

specified, the said vacancy shall be filled by the judge of the county or city respectively, having criminal jurisdiction in which said vacancy shall occur, until the election and qualification of his successor, at which election said vacancy shall be filled by the voters of the county or city, for the residue of the term thus made vacant.

Sec. 6. It shall be the duty of the clerk of the court of appeals, and the commissioner of the land office respectively, whenever a case shall be brought into said court or office, in which the State is a party, or has an interest, immediately to notify the attorney general thereof.

JOHN E. SMITH, Chairman,  
JOHN L. THOMAS, Jr.,  
WILLIAM DANIEL,  
JAMES P. MAYHUGH,  
SPRIGG HARWOOD.

#### ELECTIVE FRANCHISE.

On motion of Mr. PUGH,

The convention then resumed the consideration of the report of the committee on elective franchise, which was on its second reading.

The only section remaining unconsidered, was the following, which had been passed over informally :

#### OATH OF OFFICE.

"Sec. 5. Every person elected or appointed to any office of trust or profit under the constitution or laws made pursuant thereto, before he shall enter upon the duties of such office shall take and subscribe the following oath or affirmation: I — do swear (or affirm as the case may be,) that I will support the constitution of the United States, and that I will be faithful and bear true allegiance to the United States and to the State of Maryland, and support the constitution and laws thereof, and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of — according to the constitution and laws of this State, and that since the adoption of the present constitution, I have not in any manner violated the provisions thereof in relation to bribery of voters or preventing legal or procuring illegal votes to be given; (and if a governor, senator, member of the house of delegates or judge,) that I will not directly or indirectly receive the profits or any part of the profits of any other office during the time of my acting as —. I do further swear that I will support the constitution of the United States, and will be faithful and bear true allegiance to the United States and the government thereof, and to the State of Maryland, any law or ordinance of any State to the contrary notwithstanding, and that I have never, either directly or indirectly, by word, act or deed, given any aid, comfort or encouragement to those in rebellion against

the government of the United States or the lawful authorities thereof; and all this I swear voluntarily, without any, the least, mental equivocation, reservation or qualification whatsoever, so help me God. 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 swearing or affirming falsely in the premises, shall, on conviction thereof in a court of law, incur the penalties for wilful and corrupt perjury, and be thereafter incapable of voting at any election, and also incapable of holding any office of profit or trust in this State."

To this section Mr. SCOTT had submitted the following amendment :

Strike out all after the words "I — do swear (or affirm, as the case may be,)" and insert in lieu thereof the following :

"That I will be faithful and support the constitution and laws of Maryland, and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of —, and that since the adoption of the present constitution I have not in any manner violated the provisions thereof in relation to bribery of voters, or preventing legal or procuring illegal votes to be given, (and if a governor, senator, member of the house of delegates or judge,) that I will not directly or indirectly receive the profits or any part of the profits of any other office during the time of my acting as —, and that I owe paramount allegiance to the constitution and government of the United States, any law or ordinance of the general assembly or State convention of Maryland to the contrary notwithstanding; that I will defend the said constitution and government of the United States to the last extremity, against every enemy, and that since the commencement of the civil war and rebellion, I have never in any manner either directly or indirectly by word or deed given aid or encouragement to those in rebellion against the United States, that I have never sympathized with them, nor desired their success, but have uniformly and at all times denounced them not only as rebels against and traitors to their country, but as enemies of the human race."

To this amendment Mr. STIRLING had submitted the following :

Strike out all after the word "that," in first line of the amendment, and insert :

"That I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of — according to the constitution and laws of this State, and that since — I have not in any manner violated the provisions of the present, or of the late constitution, in relation to the bribery of voters, or