

have not allowed me to review them as thoroughly or satisfactorily as I could desire. I am gratified, however, that these returns of the soldiers' vote have passed under the searching scrutiny of the able counsel who has inspected them. They will satisfy him, I think, of a purpose everywhere manifested on their face to state frankly and without reserve the facts as they really occurred. Indeed, in several of his objections, and in nearly all of those that have been sustained, the very foundation of the objection has been furnished by letters filed with, or special statements annexed, to the regular returns, which but for these special annexations would have presented no cause of objection, and I rejoice to see, as I think these circumstances obviously show, a purpose on the part of the soldiers to abide strictly by the law, and avail themselves of no privileges except what the law allows. A month before the election, as I fully explained to the committee to whom I have herein referred, I caused to be printed and sent to all our organized commands a circular of instruction, calculated not only to insure an observance of the law, but to guard against any one's being permitted to vote who would not be entitled to do so if he had been at home.

The entire vote authorized by the constitution having been thus accurately ascertained, it becomes my duty in obedience to its mandate to proclaim the result and its adoption. I propose to do this simultaneously with the publication of this opinion. The very near approach of the day appointed for the constitution to take effect, and an important election so soon afterwards depending on this announcement, will not permit of longer delay.

The duty thus imposed upon me is a plain proceeding of a purely ministerial and executive character, which leaves me no discretion, and which I care not disobey.

A. W. BRADFORD.

THE CONSTITUTION ADOPTED.

In obedience to the conclusions to which the governor had thus arrived, and to the requirements of section nine of article XII of the constitution, the governor at the same time published the following proclamation:

STATE OF MARYLAND. }
EXECUTIVE DEPARTMENT. }

Whereas, by an act of the general assembly of Maryland, passed at January session, eighteen hundred and sixty-four, entitled "an act to provide for the taking of the sense of the people upon the call of a convention to frame a new constitution and form of government for this State, to provide for an election of delegates to said convention, and the assembling thereof," it is provided that the constitution and form of government adopted by the said convention, as aforesaid, "shall be submitted to the legal and qualified voters of the State, for their adoption or rejection,

at such time, in such manner, and subject to such rules and regulations as said convention may prescribe."

And whereas, it is further provided by said act "that when the governor shall receive the returns of the number of ballots cast in this State for the adoption or rejection of the constitution submitted by the convention to the people, if upon counting and casting up the returns as made to him, as hereinbefore prescribed, it shall appear that a majority of the legal votes cast at said election are in favor of the adoption of the said constitution, he shall issue his proclamation to the people of the State, declaring the fact, and he shall take such steps as shall be required by the said constitution to carry the same into full operation, and to supersede the old constitution of this State."

And whereas, in pursuance of the said act and of a vote of a majority of the people of the State, taken in conformity to its provisions, and in favor of the assembling of said convention, that body did convene at the city of Annapolis, on the day appointed by said act, and did on the sixth day of September last adopt a new constitution and form of government; and did therein direct that the same should be submitted for the adoption or rejection of the people of the State at an election to be held in the several counties of the State and the city of Baltimore for that purpose, at a certain time therein specified; and did also therein provide that an election should be held likewise for a similar purpose "in each company of every Maryland regiment in the service of the United States or of this State."

And whereas, by said constitution it was further provided that the governor, upon receiving the result of said elections, and ascertaining the aggregate vote throughout the State, including the soldiers' vote aforesaid, should by his proclamation make known the same, and if a majority of the votes cast should be for the adoption of said constitution, it should go into effect on the first day of November, eighteen hundred and sixty-four.

And whereas, the elections as provided for were held in the said counties of the State and the city of Baltimore, and in the said military companies in the service of the United States.

And whereas, the results of said elections have been duly certified to me by the proper judges of the said several elections, and upon accurately counting and casting up the votes so returned to me for and against the said constitution, including the soldiers' vote aforesaid, it doth appear that there were thirty thousand one hundred and seventy-four (30,174) ballots for the constitution, and twenty-nine thousand seven hundred and ninety-nine (29,799) ballots against the constitution, and that there were sixty-one (61) blank ballots, and that there were thirty-three (33) ballots reported as given against the con-