

nd Gazette.

ANAPOLIS: February 22, 1838.

is day's paper the law passed on 1836, entitled, An act to amend and reform the Constitution of Maryland, passed at Dec. 26, ch. 197, which law has been an act of the present Legislature a part of the Constitution of the State of Maryland.

enacted by the General Assembly. That the term of office of the present Senate shall end and never, and as soon as a new one, as hereinafter provided, members shall have qualified constitution and laws of this State.

enacted, That at the next General Assembly, for the year eighteen hundred and thirty-eight, the Senate shall consist of one member, to be chosen by a majority of whom the transaction of business shall be conducted. That at the time and place in the several counties of the city of Baltimore, for the year eighteen hundred and thirty-eight, shall also be held under the direction of the several counties of this State, and more, respectively, for the election of a senator of the State of Maryland, whose term of office shall be fixed by law for the term of six years, according to a quorum of its members; and in every county, every year at the place at which the delegates to the General Assembly shall vote for one of the persons voted for in the several counties for the regular session of the General Assembly, and in every county, every year at the place at which the delegates to the General Assembly shall vote for one of the persons voted for in the several counties for the regular session of the General Assembly.

enacted, That in all elections for Senators, to be held after the election for Delegates for the December session, eighteen hundred and thirty-seven, the city of Annapolis shall be deemed and taken as a part of Anne Arundel county. Sec. 11. And be it enacted, That in all elections for Senators, to be held after the election for Delegates for the December session, eighteen hundred and thirty-seven, the city of Annapolis shall be deemed and taken as a part of Anne Arundel county. Sec. 12. And be it enacted, That the General Assembly shall have power from time to time to regulate all matters relating to the judges, time, place and manner of holding elections for senators and delegates, and of making returns thereof, and to divide the several counties into election districts, for the more convenient holding of elections, not affecting their terms or tenure of office.

enacted, That so much of the constitution and form of government, as relates to the council to the governor, and to the clerk of the council, be abrogated, abolished and annulled, and that the whole Executive power of the government of this State, shall be vested exclusively in the governor, subject nevertheless to the checks, limitations and provisions hereinafter specified and mentioned. Sec. 14. And be it enacted, That the governor shall nominate, and by and with the advice and consent of the senate, shall appoint all officers of the State, whose offices are or may be created by law, and whose appointment shall not be otherwise provided for by the constitution and form of government, or by any laws consistent with the constitution and form of government; Provided, that this act shall not be deemed or construed to impair, in any manner, the validity of the commissions of such persons as shall be in office under previous executive appointment when this act shall go into operation, or alter, abridge, or change, the tenure, quality or duration of the same, or of any of them.

enacted, That the Governor shall have power to fill any vacancy that may occur in any such offices during the recess of the senate, by granting commissions 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 effect, or at the expiration of one calendar month, ensuing the commencement of the next regular session of the senate, which shall first occur.

enacted, That the same person shall in no case be nominated by the Governor a second time during the same session, for the same office, in cases law shall have been rejected by the senate, unless after such rejection, the senate shall inform the Governor by message, of their willingness to receive again the nomination of such rejected person, for further consideration, and in case any person nominated by the Governor for any office, shall have been rejected by the Senate, it shall not be a violation for the Governor at any time afterwards, during the recess of the senate, in case of vacancy in the same office, to appoint such rejected person to fill the said vacancy.

enacted, That it shall be the duty of the Governor within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, (if it be confirmed) and annually thereafter during the regular session of the Senate, and on each particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the Senate, to appoint a secretary of state, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation as shall be prescribed by law.

enacted, That in case a vacancy shall occur in the office of Governor at any time after this act shall go into operation, the General Assembly, if in session, or if in the recess, at their next session shall proceed to elect by joint ballot of the two houses, some person, to be Governor for the residue of said term, in place of the person originally elected, and in every case of vacancy until the election, and in every case of vacancy until the election, the secretary of state by virtue of his said office, shall be clothed, ad interim with the executive powers of government, and in case there shall be no secretary of state, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of speaker of the house of delegates shall by virtue of his said office be clothed, ad interim with the executive powers of government.

for the city of Annapolis, (until the promulgation of the census for the year eighteen hundred and forty, when the city of Annapolis shall be deemed and taken as a part of Anne Arundel county, and her right to a separate delegation shall cease, (five delegates in and for Baltimore county, five delegates in and for Frederick county, four delegates in and for Anne Arundel county, and four delegates in and for each of the several counties respectively, hereinafter mentioned, to wit: Dorchester, Somerset, Worcester, Prince George's, Harford, Montgomery, Carroll, and Washington; and three delegates in and for each of the several counties respectively hereinafter next mentioned, to wit: Cecil, Kent, Queen Anne's, Caroline, Talbot, St. Mary's, Charles, Calvert, and Allegany.)

