1938

PROCLAMATION OF THE GOVERNOR OF MARYLAND PROPOSING AMENDMENT 2 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 453 proposing an amendment to Article 3, 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;

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 41 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 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 525 proposing to amend Section 11 of Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on income, 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 445—1937

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 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 resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby repealed, the same being a section prohibiting the General Assembly from authorizing lottery grants for and it is hereby repealed if adopted by the legally qualified voters of the State as herein provided.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of the directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against in accordance with Article 14 of the Constitution of the State.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 1" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 36 of said Article 3.

Sec. 5. And be it further enacted, That for each of the said circuits, expecting the circuits, the voters of which are herein provided shall be a judge of the said circuit, the voters of each of the said circuits shall, at the time of electing the judge of the said circuit, elect a judge for which judge to reside in the same county. If two or more persons may be put in nomination for associate judge in the same county, any of the voters of the said circuit may vote for any number of persons not exceeding the number of associate judges to be elected in the said county, and shall be elected who has the highest number of votes, and in case there are any two candidates for associate judge in the said county, receiving the same number of votes, residing in the said county of votes greater than any other candidate for associate judge in the circuit, it shall be the duty of the Governor to send a new election for one associate judge; but the person shall reside in the county in the said circuit and who has received the next highest number of votes shall be elected. The said judge of the Circuit Court in each of the counties composing their respective circuits, at the times as are now or may hereafter be prescribed by the laws of Maryland, for the election of judges of the Circuit Court, in such terms as are hold, two other and separate terms, to be elected, and shall not be nominated; they may after or in lieu of the terms herein, be elected until otherwise provided by the Legislature, provided that all business not performed by the incumbent, shall be completed, so far as practicable, disposed of at and immediate terms of the Circuit Court of the above circuits, including the Circuit Court of Baltimore City, shall constitute a quorum for the transaction of all business, and the said judges or any of them in the said special term of the said courts, whenever in their opinion the business of the said courts shall require such terms, may order the additional terms accordingly, and the third circuit elected in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be entitled to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional judge for the sixth circuit herein provided for shall be elected by the qualified voters of the Second and Third Legislative Districts at the 1938 election in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the sixth circuit and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the sixth circuit and his successor shall be appointed and/or elected in accordance with the constitutional provisions relating to judges of the said circuit, may be elected from Wicomico County, provided, however, that when the Chief Judge is elected from Frederick County the one of the associate judges shall be a resident of said county and the remaining associate judges shall be residents of Montgomery County, and provided, further, that when the Chief Judge is elected from Montgomery County one of the associate judges shall be a resident of said Frederick County and the remaining two associate judges residents of Montgomery County. In case any of the said judges or associate judges at any judicial election shall receive sufficient votes to cause such candidates or candidates to be declared elected, but the election of such candidate or candidates would cause more associate judges than herein provided for to reside in the county of said circuit, then and in that event only that candidate or those candidates, as the case may be, residing in said county of the least number of votes received shall be deemed elected, provided, however, that the prescribed number of associate judges from said county and the candidate or candidates as the case may be, residing in the other county, and not similarly disqualified, who shall have the next highest number of votes in said county, shall be deemed elected, and for any reason of such a condition or by reason of an equal vote for two or more candidates a sufficient number of associate judges duly qualified as to residence as above set out should not be elected to constitute the full quota of judicial circuit, then it shall be the duty of the Governor to order a new election for such qualified office or offices.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State, and in the general election, the vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 2" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 11 of said Article 15.

CHAPTER 494—1937

AN ACT to amend Section 41 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts", of the Constitution of Maryland, to provide an additional judge for the Second Circuit and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional judge for the sixth circuit herein provided for shall be elected by the qualified voters of the Second and Third Legislative Districts at the 1938 election in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the sixth circuit and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the sixth circuit and his successor shall be appointed and/or elected in accordance with the constitutional provisions relating to judges of the said circuit, may be elected from Wicomico County, provided, however, that when the Chief Judge is elected from Frederick County the one of the associate judges shall be a resident of said county and the remaining associate judges shall be residents of Montgomery County, and provided, further, that when the Chief Judge is elected from Montgomery County one of the associate judges shall be a resident of said Frederick County and the remaining two associate judges residents of Montgomery County.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 2" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 41 of said Article 4.

