as the case may be; and in case two persons possessing the required qualifications shall be found on the final casting of the votes given, in any one of said counties or said city, to have an equal number of votes, there shall be a new election ordered as hereinafter mentioned; and immediately after the senate shall have convened in pursuance of their election wider this act, the senators shall be divided, in such manner as the senate shall prescribe, into three classes; the seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third thereof may be elected on the first Wednesday of October in every second Year; and elections shall be held in the several counties and city, from which the retiring senators came, to supply the vacancies as they may occur in consequence of this classification.

Sec. 4 – Such election for senators shall be conducted, and the returns thereof be made, with proper variations in the certificate to suit the case, in like manner as in cases of elections for delegates.

Sec. 5 – The qualifications necessary in a senator shall be the same as are required in a delegate to the general assembly, with the additional qualification that he shall be above the age of twenty-five

years, and shall have resided at least three years, next preceding his election. in the county or city in and for which he shall be chosen.

Sec. 6 – In case any person who shall have been chosen as a senator shall refuse to act, remove from the county or city, as the case may be, for which he shall have been elected, die, resign, or be removed for cause, or in case of a tie between two or more qualified persons in any one of the counties or in the city of Baltimore, a warrant of election shall be issued by the president of the senate for the time being for the election of a senator to supply the vacancy, of which ten days' notice at the least, excluding the day of notice and the day of election, shall be given.

Sec. 7 – So much of the thirty-seventh article of the constitution as provides that no senator or delegate to the general assembly, if he shall qualify as such, shall hold or execute any office of profit during the time for which he shall be elected' shall be, and the same is hereby, repealed.

Sec. 8 – No senator or delegate to the general assembly shall, during the time for which he was elected, be appointed to any civil office under the constitution and laws of this State which shall have been created or the emoluments whereof shall have been increased during such time; and no senator or delegate, during the time he shall continue to act as such, shall be eligible to any civil office whatever.

Sec. 9 – At the election for delegates to the General assembly for the December session of the year of our Lord eighteen hundred and thirty-eight, and at each succeeding election for delegates, until after the next census shall have been taken and officially promulgated, five delegates shall be elected in and for Baltimore (city and one delegate in and for the city of Annapolis, until the promulgation of the census for the year eighteen hundred and forty, when the city of Annapolis shall be deemed and taken as a part of Anne Arundel County, and her right to a separate delegation shall cease; five delegates in and for Baltimore County; five delegates in and for Frederick County, and four delegates in and for Anne Arundel County, and four delegates in and for each of the several counties respectively hereinafter mentioned, to wit: Dorchester, Somerset, Worcester, Prince George's, Harford, Montgomery, Carroll, and Washington, and three delegates in and for each of the several counties respectively hereinafter next mentioned, to wit: Cecil, Kept, Queen Anne's, Caroline, Talbot, Saint Mary's, Charles, Calvert, and Alleghany.

Sec. 10 – From and after the period when the next census shall have been taken and officially promulgated, and from and after the official promulgation of every second census thereafter, the representation in the house of delegates from the several counties and from the city of Baltimore shall be graduated and established on the following basis: that is to say, every county which shall have by the said census a population of less than fifteen thousand souls, federal numbers, shall be entitled to elect three delegates; every county having a population by the said census of fifteen thousand souls and less than twenty-five thousand souls, federal numbers, shall be entitled to elect four delegates; and every county having by the said census a population of twenty-five thousand and less than thirty-five thousand souls, federal numbers, shall be entitled to elect five delegates; and every county having a population of upwards of thirty-five thousand souls, federal numbers, shall be entitled to elect six delegates; and the city of Baltimore shall be entitled to elect as many

delegates as the county which shall have the largest representation, on the basis aforesaid, may be entitled to elect: Provided, and it is hereby enacted, That if any of the several counties hereinbefore mentioned shall not, after the said census for the year eighteen hundred and forty shall have been taken, be entitled by the graduation on the basis aforesaid to a representation in the house of delegates equal to that allowed to such county by the ninth section of this act, at the election of delegates for the December session of the year eighteen hundred and thirty-eight, such county shall nevertheless, after said census for the year eighteen hundred and forty, or any future census, and forever thereafter, be entitled to elect the number of delegates allowed by the provisions of said section for the said session; but nothing in the proviso contained shall be construed to include in the representation of Anne Arundel County the delegate allowed to the city of Annapolis in the said ninth section of this act.

Sec. 11 – In all elections for senators, to be held after the election for delegates, for the December session, eighteen hundred and thirty-seven, the city of Annapolis shall be deemed and taken as part of Anne Arundel County.