Sec. 10. And be it enacted, That from and after the period when the next census shall have been taken, and officially promulgated, and from and after the official promulgation of every second census thereafter, the representation in the House of Delegates from the several counties, and from the city of Baltimore, shall be graduated and established on the following bases, that is to say:—Every county which shall have by the said census, a population of less than fifteen thousand souls, federal numbers, shall be entitled to elect three delegates; every county having a population by the said census, of fifteen thousand souls, and less than twenty-five thousand souls, federal numbers, shall be entitled to elect four delegates, and every county having the said census, a population of twenty-five thousand, and less than thirty-five thousand souls, federal numbers, shall be entitled to elect five delegates; and every county having a population of upwards of thirty-five thousand souls, federal numbers, shall be entitled to elect six delegates; and the city of Baltimore shall be entitled to elect as many delegates as the county which shall have the largest representation, on the basis aforesaid, may be entitled to elect; provided, and it is hereby enacted, that if any of the several counties herebefore mentioned, shall not after the said census for the year 1840, shall have been taken, be entitled by the graduation on the basis aforesaid to a representation in the House of Delegates equal to that allowed to such county by the ninth section of this act, at the election of delegates for the December session of the year eighteen hundred and thirty-eight, such county shall, nevertheless, after said census for the year eighteen hundred and forty, or any future census, and forever thereafter, be entitled to elect the number of delegates allowed by the provisions of said section for the said session, but nothing in this proviso contained, shall be construed to include in the representation of Anne Arundel county the delegate allowed to the city of Annapolis, in the said ninth section of this act.

Sec. 11. And be it enacted, That in all elections for Senators, to be held after the election for Delegates for the December session, eighteen hundred and thirty-seven, the city of Annapolis shall be deemed and taken as a part of Anne Arundel county. Sec. 12. And be it enacted, That the General Assembly shall have power from time to time to regulate all matters relating to the judges, time, place and manner of holding elections for senators and delegates, and of making returns thereof, and to divide the several counties into election districts, for the more convenient holding of elections, not affecting their terms or tenure of office.

Sec. 13. And be it enacted, That so much of the constitution and form of government, as relates to the council to the governor, and to the clerk of the council, be abrogated, abolished and annulled, and that the whole Executive power of the government of this State, shall be vested exclusively in the governor, subject nevertheless to the checks, limitations and provisions hereinafter specified and mentioned. Sec. 14. And be it enacted, That the governor shall nominate, and by and with the advice and consent of the senate, shall appoint all officers of the State, whose offices are or may be created by law, and whose appointment shall not be otherwise provided for by the constitution and form of government, or by any laws consistent with the constitution and form of government; Provided, that this act shall not be deemed or construed to impair, in any manner, the validity of the commissions of such persons as shall be in office under previous executive appointment when this act shall go into operation, or alter, abridge, or change, the tenure, quality or duration of the same, or of any of them.

Sec. 15. And be it enacted, That the Governor shall have power to fill any vacancy that may occur in any such offices during the recess of the senate, by granting commissions 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 effect, or at the expiration of one calendar month, ensuing the commencement of the next regular session of the senate, which shall first occur.

Sec. 16. And be it enacted, That the same person shall in no case be nominated by the Governor a second time during the same session, for the same office, in cases law shall have been rejected by the senate, unless after such rejection, the senate shall inform the Governor by message, of their willingness to receive again the nomination of such rejected person, for further consideration, and in case any person nominated by the Governor for any office, shall have been rejected by the Senate, it shall not be a violation for the Governor at any time afterwards, during the recess of the senate, in case of vacancy in the same office, to appoint such rejected person to fill the said vacancy.

Sec. 17. And be it enacted, That it shall be the duty of the Governor within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, (if it be confirmed) and annually thereafter during the regular session of the Senate, and on each particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the Senate, to appoint a secretary of state, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation as shall be prescribed by law.

