

was the understanding. He suggested the propriety of not multiplying oaths. The gentleman from Kent, (Mr. Chambers,) was not at the moment in his seat—and he, (Mr. D.,) thought that the section should lie over.

Mr. GRASON thought, he said, that in addition to the general oath, it might be proper to take the oath here prescribed. The Constitution of the United States imposed an oath upon the President nearly in the same words, and embraced in two lines.

Mr. SPENCER explained the previous action of the Convention on the subject of oaths, and confirmed the opinion expressed by the gentleman from Anne Arundel, [Mr. Donaldson,] in regard to the intention of the gentleman from Kent, [Mr. Chambers,] to offer a general oath, and suggested that the matter should lie over for the present.

Mr. GRASON acquiesced.

And the section was informally laid over.

The tenth section was read, and no amendment having been offered, was adopted in the following words:

*Sec. 10.* The Governor shall be commander-in-chief of the land and naval forces of the State, and may call out the militia to repel invasions, suppress insurrections, and enforce the execution of the laws; but shall not take the command in person without the consent of the Legislature.

The eleventh section was read, and no amendment having been offered, was adopted in the following words:

*Sec. 11.* He shall take care that the laws be faithfully executed.

The twelfth section of the report was read as follows:

*Sec. 12.* He shall nominate, and by and with the advice and consent of the Senate, appoint all civil and military officers of the State whose appointment or election is not otherwise herein provided for.

Mr. GRASON moved to amend the said section by adding at the end thereof, the following:

“Unless a different mode shall be prescribed by the law creating the office.”

Mr. CRISFIELD said, he had intended to offer an amendment to the same purpose. But he suggested to the gentleman from Queen Anne's, [Mr. Grason,] to substitute for the language of his amendment that adopted in the old Constitution, [which Mr. C. read.]

Mr. GRASON said, he preferred the language of his own amendment, and stated that these amendments had been prepared with great care and upon consultation with very eminent lawyers.

Mr. CRISFIELD said, he offered no amendment. He simply made the suggestion.

Mr. GRASON said, he thought the object of both propositions was the same.

The question was then taken, and the amendment was agreed to.

And the section, as amended, was adopted.

The thirteenth section of the report was read as follows:

*Sec. 13.* And 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 fill said office, whose commission shall continue in force till the end of the next session of the Legislature, or until some other person is appointed to the same office; 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.

On motion of Mr. GRASON,

Said section was amended by inserting after the word “until,” in the fourth line, the words “the same or,” and by striking out the word “the,” in the fifth line, and inserting the word “every.”

On motion of Mr. HOLLYDAY,

Said section was further amended, by striking out in the sixth line, the word “some,” and inserting the word “any.”

The section, as amended, was then adopted.

Mr. CHAMBERS, of Kent, called the attention of the gentleman from Queen Anne's, [Mr. Grason] to the language of the thirteenth section, which provided that “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 fill said office, whose commission shall continue in force until the end of the next session of the Legislature, or until some other person is appointed to the same office.” And he, [Mr. C.,] suggested a difficulty which might grow out of it. Suppose the case of a nomination by the Governor being rejected by the Senate—and where there was a failure during the session of the Senate to agree to any nomination of the Governor. What would be the condition of the Governor's appointee during the recess?

Mr. GRASON thought, he said, that the suggestion of the gentleman from Kent, [Mr. Chambers,] would apply more properly to the fourteenth than to the thirteenth section. He, [Mr. G.,] would state why the words had been inserted as they stood in the report. In the Constitution as it now was, the commission was to be continued in force until the end of the next session of the Legislature. Judging from his own experience, it occurred to him that it might happen that persons thus appointed during the recess might be incompetent and might be turned out by the Governor before the Legislature met, and some other person be appointed. This provision was made to enable the Governor to turn out a person of his own appointment, if he should be found to be incompetent during the recess of the Legislature.

The next section, [No. 14] brought up, he thought, the question suggested by the gentleman from Kent, [Mr. Chambers.] Under that section some difficulty might arise. He thought that the fourteenth section would present the question more properly.

The PRESIDENT, (*pro tem.*) to Mr. CHAMBERS. Does the gentleman move to reconsider the vote by which the fourteenth section had been adopted?