

appoint all civil and military officers of the State, whose appointment or election is not otherwise herein provided for, unless a different mode of appointment be prescribed by the law creating the office.

Sec. 14. In case of any vacancy during the recess of the senate, in any office which the governor has power to fill, he shall appoint some suitable person to said office, whose commission shall continue in force till the end of the next session of the legislature, or till some other person is appointed to the same office, whichever shall first occur, and the nomination of the person thus appointed during the recess, or of some other person in his place, shall be made to the senate, within thirty days after the next meeting of the legislature.

Sec. 15. No person, after being rejected by the senate, shall be again nominated for the same office, at the same session, unless at the request of the senate; or be appointed to the same office during the recess of the legislature.

Sec. 16. All civil officers appointed by the governor and Senate, shall be nominated to the senate within fifty days from the commencement of each regular session of the legislature, and their term of office (except in cases otherwise provided for in this constitution) shall commence on the first Monday of May next ensuing their appointment, and continue for two years (unless sooner removed from office) and until their successors respectively qualify according to law.

Sec. 17. The governor may suspend or arrest any military officer of the State, for disobedience of orders, or other military offence, and may remove him in pursuance of the sentence of a court martial; and may remove for incompetency or misconduct, all civil officers who received appointments from the executive for a term not exceeding two years.

Sec. 18. The governor may convene the legislature, or the senate alone, on extraordinary occasions; and whenever, from the presence of an enemy or from any other cause, the seat of government shall become an unsafe place for the meeting of the legislature, he may direct their sessions to be held at some other convenient place.

Sec. 19. It shall be the duty of the governor, semi-annually, and oftener if he deem it expedient, to examine the bank book, account books, and official proceedings of the treasurer and comptroller of the State.

Sec. 20. He shall from time to time inform the legislature of the condition of the State, and recommend to their consideration such measures as he may judge necessary and expedient.

Sec. 21. He shall have power to grant reprieves and pardons, except in cases of impeachment, and in cases in which he is prohibited by other articles of this constitution,

and to remit fines and forfeitures for offences against the State; but shall not remit the principal or interest of any debt due to the State, except in cases of fines and forfeitures; and before granting a nolle prosequi, or pardon, he shall give notice in one or more newspapers of the application made for it, and of the day on or after which his decision will be given; and in every case in which he exercises this power, he shall report to either branch of the legislature, whenever required, the petitions, recommendations and reasons which influenced his decision.

Sec. 22. The governor shall reside at the seat of government, and shall receive for his services an annual salary of four thousand dollars.

Sec. 23. A secretary of State shall be appointed by the governor, by and with the advice and consent of the senate, who shall continue in office, unless sooner removed by the governor, till the end of the official term of the governor from whom he received his appointment, and shall receive an annual salary of one thousand dollars.

Sec. 24. He shall carefully keep and preserve a record of all official acts and proceedings, which may at all times be inspected by a committee of either branch of the legislature, and shall perform such other duties as may be prescribed by law, or as may properly belong to his office.

#### MINORITY REPORT.

Mr. MILLER, from a minority of said committee, submitted the following report:

The undersigned, members of the committee on the executive department, respectfully submit the following minority report:

In lieu of the second section of the report of the minority, they submit and recommend the adoption of the following:

Section 2. The first election for governor, under this constitution, shall be held on the Tuesday next after the first Monday in November, eighteen hundred and sixty-five, and the second election shall be held on the Tuesday next after the first Monday in November, eighteen hundred and sixty-eight, and on the same day and month in every fourth year thereafter, at the places of voting for delegates to the general assembly, and every person qualified to vote for delegates, shall be qualified and entitled to vote for governor; the election to be held in the same manner as the election of delegates, and the returns thereof, under seal, to be addressed to the speaker of the house of delegates, and enclosed and transmitted to the secretary of state, and delivered to the said speaker at the commencement of the session of the legislature next ensuing said election.

They further recommend the omission of all the sections in the report of the majority, having reference to the office and duties of lieutenant governor, being sections 6, 7, 8, 9