Sec. 18. And be it enacted, That in case a vacancy shall occur in the office of Governor at any time after this act shall go into operation, the General Assembly, if in session, or if in the recess, at their next session shall proceed to elect by joint ballot of the two houses, some person, to be Governor for the residue of said term, in place of the person originally elected, and in every case of vacancy until the election, and in every case of vacancy until the election, the secretary of state by virtue of his said office, shall be clothed, ad interim with the executive powers of government, and in case there shall be no secretary of state, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of speaker of the house of delegates shall by virtue of his said office be clothed, ad interim with the executive powers of government.

Sec. 19. And be it enacted, That the term of office of the Governor, who shall be chosen on the first Monday of January next, shall continue for the term of one year, and until the election and qualification of a successor, to be chosen as hereinafter mentioned. Sec. 20. And be it enacted, That at the time and places of holding the elections in the several counties of this State, and in the city of Baltimore, for delegates to the General Assembly for the December session of the year eighteen hundred and thirty-eight, and for the election of delegates for the December session of the year eighteen hundred and thirty-eight, shall be held, and in every third year forever thereafter, an election shall also be held for a Governor of this State, whose term of office shall commence on the first Monday of January next ensuing the day of such election, and continue for three years, and until the election and qualification of a successor; at which said election every person qualified to vote for delegates to the General Assembly, at the place at which he shall offer to vote, shall be entitled to vote for Governor, and the person voted for as Governor shall possess the qualifications now required by the constitution and form of government, and the ad interim qualification of being at least thirty years of age, and of being and having been for at least three whole years before, a resident within the limits of the gubernatorial district from which the Governor is to be taken at such election, according to the priority which shall be determined as hereinafter mentioned, that is to say, the State shall be, and the same is hereby divided into three gubernatorial districts, as follows: the counties of Cecil, Kent, Queen Anne's, Caroline, Talbot, Dorchester, Somerset and Worcester shall together compose one district, and until its number shall be determined as hereinafter provided, shall be known as the Eastern District; the counties of St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, inclusive of the city of Annapolis, Montgomery, and Baltimore city, shall together compose one district, and until its number shall be determined as hereinafter provided, shall be known as the Southern District; Baltimore, Harford, Carroll, Frederick, Washington and Allegany counties, shall together compose one district, and until its number shall be determined as hereinafter provided, shall be known as the North-western District; and for the purpose of determining the respective numbers and order of priority of said districts in the same session in which this act shall be confirmed, if the same shall be confirmed as hereinafter mentioned, and on some day to be fixed by concurrence of the two branches, the speaker of the house of delegates shall present to the president of the senate, in the senate chamber, a box containing three ballots of similar size and appearance and on which shall severally be written, Eastern District, Southern District, North-western District, and the president of the senate shall thereupon draw from said box the said several ballots in succession, and the district, the name of which shall be written on the ballot first drawn, shall thenceforth be distinguished as the first gubernatorial district, and the person to be chosen Governor at the election first to be held under the provisions of this section, and the person to be chosen at every succeeding third election for Governor forever thereafter, shall be taken from the said first district, and the district, the name of which shall be written on the ballot secondly drawn, shall thenceforth be distinguished as the second gubernatorial district, and the person to be chosen Governor at the second election to be held under the provisions of this section, and the person to be chosen at every succeeding third election for Governor forever thereafter, shall be taken from the said second district; and the district, the name of which shall be written on the ballot thirdly drawn, shall thenceforth be distinguished as the third gubernatorial district, and the person to be chosen Governor at the third election to be held under the provisions of this section, and the person to be chosen at every succeeding third election forever thereafter, shall be taken from the said third district; and the result of such drawing shall be entered on the journal of the senate, and be reported by the speaker of the house of delegates on his return to that body and be entered on the journal thereof, and shall be certified by a joint letter

to be signed by the president of the senate and the speaker of the house of delegates, and be addressed and transmitted to the Secretary of State, if appointed, and if not, as soon as he shall be appointed, to be by him preserved in his office. Sec. 21. And be it enacted, That the General Assembly shall have power to regulate by law, all matters which relate to the judges, time, place, and manner of holding elections for Governor and of making returns there of not affecting the tenure and term of office there by, and that, until otherwise directed, the returns shall be made in like manner as in elections for electors of President and Vice President, save that the form of the certificates shall be varied to suit the case, and save also, that the returns, instead of being made to the governor and council, shall be made to the senate, and be addressed to the president of the senate, and be endorsed under cover to the secretary of state, by whom they shall be delivered to the president of the senate, at the commencement of the session next ensuing such election.

