1938

PROCLAMATION OF THE GOVERNOR OF MARYLAND PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1935, an Act was passed, to wit: Chapter 463 proposing an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; and

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1937, an Act was passed, to wit: Chapter 494 proposing to amend Section 21 of Article 4, title "Judiciary Department", sub-title "Part III—Circuit Courts", of the Constitution of this State, to provide an additional judge in the Second Circuit and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection; and

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1937, an Act was passed, to wit: Chapter 525 proposing an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, title "Amendments", said section prohibiting the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; in words and figures as follows:

CHAPTER 463—1935

AN ACT to propose an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elect of each of the two Houses concurring), That Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," prohibiting the General Assembly from authorizing lotteries, and the same is hereby repealed if adopted by the legally qualified voters of the State, as hereby provided.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of the State of Maryland shall be submitted to the legal and qualified voters of the State for their adoption or rejection, in accordance with the provisions of Section 1 of Article 14 of the Constitution, and further proceedings had in accordance with said Article 14.

Approved: May 17, 1935.

CHAPTER 494—1937

AN ACT to repeal Section 21 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts," of the Constitution of this State, relating to the Second Circuit and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elect of each of the two Houses concurring), That Section 21 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts," of the Constitution of the State of Maryland, and the same is hereby repealed.

21. For each of the said circuits, except the Second, the second, the third and the fourth, there shall be one chief Judge and two associate Judges, to be styled Judges of the Circuit Court, who shall be or appointed as herein provided, and for the Second Circuit there shall be a chief judge of said circuit, three associate judges to be styled Judges of the Circuit Court, to be or appointed as herein provided. And no two of the said judges, except the chief of the said circuits, except the Second, for their election or appointment shall be residents of the same county, and they have been elected or appointed as such, no more than one or more persons shall be candidates for election or appointment as Judges from any of the circuits, except the Second, who shall be residents of any county in said county shall be elected or appointed as Judges for a number of votes in the circuit. In case any two candidates for election or appointment as any of the circuits, except the third and the Second, residing in same county, the one who shall have an equal number of votes shall be declared elected. In case any two candidates for election or appointment as Judges of the Second Circuit, residing in same county, the one who shall have an equal number of votes shall be declared elected. If, by reason of such a condition or by reason of an equal vote for two or more candidates a sufficient number of Judges shall not be elected, such vacancy or vacancies shall be filled by the persons elected at any election in said circuit next succeeding the same, upon the call of the Governor to order a new election for such unfilled offic or offices.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of this State shall be, at the next general election to be held in this State in the year 1938, submitted to the legal and qualified voters thereof for their adoption or rejection, in pursuance of directions contained in Article 14 of the Constitution of this State, and if the said general election, a vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" or "Against Constitutional Amendment," as the case may be, and if a majority of the votes cast for and against said proposed amendment shall be for the same, then and in that event the said proposed amendment shall be and become a part of the Constitution of this State, and further proceedings had in accordance with said Article 14.

Approved: May 18, 1937.

CHAPTER 525—1937

AN ACT to propose an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; in words and figures as follows:

CHAPTER 463—1935

AN ACT to propose an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elect of each of the two Houses concurring), That Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," prohibiting the General Assembly from authorizing lotteries, and the same is hereby repealed if adopted by the legally qualified voters of the State, as hereby provided.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of the State of Maryland shall, at the next general election to be held in this State in the year 1938, be submitted to the legal and qualified voters of the State for their adoption or rejection, in pursuance of directions contained in Article 14 of the Constitution of this State, and if the said general election a vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" or "Against Constitutional Amendment," as the case may be, and if a majority of the votes cast for and against said proposed amendment shall be for the same, then and in that event the said proposed amendment shall be and become a part of the Constitution of this State, and further proceedings had in accordance with said Article 14.

Approved: May 18, 1935.

