

occurs in section eight, and insert the following :

"And no person shall, after his election and qualification as senator or delegate, and during his term of office, be elected to Congress or to any office in the gift of the General Assembly, or accept any office, civil or military, under the Government of the United States."

The question being taken, the amendment was rejected.

Mr. PETER. I move to amend the section by striking out at the close, the words "his acceptance thereof shall vacate his seat," and insert the following :

"And shall not decline or refuse to fill such office, within ten days after his election or appointment, then his seat as a senator or delegate shall be vacated."

The question being taken, the amendment was rejected.

Mr. RIDGELY. I move to amend section eight by striking out the word "eligible" and inserting the words "qualified to act," and also to strike out all after the word "delegate" where it first occurs. It strikes me that the idea designed to be carried out by this section can be very much simplified; that the amount of verbiage employed here is wholly unnecessary. If the section is amended, as I propose, it will then read as follows :

"No member of Congress, or person holding any civil or military office under the United States, shall be qualified to act as a senator or delegate."

The second branch of the section, as it now stands, I consider to be unnecessary. This section seems to embrace two aspects of the question; one, the eligibility of a person to the Senate or House of Delegates; the other, his disqualification after election by reason of accepting an office under the Government of the United States. I propose by my amendment to cover both cases by the first clause of the section, so that he shall be disqualified *eo instanti* from acting as senator or delegate as soon as he becomes the holder of an office, either civil or military, under the Government of the United States.

Mr. CHAMBERS. One difficulty occurs to me in reference to the proposed amendment. An officer of the Government of the United States, a major general, for instance, in Baltimore city, presents himself as a candidate for the Legislature of Maryland. He holds on to his commission until the election is over, when he is either elected or defeated. If elected, may he not resign his commission, and come and take his seat in the Legislature? According to the section as reported by the committee he cannot be voted for; he is not eligible as a candidate. That, I think, is right. I ask my friend from Baltimore county (Mr. Ridgely,) if he has well considered that point? I do not think it is right

that a major general, with all his troops there, shall take his chances for election, holding his commission all the while.

Mr. RIDGELY. It is scarcely probable that he would take his chances for an election to an office that the Constitution prohibits him accepting.

The question being taken upon the amendment of Mr. RIDGELY, it was rejected.

Mr. STOCKBRIDGE. I move to strike out the words "civil or" in the first sentence of this section. I do not see the propriety of excluding from the Legislature of this State all persons holding civil offices under the Government of the United States, or, as in the next section, all persons holding any office of profit, or profit and trust, under this State. It has happened more than once that very respectable, worthy men, in some county, hold some civil office, a petty post-office for instance, an office of service to the community, but which does not require their constant personal attendance. Those men are perfectly competent, without neglecting any of the duties of their office, to serve as senator or delegate in the Legislature. And I do not see any reason why they should be excluded from doing so. So in regard to the next section. There are constables and justices of the peace in this State who have no great amount of work to do, and whose absence from home would not interfere with the duties of their office, and who could with propriety occupy seats in the Legislature. I am not disposed to question the propriety of excluding those whose official duties would interfere with the proper discharge of their duties in the Legislature.

Mr. STIRLING. If my colleague (Mr. Stockbridge) had simply submitted his amendment, and omitted his argument in favor of it, I should feel more inclined to vote for it. But postmasters are exactly the very persons I want to keep out of the Legislature. I think there is a great deal more danger to be apprehended from the improper use of civil patronage to influence elections, than from the military. The post office department is one example of the very strongest power which a centralized government can bring to bear upon politics in a State. And we see the results of it at the present moment. The postmasters are the very persons I want to exclude from our Legislature.

Mr. THOMAS. There are other officers I would exclude; custom-house officers, for instance.

Mr. STIRLING. I would exclude both. The question being then taken upon Mr. STOCKBRIDGE's amendment, it was rejected.

No further amendment was offered to section eight.

MINISTERS OF THE GOSPEL, &c.

Section nine was then read, as follows :

"No minister or preacher of the gospel of