

has to go back to Pennsylvania and vote when he has been here only eleven months. A man must have been six months in the county where he offers to vote.

Mr. SANDS. Of course this is intended to apply to people who have a county residence, that is a residence of six months. Suppose Baltimore county is put into one congressional district, and suppose a man who has been living in Baltimore county had no residence there and came over into Howard county and offered to vote, and then went back to Baltimore county and offered to vote. Would my construction enable him to vote? Certainly not. He must have lived in Baltimore county six months, or he could not go back there and vote. The six months residence must be in the county where he votes.

The PRESIDENT. I may be mistaken, but under this provision as I have always regarded it, a man does not lose his residence.

Mr. SANDS. I think the plain intent is to secure the individual his vote, that he may not lose his representation in the federal Congress simply from moving from one county to another, that he may not lose his county residence.

Mr. STIRLING. He is required to have the same residence in voting for a member of Congress as in voting for a county officer.

Mr. MILLER. One word with regard to the idea that a man removing from one county to another has the right to go back into his county to vote until he obtains a residence in another county. The constitution declares that he must have resided one year next preceding the election in the State, and six months next preceding the election in the county in which he offers to vote. If he has gone away and left a county with the intention of taking up his residence in another county for four months, how can he be resident there for six months next preceding the election? It seems to me that the construction the gentleman from Baltimore city (Mr. Stirling) has put upon this section is perfectly proper; that the word "not" should be stricken out in order to cover the case he mentions; and then if we want to allow a man to go back to another county to vote, you ought to make a special provision for it. If you allow the word "not" to remain, you let a man vote where he has not resided for six months next preceding the election.

Mr. SCOTT. I am right glad to be present at this grammar school. This very same question was taken up in committee, and I took the same ground then, that the word "not" ought to be left out; but I was overruled in the committee, and not being present when this was acted upon, my attention was not called to it in the convention. I am of opinion that it ought to be stricken out.

Mr. SCHLEY. It is very evident that the word "not" is out of place. The whole context of this section applies to the division

and subdivision of counties in the State into different electoral districts. There is some ambiguity in the whole phraseology of the section; because it speaks of the electoral districts in the eighteenth line, and election districts in the twenty-first line, meaning different things.

Let me suppose a case which might occur under the constitution. It was proposed to give Baltimore county two senators in the general assembly of the State. Now suppose Baltimore county had been divided into two senatorial districts, and that the northern portion had formed the first. A, living in the southern part, removes to the northern part antecedent to the election. This provision—A having moved into the northern part of Baltimore county—says in the sixteenth line that he must have been a resident of that part of the county in which he offers to vote for six months next preceding the election, and not having been in the northern part of the county for six months, he cannot vote there. But having been a resident of Baltimore county all his life, he feels that he is entitled to vote for a senator in the general assembly of the State; and the subsequent part of this section gives him the power, because it says that having acquired a residence in Baltimore county, having resided there more than six months, he shall be entitled to vote in the election district from which he removed.

I apprehend this is the object, and the only object of this part of the section. It might have been expressed more clearly; but that is the exact language, excepting this word "not," as I understand, of the old constitution. I think that in this view of the case it is very clear that the word "not" is out of place, and ought to be stricken out.

The PRESIDENT. The motion should be to open the section for the amendment, under the fifty-third rule.

Mr. HEBB. I make that motion.

The question being taken, the result was—ayes 30, noes 28.

Less than a majority of the members elected to the convention having voted in the affirmative, the motion was rejected.

Section two, containing the oath to be taken by voters, having been read,

Mr. SANDS moved to open the section for amendment by inserting "mental" in line fortieth, so as to read: "and I swear this without any mental reservation or evasion."

The motion was rejected.

Mr. BRISCOE moved to open section two, for amendment, in order to insert in the thirty-eighth line in the oath, after the word "notwithstanding," the words: "and that I am now and have heretofore been in favor of the restoration of the Union as it was and the constitution as it is." Upon that motion he demanded the yeas and nays.