

And the question recurring on the adoption of the section, as amended—

After some explanatory conversation on the part of Messrs. BROWN, HARBINE, PRESSTMAN, SOLLERS and CHAMBERS, of Kent,

Mr. CHAMBERS, of Kent, moved to amend said section by adding at the end thereof, these words, "in such mode as the Legislature may direct."

Mr. RIDGELY submitted that the last paragraph was superfluous, and moved, therefore, to strike out the following words:

"And no law of a public nature shall take effect until the same shall be published."

The question was first taken on the amendment of Mr. CHAMBERS, of Kent.

And the amendment was agreed to.

The question then recurred on the motion of Mr. RIDGELY.

Mr. RIDGELY withdrew his motion.

And the question recurring on the adoption of the section, as amended,

On a suggestion by

Mr. STEWART, of Caroline, the words "or after" be stricken out.

Mr. PRESSTMAN explained that the insertion of the words "or after," was a mere typographical error.

And then the article, as amended, was adopted.

The thirty-third section of the report was read, as follows:

Sec. 33rd. The General Assembly shall have full power to exclude from the privilege of voting at elections or of being elected to either House, or of being elected or appointed to any civil or military office in this State, any person convicted of perjury, bribery, or other infamous crime.

Mr. PRESSTMAN referred to a discussion in the earlier part of the session, when the report on the elective franchise was pending, when something was said about the effect of constitutional disfranchisements upon the commission of offences, and whether in case of pardon by the executive, or fulfilment of the punishment allotted, would restore a party to his civil rights.

The gentleman from Calvert, (Mr. Sollers,) seemed to have some doubt upon this point and at his suggestion, qualifying terms had been employed. He had instanced at the time the offence of duelling among other violations of the law, and thought that the pardoning power might not be sufficient to restore the rights of the party.

He, [Mr. P.,] had thought that every offence was purged by pardon or the actual fulfilment of the sentence of punishment. It was of importance enough to have the matter well understood and if he was wrong in his view, or if there was any uncertainty, the section had better be amended. He did not favor in any manner, a perpetual disfranchisement for any offence.

Mr. SOLLERS explained, that his idea was, that the provision should be amended, so that after a person convicted of an infamous crime had been pardoned by the executive, the disqualification should be removed. There might be cases where it would be the duty of the executive to exercise the prerogative of pardon. An inno-

cent person may have been convicted, and proof of his innocence may have subsequently come to light. The Governor should in such case pardon the convicted: and yet, as the clause stands, he may be deprived of the right of voting.

Mr. SOLLERS moved to amend said section by adding at the end thereof, these words, "unless such person shall have been pardoned by the executive."

The question was then taken, and

The amendment was agreed to.

The question then recurring on the adoption of the section, as amended,

Mr. STEWART, of Caroline, moved further to amend said section by striking out in the second line, these words, "the privilege of voting at elections, or of."

He, (Mr. S.) objected to the amendment, because it was already included in the report on the elective franchise, in nearly the same terms. It cannot produce any effect even if we insert it here. How can the legislature prevent the people from electing any person they may think proper to represent them. All they would have the power to do, would be to prevent him from being qualified.

Mr. CHAMBERS, of Kent, moved to amend said section by striking out in the second and third lines, these words, "being elected to either House or of being elected or appointed to," and inserting in lieu thereof "holding."

Mr. C. explained to the gentleman from Caroline, (Mr. Stewart,) that the report of the committee on the elective franchise was an absolute and unconditional constitutional provision. This left the matter to the discretion of the legislature. It would be better, he thought, not to disturb the language of the section in this particular.

Mr. JOHN NEWCOMER moved to strike out the section, believing, he said, that the provision in the report on the elective franchise to be sufficient.

The amendment was not now in order.

Mr. STEWART, of Caroline, asked the gentleman from Kent, whether if this amendment were adopted, it would not require that the legislature should pass a special act for each particular case?

Mr. CHAMBERS, of Kent, replied that the legislature have the power, and can exercise it at their discretion; and the legislature will still have the power whether this provision shall be in the Constitution or not.

Mr. STEWART, of Caroline, said he was opposed to the proposition. He did not think it right to place any restriction on the people, as to the person they should elect as their representative.

Mr. WEEMS said, he had not that perfect understanding of the import of the section, which he wished to have before he gave his vote. He was now asking for information of those who were more skilled in legal matters, what was meant by *infamous crime*? Now, he might consider it infamous, if a gentleman were to spit in his face. And if he were to knock down the person who committed the outrage, that might