

## Article II.

~~Article II~~ Suffrage  
and Elections,

Sec. 1. All elections shall be free, and equal,

Sec. 2. In all elections, not otherwise provided for by this constitution, every white male citizen of the United States, of the age of twenty one years, and upwards, who shall have resided in the State during the six months ~~previous~~ immediately preceding such election; and every white male ~~citizen~~ of foreign birth of the age of twenty one years and upwards, who shall have resided in the United States one year, and shall have resided in this State <sup>during the</sup> six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be

entitled to vote at all elections authorized by law.

Sec: 3. No idiot or insane person, shall be entitled to the privileges of an elector, and the privilege of an elector shall be forfeited, by a conviction of any crime which is punishable by imprisonment in the penitentiary.

Sec: 4. For the purposes of voting, no person shall be deemed to have gained or lost <sup>a</sup> residence, by reason of his presence or absence while employed in the service of the United States, or of this State; nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas; nor while a student of any Seminary of learning; nor while kept at any almshouse, or <sup>or other</sup> asylum, at public expense; nor while confined in any public prison.

Sec: 5. No ~~seaman~~ 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 the State, in consequence of having  
been stationed within the same; nor  
shall any such soldier, seaman or  
marine have the right to vote,  
Sec: 6, No Negro, Chinaman or mul-  
-atto shall have the right of suffrage,  
Sec: 7, Every person shall be disqualified  
from holding office, <sup>during</sup> ~~for~~ the term for  
which he may have been elected, who  
shall have given or offered a bribe,  
threat or reward to procure his election,  
Sec: 8, The Legislative Assembly shall  
enact laws to support the privilege  
of free suffrage, prescribing the manner  
of regulating and conducting elections,  
and prohibiting, under adequate penalties,  
all undue influence therein, from power,  
bribery, tumult, and other improper conduct,  
Sec: 9, Every person who shall give or  
accept a challenge to fight a duel, or  
who shall knowingly carry to another  
person such challenge, or who shall  
agree to go out of the State to fight a duel,  
shall be ineligible to any office of trust  
or profit,

Sec: 10. No person holding a lucrative office, or appointment under the United States, or under this State, shall be eligible to a seat in the Legislative Assembly; nor shall any person hold more than one lucrative office at the same time, except as in this Constitution expressly permitted; Provided, that, officers in the Militia, to which there is attached no annual salary, and the office of Post-Master, where the Compensation does not exceed one hundred dollars per annum, shall not be deemed lucrative.

Sec: 11. No person who may hereafter ~~may~~ be a collector, or holder of public moneys, shall be eligible to any office of trust or profit, until he shall have accounted for, and paid over according to law, all sums for which he may be liable.

Sec: 12. In all cases, in which it ~~may~~<sup>is</sup> provided that an office shall not be filled by the same person, more than a certain number of years continuously, an appointment pro tempore shall not be ~~deemed~~ reckoned a part of that term.

Sec: 13. In all cases, except treason, felony, and breach of the peace, electors shall be free from arrest in going to elections, during their attendance <sup>there,</sup> and in returning from the same; and no elector shall be obliged to do duty in the Militia on any day of election, except in time of war, or public danger,

Sec: 14. General elections shall be held on the first Monday of June, biennially.

Sec: 15. In all elections <sup>by</sup> ~~for~~ the Legislative Assembly, or by either branch thereof, votes shall be given openly, or viva voce, and not by ballot forever; and in all elections by the people, votes shall be given openly, or viva voce, until the Legislative Assembly shall otherwise direct.

Sec: 16. In all elections held by the people, under this Constitution, the person or persons who shall receive the highest number of votes, shall be declared duly elected,

Sec: 17. All qualified electors shall vote in  
the election precinct in the County where  
they may reside, for County Officers, and  
in any County in the State for State officers,  
or in any County of a Congressional Dis-  
trict in which such electors may reside,  
for Members of Congress,