CHAPTER 525—1937

AN ACT to propose an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; in words and figures as follows:

CHAPTER 525—1937

AN ACT to propose an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment be and the same is hereby proposed to the qualified voters of the State of Maryland, to be considered at the State of Maryland, to be considered at the next general election to be held in the State of Maryland, and if adopted by the legal and qualified voters of the State, as herein provided, to become Article 15 of the Declaration of Rights of the Constitution of the State of Maryland.

Article 15. That the levying of taxes by the General Assembly in a manner unequal and oppressive and ought to be prohibited; that peupers ought not to be taxed for the support of the State Government; that the General Assembly shall, by uniform rules, provide for equitable assessment of land and classification thereof for taxation purposes according to the use and general productiveness, as it may deem proper; and all taxes thereafter provided to be levied by the State for the support of the general State Government, and by the Mayor and City Council of Baltimore and the respective counties, shall be uniform as to the persons and property liable to taxation within the limits of the several counties and improvements on land and personal property may have directed to be subjected to the same rate of taxation; but no property shall be exempted from taxation, nor shall the rate of taxation upon property be changed, nor may taxes be imposed on incomes, which may be differently taxed or differently exempted from the exemption of a reasonable amount of income, or the ratable property of any person, except as to such property as may be exempted by the Constitution of the United States.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Declaration of Rights of the Constitution of the State of Maryland shall, at the election to be held in November, 1938, be submitted to the legal and qualified voters of the State for their adoption or rejection, in accordance with the provisions of Section 1 of Article 14 of the Constitution, and further proceedings had in accordance with said Article 14.

Approved: May 17, 1937.

CHAPTER 494—1937

AN ACT to repeal Section 21 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts," of the Constitution of this State, relating to the Second Circuit and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection; and

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elect of each of the two Houses concurring), That Section 21 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts," of the Constitution of the State of Maryland, and the same is hereby repealed.

21. For each of the said circuits, except the Second, the second, the third and the fourth, there shall be one chief Judge and two associate Judges, to be styled Judges of the Circuit Court, who shall be or are appointed as herein provided, and for the Second Circuit there shall be a chief judge of said circuit, three associate judges to be styled Judges of the Circuit Court, to be or are appointed as herein provided. And no two of the said judges, except the chief of the said circuits, except the Second, for their election or appointment shall be residents of the same county, and they have been elected or appointed as such, no more than one or more persons have been elected or appointed as Judges from any of the circuits, except the Second, who shall be residents of any county in said county shall be elected or appointed as Judges for a number of votes in the circuit. In case any two candidates for election or appointment as any of the circuits, except the third and the Second, residing in same county, the one who shall have an equal number of votes shall be declared elected. In case any two candidates for election or appointment as Judges of the Second Circuit, residing in same county, the one who shall have an equal number of votes shall be declared elected. If, by reason of such a condition or by reason of an equal vote for two or more candidates a sufficient number of Judges shall not be elected, such vacancy or vacancies shall be filled by the persons elected at any election in said circuit next succeeding the same, upon the call of the Governor to order a new election for such unfilled offic or offices.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of this State shall be, at the next general election to be held in this State in the year 1938, submitted to the legal and qualified voters thereof for their adoption or rejection, in pursuance of directions contained in Article 14 of the Constitution of this State, and if the said general election a vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" or "Against Constitutional Amendment," as the case may be, and if a majority of the votes cast for and against said proposed amendment shall be for the same, then and in that event the said proposed amendment shall be and become a part of the Constitution of this State, and further proceedings had in accordance with said Article 14.

Approved: May 18, 1937.

CHAPTER 525—1937

AN ACT to propose an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; in words and figures as follows:

CHAPTER 463—1935

AN ACT to propose an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elect of each of the two Houses concurring), That Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," prohibiting the General Assembly from authorizing lotteries, and the same is hereby repealed if adopted by the legally qualified voters of the State, as hereby provided.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of the State of Maryland shall, at the next general election to be held in this State in the year 1938, be submitted to the legal and qualified voters of the State