

and that I have not procured or induced by any means, any individual or individuals to vote at any such election in violation of the provisions contained in the 1st section of said constitution relating to the age and residence of voters, and if any person elected or appointed to office as aforesaid, shall refuse or neglect to take the said oath or affirmation, he shall be considered as having refused to accept the said office and a new election or appointment shall be made as in case of refusal or resignation; and any person who shall swear or affirm falsely in the premises shall be guilty of perjury, and on conviction thereof in due course of law subject to all its pains and penalties.

Sec. 4. That the Judge before whom such oath or affirmation shall be taken, shall cause the same to be subscribed by the person so swearing or affirming, in a book by him to be kept for such purpose, a duplicate of which said oath or affirmation as the case may be, he shall transmit to the clerk of the Court of Appeals of this State, with the name of the individual who took and subscribed the same, designating the office to which he has been elected or appointed, to be by the said clerk whose duty it shall be to do so, recorded in a book to be kept for such purpose among the records of the said Court of Appeals, a certified copy of which said oath or affirmation by the said Judge under his seal, or by the said clerk of the said duplicate, under his seal of office shall be taken and received as evidence in any of the courts of this State that have criminal jurisdiction.

Mr. Ridgely, moved to amend said report by adding at the end of the 2nd section the following :

“And over all such offences, or the punishment or disability imposed thereon, the Executive of this State shall exercise no power or control;”

The question was first taken on the amendment as offered by Mr. Ricaud, and

Determined in the negative.

The question then recurred on the amendment as offered by Mr. Ridgely,

Mr. Dorsey, moved to amend said amendment by adding at the end thereof the following :

“But it shall at all times be competent for the court before which such conviction may have been had, upon being satisfied by testimony offered for the purpose of its being malicious and unfounded in fact, to set aside the judgement rendered on the verdict of the jury, and enter a nolle prosequi.”

Mr. Crisfield, gave notice that at the proper time he should offer the following amendment :

“Laws shall be made for ascertaining by proper proof, the citizens who shall be entitled to the right of suffrage hereby established.”