

counted either for or against the adoption of the constitution, but a separate return of the same shall be made by the judges of election as aforesaid.

Sec. 9. And be it enacted, That in the case of the refusal or neglect of the judges of the election in any of the counties of this State, or the city of Baltimore or Howard District, to make the return of the votes cast for or against the adoption of the new constitution, in their respective counties, the city of Baltimore or Howard District, such judge or judges so refusing or neglecting, shall be liable to the penalty and forfeiture of the sum of five hundred dollars, to be recovered by presentment by the grand jury of the county, city or district in which said judge or judges, reside and on a conviction of such judge or judges for neglecting or refusing to make the return of the number of votes given for or against the adoption of the said constitution as aforesaid, he or they shall in the discretion of the court before whom his or their conviction may be had, be subject also to imprisonment in the county jail for the space of thirty days.

Sec. 10. And be it enacted, That any Senator or Representative in Congress, or State Senator, or members of the House of Delegates, shall be eligible to a seat in the convention to assemble as hereinbefore prescribed, without effecting the tenor of their respective offices, and that the only limitation or restriction upon those possessing the other qualifications for a seat of the House of Delegates, shall be that no one in the pay or service of the United States, excepting those as hereinbefore excepted, shall be eligible to a seat in the convention as hereinbefore provided for.

Sec. 11. And be it enacted, That when the Governor shall receive the returns of the number of ballots cast in this State, for the adoption or rejection of the constitution submitted by the convention to the people, and 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 voters of the State, 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 for the same to go into operation and to supersede the old constitution of this State.

Sec. 12. And be it enacted, That any act or acts or parts of acts, inconsistent with this act, be, and the same are hereby repealed.