

clerks and other officers as they may deem necessary to facilitate the transaction of the business of the Convention, and to fix their compensation, and the treasurer of the State of Maryland shall, upon the order of the president of said Convention, pay to each member thereof their per diem and mileage as hereinbefore provided, and shall also pay the officers of said Convention, upon the order of the president, such compensation as the Convention shall allow; provided it shall be the duty of the speaker of the house of delegates, and of the president of the senate to provide a reporter of the debates and proceedings of said Convention, who shall act until the said Convention shall provide its own officers.

SEC. 4. *And be it enacted*, That before any member or officer of said Convention shall enter upon the discharge of duties he shall take and subscribe before the Governor of this State, who is authorized to administer the same, the following oath: "I do swear or affirm, that I will, to the best of my skill and judgment, diligently and faithfully, without partiality, discharge the duties of member of the Convention to frame a new Constitution and form of government; that I will support the Constitution of the United States, and will be faithful and bear true allegiance to the State of Maryland and the government of any State to the contrary notwithstanding; and that I have never, either directly or indirectly, by word, act, or deed, given any aid, comfort, or encouragement to those in rebellion against the Government of the United States; and this I swear voluntarily, without any mental reservation or qualification whatever, so help me God;" and that the Governor shall transmit to the said Convention, as soon after the organization thereof as may be practicable, a list of the members and officers who shall have taken and subscribed the oath as aforesaid; and that no person elected as a delegate to said Convention shall be authorized or deemed qualified to enter upon the discharge of his duties as such, until he shall have taken and subscribed the oath as aforesaid; and that any senator or delegate may be eligible to a seat in said Convention, but that no senator or representative in the Congress of the United States, or Judge of any Circuit Court, Superior Court, Court of Common Pleas or Criminal Court, of the city of Baltimore, Clerks of said Courts, Registers of Wills or Sheriff shall be eligible to said Convention.

SEC. 5. *And be it enacted*, That if any vacancy or vacancies occur by death, resignation or otherwise, in either of the delegations hereinbefore provided for, either before or after the qualification of said delegates, the sheriff of the county or city of Baltimore, in whose delegation such vacancy may occur, shall, upon information thereof, by said delegation, by the President of said Convention, or by

the Governor of the State, immediately issue public notice for a special election, to be held at the usual places of holding elections in said county or city, not less than five or more than ten days after said notice, for the purpose of supplying such vacancy.

SEC. 6. *And be it enacted*, That the Constitution and form of government adopted by the said Convention aforesaid, shall be submitted for the legal and qualified voters of the State, for their adoption or rejection, at such time, in such manner, and subject to such rules and regulations as said Convention may prescribe; and the provisions hereinbefore contained for the qualification of voters, and the holding of the elections provided in the previous sections of this act, shall be applicable to the election to be held under this section.

SEC. 7. *And be it enacted*, That in case of any refusal or neglect of any of the judges of election, or of any clerks of the court, or of any sheriff of any county or Baltimore city, to make any of the returns, or perform any of the duties required of them respectively, by the provisions of this act, such judge, clerk or sheriff so refusing or neglecting, shall be liable to indictment for such offence, and upon conviction thereof shall be deemed guilty of a misdemeanor, and be sentenced to a fine of not less than five hundred dollars and to imprisonment in the jail of the city or county where such offence may have been committed, for a term of not less than six months.

SEC. 8. *And be it enacted*, That when the Governor shall receive the return of the number of ballots cast in this State for the adoption or rejection of the Constitution submitted by the Convention to the people, if upon counting and casting up the returns as made to him by the judges of election, as hereinbefore prescribed, it shall appear that a majority of the legal votes cast at said election are in favor of the adoption of the said Constitution, he shall issue his proclamation to the people of the State declaring the fact, and he shall take such steps as shall be required by the said Constitution to carry the same into full operation, and to supersede the old Constitution of the State.

SEC. 9. *And be it enacted*, That all ballots cast at any of the elections to be held under the provisions of this law shall be written or printed on white paper, and any ballot or ballots written or printed on colored paper shall not be received by said judges of election; and that this act shall be published under the order of the Governor, in three of the newspapers of the city of Baltimore, one of them to be a paper printed in German, and one in each county where a newspaper is printed, once a week for three weeks before the day of election.

SEC. 10. *And be it enacted*, That this act shall take effect from the day of its passage.