Sec. 22. And be it enacted, That of the persons voted for as governor, at any such election, the person having in the judgment of the senate, the highest number of legal votes, and possessing the legal qualifications, and residing as aforesaid, in the district from which the governor at such election is to be taken, shall be governor and shall qualify in the manner prescribed by the constitution and laws, on the first Monday of January next ensuing his election, or as soon thereafter as may be, and all questions in relation to the number or legality of the votes given for each, and any person voted for, as governor, and in relation to the returns, and in relation to the qualifications of the persons voted for, as governor, shall be decided by the senate, and in case two or more persons, legally qualified according to the provisions of this act, shall have an equal number of legal votes, then the senate and house of delegates, upon joint ballot, shall determine which one of them shall be governor, and the one which, upon counting the ballots, shall have the highest number of votes shall be governor, and shall qualify accordingly.

Sec. 23. And be it enacted, That no person who shall be elected, and shall act as governor, shall be again eligible for the next succeeding term. Sec. 24. And be it enacted, That the election to be held in pursuance of this act, shall be held on the first Wednesday of October, in the year eighteen hundred and thirty-eight, and for the election of delegates on the same day in every year thereafter, for the election of governor on the same day in every third year thereafter, and for the election of senators of the first class, on the same day in the second year after their election, and classification, and on the same day in every sixth year thereafter, and for the election of senators of the second class, on the same day in the fourth year after their election, and classification, and on the same day in every sixth year thereafter; and for the election of senators of the third class, on the same day in the sixth year after their election and classification, and on the same day in every sixth year thereafter.

Sec. 25. And be it enacted, That in all elections for governor, the city of Annapolis shall be deemed and taken as part of Anne Arundel county. Sec. 26. And be it enacted, That the relation of master and slave, in this State, shall not be abolished unless a bill so to abolish the same, shall be passed by a unanimous vote of the members of each branch of the General Assembly, and shall be published at least three months before a new election of delegates, and shall be confirmed by a unanimous vote of the members of each branch of the General Assembly, at the next regular constitutional session after such new election, nor then, without full compensation to the master for the property of which he shall be thereby deprived.

Sec. 27. And be it enacted, That the city of Annapolis shall continue to be the seat of government, and the place of holding the sessions of the court of appeals for the Western Shore, and the high court of chancery. Sec. 28. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

Sec. 29. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

Sec. 30. And be it enacted, That the same person shall in no case be nominated by the Governor a second time during the same session, for the same office, in cases law shall have been rejected by the senate, unless after such rejection, the senate shall inform the Governor by message, of their willingness to receive again the nomination of such rejected person, for further consideration, and in case any person nominated by the Governor for any office, shall have been rejected by the Senate, it shall not be a violation for the Governor at any time afterwards, during the recess of the senate, in case of vacancy in the same office, to appoint such rejected person to fill the said vacancy.

Sec. 31. And be it enacted, That it shall be the duty of the Governor within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, (if it be confirmed) and annually thereafter during the regular session of the Senate, and on each particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the Senate, to appoint a secretary of state, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation as shall be prescribed by law.

Sec. 32. And be it enacted, That in case a vacancy shall occur in the office of Governor at any time after this act shall go into operation, the General Assembly, if in session, or if in the recess, at their next session shall proceed to elect by joint ballot of the two houses, some person, to be Governor for the residue of said term, in place of the person originally elected, and in every case of vacancy until the election, and in every case of vacancy until the election, the secretary of state by virtue of his said office, shall be clothed, ad interim with the executive powers of government, and in case there shall be no secretary of state, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of speaker of the house of delegates shall by virtue of his said office be clothed, ad interim with the executive powers of government.

