

The constitution of 1851 made only slight changes in the executive department of the State. Prior to 1836 the governor was elected by joint ballot of both Houses of the General Assembly. By an amendment to the constitution in that year, the governor was to be elected by popular vote. The term of office was for three years. The State was divided into three gubernatorial districts, from each of which the governor was to be chosen in rotation.

The constitution of 1851 adhered to the system of districting the State for the election of the governor. The counties of the Eastern Shore formed one district. St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, Montgomery, and Howard counties, and Baltimore City formed a second district. Baltimore, Harford, Frederick, Washington, Allegany, and Carroll counties constituted the third district. The qualification for the office of governor was slightly changed. The requirements were a five years' residence in the State, and a three years' residence in the district from which he was elected.

The most important change in the executive department was the limitation on the governor's appointing power. Previous to the adoption of the constitution of 1851, the governor, with the consent of the Senate, appointed the chancellor, all judges and justices and all civil officers of the government (assessors, constables, and overseers of roads only excepted).<sup>20</sup> The governor also appointed the clerks of the several county courts; the clerks of the court of appeals, and of Baltimore City court. The register of the High Court of Chancery, and the registers of wills throughout the State were also appointed by the governor.<sup>21</sup> This extensive power of appointment, or the "executive patronage" as it was called, was thought to have an injurious influence upon popular elections, and a growing tendency to abuse. The constitution of 1851 provided for the election of nearly all of these officers by popular

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<sup>20</sup> Constitution 1776, art. 48.

<sup>21</sup> Act 1836, ch. 224, sec. 1.