

and penalties for the refusal or neglect to vote without reasonable excuse."

Mr. MILLER said: I was aware that that motion would create a smile on the countenances of many in this House; but I have offered it in good faith, and I think for a good purpose. The amendment, as it stands adopted by the House, provides that no capitation tax shall be imposed as a qualification for the exercise of the right of suffrage. I hold that the right of suffrage is an inestimable, an invaluable right; and I wish that every citizen, every qualified voter in the State, may be in some way compelled to exercise that right. It is not a new thing by any means, in the legislation of Maryland, that such a provision as this should be adopted. The act of 1716, in its 6th section, provided:

"That all freeholders, freemen, and other persons qualified to give votes in the election of delegates, shall and are hereby obliged to be and appear at the time and place appointed for elections, to be hereafter had or made of any delegates, burgesses and citizens, to serve in any assembly for this province, under the penalty of one hundred pounds of tobacco for every person so qualified as aforesaid neglecting to appear;" &c.

I desire that there should be some guard thrown around the exercise of the elective franchise, and I know of no better one than the compelling, by a small fine or penalty, if the Legislature choose to impose it, every qualified voter in the State to exercise the right when the polls are open. One of the members from Baltimore city, (Mr. Barron,) said the other day that the polls and the death bed were the only two places where the rich man and the poor man were upon an equality. I think they may be upon an equality in other positions; but they certainly ought to be at the polls, where every qualified voter is upon an equality with every other; and I desire that the people of the State shall be compelled at the elections to exercise the right of suffrage. Let us go back and do as was done in 1716, compel the people, under a penalty, to come up and exercise the right of suffrage. It would be, I think, the surest guaranty of the full and fair exercise of that right.

I would also, in the discretion of the Legislature, if fines and penalties were imposed, raise a fund out of it from which the public schools may be supported. If a man has the right to vote, and negligently and without reasonable excuse stays away from the polls, and does not exercise his right of suffrage, let him pay what the Legislature imposes for such neglect, into that fund. If we are to keep up a republican form of government it can only be done by the people exercising their right of suffrage. If they will not do it, the political power will go into the hands of demagogues even more than it is now, whereas, if every person was compelled to

vote, and knew that he owed it as a duty not only to the law; but his neighbor and the community at large, we should have better laws, better legislators, and republican institutions would be carried out more in their purity.

I am serious in desiring that this provision may be adopted; that the people of the State who are qualified to vote shall pay a penalty if they refuse to exercise that right, and suffer republican institutions to fall for want of effort upon their part to keep them up and maintain them in their purity and integrity. I hope that this amendment may be adopted, and that the Legislature will provide such penalties for the refusal or neglect to vote without reasonable excuse as in their judgment they may see fit to impose, to apply to such elections as they may choose to designate. That is all that my amendment proposes. It is not a new thing. I have shown the precedent from colonial times, in the action of our ancestors in 1716, when every freeholder, every person entitled to vote, was compelled to vote or subject himself to this penalty. I see no reason why that principle is not applicable now; but, on the contrary, it seems to me that much stronger reasons can be urged for the adoption of such a provision now than existed at that time.

Mr. MILLER demanded the yeas and nays; and they were ordered.

The question being taken, the result was— yeas 9, nays 71—as follows:

Yeas—Messrs. Belt, Blackiston, Bond, Henkle, Johnson, Lansdale, Lee, Miller, Parker—9.

Nays—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Berry of Prince George's, Billingsley, Briscoe, Brown, Carter, Crawford, Cunningham, Cushing, Duil, Daniel, Davis of Charles, Davis of Washington, Dellinger, Dennis, Duvall, Earle, Ecker, Edele, Farrow, Galloway, Greene, Harwood, Hebb, Hopkins, Hopper, Horsey, Jones of Cecil, Jones of Somerset, Keefer, Kennard, King, Larsh, Mace, Marbury, Markey, McComas, Mitchell, Morgan, Mullikin, Murray, Negley, Noble, Nyman, Parran, Peter, Pugh, Purdell, Ridgely, Robinette, Russell, Schley, Schlosser, Scott, Smith of Carroll, Smith of Dorchester, Smith of Worcester, Sneary, Stirling, Stockbridge, Thomas, Thruston, Todd, Wickard, Wilmer—71.

So the amendment was rejected.

Mr. DAVIS, of Charles, when his name was called, said: As this is a bill of rights, and not of obligations, I shall be compelled to vote—no.

Mr. JONES, of Somerset, when his name was called, said: I am under the impression that the Legislature would have such a power, if they deemed it expedient to exercise it, to regulate such a matter by law, and therefore I do not see the necessity of incorporating it in the bill of rights. I vote—no.