Sec. 33. And be it enacted, That the term of office of the Governor, who shall be chosen on the first Monday of January next ensuing the day of such election, and continue for three years, and until the election and qualification of a successor, to be chosen as hereinafter mentioned. Sec. 34. And be it enacted, That at the time and places of holding the elections in the several counties of this State, and in the city of Baltimore, for delegates to the General Assembly for the December session of the year eighteen hundred and thirty-eight, and for the election of delegates for the December session of the year eighteen hundred and thirty-eight, shall be held, and in every third year forever thereafter, an election shall also be held for a Governor of this State, whose term of office shall commence on the first Monday of January next ensuing the day of such election, and continue for three years, and until the election and qualification of a successor, to be chosen as hereinafter mentioned. Sec. 35. And be it enacted, That of the persons voted for as governor, at any such election, the person having in the judgment of the senate, the highest number of legal votes, and possessing the legal qualifications, and residing as aforesaid, in the district from which the governor at such election is to be taken, shall be governor and shall qualify in the manner prescribed by the constitution and laws, on the first Monday of January next ensuing his election, or as soon thereafter as may be, and all questions in relation to the number or legality of the votes given for each, and any person voted for, as governor, and in relation to the returns, and in relation to the qualifications of the persons voted for, as governor, shall be decided by the senate, and in case two or more persons, legally qualified according to the provisions of this act, shall have an equal number of legal votes, then the senate and house of delegates, upon joint ballot, shall determine which one of them shall be governor, and the one which, upon counting the ballots, shall have the highest number of votes shall be governor, and shall qualify accordingly.

Sec. 36. And be it enacted, That no person who shall be elected, and shall act as governor, shall be again eligible for the next succeeding term. Sec. 37. And be it enacted, That the election to be held in pursuance of this act, shall be held on the first Wednesday of October, in the year eighteen hundred and thirty-eight, and for the election of delegates on the same day in every year thereafter, for the election of governor on the same day in every third year thereafter, and for the election of senators of the first class, on the same day in the second year after their election, and classification, and on the same day in every sixth year thereafter, and for the election of senators of the second class, on the same day in the fourth year after their election, and classification, and on the same day in every sixth year thereafter; and for the election of senators of the third class, on the same day in the sixth year after their election and classification, and on the same day in every sixth year thereafter.

Sec. 38. And be it enacted, That in all elections for governor, the city of Annapolis shall be deemed and taken as part of Anne Arundel county. Sec. 39. And be it enacted, That the relation of master and slave, in this State, shall not be abolished unless a bill so to abolish the same, shall be passed by a unanimous vote of the members of each branch of the General Assembly, and shall be published at least three months before a new election of delegates, and shall be confirmed by a unanimous vote of the members of each branch of the General Assembly, at the next regular constitutional session after such new election, nor then, without full compensation to the master for the property of which he shall be thereby deprived.

Sec. 40. And be it enacted, That the city of Annapolis shall continue to be the seat of government, and the place of holding the sessions of the court of appeals for the Western Shore, and the high court of chancery. Sec. 41. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

Sec. 42. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

to be signed by the president of the senate and the speaker of the house of delegates, and be addressed and transmitted to the Secretary of State, if appointed, and if not, as soon as he shall be appointed, to be by him preserved in his office. Sec. 21. And be it enacted, That the General Assembly shall have power to regulate by law, all matters which relate to the judges, time, place, and manner of holding elections for Governor and of making returns there of not affecting the tenure and term of office there by, and that, until otherwise directed, the returns shall be made in like manner as in elections for electors of President and Vice President, save that the form of the certificates shall be varied to suit the case, and save also, that the returns, instead of being made to the governor and council, shall be made to the senate, and be addressed to the president of the senate, and be endorsed under cover to the secretary of state, by whom they shall be delivered to the president of the senate, at the commencement of the session next ensuing such election.

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Sec. 31. And be it enacted, That it shall be the duty of the Governor within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, (if it be confirmed) and annually thereafter during the regular session of the Senate, and on each particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the Senate, to appoint a secretary of state, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation as shall be prescribed by law.

Sec. 32. And be it enacted, That in case a vacancy shall occur in the office of Governor at any time after this act shall go into operation, the General Assembly, if in session, or if in the recess, at their next session shall proceed to elect by joint ballot of the two houses, some person, to be Governor for the residue of said term, in place of the person originally elected, and in every case of vacancy until the election, and in every case of vacancy until the election, the secretary of state by virtue of his said office, shall be clothed, ad interim with the executive powers of government, and in case there shall be no secretary of state, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of speaker of the house of delegates shall by virtue of his said office be clothed, ad interim with the executive powers of government.

