

THE STATE GOVERNMENT.

Arrangements for Gov. McLane's Retirement and Mr. Lloyd's Succession.

[Special Dispatch to the Baltimore Sun.]

ANNAPOLIS, March 23.—Gov. McLane and Hon. Henry Lloyd, President of the Maryland Senate, had a conference this morning at the executive mansion, which resulted in an agreement that Mr. Lloyd should assume the functions of the office of Governor at once, but it was subsequently determined that the retiring Governor should continue in office until tomorrow, (Friday,) when Mr. Lloyd will succeed him. The transfer would have been made today if there had been a judge of the Court of Appeals present to administer the oath of office, though it was considered by some that this particular form of qualification was not necessary in the present case, where the president of the Senate succeeded to the governorship. The resignation of Gov. McLane will be made Friday, with the understanding that Mr. Lloyd will cause it to be filed in the State department. Gov. McLane will also request him to assume the duties of the office at once. Gov. McLane's term will then cease, and contemporaneously with this he will formally accept the mission to France, to which he has been appointed by President Cleveland. If the Legislature were in session now the Governor's resignation would be acted on by that body. The immediate transfer of the State government was foreshadowed in today's SUN.

CONFERENCE OF STATE OFFICERS.

Mr. Lloyd, on arriving by the early morning train, went directly to the executive mansion, where Gov. McLane was waiting for him. Attorney-General Chas. B. Roberts accompanied him, and, for an hour, the three State officials were closeted together discussing the transfer. The meeting between Gov. McLane and Mr. Lloyd was most cordial. Gov. McLane said he was ready to surrender his charge at any time, as the affairs of the office were in condition to be turned over at a moment's notice, and Mr. Lloyd interposing no objection, it was decided that he should assume the duties as soon as the arrangements could be made. After settling the preliminaries of the transfer both the Governors went over to the executive chamber and participated in the duties of the office, Mr. Lloyd familiarizing himself with the routine work of the department, which included a look into several pardon cases which were under consideration at the time. The new Governor also attended as a spectator the meeting of the board of public works, and appeared to take a lively interest in the proceedings of that body.

THE LAW OF THE CASE.

Both Gov. McLane and the Attorney-General were of the opinion that the qualification of the former as minister to France immediately disqualified him as Governor of the State of Maryland, but Gov. McLane preferred that a formal resignation as Governor should be made, which will be done.

Speaking of the succession of Mr. Lloyd to the vacancy Attorney-General Roberts said: "In my opinion Gov. McLane, by his acceptance of the position of minister to France, *ipso facto* vacates his office of Governor of Maryland. The duties of the respective offices of Governor and minister, the one created by Federal, the other by State authority, being entirely inconsistent, and it would be legally impossible for the Governor after he has received his commission and qualified as minister to continue to discharge the duties of Governor, and therefore the acceptance

of the one is in effect the resignation of the other.

"The sixth section of the constitution says: 'In case of the death or resignation of the Governor or of his removal from the State or other disqualifications the General Assembly shall elect,' &c. The following section says: "In case of any vacancy in the office of Governor during the recess of the Legislature the president of the Senate shall discharge the duties of said office until a Governor is elected, as herein provided, &c." It is therefore manifest that the president of the Senate continues to discharge the duties of Governor until the ensuing Legislature elects a Governor. There cannot then be any interregnum in the office. When the constitution mentions the person who shall discharge the duties of Governor in the event of any vacancy occurring in the office the language used is merely *descriptio personarum*, and is not intended to limit such discharge of the duties of the office of Governor to the time when the term of office of the said president of the Senate or the speaker of the House expires, but simply points to the persons upon whom the duties of the position devolve in the contingency now happening. This, in my judgment, is the only reasonable construction to be placed upon these sections of the constitution."

It was the concurrent opinion of all those present today that the meaning of the constitution was that the new Governor shall hold office until the meeting of the Legislature, and the incoming Governor, it is understood, is assured that there will be no serious opposition to him from that quarter.

FINAL ARRANGEMENTS.

Mr. Lloyd left Annapolis in the afternoon for his home at Cambridge, with the understanding that the resignation of Gov. McLane would be handed to Secretary of State Milligan tomorrow (Friday) morning, and from that time he would act as Governor. It is not considered necessary for the new Governor to qualify, as would be expected of a Governor elect; but, as a precaution, he may also take the oath when he arrives at Cambridge. Before his departure from Annapolis Mr. Lloyd affixed his name to several documents which may be called in use before he returns next Wednesday. Gov. McLane's last official appointment was that of Wm. W. Cook, general oyster measurer for Cambridge, vice James S. Shepherd, resigned. Tonight the Governor was closeted with his brother, Jas. L. McLane, who will have charge of his brother's property while he is abroad. Gov. McLane will leave Friday for Washington.

Gov. McLane does not intend to go abroad for thirty-five or forty days, as it will require some time to arrange his personal matters. Mr. Lloyd will continue Mr. Geo. B. Milligan as secretary of State and Mr. Samuel W. Brooks as messenger.

CONGRATULATORY.

A large number called on Mr. Lloyd at the executive chamber and congratulated him on his good luck. Among them were Hon. Chas. H. Gibson, member of Congress; Hon. Edward Lloyd and son; Lieut. Gibson, U. S. marine corps; Wilmot Johnson, of Baltimore county; Col. J. Thomas Scharf, land commissioner; James A. L. McClure, Attorney-General Roberts, State Comptroller Turner, State Treasurer Gittings, Capt. Waddell, John Ireland, F. B. Mayer and many others. When Congressman Gibson met the new Governor today at the executive chamber he shook him heartily by the hand, and said, "Henry, I congratulate you. I certainly am gratified to see you here."

A delegation called on Gov. McLane just as he was getting ready for dinner and paid

their respects. At the same time Mr. Bernard Harig, T. C. Weeks, John S. Bullock and others of Baltimore interceded in the interest of W. F. Harig, who had been convicted for assault, and it is understood the Governor promised to look favorably on the application for executive clemency.

FORMAL RESOLUTIONS.

The board of public works, on motion of State Comptroller Turner, passed the following resolution:

Whereas his Excellency, Robert M. McLane, Governor of Maryland, and ex-officio president of the board of public works of this State, has been appointed minister to the republic of France and is about to resign the office of chief executive, which he has so faithfully and ably filled, to accept said appointment; and whereas he meets today with said board for the last time, we, his former associates, the comptroller and treasurer, deem it proper to place upon the minutes of the board the following resolutions:

Resolved, By the board of public works in special session assembled, that while it is with sincere regret we are compelled to part with our associate, the Hon. Robert M. McLane, who as the Governor of our State has presided over the deliberations of this board, yet we are proud to know that Maryland possesses men worthy of the highest honors, and that no better man than he could have been selected as minister to the republic of France.

Resolved, We extend to our associate our most hearty congratulations, and trust that his new honors may prove advantageous to the nation at large and a source of personal gratification to himself.