

the highest and an equal number of votes, then a second vote shall be taken, which shall be confined to the persons having an equal number; and if the votes should again be equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.

Sec. 5. The State shall be divided into three districts; St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, Montgomery, and Howard counties, and the city of Baltimore, to be the first; the eight counties of the Eastern Shore to be the second; and Baltimore, Harford, Frederick, Washington, Allegany and Carroll counties, to be the third. The Governor, elected from the third district in October last, shall continue in office during the term for which he was elected. The Governor shall be taken from the first district at the first election of Governor under this Constitution; from the second district at the second election; and from the third district at the third election; and in like manner afterwards, from each district in regular succession.

Sec. 6. A person to be eligible to the office of Governor, must have attained the age of thirty years, and been for five years a citizen of the United States, and for five years next preceding his election a resident of the State, and for three years a resident of the district from which he was elected.

Sec. 7. In case of the death or resignation of the Governor, or of his removal from the State, the general assembly, if in session, or if not, at their next session, shall elect some other qualified resident of the same district, to be the Governor for the residue of the term for which the said Governor had been elected.

Sec. 8. In case of any vacancy in the office of Governor during the recess of the legislature, the president of the senate shall discharge the duties of said office till a Governor is elected as herein provided for; and in case of the death or resignation of said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the speaker of the house of delegates, and the legislature may provide by law for the case of impeachment or inability of the Governor, and declare what person shall perform the executive duties during such impeachment or inability; and for any vacancy in said office, not herein provided for, provision may be made by law, and if such vacancy should occur without such provision being made, the legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

Sec. 9. 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.

Sec. 10. He shall take care that the laws be faithfully executed.

Sec. 11. 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, unless a different mode of appointment be prescribed by the law creating the office.

Sec. 12. 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 said office, whose commission shall continue in force till the end of the next session of the legislature, or till some other person is appointed to the same office, which ever shall first occur, 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.

Sec. 13. No person, after being rejected by the senate, shall be again nominated for the same office at the same session, unless at the request of the senate, or be appointed to the same office during the recess of the legislature.

Sec. 14. All civil officers appointed by the Governor and senate, shall be nominated to the senate within fifty days from the commencement of each regular session of the legislature; and their term of office shall commence on the first Monday of May next ensuing their appointment, and continue for two years (unless sooner removed from office) and until their successors, respectively, qualify according to law.

Sec. 15. The Governor may suspend or arrest any military officer of the State, for disobedience of orders, or other military offence, and may remove him in pursuance of the sentence of a court-martial; and may remove for incompetency or misconduct, all civil officers who receive appointments from the executive for a term not exceeding two years.

Sec. 16. The Governor may 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. It shall be the duty of the Governor semi-annually, and oftener if he deem it expedient, to examine the bank-book, account books, and official proceedings of the treasurer and comptroller of the State.

Sec. 18. He shall, from time to time, inform the legislature of the condition of the State, and recommend to their consideration such measures as he may judge necessary and expedient.