

sixty-four, for all elections provided for by this constitution, to be held during that year.

Sec. 9. 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 in 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 this constitution; and the governor upon receiving such result, and ascertaining the aggregate vote throughout the State, including the soldiers' vote, hereinafter provided for, shall, by his proclamation make known the same, and if a majority of the votes cast shall be for the adoption of this constitution, it shall go into effect on the first day of November, eighteen hundred and sixty-four.

Sec. 10. And the governor shall exclude from count the votes of any county or city the return judges of which shall fail to certify in the returns, as provided by this schedule, that all persons who have voted have taken the oath prescribed to be taken, unless the governor shall be satisfied that such oath was actually administered, and that the failure to make the certificate has been from inadvertence or mistake.

#### SOLDIERS' VOTE.

Sec. 11. Any qualified voter 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 the month of 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 some other day not more than five days thereafter, at the quarters of the com-

manding 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 either "For the Constitution" or "Against the Constitution."

Sec. 12. Any qualified voter of this State who shall be absent from the city or county of his residence on the day for taking the vote on the adoption or rejection of this constitution by reason of his being in the military service of the United States, but shall be at some hospital or military post, or on duty within this State, and not with his company, may vote at the nearest polls to such place on satisfying the judges that he is a legal and qualified voter of this State.

Sec. 13. 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 at Annapolis, in which they shall state they have taken the oath hereby prescribed, and shall certify the number of votes taken, and the number of votes for the constitution 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. 14. The judges shall, as soon as possible, transmit said returns, with the tickets so strung, to the governor, who shall receive the return 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