

GOVERNOR.

The governor to take an oath, that he will not receive any part of the profits of any office held by any other person, during his acting in his office, or any part of the profits on any agency for the supply of cloathing or provisions for the army or navy. *Const.* 38.

— To take an oath before he acts, that he will not vote for any person through partiality, that he will vote for the person best qualified; and that he has not nor will not promise his vote, &c. *Ibid.* 50.

— To take an oath, (as being appointed to an office of profit or trust,) that he does not hold himself bound in allegiance to the king of Great-Britain, and that he will be faithful and bear true allegiance to the state of Maryland; and to subscribe a declaration of his belief in the Christian religion. *Ibid.* 55.

Punishment on any governor receiving, directly or indirectly, at any time, the profits, or any part of the profits, of any office held by any other person, during his acting as governor. *Ibid.* 53.

— On any person giving a bribe, or any promise for the payment of money, &c. to procure a vote to be governor. *Ibid.* 54.

The governor, while he acts as such, not capable of holding any other office of profit in the state. *Ibid.* 37.

The governor not to continue in office longer than three years successively, nor to be eligible as such till the expiration of four years after he shall have been out of that office. *Ibid.* 31.

If the two houses of assembly should adjourn to different days, the governor shall appoint and notify one of those days, or some day between, on which the general assembly shall meet and be held, but he shall not adjourn the assembly otherwise, nor prorogue or dissolve it at any time. *Ibid.* 29.

On the death, resignation, &c. of the governor, the first named of the council shall act and qualify as governor, and shall call a meeting of the assembly, at which a governor shall be appointed for the residue of the year. *Ibid.* 32.

The governor shall alone have the direction of the militia when embodied, and shall also have the direction of all the regular land and sea forces under the state, but shall not command in person, unless thereto advised by the council, and then only so long as they shall approve thereof. *Ibid.* 33.

The governor may alone exercise all other the executive powers of government, when the concurrence of the council is not required, according to the laws of this state. *Ibid.*

— He may grant reprieves or pardons for any crime, except where the law shall otherwise direct. *Ibid.*

— His power respecting embargoes. *Ibid.*

— Respecting quarantine. *Ibid.* November, 1766, ch. 25, 1793, ch. 34.

— He shall not, under any pretence, exercise any power or prerogative by virtue of any law, statute or custom of England or Great-Britain. *Const.* 33.

The governor shall preside in the council, and be entitled to a vote on all questions in which they shall be divided in opinion. *Ibid.* 34.

— He shall commission registers of wills on the joint recommendation of the senate and house of delegates. *Ibid.* 41.

— He shall commission for the office of sheriff of each county the one having the majority of votes of the two persons returned therefor. *Ibid.* 42.

— He may commission either, if both have an equal number of votes. *Ibid.*

— He shall commission the other person returned, for the residue of the three years, in case of the death, &c. of the first. *Ibid.*

The governor may remove or suspend any militia officer in pursuance of the judgment of a court-martial. *Ibid.* 48.

The governor shall sign all commissions and grants. *Ibid.* 57.

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— He shall sign every bill, passed by the general assembly, and affix the great seal thereto; the bills to be presented to him for that purpose by the speaker of the house of delegates, in the senate, in the presence of the members of both houses. *Ibid.* 60.

— Manner of his election, and of his commissioning officers to introduce the new government. *Ibid.* 61.

Manner of choosing a council to the governor. *Ibid.* 26.

— The advice of the members, if so required by the governor or any of the members, to be given in writing, and signed. *Ibid.*

The oaths to the chancellor to be administered to him by the governor at the time of delivering to him the great seal of this state. February, 1777, ch. 5, § 2.

Grants of lands issued from the land-office to be signed by the governor. November, 1781, ch. 20, § 3; 1795, ch. 61, § 2.

The governor prohibited from granting a *nolle prosequi* in prosecutions by presentment or indictment for the recovery of any fine, penalty or forfeiture only. April, 1782, ch. 42, § 4.

The governor for the time being shall be chancellor of the university of Maryland. 1784, ch. 37, § 33.

The governor authorised to execute so much of the act of October, 1778, ch. 14, as related to the commissioned officers of the Maryland line, as fully as the justices of the orphans court. *Ibid.* ch. 72.

— Authorised and directed, on the application of certain officers therein named, to draw orders on the treasury, annually or quarterly, for their half pay. 1785, ch. 17, § 3, November, 1788, ch. 8.

The salary of the governor permanently established, to be paid quarterly. 1785, ch. 28.

The governor authorised, on application, to issue commissions of oyer and terminer and gaol delivery for the trial of all crimes, offences and misdemeanors whatever, in any county, when it shall appear that there is a necessity therefor. November, 1787, ch. 1.

Trials to be had in the general or county courts, or in the courts of oyer and terminer, in the cases of homicide therein mentioned. 1789, ch. 22.

The governor may, in his discretion, grant to any offender capitally convicted, a pardon, on condition contained therein, which shall be effectual as a condition according to the intent thereof. November, 1787, ch. 17, § 2.

— If the offender be a slave, and the condition be his leaving the state, or on transportation, the governor may direct the sheriff having him in custody to contract and take security for the transportation of such slave, agreeably to the condition of his pardon. *Ibid.* § 3.

On the death, resignation, &c. of any of the board of examiners of pilots, the governor may appoint some fit and proper person, out of three persons to be recommended to him by the said board, to fill up such vacancy. *Ibid.* ch. 26, § 22.

The governor to sign certificates by the governor and council of the receipt of returns of the elections of representatives to congress, or of electors of the president and vice-president, to be evidence against any sheriff as to the time of making such return. November, 1792, ch. 34.

The governor empowered and required, whenever sentence of death is pronounced by the judgment of a court against any criminal, to issue, under his hand, a warrant to the sheriff to execute the said judgment, at such time as he shall therein appoint. 1795, ch. 82, § 1.

— He shall have power, in his discretion, to commute or change any sentence or judgment of death to punishment of labour or banishment from the state, on such terms, and for such periods, as he shall think expedient. *Ibid.* § 2.

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