The Constitution of Maryland

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The Constitution and Form of Go vernment proposed for the Considera tion of the Delegates of Maryland.

That the legislature consist of three distinct branches, a governor, a senate, and a honse of delegates, who shall be stiled the General Assembly of Maryland.

That the house of delegates shall be chosen in the following manner: All freemen in this state, above twenty-one years of age, having a freehold therein of not less than sitty acres of land, and actually residing in the county in which he offers to vote; or having not less than forty pounds sterling property in the state, and having resided in the county in which he offers to vote, one whole year next preceding the election, shall, on the first Monday of October 1779, and on the same day in every third year for ever thereafter, at the place appointed for holding the county courts, elective vote, by a majority of votes, four delegates for their respective counties, of the most wife, sensible, and discreet of the people, residents in the state one whole year next preceding the election, above twenty-one years of age, and having in the state a freehold in lands or tenements, above the value of

That the sheriff of each county shall be judge of the e-

3. That the sheriff of each county shall be judge of the election, and may adjourn from day to day, omitting Sunday if necessary, till the same be smilhed, and shall make his return thereof, under his hand, to the chancellor of this state for the time being.

4. That all persons, qualified by the charter of the city of Annapolis to vote for burgesses, shall, on the same first Monday of October 1779, and on the same day in every third year for ever thereafter, elect viva voce, by a majority of votes, two delegates, qualified agreeable to the said charter; that the mayor, recorder, and aldermen, of the said city, or any three of them, be judges of the election, appoint the place in the said city for holding the same, and may adjourn from day to day as aforesaid, and shall make return thereof as aforesaid.

5. That all persons, inhabitants of Baltimore Town, and having the same qualifications as electors in the county, shall,

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26. That the fenators and delegates, on the fecond Tuefday of November 1777, and annually on the second Tuesday of November for ever thereafter, elect by joint ballot, in the fame manner as senators are directed to be chosen, five of the most sensible, discreet, and experienced men, above twentyhve years of age, refidents in the state above three years next preceding the election, and having therein a freehold of lands and tenements, above the value of one thousand pounds corrent money, to be the council to the governor, whose proceedings shall be always entered on record, to any part whereof any member may enter his dissent, and their advice, if so required by the governor, or any member of the council, shall be given in writing, and figured by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them. The council may appoint their own clerk, who shall take such oath of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep fecret.

27. That the delegates to Congress from this state shall be choice annually, or superfeded in the mean time by the joint ballot of both houses of assembly, and that there be a rotagion in fach manner that at least two of the number be annually changed, and no person shall be capable of being a delegate to Congress for more than three in any term of fix years; and no person who holds any office of profit in the gift of Congress shall be eligible to sit in Congress, but if appointed to any fuch office his feat shall be thereby ranated: That no person unless above twenty-five years of age, and a refident in the flate more than five years next preceding the clection, and having real and personal estate in this state above the value of one thousand pounds current money, thall

be eligible to fit ir Congress. 28. That the fee stors and delegates, immediately on their annual meeting, and before they proceed to any business, and every person hereaster elected a senator, or delegate, before he acts, as fuch, shall take an oath of support and fidelity to this state as aforesaid, and before the election of the governor, or members of the council, shall take an oath " to elect without favour, affection, partiality, or pre-" judice, such person, as governor, or memb z of the coun-" cil, as they, in their judgment and conscience, believe best qualified for the office."

29. That

zo. That the fenate and delegates may adjourn themselved respectively; but if the two houses should not agree on the same time, but adjourn to different days, then shall the governor appoint and notify one of those days or some day between, and the assembly shall then meet and be held accordingly, and be shall, if necessary, by advice of the council, call them before the time to which they shall in any manner be adjourned, on giving not less than ten days notice thereof, but the governor shall not adjourn the assembly otherwise than as aforesaid, nor prerogue or dissolve it at any time.

30. That no person unless above twenty-five years of age, a resident in this state above five years next preceding the election, and having in the state real and personal property above the value of five thousand pounds current money, one thousand pounds whereast at least to be of freehold estate; shall be eligible as governor.

31. That the governor shall not continue in that office longer than three years successively, nor be eligible as governor until the expiration of four years, after he shall have been out of that clice.

52. That upon the death, refignation, or removal out of this flate of the governor, the first named of the council, for the time being, shall act as governor, and qualify in the same manner, and shall immediately call a meeting of the general assembly, giving not less than fourteen days notice of the meeting, at which meeting a governor shall be appointed, in manner aforesaid, for the residue of the year.

33. That the governor, by and with the advice and confent of the council, may embody the militia, and when embodied shall alone have the direction thereof, and thall also have the direction of all the regular land and fea forces under the laws or this flate, but he shall not command in person unless advised thereto by the council, and then only fo long as they final approve thereof, and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this flate, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may; during the receis of the general attembly, lay embargoes to preve the departure of any shipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, lummoning the general aftembly to meet within the time of the continuance of fuch embargo, and may alfo order and compel any vessel to ride quarantine, if such