

franchise, that is, the majority report of that committee. According to parliamentary practice it is proper to first proceed to perfect the original proposition, that is, the majority report, before the vote is taken upon the substitute.

The CHAIRMAN (Mr. Pugh.) The gentleman is correct. The majority report is now open to amendment; if none are offered, the question will be taken upon the substitute. The secretary will accordingly read the first section of the majority report.

The first section was then read, as follows:

"Every white male person of twenty-one years of age, or upwards, who shall have been one year next preceding the election a resident of the State, and for six months a resident of the city of Baltimore, or of any county in which he may offer to vote, and being at the time of the election a loyal citizen of the United States, shall be entitled to vote in the ward or election district in which he resides, in all elections hereafter to be held; and every free white male person of twenty-one years of age, and upwards, who shall have been one year next preceding the election a resident of the State, and for six months a resident of the city of Baltimore, or of any county in the State, and being at the time of the election in the naval or military service of the United States, shall, when the United States are actually engaged in war, be entitled to vote wherever they may be, for any and all officers to be elected under the constitution of this State or of the United States, and the legislature is hereby required to provide the means necessary to carry this provision into full and complete operation and effect; and at all such elections the vote shall be by ballot. And in case any county or city shall be so divided as to form portions of different electoral districts for the election of congressmen, senator, delegate, or other officer or officers, then to entitle a person to vote for such officer, he must have been a resident of that part of the county or city which shall form a part of the electoral district in which he offers to vote, for six months next preceding the election; but a person who shall not have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed."

Mr. BERRY, of Prince George's. I do not propose to discuss this question at any length. I do not propose to debate the minority report, for I presume it would be an impossible thing to get it adopted. But I am in favor of adopting the first section of the minority report in lieu of the first section of the majority report. There are many reasons which would operate upon my mind, to lead

me to that conclusion. In the first place, this section of the majority report reads:

"Every white male person of twenty-one years of age, and upwards, * * * and being at the time of the election a loyal citizen of the United States, shall be entitled to vote," &c.

The loyalty of the person I suppose is to be tested at the polls when he proposes to vote. If the section be adopted as it now stands, then you give the judges of election the power to refuse to receive a vote without the party offering it shall first prove he is loyal. He must prove that he is not disloyal, thus being called upon to prove a negative. Does not that put too much power in the hands of the judges of election? Who can tell what they may consider loyalty or disloyalty? You do not define what loyalty is. If you were to go on and define in what loyalty consists, then the power given to judges of election would not be so great, because then they would have to be governed by the definition which you make of loyalty.

Mr. STIRLING. Let me interrupt the gentleman a moment. I think it is proper to inform him—I do not know what the convention may think about it—that I propose to offer a substitute for the second section of the majority report. I agree with the gentleman that this word "loyal" should be stricken out of this section. I am not disposed to leave an indeterminate question to be decided by the judges of elections. I may as well read my amendment now, if the gentleman will permit me, and then he can go on and discuss it. I do not propose to discuss it myself now.

Mr. BERRY, of Prince George's. Certainly. I should like to hear the gentleman's amendment.

Mr. STIRLING. I propose to offer the following as a substitute for the second section of the majority report:

"Sec. 2. No person who has at any time been in armed hostility to the United States, or the lawful authorities thereof, or who has been in any manner in the service of the so-called 'Confederate States of America;' and no person who since the ——— has voluntarily left this State and gone within the military lines of the so-called Confederate States or armies, unless he shall have gone by the authority of the United States; and no person who has given any aid, comfort, countenance or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies money or goods, or letters, or information, or who has disloyally held communication with the enemies of the United States, or who has advised any person to enter the service of the said enemies, or aided any person so to enter, or