

objected to. The ground was taken that if they did not leave New York with the intention of taking up their residence in Maryland, they were not entitled to vote. I asked the party who applied to vote, whether he purposed to make Maryland his residence, and he said he did not. I asked him whether if he should return to New York, he should claim his residence there, and claim a right to vote there, and he said that he would. And yet because he had been as a soldier in the State of Maryland for twelve months, he claimed a right to vote. And the judges contrary to the law of the land, allowed that one individual to vote because he was willing to swear that he claimed his residence in Maryland.

Now this section is to meet cases of that sort, where parties make the broad statement that they did not leave home with the purpose of making their permanent residence in the State of Maryland; but leave home under the orders of the government, and would claim their residence in the State from whence they came, in case they were there on the day of election. This additional section is intended to prevent the judges of election, who are not always the wisest under our election laws, from admitting the votes of such men against the votes of you and me, who are loyal citizens of the State, and who have an interest in the general welfare of the State. I think it is a wise provision, and well adapted to meet cases of that sort. Now while I admit that this convention has gone much further into legislation than I believe a constitutional convention is warranted in going, still as we have resolved this body into a legislative body rather than a convention to frame the organic law of the State, and have gone thus far, let us go on and define what shall constitute citizenship. This section if adopted will accomplish that purpose, and we will have no more difficulty in cases of the sort I have referred to.

Now in regard to the cases cited by the gentleman from Baltimore city (Mr. Stockbridge,) of naval officers who are ordered from place to place. They are generally stationed, in the places to which they are ordered, for two or three years, and sometimes longer. They change their residence from the place from which they remove to the place to which they remove. They do it for the purposes of a permanent residence; they take their families with them; they become domiciliated there; and that gives them all the rights of citizenship under the law. I hope that the section proposed by the gentleman from Anne Arundel (Mr. Miller) will be adopted.

Mr. MILLER. I would like to read to the convention some of the provisions of the constitutions of other States upon this subject. The provision in the constitution of New Jersey is as follows:

"That no person in the military, naval, or marine service of the United States shall be considered a resident of the State, by being stationed in any garrison, barrack, or military or naval place or station within this State."

The provision of the Illinois constitution is as follows:

"No soldier, seaman, or marine, in the army or navy of the United States, shall be deemed a resident of this State, in consequence of being stationed at any military or naval place within the State.

Mr. STOCKBRIDGE. Read the section before that.

Mr. MILLER [reading.] "No elector shall be deemed to have lost his residence in this State by reason of his absence on the business of the United States or of this State."

The two together make a provision very similar to the one I have offered. In the constitution of Iowa, we find the following provision:

"No person in the military, naval, or marine service of the United States shall be considered a resident of this State by being stationed in any garrison, barrack, or military or naval place or station within this State."

The constitution of Wisconsin contains this provision:

"No person shall be deemed to have lost his residence in this State by reason of his absence on business of the United States, or of this State.

"No soldier, seaman, or marine, in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed within the same."

In Oregon, one of the latest States, they have adopted this provision:

"No soldier, seaman, or marine in the army or navy of the United States, or of their allies, shall be deemed to have acquired a residence in this State in consequence of having been stationed within the same, nor shall any such soldier, seaman, or marine have the right to vote."

I have not looked over all the constitutions; but I find this provision in most of them; and I think it would be a very wise provision to be put in our own constitution.

Mr. SANDS. I would ask the gentleman how he would meet such a case as this; suppose a party came here to the naval school and was stationed here, and was here a year. How could he swear that it was his intention to become a resident or citizen of Maryland, and when he knew that that intention might be controlled, the next day after he took the oath, by the President of the United States.

Mr. MILLER. If he does swear that, this provision would prevent his voting.

Mr. SANDS. There is a difference between the section proposed by my friend, and those sections which he has read. The circumstances under which the sections were adopted are different from those around us here. Those