

vention in their determined opposition to so much of the report of the majority as provides for the immediate operation of portions of the constitution before its adoption by the people. Surely if any one proposition, in regard to our proceedings was universally accepted by all who voted, whether for or against a convention, it was this, that its work was to be submitted to and accepted by the people of the State before it should have any effect. Yet the majority propose that now at the very moment when the question of adoption is being taken, in the very act of taking that question, the people shall be bound and governed by it, so far as it relates to some of its most important and vital changes of the existing system of government. What a strange spectacle would be exhibited if the provisions now proposed should be enforced as part of the new constitution, in direct opposition to the existing constitution, and yet the result show that the people will not accept the new constitution? The present constitution exists until the new one is adopted. How then can the provisions of the present constitution be violated, or interfered with, until the new one has an existence by the adoption of the people? The great purpose of the majority seems to be, to deprive those who form the constituency of this convention of the privilege secured to them by the present constitution of passing upon the work of this body, and to this end, by newly contrived oaths and by the aid of the military, to confirm their proceedings. For these, amongst other reasons, the undersigned protest against the report in the particulars mentioned. All which is respectfully submitted."

Mr. STOCKBRIDGE. There is nothing presented in that report in the form of a section of an article. It is simply a protest against the report of the majority; assigning reasons why that report should not be adopted.

The PRESIDENT. The gentleman from Montgomery (Mr. Lansdale) cannot move this as a substitute for the article reported by the majority of the committee on the schedule. It is in the character of a mere protest. The convention have already determined to take up the majority report, and have acted upon it, and have gone through it.

Mr. ECKER. I move the following as an additional section:

"Sec. — Any of the qualified voters of this State, who may 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."

My reason for offering this section is this; there are a great many soldiers in the hos-

pitals in this State, a great many in the hospitals in this city, for instance. Now if only a hundred, or fifty, or even five of them are Maryland soldiers, they certainly are entitled to vote. I spoke to the chairman of the committee on the schedule (Mr. Ridgely) upon this subject, and he approved of it.

The question was then taken upon the additional section, and it was adopted.

Mr. KENNARD. I desire the assent of the convention to return to the first section under the caption of "vote on the constitution." I desire to offer an amendment to it, which relates merely to the details of it, to make it conform to the act of assembly now in force in relation to the hours for holding elections. As the section now stands, it rather conflicts with the provisions of that act in relation to the hours for holding the election in Baltimore city.

No objection being made, the section was taken up for consideration.

The section was as follows:

"Section 1. For the purpose of ascertaining the sense of the people of this State, in regard to the adoption or rejection of this constitution, the governor shall issue his proclamation within five days after the adjournment of this convention directed to the sheriff of the city of Baltimore, and to the sheriffs of the several counties of this State, commanding them to give notice in the manner now prescribed by law, that an election will be held in the city of Baltimore and in the several counties of the State, at the usual places of holding elections in said city and counties, for the adoption or rejection of this constitution, on the twelfth day of October, in the year eighteen hundred and sixty-four, which election shall be held between the hours of eight o'clock, A. M., and six o'clock, P. M." &c.

Mr. KENNARD. I move to insert after the words "between the hours of eight o'clock, A. M. and six o'clock P. M." the words "in the several counties of the State, and between the hours of eight o'clock, A. M., and five o'clock, P. M., in the city of Baltimore."

The act of assembly has fixed the hours of eight o'clock, A. M., and six o'clock, P. M., for the counties, and the hours of eight o'clock, A. M., and five o'clock, P. M., for the city of Baltimore. As the section now stands, the polls would be kept open in Baltimore city one hour later than the act of assembly now provides.

Mr. STRIBLING. This was an inadvertence, I suppose. I hope the convention will adopt the amendment. It so happens that the day on which this vote is to be taken, is the day for the municipal election in Baltimore city. The act of the assembly requires the polls to be closed at five o'clock for the municipal election. And as the vote upon the constitution is to be taken upon the same ticket with the vote for municipal officers, there may be some question as to whether the