

their residence, but their loyalty. The judges of election in the army know that a soldier is loyal because he has a gun in his hand.

The question was upon the motion of Mr. DAVIS, of Charles, to strike out the word "may" in the first line, and insert the word "shall."

Upon that question Mr. DAVIS, of Charles, called the yeas and nays, and they were ordered.

The question was then taken by yeas and nays, and resulted—yeas 24, nays 35—as follows:

**Yeas**—Messrs. Belt, Billingsley, Blackiston, Brown, Chambers, Crawford, Davis, of Charles, Dent, Duvall, Edelen, Henke, Hollyday, Horsey, Johnson, Lansdale, Lee, Marbury, Mitchell, Miller, Morgan, Parker, Parran, Smith, of Dorchester, Turner—24.

**Nays**—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Ecker, Galloway, Greene, Hebb, Jones, of Cecil, Kennard, Markey, McComas, Mullikin, Nyman, Peter, Pugh, Purnell, Russell, Schlosser, Scott, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Todd, Wooden—35.

The amendment was accordingly rejected.

The following explanations were made, pending the call of the yeas and nays, by members when their names were called:

Mr. BELT. I am, as a general proposition, opposed to having any one sworn. But as the convention has decided that civilians shall be forced to take the oath, I shall vote to put all on an equality. I vote "aye."

Mr. CHAMBERS. I believe of all persons who should swear when they come to vote, these soldiers should do so. An officer from Massachusetts commands a company, a dozen men of which may claim to be citizens of Maryland. The officer knows nothing about it; he knows no more where they come from than he does what is going on in the farthest end of the world. I suppose the result will be that if a man professed to be of his politics he would take his vote, without swearing. If he professed to be of different politics the officer, who is the judge, would swear him. That is not right. It strikes me that the only way to have common justice is to swear all. It is bad enough under any circumstances. But it seems to me that if the citizens are made to take the oath, all should be made to do so. I vote "aye."

Mr. DAVIS, of Charles. I did not mean in offering this amendment to sanction the propriety of administering this oath. I merely offer it to remove the distinction made between the two classes of voters. In the first place the judges of election are required to administer the oath to all civilians. But in the case of soldiers voting it is provided that

they *may*, not that they *shall*, administer the oath. I want to remove that restriction.

Mr. PETER. It strikes me that we have no authority to pass any such provision as this, and therefore I vote "no."

Mr. BELT moved to amend the section by adding thereto the following:

"Provided, however, that no votes of soldiers cast at any one polling place or camp shall be valid or taken into account in any case where the total number returned shall exceed the numbers of record in the office of the adjutant general.

Pending the consideration of which,

On motion of Mr. DAVIS, of Washington, The convention took a recess until eight o'clock, P. M.

#### EVENING SESSION.

The convention reassembled at eight o'clock, P. M.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Billingsley, Blackiston, Carter, Crawford, Cunningham, Cushing, Dail, Daniel, Davis, of Charles, Davis, of Washington, Dellinger, Dent, Duvall, Earle, Ecker, Edelen, Galloway, Greene, Hebb, Hodson, Hollyday, Hopper, Horsey, Johnson, Jones, of Cecil, Keefer, Kennard, King, Lansdale, Lee, Marbury, Markey, McComas, Mitchell, Morgan, Mullikin, Murray, Nyman, Parker, Parran, Pugh, Purnell, Russell, Schley, Schlosser, Scott, Smith, of Carroll, Smith, of Dorchester, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Todd, Wooden—62.

#### SCHEDULE.

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

#### SOLDIERS' VOTE.

The section under consideration was the following in relation to soldiers voting:

"Sec. 2. The judges may swear any one offering to vote as 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."