

going abroad. Take the case of a person from the State of Maryland, in the naval service of the United States, I agree that as a general thing, the law would not regard him as having lost his residence although he might go the world over; but when he came back he could vote here in Maryland. But if he should go to some other part of the United States and be stationed there, and should there vote, then it would be wrong for him to come here and vote. This section simply provides for that case.

Mr. SANDS. "No person in the naval or military service of the United States, shall be considered as having acquired a residence to vote because he has been employed at any barracks, forts, or naval station," &c. What has been the custom here?

Mr. MILLER. We have had different customs at different times, just as the judges of elections happened to decide the one way or the other. Sometimes the employees of the government have been admitted to vote, sometimes they have been rejected.

Mr. SANDS. Was it not the general practice in this town for them to be allowed to vote?

Mr. MILLER. No, sir; those in the military or naval service of the United States have not been, under general rules, allowed to vote here. But when the naval school was established here, and officers came here to reside permanently, although they were lodged within the naval school buildings, they have been allowed to vote.

Mr. SANDS. Suppose an officer came here expecting to remain, subject of course to removal, and was here a year, would the gentleman exclude him from voting?

Mr. MILLER. No, sir.

Mr. SANDS. Then it is a question of intention of remaining?

Mr. MILLER. This section says that the mere fact of his being here, shall not be held to give him a residence, unless he swears it was his intention to take up his residence here.

Mr. RIDGELY. Is not that the law now?

Mr. MILLER. No, sir. Under the present constitution we have time after time, had squabbles at our polls about that very thing; residence said to be the living at the poll.

Mr. SANDS. I want to ask another question. That which is most objectionable in this proposed section is contained in the last clause. Has it ever been held in Maryland that a party even so unfortunate as to be detained in a public prison, except for an infamous crime, was not entitled to vote?

Mr. MILLER. Marylanders have been unfortunate enough to be in Fort Lafayette, Fort Warren, and other forts.

Mr. SANDS. Then after we have said in this article, that those people who have given aid and comfort to the enemy, should not vote, the gentleman wants to allow them

to vote. I have never heard that the putting a man in prison deprived him of the right to vote. And I can only conceive that this last clause was intended for such cases as I have alluded to.

Mr. MILLER. If the gentleman has that objection to it, then I will offer it without the last clause.

Mr. SANDS. I have the objection to it that I urged against the first part of it.

Mr. STOOKBRIDGE. There is no doubt that leaving the State of Maryland without the intention of remaining out of it, does not deprive a person of the right to vote. A person must change his residence with the intention of remaining. Then there are the persons resident here as professors in the naval school, who come here because they are ordered here by the government. Their intention is to obey the orders of the government; they come with the expectation of remaining; but they can hardly say that they have any intention about it one way or the other. They bring their families here, making it their home; expecting it to be their home, yet liable to be ordered away at any time, and with the intention of going if ordered. So that under the law as it now stands, a little difficulty or doubt might arise on that point. I suppose if a person moved here, and brought his family with him and made it his home—came with the expectation of remaining here, it would be construed by the court as if he came here of his own will, voluntarily. While the last part of this section only declares and reiterates what is now the law, it occurs to me that the first part introduces a new element, and might exclude those who otherwise would be entitled to vote.

Mr. BERAY, of Prince George's. It is very well known that any parties who come into the State of Maryland, with the purpose of making their residence here, and remain twelve months in the State, and six months prior to the election in the district where they offer to vote, will be entitled to vote, no matter whence they come from. It is a question of intention. If the person proposes to make it a permanent residence, at the time he comes here, and he becomes domiciliated here, then he becomes a citizen of the State under our election laws, and would be entitled to vote.

The amendment of the gentleman from Anne Arundel (Mr. Miller) is intended to meet a particular set of circumstances which may arise. I can illustrate it by a circumstance which occurred at our polls at the last election. A New York company had been stationed at Beltsville in our county, for some six or eight months. They then removed from Beltsville to our town, where they remained six or eight months, and then claimed the right to vote. As a matter of course their right to vote was