

conduct; nor has the Governor the power to make a temporary appointment to the above office pending an investigation of charges. History of this section. *Cull v. Wheltle*, 114 Md. 58.

County school commissioners are not "civil officers" within the meaning of this section or of sec. 13, and hence may not be removed by the Governor for incompetency or misconduct. *School Commissioners v. Goldsborough*, 90 Md. 193; *Sappington v. Slade*, 91 Md. 649; *State Tax Commission v. Harrington*, 126 Md. 160.

The fact that most, if not all, of the officers provided for by the Constitution may be removed under express authority given by the sections dealing with such offices, does not convert such offices from definite terms into terms held at the will of the appointing power; this section and sec. 13 are examples. The secretary of state is included in this section, and hence may only be removed for one of the causes herein set out unless possibly with the consent of the senate without cause. See notes to art. 23, sec. 175, of An. Code 1912 (see foot-note to art. 48A this Code). *Townsend v. Kurtz*, 83 Md. 342.

The power of removal, given the Governor by this section, applies only to such offices as he has power to fill by original appointment for terms of years, and does not embrace justices of the peace. *Cantwell v. Owens*, 14 Md. 225 (based on the Constitution of 1851).

Under this section, the Governor is authorized, for incompetency or misconduct, to remove a "registrar of voters for the fourth election district of Anne Arundel county," who was appointed by the Governor with the advice and consent of the senate. The term "executive" as used in this section, does not mean the Governor alone. *Harmon v. Harwood*, 58 Md. 10.

This section referred to in construing sec. 11—see notes thereto. *Watkins v. Watkins*, 2 Md. 355.

This section referred to in construing art. 5, sec. 2, and art. 4, sec. 11—see notes thereto. *Groome v. Gwinn*, 43 Md. 628.

See notes to art. 9, sec. 2, and art. 2, sec. 11.

As to the militia, see art. 65, An. Code.

Sec. 16. The Governor shall 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. 17. To guard against hasty or partial legislation and encroachments of the Legislative Department upon the co-ordinate Executive and Judicial Departments, every Bill which shall have passed the House of Delegates, and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approve he shall sign it, but if not he shall return it with his objections to the House in which it originated, which House shall enter the objections at large on its Journal and proceed to reconsider the Bill; if, after such reconsideration, three-fifths of the members elected to that House shall pass the Bill, it shall be sent with the objections to the other House, by which it shall like-wise be reconsidered, and if it pass by three-fifths of the members elected to that House it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the Governor within six days (Sundays excepted), after it shall have been presented to him, the same shall be a law in like manner as if he signed it, unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law.

The Governor shall have power to disapprove of any item or items of any Bills making appropriations of money embracing distinct items, and the part or parts of the Bill approved shall be the law, and the item or items of appropriations disapproved shall be void unless repassed according to the rules or limitations prescribed for the passage of other Bills over the Executive veto.<sup>1</sup>

<sup>1</sup> Thus amended by the act of 1890, ch. 194, ratified November 3, 1891.