Sec. 33. And be it enacted, That the term of office of the Governor, who shall be chosen on the first Monday of January next ensuing the day of such election, and continue for three years, and until the election and qualification of a successor, to be chosen as hereinafter mentioned. Sec. 34. And be it enacted, That at the time and places of holding the elections in the several counties of this State, and in the city of Baltimore, for delegates to the General Assembly for the December session of the year eighteen hundred and thirty-eight, and for the election of delegates for the December session of the year eighteen hundred and thirty-eight, shall be held, and in every third year forever thereafter, an election shall also be held for a Governor of this State, whose term of office shall commence on the first Monday of January next ensuing the day of such election, and continue for three years, and until the election and qualification of a successor, to be chosen as hereinafter mentioned. Sec. 35. And be it enacted, That of the persons voted for as governor, at any such election, the person having in the judgment of the senate, the highest number of legal votes, and possessing the legal qualifications, and residing as aforesaid, in the district from which the governor at such election is to be taken, shall be governor and shall qualify in the manner prescribed by the constitution and laws, on the first Monday of January next ensuing his election, or as soon thereafter as may be, and all questions in relation to the number or legality of the votes given for each, and any person voted for, as governor, and in relation to the returns, and in relation to the qualifications of the persons voted for, as governor, shall be decided by the senate, and in case two or more persons, legally qualified according to the provisions of this act, shall have an equal number of legal votes, then the senate and house of delegates, upon joint ballot, shall determine which one of them shall be governor, and the one which, upon counting the ballots, shall have the highest number of votes shall be governor, and shall qualify accordingly.

Sec. 36. And be it enacted, That no person who shall be elected, and shall act as governor, shall be again eligible for the next succeeding term. Sec. 37. And be it enacted, That the election to be held in pursuance of this act, shall be held on the first Wednesday of October, in the year eighteen hundred and thirty-eight, and for the election of delegates on the same day in every year thereafter, for the election of governor on the same day in every third year thereafter, and for the election of senators of the first class, on the same day in the second year after their election, and classification, and on the same day in every sixth year thereafter, and for the election of senators of the second class, on the same day in the fourth year after their election, and classification, and on the same day in every sixth year thereafter; and for the election of senators of the third class, on the same day in the sixth year after their election and classification, and on the same day in every sixth year thereafter.

Sec. 38. And be it enacted, That in all elections for governor, the city of Annapolis shall be deemed and taken as part of Anne Arundel county. Sec. 39. And be it enacted, That the relation of master and slave, in this State, shall not be abolished unless a bill so to abolish the same, shall be passed by a unanimous vote of the members of each branch of the General Assembly, and shall be published at least three months before a new election of delegates, and shall be confirmed by a unanimous vote of the members of each branch of the General Assembly, at the next regular constitutional session after such new election, nor then, without full compensation to the master for the property of which he shall be thereby deprived.

Sec. 40. And be it enacted, That the city of Annapolis shall continue to be the seat of government, and the place of holding the sessions of the court of appeals for the Western Shore, and the high court of chancery. Sec. 41. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

Sec. 42. And be it enacted, That if this act shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election and form of the provisions of the Constitution and form of government, then and in such case, this act, and the alterations and amendments of the Constitution therein contained, shall be valid, as considered, and shall constitute and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

**CO-PARTNERSHIP.** I HAVE this day associated with me in business my son, PHILIP C. CLAYTON, and it will hereafter be conducted under the firm of PHILIP CLAYTON & SON. January 1st, 1838.

**PHILIP CLAYTON & SON.** RESPECTFULLY inform the citizens of Annapolis, and its vicinity, that they will execute with promptness and despatch, any thing in their line of business, viz. Bricklaying, Plastering, Whitewashing, &c. in a neat and workmanlike manner, and grateful for past favours, hope by their attention to merit an increased share of public patronage. February 22.

**WOOD FOR SALE.** AT the Windmill, 300 cords of seasoned PINE WOOD may be had, on application to the Miller, or to the subscriber, who will take Dry Goods, Groceries, or other useful articles in payment. Also, about 3000 APPLE TREES of many fine varieties, and good size, may be had at the Nursery of the subscriber, or will be delivered, when 100 or more are taken by persons in the lower parts of the county, at South River Ferry, free of additional charge. N. BREWER, Jun. February 22.