Sec. 12 – The general assembly shall have power from time to time to regulate all matters relating to the judges, time, place, and manner of holding elections for senators and delegates, and of making returns thereof, and to divide the several counties into election districts, for the more convenient holding of elections, not affecting their terms or tenure of office.

Sec. 13 – So much of the constitution and form of government as relates to the council, to the governor, and to the clerk of the council, be abrogated, abolished, and annulled, and that the whole executive power of the government of this State shall be vested exclusively in the governor, subject, nevertheless, to the checks, limitations and provisions hereinafter specified and mentioned.

Sec. 14 – The governor shall nominate, and, by and with the advice and consent of the senate, shall appoint all officers of the State whose offices are or may be created by law, and whose appointment shall not be otherwise provided for by the constitution and form of government, or by any laws consistent with the constitution and form of government: Provided, That this act shall not be deemed or construed to impair in any manner the validity of the commissions of such persons as shall be in office under previous executive appointment, when this act shall go into operation, or alter, abridge, or change the tenure, quality, or duration of the same, or of any of them.

Sec. 15 – The governor shall have power to fill any vacancy that may occur in any such offices during the recess of the senate, by granting commissions which shall expire upon the appointment of the same person, or any other person, by and with the advice and consent of the senate, to the same office, or at the expiration of one calendar month, ensuing the commencement of the next regular session of the senate, whichever shall first occur.

Sec. 16 – The same person shall in no case be nominated by the governor a second time during the same session for the same office, in case he shall have been rejected by the senate, unless after such rejection the senate shall inform the governor by message of their willingness to receive again the nomination of such rejected person for further consideration; and in case any person nominated by the governor for any office shall have been rejected by the senate, it shall not be lawful for the

governor at any time afterwards, during the recess of the senate, in case of vacancy in the same office, to appoint such rejected person to fill said vacancy.

Sec. 17 – It shall be the duty of the governor, within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, if it be confirmed, and annually thereafter during the regular session of the senate, and on such particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the senate, to appoint a secretary of state, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation, as shall be prescribed by law.

Sec. 18 – In case a vacancy shall occur in the office of governor at any time after this act shall go into operation, the general assembly if in session, or if in the recess at their next session, shall proceed to elect, by joint ballot of the two houses, some person, being a qualified resident of the gubernatorial district from which the governor for said term is to be taken, to be governor for the residue of said term in place of the person originally chosen; and in every case of vacancy, until the election and qualification of the person succeeding, the secretary of state, by virtue of his said office, shall be clothed, ad Interim, with the executive powers of government; and in case there shall be no secretary of state, or in case he shall refuse to act, remove from the States die, resigns or be removed for causes the person filling the office of president of the senate shall, by virtue of his said office, be clothed, ad interim, with the executive powers of government, and in case there shall be no president of the senate, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of speaker of the house of delegates shall, by virtue of his said office, be clothed, ad interim, with the executive powers of government.

Sec. 19 – The term of office of the governor, who shall be chosen on the first Monday of January next, shall continue for the term of one year, and until the election and qualification of a successor, to be chosen as hereinafter mentioned.

Sec. 20 – At the time and places of holding the elections in the several counties of this State, and in the city of Baltimore, for delegates to the general assembly for the December session of the year eighteen hundred and thirty-eight, and before the same judges by whom the election for delegates shall be held, and in every third year forever thereafter, an election shall also be held for a governor of this State, whose term of office shall commence on the first Monday of January next ensuing the day of such election, and continue for three years and until the election and qualification of a successor; at which said election every person qualified to vote for delegates to the general assembly, at the place at which he shall offer to vote, shall be entitled to vote for governor, and the person voted for as governor shall possess the qualifications now required by the constitution and form of government, and the additional qualification of being at least thirty years of age, and of being, and of having been for at least three whole Years before, a resident within the limits of the gubernatorial district from which the governor is to be taken at such election, according to the priority which shall be determined as hereinafter mentioned; that is to say, the State shall be, and the same is hereby, divided into three gubernatorial districts, as follows: the counties of Cecil, Kent,

