

Mr. DORSEY asked for the ayes and noes on the motion to reconsider,
And they were ordered.

Mr. SMITH gave notice that he would move hereafter to reconsider the vote by which this section was adopted, for the purpose of taking the sense of a full House as to the reduction of the Governor's salary.

The question was then taken on the motion to reconsider,

And decided as follows:

Affirmative—Messrs. Lee, Dorsey, Crisfield, Dashiell, Eccleston, Dirickson, McMaster, Fooks, Gaither, Sappington, Nelson, Carter, Harcastle, Schley, Fiery, John Newcomer, Harbine, Davis, Smith, Parke, Shower and Cockey—22.

Negative—Messrs. Blakistone, Pres't, *pro. tem.*, Dent, Chambers of Kent, Donaldson, Wells, Sellman, Brent of Charles, Jenifer, Howard, Buchanan, Bell, Welch, Chandler, Lloyd, Dickinson, Sherwood of Talbot, Williams, Hicks, Hodson, Phelps, Chambers of Cecil, Miller, McLane, Bowie, Tuck, Grason, Shriver, Biser, McHenry, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Kilgour Brewer, Waters, Weber, Hollyday, Slicer and Brown—38.

So the Convention refused to reconsider the vote.

Mr. BRENT, of Baltimore city, gave notice that he should on to-morrow move to reconsider the thirteenth section of the report, for the purpose of correcting an omission.

He called the attention particularly of the gentleman from Somerset, (Mr. Crisfield,) on whose motion the section had been amended, to its present defective condition, in consequence of which, the Governor would be without the power of appointing, during the recess, certain officers whose services were indispensable for the public convenience.

There were numerous applications before the Governor for appointment out of the State of Maryland, to take the acknowledgment of deeds; some of these were from California, and it was important that such appointments should be made. But as these are considered by the Governor who is a strict constructionist, to be new offices, he feels himself debarred by the terms of the existing Constitution from making the appointments. The Governor has also the power to appoint in his discretion, twenty auctioneers in Baltimore, and these are *bien ial* appointments. But if twelve of these should be appointed, and the thirteenth is to be appointed during the recess, with his construction that this thirteenth is a new appointment the Governor will be restrained from making it.

The public interests, therefore, require some modification of this section. He would, therefore, give notice of his intention to move a reconsideration of the thirteenth section for the purpose of moving the following substitute. As the Constitution now stands, not one of the applications before the Governor can be complied with, and this amendment will supply the *casus omisus*.

The substitute was read as follows:

"In all cases where the Governor has the power by the Constitution or laws to make any appointment to office, or in case any vacancy shall occur during the recess of the Senate, in any office to which the Governor has the power of appointment, he shall have power in the recess of the Senate to make such appointment or fill such vacancy, by granting a commission which shall expire upon the appointment of the same person or any other person by and with the advice and consent of the Senate, to the same office, or at the expiration of one calendar month ensuing the commencement of the next regular session of the legislature which ever shall first occur."

Mr. CRISFIELD made some remarks, which will be published hereafter.

The twenty-second section was then read, when

Mr. DORSEY moved to amend the section by adding at the end thereof, the words, "before his appointment."

Mr. DORSEY said, the salary ought to be fixed before the appointment; otherwise, party feelings and prejudices may influence the appointment. He thought, therefore, that the legislature ought to fix the salary before they make the appointment.

Mr. CHAMBERS. It would be better to do it now.

Mr. DORSEY. I have no objection.

Mr. CHAMBERS then moved to amend the section by striking out in the fifth line, the words, "such annual compensation as may be fixed by the legislature," and inserting in lieu thereof, these words, "one thousand dollars."

Mr. JENIFER moved twelve hundred dollars.

Mr. GRASON said:

The salary had not been fixed because the committee could not tell who might fill the office. If he was a single man, eight hundred or a thousand dollars might be sufficient. If he was a lawyer with a family, it would not be enough. If we fix the amount in the Constitution, it cannot be changed, and we may thus debar men of respectability from accepting it.

Mr. DIRICKSON said, after this question was disposed of, he intended to move to strike out the whole section.

Mr. PARKE asked for a division of the question, and that it may be first taken on striking out.

The question was then put on the motion to strike out,

And it was agreed to.

The question recurring on the motion of Mr. CHAMBERS.

Mr. McHENRY moved fifteen hundred dollars.

Mr. DORSEY asked what was the present salary as fixed by law?

Mr. BOWIE. One thousand dollars.

Mr. GRASON said the clerk of the council who formerly performed the duties that are now assigned to the Secretary of State, received fifteen hundred dollars a year, besides the perquisites of his office, which increased his annual compensation to about two thousand dollars. The Secretary of State at first received a salary of two thousand dollars, which was afterwards reduced