Sec. 5. And be it further enacted, That for each of the said circuits, expecting the circuits, the voters of which are herein provided shall be a judge of the said circuit, the voters of each of the said circuits shall, at the time of electing the judge of the said circuit, elect a judge for which judge to reside in the same county. If two or more persons may be put in nomination for associate judge in the same county, any of the voters of the said circuit may vote for any number of persons not exceeding the number of associate judges to be elected in the said county, and shall be elected who has the highest number of votes, and in case there are any two candidates for associate judge in the said county, receiving the same number of votes, residing in the county of votes greater than any other candidate for associate judge in the circuit, it shall be the duty of the Governor to send a new election for one associate judge; but the person shall reside in the county in the said circuit and who has received the next highest number of votes shall be elected. The said judge of the Circuit Court in each of the counties composing their respective circuits, at the times as are now or may hereafter be prescribed by the laws of Maryland, for the election of judges of the Circuit Court, in such terms as are hold, two other and separate terms, to be elected, and shall not be nominated; they may after or in lieu of the terms herein, be elected until otherwise provided by the Legislature, provided that all business not performed by the incumbent, shall be completed, so far as practicable, disposed of at and immediate terms of the Circuit Court of the above circuits, including the Circuit Court of Baltimore City, shall constitute a quorum for the transaction of all business, and the said judges or any of them in the said special term of the said courts, whenever in their opinion the business of the said courts shall require such terms accordingly, and the third circuit elected in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be entitled to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional judge for the sixth circuit herein provided for shall be elected by the qualified voters of the Second and Third Legislative Districts at the 1938 election in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the sixth circuit and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the sixth circuit and his successor shall be appointed and/or elected in accordance with the constitutional provisions relating to judges of the said circuit, may be elected from Frederick County, provided, however, that when the Chief Judge is elected from Frederick County the one of the associate judges shall be a resident of said county and the remaining associate judges shall be residents of Montgomery County, and provided, further, that when the Chief Judge is elected from Montgomery County one of the associate judges shall be a resident of said Frederick County and the remaining two associate judges residents of Montgomery County.

Sec. 6. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 7. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 3" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 8. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 41 of said Article 4.

CHAPTER 494—1937

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

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional judge for the sixth circuit herein provided for shall be elected by the qualified voters of the Second and Third Legislative Districts at the 1938 election in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the sixth circuit and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the sixth circuit and his successor shall be appointed and/or elected in accordance with the constitutional provisions relating to judges of the said circuit, may be elected from Frederick County, provided, however, that when the Chief Judge is elected from Frederick County the one of the associate judges shall be a resident of said county and the remaining associate judges shall be residents of Montgomery County, and provided, further, that when the Chief Judge is elected from Montgomery County one of the associate judges shall be a resident of said Frederick County and the remaining two associate judges residents of Montgomery County.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 4" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 21 of said Article 4.

CHAPTER 494—1937

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 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 resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 5" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 36 of said Article 3.

CHAPTER 494—1937

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

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 6" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 21 of said Article 4.

CHAPTER 494—1937

AN ACT to propose an amendment to repeal Section 41 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts", of the Constitution of Maryland, to provide an additional judge for the Second Circuit and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 7" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 41 of said Article 4.

CHAPTER 494—1937

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

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 8" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 21 of said Article 4.

CHAPTER 494—1937

AN ACT to propose an amendment to repeal Section 41 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts", of the Constitution of Maryland, to provide an additional judge for the Second Circuit and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 9" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 41 of said Article 4.

CHAPTER 494—1937

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

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 10" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 21 of said Article 4.

CHAPTER 494—1937

AN ACT to propose an amendment to repeal Section 41 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts", of the Constitution of Maryland, to provide an additional judge for the Second Circuit and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 11" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 41 of said Article 4.

CHAPTER 494—1937

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

Section 1. Be it resolved by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment to the Constitution of the State of Maryland, title "Legislative Department," be and it is hereby proposed to the qualified voters of the State of Maryland, for their adoption or rejection in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Montgomery County, shall be elected by the Governor after the expiration of six months after the adoption of this amendment and shall serve until the first general election for one judge of the General Assembly that shall be held in said amendment, shall be subject to the same constitutional provisions, receive the same powers as are herein provided for the other associate judges in the second circuit, and be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit.

Sec. 2. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be submitted to the legally qualified members of the General Assembly of Maryland, when elected to the legal and qualified voters of the State of Maryland for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of the State of Maryland, and shall be voted for or against upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against Constitutional Amendment" as nearly as the law and the circumstances will permit, and the returns shall be made to the Governor of the State of Maryland, and canvassed and proclaimed in such manner and at such times as are now or may hereafter be prescribed by the laws of Maryland for the election of Governor and State officers, and if it shall be found that a majority of the votes cast for and against said proposed amendment shall be in favor of the said proposed amendment, then the same shall become and be a part of the Constitution of the State of Maryland.

Sec. 3. And be it further enacted, That the above proposed amendment to the Constitution of the State of Maryland, shall be voted for or against upon a separate ballot to be headed or designated as "Amendment 12" and shall be voted for or against in such manner that the ballots cast for and against said amendment shall be separately counted and the result ascertained and declared as provided in Section 3 of said Article 14.

Sec. 4. And be it further enacted, That if the said amendment shall be adopted by the legally qualified voters of the State as herein provided, it shall supersede and take the place of Section 21 of said Article 4.

CHAPTER 494—1937

AN ACT to propose an amendment to repeal Section 41 of Article 4, title "Judiciary Department," sub-title "Part III—Circuit Courts", of the Constitution of Maryland, to provide an additional judge for the Second Circuit and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1