

THE OFFICE OF LIEUTENANT GOVERNOR¹

The office of lieutenant governor has a long tradition in the United States. As early as 1629, the Massachusetts Bay Charter provided a lieutenant governor for the Massachusetts Bay Colony. During the colonial period (1607-1776), the office of deputy or lieutenant governor or vice president appeared at one time or another in all of the English colonies except Georgia.²

The lieutenant governor's primary purpose in the colonial era was to substitute for the Crown-appointed governor in his absence. Usually a senior councillor of the governor's council, he presided when the governor was absent. In Maryland, the second Lord Baltimore never visited the colony, and from 1648 to 1652, Maryland's affairs were handled by a deputy governor, William Stone.³ During the Revolutionary War era, the lieutenant governor was usually presiding officer of the upper house of the legislature. Thus, the lieutenant governor's position evolved from senior councillor of the governor's council to his position as presiding officer in many state senates today.

By the time of the federal Constitutional Convention, the constitutions of Virginia, Massachusetts and South Carolina provided for a lieutenant governor. Delaware and New Jersey established an office of vice president in the years before the federal Constitutional Convention.

¹ This article was prepared for the Commission by Robert K. Whelan, graduate student in the Department of Government and Politics at the University of Maryland; B.A., 1963, Columbia University.

² B. Nispel, *The Office of Lieutenant Governor in the United States* 26 (1957) (unpublished Ph.D. dissertation in University of Pennsylvania Library).

³ *ENCYCLOPEDIA OF AMERICAN HISTORY* 29 (R. Morris ed. 1953).

For only a brief period in its history, from 1864 to 1867, did Maryland have a lieutenant governor. Article II, Section 6 of the Maryland Constitution of 1864 provided that "a lieutenant governor shall be chosen at every regular election for governor. He shall continue in office for the same time, shall be elected in the same manner, and shall possess the same qualifications as the governor. In voting for governor and lieutenant governor, the electors shall state for whom they vote as governor and for whom as lieutenant governor."

Maryland established the position of lieutenant governor for several reasons. Since the lieutenant governor was chosen by the people, "the people of Maryland were doubly sure of the choice of their chief executive."⁴ Establishing the office of lieutenant governor in 1864 brought Maryland into line with the majority of other states. Finally, the lieutenant governor was seen as the counterpart at the state level of the vice president.

In 1867, however, Maryland abolished the office. Scholars believe that the position of lieutenant governor was eliminated because "sentiment was so strong against the provisions of the wartime Constitution of 1864 that they were all defeated."⁵ Maryland returned to the earlier governmental organization of the Constitution of 1851.

The traditional office of lieutenant governor has been accepted by the vast majority of states as a part of their state government. Thirty-nine states have lieutenant governors today. Twenty-two of the twenty-five most populous states pro-

⁴ C. ROHR, *THE GOVERNOR OF MARYLAND: A CONSTITUTIONAL STUDY* 76 N. 100 (1932).

⁵ Nispel, *supra* note 2, at 48.