**SHERIFF'S SALE.** BY virtue of a writ of fieri facias issued out of the District Court for the Seventh Election District of Anne Arundel county, to me directed, at the suit of Richard C. Mann, against the goods and chattels, lands and tenements, of James B. Brewer, I have seized and taken in execution all the right, title, interest and claim, either at law and in equity, in and to a Horse, and Cart, and Gear, and hereby give notice, that on MONDAY, the fifth day of March next, at 12 o'clock M. at the Court House door in the city of Annapolis, I shall proceed to sell the aforesaid Horse, Cart and Gear, at Public Sale, to the highest bidder, for Cash, to satisfy the aforesaid execution. JOHN S. SELBY, Sheriff. A. A. County. February 22.

**A VERY SUPERIOR FARM AT AUCTION,** PART of which is adapted for the cultivation of PEACHES—within a few miles of Baltimore, on MONDAY MORNING, April 1st, 1838, at 1 o'clock, at the Exchange, where a plat may be seen. The subscriber will offer that extensive Tract, embracing 1130 acres in Anne Arundel county,—and binding on the Patapsco, nearly three miles—where there are numerous Landings and deep Water, and a portion of the same on Rock Creek. It is only three miles from Baltimore, and with the present facilities may be said to have the choice of Washington City, Philadelphia and Baltimore markets; about four hundred acres are cleared, and the remainder is well timbered. There are fine streams of Water. The soil is well adapted for the growth of Rye, Oats, Corn, Tobacco, &c. and fruits of almost every description. For the Cultivation of Peaches, there are but few if any superior localities in this country. The land is high, and not subject to severe frosts in its neighbourhood, and the raising of this species of Fruit has, besides other advantages there are in the land about 20,000 cords of Hickory, Oak, Pine and Chesnut Wood, which form a proximity to the water and steady market renders it valuable. The tract will be sold either together or separate as may suit—and the plat is now at the Auction room. Persons visiting the place, will be shown any part, and can form an essential value. Terms, one-third cash on the day of sale, one-third in 12, and one-third in 18 months, with interest, to be secured by bonds with approved security. H. W. BOOL, Jr. Auctioneer. or to the Proprietor, Charles S. Hammond. Frederick, Md. February 22.

**JACOB BASFORD,** Merchant Tailor, HAS taken a Shop opposite Swann & Iglehart's Hotel, where he has just arrived with an elegant assortment of FALL AND WINTER GOODS, which he offers to his friends and the public, and will have them made up in the most fashionable style, at low prices for Cash, or at short dates, to be met when due. He has adopted this method of business, and shall endeavour to pursue the course, and hopes by strict attention and punctuality to give general satisfaction. TWO or THREE JOURNEYMEN TAILORS WANTED IMMEDIATELY. Annapolis, October 26, 1837.—Jf.

**BASIL SHEPHARD,** Having declined business in favour of Mr. J. Basford, who has removed his Shop directly in front of Messrs. Swann & Iglehart's Hotel, wishes those that are indebted to him either by note, bond or open account, to his old business, or to his old stand, opposite Mr. J. Hughes', and settle the same. All who may have claims against him, or the firm, will present them for settlement. Any orders that may be sent to me, I will have them attended to. B. S.

**WILLIAM BRYAN,** Merchant Tailor, HAS just received a handsome assortment of CLOTHS, CASSIMERES AND VESTINGS, very superior in quality, and variety in colours, which he will make up in the most fashionable style, or to suit customers, at the slightest notice. Gentlemen will find it to their interest to give him a call before they buy. His stand is directly opposite to Messrs. Swann & Iglehart's Hotel. October 5.

**A MANAGER WANTED,** FOR the ensuing year on the Farm of Commodore Henry E. Ballard, near Annapolis. A person that can give well recommended for sobriety and industry, will find a desirable situation. No other necessity. Application can be made to Mrs. Ballard, at the Farm for to WILL FRANKLIN, Annapolis. December 7, 1837.

**IN CHANCERY,** 23th January, 1838. ORDERED, That the sale of the lands in the cause of Elizabeth Snowden, and others, against John C. Herbert and Wife, and Julia Snowden, and others, made and reported by the trustee, Charles D. Warfield, be ratified and confirmed, unless cause be shown to the contrary on or before the 27th day of March next, provided a copy of this order be published in some newspaper once in each of three successive weeks before the 27th day of February next. The report states that the land sold for \$223 per acre. True copy—