

Mr. HERR: I move to strike out the word "not" in the nineteenth line of this section.

Mr. CHAMBERS: I understand that the difficulty is the question whether the word "not" should be in or out. It seems to me to be a plain question. The intention of this last paragraph is to give a vote to a certain individual. What is to be the category of that individual? Let us illustrate it by a man, residing in Queen Anne's county until he shall have become entitled to vote. It is intended to secure to him, if he shall remove to Kent within less than six months prior to the day of election, not being entitled to vote in Kent, the right to vote in Queen Anne's. It is necessary to assume that he was entitled to vote in Queen Anne's, whence he removed. A man therefore entitled to vote, and removing, is entitled to go back and vote in the county from which he removed, until he has gained a residence.

But what does this say? It says a man who is "not" entitled to vote. It therefore gives the right to a man from Queen Anne's to go back there and vote, provided he is not entitled to vote there.

The PRESIDENT: Not entitled in point of residence.

Mr. CHAMBERS: He must be entitled to vote where he formerly resided; and this says he must be not entitled to vote there.

The PRESIDENT: The gentleman will see that the word "not" does not apply to entitling him to vote, but to acquiring a residence.

Mr. CHAMBERS: Well, sir, he must acquire a residence in order to be entitled to vote.

Mr. ABBOTT: I understand that a voter never loses his right to vote. If in any city or county he has not resided there six months and is therefore not entitled to vote there, he must go back to the county from which he came, or to the city if he went from Baltimore.

Mr. STIRLING: The interpretation I have always seen placed upon this section is this. The gentleman from Kent seems to think it refers to residence in the county. If it did, then there would be no necessity for all this phrasology about the different election districts. It says:

"And in case any county or city shall be so divided as to form portions of different electoral districts for the election of congressmen, senator, delegate, or other officer or officers, then to entitle a person to vote for such officer, he must have been a resident of that part of the county or city which shall form a part of the electoral district in which he offers to vote, for six months next preceding the election."

Now the city of Baltimore is so divided as to form portions of different electoral districts. If a man resides in the city of Baltimore, and moves out of the portion of the city which forms the third congressional dis-

trict into the portion which forms the second, he may go back to the third district to vote, if he shall have resided six months in the city. I never heard that a man who moved out of Baltimore could come back to vote in the congressional district in which he had lived at any time within six months after he left the city. He may go back to the congressional district in which he lived, provided he is entitled to vote in Baltimore city, having resided there for six months. That is the reason why the word "not" should be left out. It was intended that a man should not vote at all who had not been somewhere in the county for six months; but this change enables a man to vote in a county if he has not been there six months.

Mr. SANDS: Certainly not.

Mr. STIRLING: Unquestionably.

Mr. SANDS: I never heard any statement like that.

Mr. STIRLING: I do not think it is intended to apply to different counties at all, but to different electoral districts.

Mr. SROCKBRIDGE: I have had some little practical experience under the constitution, and I know that a great many judges of election have found a practical difficulty. They have found it easy enough to arrange where the removals were in the county to different parts forming different election districts; but they have found it a *casus omissus* where the removal was from one county into another. A person under the old constitution must be a resident in the county where he proposes to vote, and must have resided there for six months. Consequently if he had removed his house, as is a frequent case, from Baltimore county to Baltimore city less than six months before the election, not having resided in Baltimore city six months, he was not entitled to vote there, and not being on the day of election a resident in Baltimore county he was not entitled to vote there; and he could vote in neither place. This was the case when he had moved from the county to the city, or *vice versa*. I have seen persons go by the score from the polls where they wished to vote, where the judges of election wished their votes to be deposited, because under the constitution their votes could not be received.

If gentlemen wish to provide for that which was a *casus omissus* under the old constitution, it is very easy to do it by striking out "not," and then adding "or any voter removing from one county to another may vote in the county from which he removed until he shall have acquired a residence in the county to which he removed." In that way both cases will be provided for. As I look at this, it will leave the same *casus omissus* as under the old constitution.

Mr. STIRLING: A man has no more right to go back from one county to vote than he