

United States and the legislature is hereby required to provide the means necessary to carry this provision into full and complete operation and effect, and at all such elections the vote shall be by ballot. And in case any county or city shall be divided as to form portions of different election 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; but a person who shall not have acquired a residence in such county or city entitling him to vote at any such election shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed."

The following amendment moved by Mr. STOCKBARD was pending:

Insert at the commencement, "at all elections hereafter to be held in this State, the vote shall be by ballot," and to strike out in lines seventeen and eighteen the words "and at all such elections the vote shall be by ballot."

Mr. STIRLING. I think it would be better to say "all elections," and not "all elections in this State," for we have provided for elections outside of the State. Another difficulty is that under that, until we get a registry law, nobody could vote.

Mr. SCOTT gave notice that he would submit the following amendment:

Strike out all to the words "and in case," in the eighteenth line, and insert:

"All elections shall be by ballot, and every white male citizen of the United States of the age of twenty-one years or upwards, who shall have resided in the State one year next preceding the election, and six months in the city of Baltimore or in any county, shall be entitled to be registered as a legal voter; and such registration made in accordance with such provisions as the general assembly may prescribe; together with the muster rolls of all such soldiers as may be entitled to be registered in the State, and who may be serving in the army of the United States, shall be held and taken as the only evidence of qualification to vote at any election hereafter, and the general assembly shall by law provide for taking the votes of soldiers serving in the army of the United States, in the field."

The amendment submitted by Mr. STOCKBARD was rejected.

Mr. SCOTT submitted the amendment of which he had given notice, as above.

Mr. STIRLING. I desire to offer a substitute for that amendment, when it shall be in order, to provide that no person not registered shall vote at any election held after March 10, 1865;

so that after the legislature shall have had an opportunity to exercise the power we make mandatory upon them to pass a registry law; no person unregistered shall vote. Until that date we cannot have a registry law.

Mr. BARRY demanded the yeas and nays upon the amendment of Mr. SCOTT; but they were not ordered.

Mr. MILLER. The amendment offered by the gentleman from Cecil (Mr. SCOTT) proposes to go even further than the section as it stands. If I understand it, it provides that the soldiers in the army and navy of the United States shall be at all times entitled to vote. The section restricts it to the time when the United States are actually engaged in war.—I feel that I should not be discharging the duty which I think I owe in my own judgment and my own conscience, on this subject, if I permitted this amendment to pass without any remarks upon the subject.

I do not wish to deprive the soldiers of the State who may be engaged in the military service of the United States of any right which I think they are properly entitled to; and among those right is, by the contingencies of this war, that of the draft. If it should so happen that I should be drafted and forced into the service of the United States, or should volunteer to go into the service of the United States in this war, about the last privilege which I should desire would be the right of voting while in that military service. I care not in what other States the privilege may have been extended to the soldiers, whether north or south, east or west. I put the objection on higher grounds than that. I protest against such legislation in the name of constitutional liberty.

Reference has been made to what was done in former times, in the history of this State, during our revolutionary war. Legislation upon this subject has been read to us this morning. If we go back to those times and search for precedents there, let us take the best that we can obtain. Such was the spirit of liberty with which our ancestors were imbued, that they would not allow the soldiers of the States, and of this State especially, while engaged in the holy cause of sustaining American independence against the oppression of the British crown, to vote while in the military service. They put it upon a higher ground, that the influence of armies was dangerous to liberty, and that the military, at all times and in all places should be subservient to the civil power of the State. Hence it was that they prohibited these soldiers from voting, even while engaged in the war of the Revolution.

My objection to it is this. When a citizen becomes a soldier he lays aside his civil rights and is placed under martial law. The exercise of the right of suffrage should be free and untrammelled. A man, when he goes to vote, should vote under no overpowering