

and the judges of election of said city, and of the several counties of the State, shall receive at said election the votes only of such electors as are qualified according to the provisions of this constitution, who may offer to vote at such election, and the said sheriffs shall also give notice on or after the twelfth day of October, eighteen hundred and sixty-four, for all elections provided by this constitution, to be held during that year.

Sec. 2. At the said election, the vote shall be by ballot, and each ballot shall describe thereon the words "for the constitution," or "against the constitution," as the voter may elect, and it shall be conducted in all respects as the general elections of this State are now conducted. The judges of election shall administer to every person offering to vote, the oath or affirmation prescribed by this constitution, and should any person offering to vote refuse or decline to take said oath, he shall not be permitted to vote at such election, but the taking of such oath or affirmation, shall not be deemed conclusive evidence of the right of such person to vote; and it shall be the duty of the return judges of said city, and of the several counties of the State, having counted the votes given for or against the adoption of this constitution, to certify the result thereof in the manner now prescribed by law, accompanied with a special statement, that every person, who has voted, has taken the oath or affirmation prescribed by the constitution; and the Governor upon receiving such result and ascertaining the aggregate vote throughout the State, shall by his proclamation make known the same, and if a majority of the votes cast shall be for the adoption of the constitution, it shall go into effect on the first day of November, eighteen hundred and sixty-four.

#### SOLDIERS' VOTE.

Section 1. Any of the qualified voters of this State, who shall be absent from the county or city of his residence by reason of being in the military service of the United States so as not to be able to vote at home, on the adoption or rejection of this constitution, or for all State officers elected on general ticket, and for Presidential electors, and for members of Congress, at the election to be held on the Tuesday next after the first Monday in November, eighteen hundred and sixty-four, shall be entitled to vote at such elections as follows: A poll shall be opened in each company of every Maryland regiment in the service of the United States, or of this State, on the day appointed by this convention, for taking the vote on the new constitution, or on some day not more than five days thereafter, at the quarters of the commanding officer thereof, and voters of this State belonging to such company who shall be within ten miles of such quarters on the day of election, may vote at such poll; the polls shall be opened at

eight o'clock, A. M., and close at six o'clock, P. M.; the commissioned officers of such company or such of them as are present at the opening of the polls, shall act as judges, and any one officer, shall be competent so to act, and if no officer be present, then the voters in such company present, shall elect two of the voters present to act as judges of the election; before any votes are received, each of the judges shall take an oath or affirmation, that he will perform the duties of judge according to law, will prevent fraud and observe and make proper return thereof, and such oath the judges may administer to each other; the election shall be by ballot, and any voter may vote in writing either "for the new constitution or against the new constitution."

Sec. 2. The judges may swear any one offering to vote, or to his being a legal voter of this State. The judges shall take down on a poll-book or list the names of all the voters as their votes are taken, and the tickets shall be placed in a box as taken; after the polls are closed, the tickets shall be counted and strung on a thread, and the judges shall make out a certificate, which they shall sign, addressed to the Governor, in which they shall state that they have taken the oath hereby prescribed, and shall certify the number of votes taken, and the number of votes for and against the constitution, the said certificates shall be accompanied with the names of the voters, and shall be plainly expressed, but no particular words shall be required.

Sec. 3. The judges shall, as soon as possible, transmit said returns, with the tickets so strung, to the Governor, who shall receive the returns of the soldiers' vote, and shall cast up the same, and judge of the genuineness and correctness of the returns, and may recount the threaded tickets, so as to satisfy himself, and the Governor shall count said vote with the aggregate vote of the State on the adoption or rejection of this constitution, and shall wait for fifteen days after the day on which the State vote is taken, so as to allow the returns of the soldiers' vote to be made, before the result of the whole vote is announced. The Governor shall receive the returns of the soldiers' vote on said election for State officers, Presidential electors, and members of Congress, and shall count the same with the aggregate home vote on State officers and the aggregate home vote in each district respectively for members of Congress.

Sec. 4. The Governor shall make known to the officers of the State regiments the provisions of this article of the schedule, and request them to exercise the right hereby conferred upon them, and shall take all means proper to secure the soldiers' vote; and the general assembly, at its first session after the adoption of this constitution, shall make proper appropriation to pay any expense that may arise herein.

Sec. 5. If this constitution shall be adopted