

the yeas and nays just taken, also asked to be excused from voting, which was agreed to.

Mr. CHAMBERS, of Kent, moved that the Convention reconsider their vote on the 9th section of the report, which was agreed to.

Mr. CHAMBERS, of Kent, then moved to amend the section by striking out in the 1st line, these words, "No priest, clergyman or teacher of any religious persuasion, society or sect," and inserting in lieu thereof, "No minister or preacher of the Gospel of any denomination."

Mr. MAGRAW said that he would suggest to the mover of the amendment, to insert the word "Ordained."

Mr. CHAMBERS observed that his amendment was precisely in the words of the old constitution.

Mr. DORSEY thought the gentleman, by his amendment, was opening too wide a field, for he only excluded preachers of the gospel.—Now, suppose there were Mahometans, or Pagans, or Jewish Rabbis, *omnes est id genus*, they might hold office under the gentleman's amendment.

Mr. CHAMBERS would leave the matter precisely as it stood. He had no connection with Mahometans, or any of the description of people alluded to by the gentleman.

Mr. DORSEY supposed the gentlemen from Kent opposed to letting in Jews, and in saying so, he (Mr. D.) formed his opinion from the record; for he well remembered that several years ago, 1825, when the Senate of Maryland passed the bill confirming the right of Jews who believed in a future state, to hold office, his friend, (Mr. Chambers,) who was opposed to it, did not even call the yeas and nays on the passage of the bill.

Mr. CHAMBERS said the bill did not read exactly as the gentleman had described it.

Mr. DORSEY remarked that after the passage of the bill in the House of Delegates, it went to the Senate, and was passed by acclamation—no yeas and nays being called for; and his friend, (Mr. Chambers,) it appeared by the yeas and nays taken during the session, was in the Senate that day.

The question being taken on the amendment, it was adopted.

And the 9th section, as amended, was agreed to.

Mr. DONALDSON gave notice of his intention to move to reconsider the vote of the Convention on the 4th section of the report.

On motion of Mr. TUCK,

The Convention took up for consideration the 24th section of the report, which had been passed over informally, as will be seen by reference to Journal, February 17th, viz:

"No Senator or Delegate shall, during the term for which he shall have been elected, be appointed to any civil office in this State which shall have been created, or the salary or emoluments of which shall have been increased during such term; and no Senator or Delegate, during the time he shall continue to act as such, shall be eligible to any civil office."

Mr. Tuck then offered as a substitute for said section, the following:

"No Senator or Delegate of the Assembly, if he shall qualify as such, shall hold or execute any office of profit under executive appointment, or receive the profit of any office exercised by any other person under executive appointment, during the time for which he shall be elected, except that of Justice of the Peace."

Mr. Tuck said the object of his amendment was to restore the provision on this subject, which was in the Constitution prior to 1836. He thought there should be an entire separation between the Executive and other departments of the government. This was the theory of the government, and he wanted it carried out practically. Since the amended Constitution of 1836, persons holding seats in the Legislature had received Executive appointments. Of course, he did not make any personal application of his remarks. But he wished to prevent what might become a source of contention. It was easy to see that the Executive might exert an improper influence in the Legislative Halls if he could hold out inducements to members—and where inducements were not held out, members who were applying for, or who intended to apply for office, would feel less freedom of action when they knew that they might give votes not quite acceptable to the Executive. There should be no sympathy between the occupants of these departments. In these times of office-hunting, when men look to them as means of support, and educate their sons in the expectation of filling similar places, corruption can scarcely be avoided. Office-seeking is one of the great evils of the day. The universal desire for office, makes every appointing power a petty despotism—and the officers or office-seekers, the slaves almost of those above them. Disappointment seems to have increased the number instead of diminishing it. They never give over. Defeated in one point, they assail some other—all the while eking out a scanty subsistence on hope deferred, while, perhaps, an interesting family is suffering for the necessaries of life. Hence the greater necessity for guarding this power by all the protections against abuse that can be invented. Between the Governor and Senate, there is a more immediate sympathy—because they constitute the appointing power. No man can foresee the mischief that might ensue if the Executive were to exercise in that body the unseen and yet powerful influence of members on whose support he could always rely—a reliance made safe and certain by the obligation which a sense of one's own interest sometimes imposes.

Mr. JENIFER thought the gentleman, (Mr. Tuck,) was incorrect in his deductions. When the appointing power was almost exclusively in the Governor, or in the Legislature, a provision of this kind might have been proper. But under the new Constitution, all power will be vested in the people.

He (Mr. J.) did not know that the Governor would be left the power of any appointment save his clerk and some few others of little importance. One section will have the patronage, perhaps, of issuing militia commissions. He