Queen Anne's, Caroline, Talbot, Dorchester, Somerset, and Worcester shall together compose one district, and until its number shall be determined as hereinafter provided, shall be known as the eastern district; the counties of Saint Mary's, Charles, Calvert, Prince George's, Anne Arundel, inclusive of the city of Annapolis, Montgomery, and Baltimore City, shall together compose one district, and, until its number shall be determined as hereinafter provided, shall be known as the southern district; Baltimore, Harford, Carroll, Frederick, Washington, and Alleghany Counties shall together compose one district, and until its number shall be determined as hereinafter provided, shall be known as the northwestern district; and for the purpose of determining the respective numbers and order of priority of said districts in the same session in which this act shall be confirmed, if the same shall be confirmed as hereinafter mentioned, and on some day to be fixed by concurrence of the two branches, the speaker of the house of delegates shall present to the president of the senate in the senate chamber, a box containing three ballots of similar size and appearance, and on which shall severally be written, eastern district, southern district, northwestern district; and the president of the senate shall thereupon draw from said box the said several ballots in succession, and the district, the name of which shall be written on the ballot first drawn, shall thenceforth be distinguished as the first gubernatorial district, and the person to be chosen governor at the election first to be held under the provisions of this section, and the person to be chosen at every succeeding third election for governor forever thereafter, shall be taken from the said first district; and the district, the name of which shall be written on the ballot secondly drawn, shall thenceforth be distinguished as the second gubernatorial district, and the person to be chosen governor at the second election to be held under the provisions of this section, and the person to be chosen at every succeeding third election for governor forever thereafter, shall be taken from the said second district, and the district, the name of which shall be written on the ballot thirdly drawn, shall thenceforth be distinguished as the third gubernatorial district, and the person to be chosen governor at the third election to be held under the provisions of this section, and the person to be chosen at every succeeding third election forever thereafter, shall be taken from the said third district; and the result of such drawing shall be entered on the journal of the senate, and be reported by the speaker of the house of delegates on his return to that body, and be entered on the journal thereof, and shall be certified by a joint letter, to be signed by the president of the senate and the speaker of the house of delegates, and be addressed and transmitted to the secretary of state, if appointed, and if not, as soon as he shall be appointed, to be by him preserved in his office.

Sec. 21 – The general assembly shall have power to regulate by law all matters which relate to the judges, time, place, and manner of holding elections for governor, and of making returns thereof not affecting the tenure and term of office thereby, and that until otherwise directed, the returns shall be made in like manner as in elections for electors of President and Vice-President, save that the form of the certificates shall be varied to suit the case, and save also that the returns, instead of being made to the governor and council, shall be made to the Senate, and be addressed to the president of the senate, and be inclosed under cover to the secretary of state, by whom they shall be delivered to the president of the senate, at the commencement of the session next ensuing such election.

Sec. 22 – Of the persons voted for as governor at any such election, the person having, in the judgment of the senate, the highest number of legal votes, and possessing the legal qualifications, and resident, as aforesaid, in the district from which the governor at such election is to be taken, shall be governor, and shall qualify in the manner prescribed by the constitution and laws, on the first Monday of January next ensuing his election, or as soon thereafter as may be, and all questions in relation to the number or legality of the votes given for each and any person voted for as governor, and in relation to the returns, and in relation to the qualifications of the persons voted for as governor, shall be decided by the senate, and in case two or more persons, legally qualified according to the provisions of this act, shall have an equal number of legal votes, then the senate and house of delegates, upon joint ballot, shall determine which one of them shall be governor, and the one which, upon counting the ballots, shall have the highest number of votes, shall be governor, and shall qualify accordingly.

Sec. 23 – No person who shall be elected, and shall act as governor, shall be again eligible for the next succeeding term.

Sec. 24 – The elections to be held in pursuance of this act shall be held on the first Wednesday of October in the year eighteen hundred and thirty-eight; and for the election of delegates on the same day in every year thereafter, for the election of governor on the same day in every third year thereafter, and for the election of senators of the first class, on the same day, in the second year after their election and classification, and on the same day in every sixth year thereafter; and for the election of senators of the second class, on the same day in the fourth year after their election and classification, and on the same day in every sixth year thereafter; and for the election of senators of the third class, on the same day, in the sixth year after their election and classification, and on the same day in every sixth year thereafter.

Sec. 25 – In all elections for governor, the city of Annapolis shall be deemed and taken as part of Anne Arundel County.

Sec. 26 – The relation of master and slave, in this State, shall not be abolished, unless a bill so to abolish the same shall be passed by a unanimous vote of the members of each branch of the general assembly, and shall be published at least three months before a new election of delegates, and shall be confirmed by unanimous vote of the members of each branch of the general assembly, at the next regular constitutional session after such new election, nor shall, without full compensation to the master for the property of which he shall be thereby deprived.

Sec. 27 – The city of Annapolis shall continue to be the seat of government, and the place of holding the sessions of the court of appeals for the western shore, and the high court of chancery.

Sec. 28 – If this act shall be confirmed by the general assembly; after a new election of delegates, in the first session after such new election, agreeably to the provisions of the constitution and form of government, then and in such case this act, and the alterations and amendments of the constitution therein contained, shall be taken and considered, and shall constitute and be valid, as a part of said constitution and form of government, anything in the said Constitution and form of government to the contrary notwithstanding.

(RATIFIED 1846)

Art. 26 – That the sessions of the general assembly be biennial instead of annual.

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